POLICY BRIFF



No. #32, 6 July 2021. Palina Kolvani, Martin Lundstedt,

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Pandemic Backsliding: A Year of Violations and Advances in Response to Covid-19

- Since the beginning of the pandemic, the Gothenburg-based
 V-Dem institute has tracked violations of democratic standards in relation to Covid-19 measures in 144 countries.
- We found that violations tended to occur earlier in the pandemic response and have declined over time.
- Countries in the MENA and Asia and Pacific regions registered the highest averages in terms of violations and these have remained consistently high throughout the pandemic.
- Several advances over the past year highlight the potential for democratic emergency responses in low and lower-middle income countries.

Curfews, school closures, limits on public gatherings, and in some cases, complete lockdowns have affected large parts of the globe throughout 2020 and early 2021. In many cases, these measures have been proportionate, temporary, and justifiable within international frameworks. However, some governments have used the Covid-19 pandemic to discriminate, derogate from non-derogable rights, limit legislative oversight, and restrict media freedoms. Some have established indefinite restrictions on basic rights. And others have engaged in abusive enforcement, or waged disinformation campaigns.

In this policy brief – the fifth in our Pandemic Backsliding series – we reflect on how governments' efforts to contain the Covid-19 pandemic over the past fifteen months have limited human rights. We assess how these responses measure up to democratic standards for emergency measures based on international normative frameworks and treaties like the International Covenant for Civil and Political Rights (ICCPR). ²

We base our assessments on the Pandemic Backsliding Dataset. These data cover 144 countries with populations over 2 million from March 2020 to June 2021, arranged in roughly five financial quarters. The data and documentation,³ including all sources and comments on coding decisions, are freely available. In addition, we provide an interactive online dashboard⁴ that can be used to map conditions at distinct time periods, and assess the performance of individual countries.

One year ago, we provided a global overview⁵ of democratic violations four months into the Covid-19 pandemic. Since then, we have published

reports on disinformation campaigns⁶ and the outlook by region.⁷ In this report, we draw on fifteen months' worth of data to assess trends over time, and within regions, income groups, and individual countries. We also highlight three areas where both advances and violations occurred throughout the pandemic.

Fifteen Months of Democratic Violations: A Recap

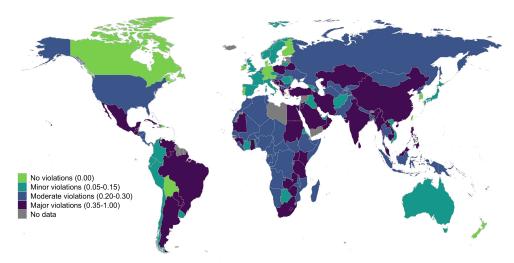
In keeping with past reports, we begin by assessing violations on a global scale throughout the pandemic. The Pandemic Violations of Democratic Standards Index (PanDem) combines all seven types of violations into one index to capture the extent to which violations of democratic standards have occurred and the severity thereof. It ranges from zero to one, with higher values indicating more severe violations of democratic standards.⁸

Figure 2 maps the maximum value for the PanDem Index for 144 countries from March 2020 to June 2021. In other words, it represents the peak of violations within countries during this period. For some countries, scores have improved over time, while others remain constant or have deteriorated. We discuss these trends in more detail below.

For now, we found that only 13 governments have committed no violations over the past fifteen months. All but one of the non-violators were considered upper-middle or high-income democracies (as of December 2019). Bolivia, which is a lower-middle income electoral autocracy also managed to maintain democratic standards in its response to Covid-19,

- 1 We would like to thank Sandra Grahn, Ana Flavia Good God, Natalia Natsika, Milene Bruhn, Cristina Schaver, Abdalhadi Alijla, Tiago Fernandes, Staffan I. Lindberg, Hans Tung, Matthew Wilson and Nina Ilchenko as well as V-Dem Country Coordinators and Regional Managers for their invaluable support and input. This research was financially supported by the Swedish Ministry of Foreign Affairs.
- 2 https://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf
- 3 https://github.com/vdeminstitute/pandem
- 4 https://github.com/vdeminstitute/pandem
- 5 https://www.-dem.net/media/filer_public/b9/2e/b92e59da-2a06-4d2e-82a1-b0a8dece4af7/v-dem_policybrief-24_update-pandemic-backsliding_200702.pdf
- $\textbf{6} \quad \text{https://www.v-dem.net/media/filer_public/37/de/37defb66-9457-4eeb-887a-f0c168dc4365/v-dem_policybrief-25_201002_v2.pdf}$
- 7 https://www.v-dem.net/media/filer_public/13/1a/131a6ef5-4602-4746-a907-8f549a5518b2/v-dem_policybrief-26_201214_v31.pdf
- Values come in increments of 0.05, reflecting the ordinal nature of the underlying input measures.
- 9 Classifications of democracy and non-democracy are based on the Regimes of the World (Lührmann, Tannenberg, and Lindberg 2018), as reported in the V-Dem dataset (Coppedge et al. 2021). Income groupings are based on the World Bank Country and Lending Groups for 2020-2021, which can be found here: https://datahelpdesk.worldbank.org/knowledgebase/articles/906519-world-bank-country-and-lending-groups.

FIGURE 1. PANDEMIC VIOLATIONS OF DEMOCRATIC STANDARDS INDEX (MARCH 2020 AND JUNE 2021).



Note: Lower scores indicate fewer recorded violations of democratic standards by emergency measures. This map reflects the worst violations between March 2020 and June 2021.

despite turbulent political events in recent years.

Another 30 governments committed what we consider to be minor violations (5% to 15% of the possible severity and extent). A large majority (22) of these governments are also considered democratic. That includes Moldova and Ivory Coast, two lower-middle income economies

Meanwhile, 57 countries have scored moderate violations (between 0.20 and 0.35) and 44 are classified as major violators (0.35 or higher). Most, but not all, of these governments are non-democratic (36 and 30, respectively). As such, for 35 democracies, we observed moderate to major violations for at least one quarter from March 2020 to June 2021. Among these are five liberal democracies Ghana (0.40, lower-middle income), Costa Rica (0.25, upper-middle income), and Belgium, Slovenia, and the United States (0.20, all upper-middle income).

While few countries avoided violations for the entire fifteen-month period, we did see improvements over time. As shown in Table 1, only 17 countries committed no violations in Q2 2020, but this increased over each subsequent quarter to 34 countries with no violations in Q2 2021. Cases in the minor violations category have also increased over the past year – from 31 to 49. And the number of countries committing major and moderate violations has declined over time, from 37 to 19 and 59 to 42, respectively. This all suggests that violations of democratic norms declined as the pandemic progressed.

We also provide an overall assessment of violations by type in Figure 2. The lengths of the bars in this graph reflect the percentage of countries that committed major, moderate, minor, or no violations for that particular area during the fifteen-month period. Similar to past reports, we found that a majority of governments – 68% (or 98 countries) – have used the pandemic to place major limits on media freedoms during

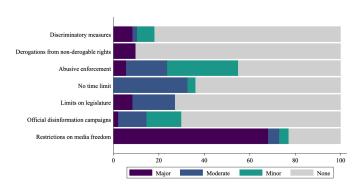
at least one quarter between March 2020 to June 2021.¹⁰ Violations involving discrimination or derogations from non-derogable rights were less common, perhaps reflecting the strong norms and oversight capacity surrounding rights specifically enshrined in the ICCPR.

TABLE 1. COUNTRIES WITH A HIGH RISK OF PANDEMIC BACKSLIDING (MARCH-SEPTEMBER 2020).

	No Violations (0.00)	Minor (0.05-0.15)	Moderate (0.20-0.30)	Major (0.35-1.00)
Q2 2020	17	31	59	37
Q3 2020	21	56	43	24
Q4 2020	28	52	44	20
Q1 2021	32	51	42	19
Q2 2021	34	49	42	19
Maximum*	13	30	57	44

*Maximum refers to the maximum score observed on the PanDem index from March 2020 to June 2021, as depicted in Figure 1.

FIGURE 2. PERCENTAGE OF COUNTRIES WITH VIOLATIONS OF DEMO-CRATIC STANDARDS (MARCH 2020 TO JUNE 2021).



¹⁰ Note that we use multiple indicators to gauge restrictions on media freedom, including de-jure limits on the emergency measures, reporting about Covid-19 facts, reporting on the government's response to Covid-19, reporting about other news restricted by Covid-19 measures, access to information, and harassment of journalists (both verbal and physical). When assessing limits on reporting about facts concerning Covid-19 and the government's response, we also incorporated information about the overall media environment, even if specific incidents were not found.

Developments Over Time, Regions, and Income Groups

Figure 3 depicts the average PanDem score for each region and the world within each quarter.11 Overall, this demonstrates that violations of democratic standards occurred early on and have declined over time. The global average of the PanDem Index has decreased from 0.24 in Q2 2020 to 0.18 in Q2 2021.

FIGURE 3. PANDEMIC VIOLATIONS OF DEMOCRATIC STANDARDS INDEX, GLOBAL AND REGIONAL AVERAGES, Q2 2020-Q2 2021

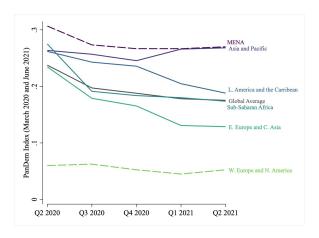
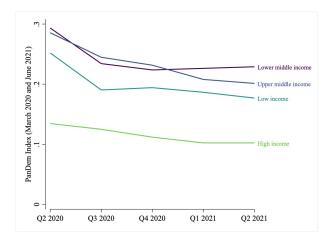


Figure 3 also shows that most regions have witnessed fewer violations on average over time. In all regions except Asia and the Pacific, the largest number of violations occurred in the first three months of the pandemic from March to June 2020. In Sub-Saharan Africa, Eastern and Central Europe, and Latin America, we see improvements as the PanDem Index has declined over subsequent quarters. However, in Asia and the Pacific and MENA, average scores on the PanDem Index were relatively stable and high compared to the rest of the world. Some of the countries with the highest scores - including Sri Lanka, China, and Saudi Arabia – are located in these two regions. We observed the least amount of change over time for Western Europe and North America, in large part because this region scored the lowest number of violations. All countries in this region are also high-income democracies.

We also highlight important trends across income groups. Figure 4 demonstrates how the PanDem Index has changed over time for countries at different levels of economic development based on the World Bank classification.12

While high-income countries have the lowest average PanDem scores throughout the pandemic, lower-middle and upper-middle income countries registered more violations of democratic standards than low-income countries. Low-income countries also achieved the largest decline in the PanDem Index from 0.26 in Q2 2020 to 0.18 in Q2 2021.

FIGURE 4. PANDEMIC VIOLATIONS OF DEMOCRATIC STANDARDS INDEX. **AVERAGES BY INCOME GROUP, Q2 2020-Q2 2021**



A Year of Wins and Losses for Democratic Standards

As the trends above suggest, the Covid-19 pandemic has registered several wins and losses for democratic standards. While high-income Western democracies have generally performed quite well, several low and lower-middle income countries stand out for their innovation and advances. In other cases, we consistently see worrying trends. In this section, we highlight some of these cases.

Courts pushing back against executive overreach

Between March 2020 and June 2021, Covid-19 responses resulted in moderate or major limitations on legislatures in 39 out of 144 countries (or 27%). In cases like Ivory Coast¹³ vaguely formulated legal frameworks have allowed executives to rule by decree beyond "the extent strictly required by the exigencies of the situation". ¹⁴ In cases like Sri Lanka¹⁵ and North Macedonia¹⁶ parliaments were dissolved for long periods due to election delays. Yet in some countries, courts have acted as important institutional checks, pushing back against executive overreach.

In Lesotho, the Prime Minister Thomas Thabane declared a state of emergency¹⁷ and dissolved the parliament¹⁸ in March 2020. However, in April 2020, the High Court ruled¹⁹ that the dissolution of parliament was illegal. Since then, the parliament has resumed its sessions and the government has issued emergency measures within narrowly defined legal parameters.²⁰ Accordingly, the PanDem score declined from 0.4 at the beginning of the Pandemic to 0.1 as of June of 2021.

Likewise, Malawi's courts²¹ continued to exhibit their independence in 2020 by ruling that former President Peter Mutharika's attempt to impose a nation-wide lockdown was unconstitutional because it bypassed legislative scrutiny. Its ruling ordered lawmakers to enact new legislation to guard against future attempts to abuse power. Throughout most of

- 12 https://blogs.worldbank.org/opendata/new-world-bank-country-classifications-income-level-2020-2021
- 13 https://freedomhouse.org/country/cote-divoire/freedom-world/2021
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¹¹ For more information on how regions differ in the types of violations committed, see our last policy brief of 2020: https://www.v-dem.net/media/filer_public/13/1a/131a6ef5-4602-4746-a907-8f549a5518b2/v-dem_policybrief-26_201214_v31.pdf

the pandemic, Malawi's only violation has been failing to provide a time limit for some of its Covid-19 measures. However, in January 2021, we did register one incident of physical harassment of journalists where the police beat a journalist "with pipes and sticks after he asked permission to photograph them enforcing COVID-19 regulations."²²

In some cases, courts tried but failed to prevent violations. For example, the courts in El Salvador²³ ruled against President Nayib Bukele on three separate occasions for encouraging arbitrary arrests and detentions under Covid-19 regulations, including some that occurred prior to the measures going into force or that involved essential services. However, President Bukele defied these orders²⁴ and in May 2021 orchestrated a purge of the judges²⁵ involved in the unfavorable rulings. El Salvador has consistently ranked among the top violators on the PanDem Index for derogations from non-derogable rights, abusive enforcement, limits on the legislature, and restrictions on media freedoms.

Establishing safe protocols without discrimination

Across the world, the pandemic raised concerns that minorities would bear the brunt of the Covid-19 measures. Nevertheless, many countries, including low-income and lower-middle income countries, made efforts to avoid imposing unnecessary hardships on religious, ethnic and other minorities.

For instance, although the Philippines mandated the cremation of Covid-19 victims, it made an exception for situations in which religion forbids cremation, thus allowing Muslims to bury their dead in accordance with Islamic tradition.²⁶ Likewise, in South Africa²⁷ (an upper-middle income country), a local NGO provided assistance for the safe burial of Covid-19 victims of Muslim faith without government interference. While the Philippines and South Africa scored high on the PanDem Index because of frequent police brutality, they did not engage in the kind of severe discrimination against religious groups that has been witnessed elsewhere.

By contrast, Sri Lanka's government forced its Muslim minority to cremate their dead²⁸ against the families' wishes and despite WHO guidelines.²⁹ In 2021, it lifted the burial ban amidst international pressure³⁰ but required

that the bodies be buried in a remote island³¹ in the Gulf of Mannar. These actions amount to discrimination on the basis of religion and also violate Article 18 of the ICCPR, the non-derogable right to freedom of thought and religion. As a result of these actions, as well as limitations on the legislature, disinformation campaigns, and media restrictions, Sri Lanka ranks amongst the top three violators from March 2020 to June 2021.

In some countries there have been notable efforts to support vulnerable communities. In Tunisia, local authorities distributed food to the Amazigh people³² who live in mountainous regions and the Tunisian Ministry of Health broadcast daily televised updates on the virus that included sign language interpreting.³³ Moldova offered a Russian version of its official website on Covid-19 to make the information accessible to the Russian speaking minority³⁴ and translated information pamphlets on Covid-19³⁵ into the Ukrainian, Romani and Gagauz languages.

In contrast, other countries imposed restrictions on ethnic minorities making few efforts to reduce hardships or stigmatization. Bulgaria placed several Roma neighborhoods under quarantine between March and July 2020 and dropped disinfectant³⁶ on the population using planes and helicopters used for agriculture. Thus, Bulgaria's score is high for discrimination during the second and third quarters of 2020, although its overall PanDem score is moderate.

Combating misinformation without restricting media freedoms

Addressing misinformation about Covid-19 has posed a considerable challenge for many countries. Several African countries adopted innovative practices for curbing the spread of misinformation without limiting media freedom. In Zambia, radio stations³⁷ have provided accurate information about Covid-19 to large audiences, with support from the government.³⁸ Similarly, the government in Burkina Faso worked with donors³⁹ to develop radio spots that countered misinformation. In Sierra Leone, the government developed a text messaging service⁴⁰ that provides accurate information about Covid-19 and tips for prevention. And South Africa partnered with WhatsApp⁴¹ to combat fake information. Countries like Ghana⁴² and Malawi⁴³ also communicate timely information on

- 22 In Q1 2021, Malawi's score on the PanDem index increased to 0.25 after police officers used pipes and sticks to beat Henry Mhango, a journalist covering Covid-19 enforcement. For all other quarters, it scored 0.10 (or minor violations) because many of the measures announced by the Ministry of Health under the Public Health Act have no declared time limit. https://cpj.org/2021/01/malawian-police-beat-journalist-henry-kijimwana-mhango-for-reporting-on-covid-19/
- 23 https://www.hrw.org/news/2020/04/15/el-salvador-police-abuses-covid-19-response
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- 26 https://choice.npr.org/index.html?origin=https://www.npr.org/sections/goatsandsoda/2020/04/07/828317535/coronavirus-is-changing-the-rituals-of-death-for-many-religions?t=1624546503500
- 27 https://apnews.com/article/south-africa-coronavirus-pandemic-africa-johannesburg-3c1ee8efa39c249861e3bdc9ae758735
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- 29 https://apps.who.int/iris/bitstream/handle/10665/331538/WHO-COVID-19-IPC_DBMgmt-2020.1-eng.pdf
- 31 https://www.bbc.com/news/world-asia-56249805
- 32 https://www.ohchr.org/Documents/Issues/Minorities/OHCHRGuidance_COVID19_MinoritiesRights.pdf
- ${\bf 33\ https://www.ohchr.org/Documents/Issues/Minorities/OHCHRGuidance_COVID19_MinoritiesRights.pdf}$
- 34 https://www.ohchr.org/Documents/Issues/Minorities/OHCHRGuidance_COVID19_MinoritiesRights.pdf
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- 38 https://www.cima.ned.org/blog/local-radio-stations-in-africa-prove-resilient-amid-covid-19/
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- 40 https://www.dsti.gov.sl/sierra-leone-goes-live-with-sms-and-ussd-covid-19-self-assessment-mobile-services/

Covid-19 using online dashboards that show the regional spread of the virus, and information on vaccination and other Covid-19 related issues.

Nevertheless, some countries have used misinformation as a pretext to violate media freedom. Zimbabwe criminalized false reporting⁴⁴ on Covid-19 and the government's response, which they have subsequently used to crack down on media freedom and regime critics. 45 Laos banned the spreading of information "that can cause misunderstanding, panic and create negative impact on society",46 and effectively required that all reporting reflect the government's position.

Rather than combating misinformation, some governments have embraced it.⁴⁷ Sri Lanka's health minister promoted a potion⁴⁸ made by a holy man as a cure for Covid-19 in January 2021, without any proof of its effectiveness. Madagascar continues to distribute Covid Organics⁴⁹ in 2021, a medicinal herb tonic touted to have preventative and curative effects on Covid-19 despite no scientific evidence for it. Both Morocco⁵⁰ and Benin⁵¹ continued to promote hydroxychloroquine for treating of Covid-19 symptoms into 2021, despite the WHO's June 2020 recommendation against using the drug. Meanwhile Tanzania's new president Samia Salamu Hassan has signaled⁵² her willingness to abandon the late President Magufuli's denialism,53 and the country recently agreed54 to start releasing Covid-19 data and requested to receive vaccines⁵⁵ through the Covax initiative.

Conclusion

For over a year, the Pandemic Backsliding project has monitored responses to Covid-19 for violations of democratic standards for emergency measures. We find that governments have committed fewer violations over time. Indeed, our aggregate measure for violations - the PanDem Index – has declined from a global average of 0.24 in Q2 2020 to 0.18 in 2021 (out of 1.0). Most countries (57%) now score low enough to be considered minor or non-violators. This time last year we found the opposite, with two-thirds of countries scoring within the moderate to major violators range. We observed these improvements across most geographical regions and income groups.

Countries that maintained democratic standards in their emergency response over the past year include not only high-income economies like Denmark and New Zealand, but also lower-middle income countries such as Bolivia and Moldova, where little or no violations have occurred. That said, countries like China, Sri Lanka, and Saudi Arabia continue to commit major violations of democratic standards in their measures to curb Covid-19. One year into the pandemic, many countries continue to have emergency measures in place without a declared time limit. Thus, although the worst fears about Covid-19's contaminating effects on democracy have not materialized, the long-term impact may be more severe if emergency measures do not adhere to the principles of necessity and proportionality.56

⁴¹ https://www.reuters.com/article/us-health-coronavirus-africa-social-medi/african-governments-team-up-with-tech-giants-to-fight-coronavirus-lies-idUSKBN21K1DH

⁴² https://www.ghanahealthservice.org/covid19/dashboardm.php 43 https://covid19.health.gov.mw

⁴⁴ http://zimlii.org/zw/zw/subleg-consol/S.I.%2083%20of%202020%20Public%20Health%20%28COVID-19%20Prevention%2C%20Containment.pdf 45 https://www.theguardian.com/world/2021/jan/08/zimbabwe-journalist-hopewell-chinono-arrested-for-third-time-in-six-months

⁴⁶ http://www.mpwt.gov.la/attachments/article/2185/PM%27s%20Order%20No%2006PM%20on%20COVID-19.pdf

⁴⁷ In a previous policy brief, we highlighted the various tactics and types of disinformation used during the pandemic. See; https://www.v-dem.net/media/filer_public/37/de/37defb66-9457-

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⁴⁹ https://www.france24.com/en/live-news/20210326-madagascan-leader-in-covid-vaccine-u-turn 50 https://www.moroccoworldnews.com/2021/05/341393/morocco-to-re-supply-all-pharmacies-with-chloroquine-based-medicines-in-june

⁵¹ https://sante.gouv.bj/assets/ressources/pdf/COVID%2019%20-%20COMMUNIQUE%20MS.pdf 52 https://apnews.com/article/world-news-pandemics-media-tanzania-coronavirus-pandemic-61073f70a505f055e60d7f6a52be67c7

⁵³ https://www.bbc.com/news/world-africa-56412912

⁵⁴ As of this report, Tanzania has not released any Covid-19 data since April 2020. https://www.theeastafrican.co.ke/tea/news/east-africa/tanzania-covid-data-3436552

⁵⁵ https://www.voanews.com/covid-19-pandemic/tanzania-join-covax-vaccines-sharing-facility 56 https://www.ohchr.org/Documents/Events/EmergencyMeasures_Covid19.pdf

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ABOUT V-DEM INSTITUTE

V-Dem is a new approach to conceptualization and measurement of democracy. The headquarters – the V-Dem Institute – is based at the University of Gothenburg with 18 staff, and a project team across the world with 5 Principal Investigators, 19 Project Managers, 33 Regional Managers, 134 Country Coordinators, Research Assistants, and 3,500+ Country Experts. V-Dem is one of the world's largest data collection projects on democracy.



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