

## **Human Rights Watch submission to the United Nations special rapporteur on violence against women, its causes and consequences regarding COVID-19 and the increase of domestic violence against women**

Human Rights Watch welcomes the opportunity to present this submission to the special rapporteur on violence against women, its causes and consequences regarding Covid-19 and the increase of domestic and gender-based violence globally.

Human Rights Watch shares the concern elevated by Dubravka Šimonović in her March 27, 2020 statement that efforts to deal with the current health crisis may contribute to an increase in domestic violence against women. As early as March 19, one week after the World Health Organization declared that the spread of the Covid-19 disease had reached a pandemic, Human Rights Watch noted that crises—and lockdowns—can trigger greater incidence of domestic violence for reasons including increased stress, cramped and difficult living conditions, and breakdowns in community support mechanisms.<sup>1</sup> Crises can also often further limit women’s options and ability to escape and achieve accountability for abuse, and place victims in an environment without appropriate access to services, such as safe shelters.

Initial reporting from police complaints and hotline data suggest the fears of the special rapporteur and Human Rights Watch are well-founded.<sup>2</sup> Nongovernmental organizations (NGOs) also report higher requests for support, such as in Georgia where local rights groups report significant increase in the number of women contacting them for legal assistance regarding violence since the state of emergency was declared there.<sup>3</sup> Human Rights Watch also raised particular concerns early in the pandemic lockdowns that domestic

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<sup>1</sup> Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, <https://www.hrw.org/news/2020/03/19/human-rights-dimensions-covid-19-response>.

<sup>2</sup> See for example, There are examples of this reported increase in countries around the world, and national women and human rights mechanisms in particular have been sharing data and raising alarms. For example, in Kyrgyzstan, at a June 14 meeting of the National Council for Women and Gender Development, a government advisory body, Vice Prime Minister Aida Ismailova noted there had been a 65 percent rise in domestic violence cases in the first quarter of 2020, including an increase during Covid-19-related lockdown measures. See “Чиновники провели заседание Национального совета из-за инцидента в Сузакском районе,” *Kaktus Media*, June 14, 2020, [https://kaktus.media/doc/415032\\_chinovniki\\_proveli\\_zasedanie\\_nacionalnogo\\_soveta\\_iz\\_za\\_incidentna\\_v\\_syzakskom\\_rayone.html](https://kaktus.media/doc/415032_chinovniki_proveli_zasedanie_nacionalnogo_soveta_iz_za_incidentna_v_syzakskom_rayone.html) (accessed July 2, 2020). See also, Aichurek Kurmanbekova, “Women Risk Domestic Violence During Kyrgyzstan’s Lockdown,” commentary, Human Rights Watch dispatch, April 8, 2020, <https://www.hrw.org/news/2020/04/08/women-risk-domestic-violence-during-kyrgyzstans-lockdown>. In Georgia, in April, the Public Defender released a statement addressing the increased risk of violence due to the pandemic. See “Public Defender’s Statement on Issues relating to Violence against Women and Domestic Violence,” Public Defender (Ombudsman) of Georgia news release, April 8, 2020, <http://www.ombudsman.ge/eng/akhali-ambebi/sakartvelos-sakhalkho-damtsvelis-gantskhadeba-kalta-mimart-da-ojakhshi-dzaladobis-sakitkhebze> (accessed July 2, 2020).

<sup>3</sup> “Organizations Working on The Issues of Violence Against Women and Domestic Violence Address the State Entities,” Georgian Young Lawyers’ Association, March 31, 2020, <https://gyla.ge/en/post/qalta-mimart-dzaladobis-da-ojakhshi-dzaladobis-sakitkhebze-momushave-organizaciebis-mimartva-sakhelmtsifo-utsyebes#sthash.DhnDCL2D.dpbs> (accessed June 26, 2020).

violence services needed to be considered essential, and that new barriers to accessing services should not be created.<sup>4</sup>

In addition to what is provided below, Human Rights Watch has also collected data from many countries to answer the questions posed by the special rapporteur and would welcome sharing that information informally. This submission, however, is focused on identifying intersectional discrimination and marginalization that may increase the risk of violence for some women or render the violence they suffer less visible to authorities or human rights experts. In particular, this submission focuses on violence in the home or residence faced by:

- Domestic workers;
- Older women;
- Women with disabilities, including in institutional settings;
- Women without access to technology;
- Women working remotely from home;
- Women facing overlapping discrimination or inequalities; and
- Women facing housing precarity and violence.

While this submission does not address new barriers to sexual and reproductive health and rights imposed by governments in the context of the pandemic, Human Rights Watch is concerned that the pandemic has been a pretext for limiting these rights, including for survivors of violence. Authorities should recognize that access to abortion is essential, including during public health and other emergencies. This means that governments should take measures to ensure that women and girls can access abortion in a timely manner. If facilities are restricting all services to provide care to Covid-19 patients, women should be referred promptly to an alternative accessible facility where they can safely access an abortion.

## **Domestic Workers**

Domestic workers, particularly those that live with their employers, face significant risks of infection and abuse in their workplace and often have little leverage to demand proper safety protocols and equipment.<sup>3</sup> It may be difficult or impossible to reduce risk of infection through social distancing while conducting domestic work, while simultaneously domestic workers may face increasingly hazardous conditions at work.<sup>5</sup> The exclusion of domestic workers from safety nets afforded to other workers<sup>6</sup> has catapulted many

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<sup>4</sup> Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*.

<sup>3</sup> International Domestic Workers Federation (IDWF), “Statement on Protecting Domestic Workers Rights and Fighting the Coronavirus Pandemic” March 18, 2020, <https://idwfed.org/en/updates/global-idwf-statement-on-protecting-domestic-workers-rights-and-fighting-the-coronavirus-pandemic> (accessed June 26, 2020).

<sup>5</sup> See, for example, Fiona Sun, “Coronavirus: ‘live-in’ rule carries real risk for domestic workers sharing flats with quarantined employers, worker’s groups says,” *South China Morning Post*, March 22, 2020, <https://www.scmp.com/news/hong-kong/health-environment/article/3076336/coronavirus-live-rule-carries-real-risk-domestic> (accessed June 26, 2020).

<sup>6</sup> Nisha Varia (Human Rights Watch), “It is time for the world to start caring for the caregivers,” commentary, *Al Jazeera*, May 1, 2020 <https://www.aljazeera.com/indepth/opinion/time-world-start-caring-caregivers-200430082235933.html> (accessed June 29, 2020).

workers into economic crisis across every region,<sup>7</sup> but also means they have less ability to make complaints if they have continued employment and face abuse.

With children out of school and other household members at home, domestic workers may face increased workloads, hours, and caregiving responsibilities, without corresponding workplace and health protections.<sup>8</sup> This increased work and overall household stress due to the pandemic may heighten the risk that domestic workers are subject to a wide range of violence. Lockdown restrictions may fuel specific abuses such as employers prohibiting workers from leaving the house even if government rules allow it, and leave workers with less access to support services such as shelters or the ability to escape given their employers' constant presence at home.

Based on years of research on abusive conditions for domestic workers in the Middle East, including in Oman, United Arab Emirates, Lebanon and Kuwait, Human Rights Watch has particular concern that migrant domestic workers in that region may face a heightened risk of being trapped in abusive employers' homes and unable to flee or return home.<sup>9</sup> For millions of Asian and African migrant domestic workers in the Middle East, government restrictions on movements of citizens to counter the threat of Covid-19 and limit its spread actually increase the risk of serious abuse against domestic workers that Human Rights Watch has documented for over a decade.<sup>10</sup>

As with intimate partner violence during the pandemic, the conditions are ripe for verbal, physical, and sexual abuse to increase against domestic workers trapped in abusive situations. Domestic workers may face even more difficulty escaping such abuse, particularly under the kafala (sponsorship) system, where migrant workers' visas are tied to their employers and they are not allowed to leave or change employers without their employer's permission. Domestic workers who escaped abusive employers ended up arrested and returned to abusive employers or imprisoned and deported for "absconding." New Covid-19 rules could impose additional penalties on domestic workers for fleeing abuse, so governments should ensure domestic workers who escape abuse are not arrested as violators of any curfew or lockdown restrictions.

Part of safeguarding domestic workers against abusive work environments is ensuring they have a social safety net. The International Labour Organization (ILO) estimates that there are 67 million domestic workers globally and that 80 percent of them are women.<sup>11</sup> Yet 90 percent of them are excluded from protections

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<sup>7</sup> Ivana Davidovic, "Coronavirus: 'If I can't work, I can't feed my family,'" *BBC*, April 24, 2020, <https://www.bbc.com/news/business-52388835> (accessed June 26, 2020).

<sup>8</sup> IDWF, "Statement on Protecting Domestic Workers Rights and Fighting the Coronavirus Pandemic"; Rothna Begum (Human Rights Watch), "Domestic Workers in Middle East Risk Abuse Amid COVID-19 Crisis" commentary, *Al Jazeera*, April 4, 2020, [https://www.hrw.org/news/2020/04/06/domestic-workers-middle-east-risk-abuse-amid-covid-19-crisis?fbclid=IwARoxAotL8IDn\\_vnD8LFnXvr7NJulk2gvWsieAzD3ZeXHp3G6\\_V1D1jYdIKA](https://www.hrw.org/news/2020/04/06/domestic-workers-middle-east-risk-abuse-amid-covid-19-crisis?fbclid=IwARoxAotL8IDn_vnD8LFnXvr7NJulk2gvWsieAzD3ZeXHp3G6_V1D1jYdIKA) (accessed June 26, 2020).

<sup>9</sup> Rothna Begum (Human Rights Watch), "Domestic Workers in Middle East Risk Abuse Amid COVID-19 Crisis", [https://www.hrw.org/news/2020/04/06/domestic-workers-middle-east-risk-abuse-amid-covid-19-crisis?fbclid=IwARoxAotL8IDn\\_vnD8LFnXvr7NJulk2gvWsieAzD3ZeXHp3G6\\_V1D1jYdIKA](https://www.hrw.org/news/2020/04/06/domestic-workers-middle-east-risk-abuse-amid-covid-19-crisis?fbclid=IwARoxAotL8IDn_vnD8LFnXvr7NJulk2gvWsieAzD3ZeXHp3G6_V1D1jYdIKA).

<sup>10</sup> Human Rights Watch, "*I Was Sold: Abuse and Exploitation of Migrant Workers in Oman*", July 2016, <https://www.hrw.org/report/2016/07/13/i-was-sold/abuse-and-exploitation-migrant-domestic-workers-oman#4co6o6>.

<sup>11</sup> "Who are Domestic Workers," International Labour Organization (ILO), <https://www.ilo.org/global/topics/domestic-workers/who/lang-en/index.htm> (accessed June 29, 2020).

such as paid sick leave and unemployment benefits.<sup>12</sup> This is particularly the case in Asia, Latin America, and Africa, where the largest numbers of domestic workers are concentrated. A World Bank compilation of emergency relief measures during the pandemic shows that many measures exclude domestic workers entirely.<sup>13</sup> This economic precarity only increases the risks domestic workers may face.

#### **Recommendations:**

- Governments should facilitate information campaigns: one targeting employers with an unambiguous message that there will be zero-tolerance for abuse and on how to provide a fair and safe workplace to reduce transmission of Covid-19; another for domestic workers, in the languages they speak, disseminating resources on how to protect themselves from Covid-19, their rights at work, and a hotline that workers or their families can call if they are in distress.
- Governments should intervene to protect any worker reporting abuse, ensure safe accommodation for workers in distress that is compliant with health and safety to protect them from Covid-19, and facilitate filing complaints against employers and safe repatriation should they wish to go home.
- Governments should extend safety nets and emergency economic relief measures available to other workers to domestic workers, both to ensure they are treated on an equal basis, and to reduce the risk they are financially pressured into staying in a situation of violence.

#### **Older Women**

Older women may be at heightened risk of domestic violence, both by partners, adult children, or other family with whom they live, or from caregivers. For example, a lawyer at a support center in southern São Paulo City said that since Covid-19 restrictions were in force, she helped an older woman whose son had assaulted her, and another whose abusive ex-husband had threatened her soon after the start of the pandemic.<sup>14</sup> As many older women are also at heightened risk of complications related to contracting Covid-19, they are in a particularly precarious situation. They may need help more than ever to maintain social distancing and conduct basic tasks, such as shopping, and yet have less access to broader social networks outside their home.

Data from Brazil's Ministry of Women, Families and Human Rights hotline for March 7 to June 17, 2020, indicates that Brazil has seen a significant daily increase in rights violations during the Covid-19 crisis against older people, including mistreatment and exposure to health risks.<sup>15</sup> In response to the particular

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<sup>12</sup> Ibid.

<sup>13</sup> ILO, "Social protection for domestic workers: Key policy trends and statistics," 2016, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---soc\\_sec/documents/publication/wcms\\_458933.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_458933.pdf) (accessed June 24, 2020).

<sup>14</sup> Maria Laura Canineu and Bethany Brown (Human Rights Watch), "Why Brazil's President Needs to Change His Tune About Older People" commentary, *UOL*, April 29, 2020, <https://www.hrw.org/news/2020/05/05/why-brazils-president-needs-change-his-tune-about-older-people>.

<sup>15</sup> "Acessível Em Libras" Ministério da Mulher, da Família e dos Direitos Humanos, <https://ouvidoria.mdh.gov.br/portal/indicadores> (accessed June 25, 2020), and "Ministério recebe 1.3 mil denúncias de violações de direitos humanos" *De Universa*, accessed June 25, 2020, <https://www.uol.com.br/universa/noticias/redacao/2020/03/26/ministerio-recebe-13-mil-denuncias-de-violacoes-de-direitos-humanos.htm> (accessed June 25, 2020).

obstacles women may face in accessing protection and justice during Covid-19 stay-at-home orders, the public defender's office in São Paulo State is allowing people to report domestic violence online and requesting that judges issue restraining orders or other protection measures remotely instead of requiring victims to appear in their office.

Some governments do not consistently collect comprehensive data on violence against older women. For example, the Crime Survey of England and Wales does not collect domestic abuse data on people over 74 years of age.<sup>16</sup> The widely-used, US-based and funded, Demographic Health Survey administered in more than 90 countries, does not collect data on violence against women over 49, including during the Covid-19 pandemic, despite the fact that 21.8 percent of women worldwide are currently over 49.<sup>17</sup> This equates to at least one-third of the average woman's life being ignored given that women live on average to 74 years.<sup>18</sup>

Hotlines supporting people experiencing elder abuse do not consistently collect and report data disaggregated by gender. Hotlines in Brazil and Canada have reported an increase in calls about violence against older people since the start of the pandemic, but they have not reported data disaggregated by gender.<sup>19</sup> The WHO reported in June 2020 that for older women under lockdowns during the pandemic who are "already in abusive situations, gender inequalities and prolonged exposure to their abusers increases the risks of gender-based violence against older women."<sup>20</sup>

Older women without authority and control over decision-making may be at further risk of serious illness related to Covid-19. In a recent case in Armenia, a 66-year-old woman died of Covid-19 after doctors say her husband repeatedly refused testing and treatment for her.<sup>21</sup>

### Recommendations:

- Governments should ensure that older women have access to complaint mechanisms, protection measures, and justice.

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<sup>16</sup> Emily McCarron, "Don't turn a blind eye to abuse in older people," June 15, 2020, *Age UK*, <https://www.ageuk.org.uk/discover/2020/06/world-elder-abuse-day-2020/> (accessed June 23, 2020).

<sup>17</sup> Zambia Statistics Agency, Ministry of Health, University Teaching Hospital Virology Laboratory, and ICF, *Zambia Demographic and Health Survey 2018, 2019*, <https://dhsprogram.com/> (accessed June 25, 2020); UN Women, "COVID-19 and Ending Violence Against Women and Girls," 2020, <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006> (accessed June 23, 2020), and "2019 Revision of World Population Prospects," UN Department of Economic and Social Affairs Population Division, [http://esa.un.org/wpp/Excel-Data/EXCEL\\_FILES/1\\_Population/WPP2012\\_POP\\_F09\\_3\\_PERCENTAGE\\_OF\\_TOTAL\\_POPULATION\\_BY\\_BROAD\\_AGE\\_GROUP\\_FEMALE.XLS](http://esa.un.org/wpp/Excel-Data/EXCEL_FILES/1_Population/WPP2012_POP_F09_3_PERCENTAGE_OF_TOTAL_POPULATION_BY_BROAD_AGE_GROUP_FEMALE.XLS) (accessed June 25, 2020).

<sup>18</sup> "Global Health Observatory data: Life expectancy," World Health Organization (WHO), [https://www.who.int/gho/mortality\\_burden\\_disease/life\\_tables/situation\\_trends\\_text/en/](https://www.who.int/gho/mortality_burden_disease/life_tables/situation_trends_text/en/) (accessed June 23, 2020).

<sup>19</sup> See for example, Bhinder Sajjan, "Tenfold increase in elder abuse during COVID-19 pandemic, advocates say," *CTV News Vancouver*, April 14, 2020, <https://bc.ctvnews.ca/tenfold-increase-in-elder-abuse-during-covid-19-pandemic-advocates-say-1.4896176> (accessed June 24, 2020)

<sup>20</sup> WHO, "COVID-19 AND VIOLENCE AGAINST OLDER PEOPLE," June 14, 2020, <https://www.who.int/publications/m/item/covid-19-and-violence-against-older-people> (accessed June 26, 2020).

<sup>21</sup> "Կորոնավիրուսի թեստ հանձնելուց 2 անգամ հրաժարված գյումրեցի կինը մահացել է," *Ազատություն ռադիոկայան*, June 16, 2020, <https://www.azatutyun.am/a/30674182.html> (accessed June 25, 2020); "A woman from Gyumri twice refused to pass a coronavirus test. She died," *Buji*, June 17, 2020, <https://bujinfo.am/en/medical-news/gyumreci-mi-kin-erku-angam-hrajarvel-e-test-hanznel/> (accessed June 26, 2020).

- Governments should collect and make publicly available data on violence against older women. Governments should ensure data on violence against older people are disaggregated by gender, and that data on violence against women include women of all ages are disaggregated by age.

## Women with Disabilities, Particularly in Institutional Settings

Covid-19 spreads rapidly and is especially dangerous to people living in close proximity to others in closed settings. Millions of adults and children with disabilities live in segregated and often overcrowded residential settings where they can face neglect, abuse, and inadequate health care. Human Rights Watch reports focus on the situation of people with disabilities living in institutions, including women, and have documented abusive treatment and poor conditions in private and state institutions in Brazil, Croatia, Ghana, India, Indonesia, Kazakhstan, Serbia, and Somaliland.<sup>22</sup>

Many women living in residential institutions face restrictions on their legal capacity, which takes away their rights to make decisions for themselves. Restricting legal capacity not only impacts their right to live independently in the community, to choose whether they want to live in residential care or elsewhere, but puts them at risk of other violations of their rights, including the right to informed consent; access to reproductive health services; and physical, psychological, and sexual violence.

The Covid-19 pandemic has worsened the situation because many residential institutions are applying strict lockdowns and limiting access to general services that were already scarce.

Many of these institutions already lacked independent and periodic monitoring to ensure that children and adults with disabilities who live in them are protected against abuse and neglect.<sup>23</sup> To stop the spread of infection in residential settings, governments around the world have taken measures that include isolating people with confirmed cases of Covid-19 inside institutions and temporarily prohibiting visitors and movement.<sup>24</sup> While restrictions on visitors is a legitimate measure to limit risk of infection, and a measure employed in many countries, it also means that there are fewer eyes to spot abuse and neglect, including gender-based violence, against women and girls in these facilities.

Many women with disabilities also live with family members—particularly those who need intensive forms of support for daily tasks and basic needs, such as housing, food, and hygiene. They depend heavily or entirely

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<sup>22</sup> Human Rights Watch, *“They Stay until They Die”: A Lifetime of Isolation and Neglect in Institutions for People with Disabilities in Brazil*, May 2018, <https://www.hrw.org/report/2018/05/23/they-stay-until-they-die/lifetime-isolation-and-neglect-institutions-people>; Human Rights Watch, *“Once You Enter, You Never Leave”: Deinstitutionalization of People with Intellectual or Mental Disabilities in Croatia*, September 2010, <https://www.hrw.org/report/2010/09/23/once-you-enter-you-never-leave/deinstitutionalization-persons-intellectual-or>; Human Rights Watch, *“On the Margins”: Education for Children with Disabilities in Kazakhstan*, March 2019, <https://www.hrw.org/report/2019/03/14/margins/education-children-disabilities-kazakhstan>; “India: Women With Disabilities Locked Away and Abused,” Human Rights Watch news release, December 3, 2014, <https://www.hrw.org/news/2014/12/03/india-women-disabilities-locked-away-and-abused>; “Russia: Children with Disabilities Face Violence, Neglect,” Human Rights Watch news release, September 15, 2020, <https://www.hrw.org/news/2014/09/15/russia-children-disabilities-face-violence-neglect>; “Serbia: Children With Disabilities Neglected,” Human Rights Watch news release, June 8, 2016, <https://www.hrw.org/news/2016/06/08/serbia-children-disabilities-neglected>.

<sup>23</sup> Ibid.

<sup>24</sup> See, for example, Ministry of Labor, Employment, Veterans and Social Affairs, “УСТАНОВА ЗА СМЕШТАЈ КОРИСНИКА,” March 28, 2020, <https://www.minrzs.gov.rs/sites/default/files/vanredno-stanje/2020.03.28.%20Nalog%20001.pdf> (accessed July 2, 2020).

on family members, yet government policies related to violence against women and family violence, or their implementation, may not be inclusive of, and accessible for, people with disabilities.

According to many reports, domestic violence has increased significantly during the pandemic and lockdowns in many countries, including Mexico,<sup>25</sup> where Human Rights Watch released a report in 2020 highlighting that protection services lack accessibility for women with disabilities.<sup>26</sup> The report documented the barriers people with disabilities in Mexico face in accessing protection from abuse and justice on an equal basis with others, and documents serious concerns regarding implementation of procedural accommodations to ensure that people with disabilities can participate fully and equally in the justice system.<sup>27</sup>

Covid-19 lockdowns will exacerbate the situation of women with disabilities who were already being abused. Domestic violence is a hidden phenomenon as many women with disabilities do not have the means to report it. In Mexico, Human Rights Watch documented cases through daycare centers and special schools for people with disabilities, to which some women with disabilities go during the day. Since the beginning of the lockdown and the adoption of social distancing rules in Mexico, special schools for people with disabilities and day care centers have closed, and the state does not monitor the situation of women with disabilities living with their families. Women with disabilities in Mexico experience violence from their parents, siblings, uncles and aunts, and intimate partners. Violence ranges from physical violence, sexual and emotional abuse, to cases of confinement. Emergency monitoring mechanisms should have appropriate outreach to ensure women with disabilities who are currently in lockdown because of the pandemic can access services.

If the situation does worsen, we may never know. Law enforcement agencies in Mexico do not have adequate, systematic data concerning violence against women with disabilities although research found domestic violence to be prevalent among women with psychosocial (mental health conditions), intellectual, sensory, and physical disabilities. Law enforcement agencies do not systematically collect relevant information that could be useful to reveal patterns, and to facilitate the adoption of needed policies to prevent, prosecute, and punish violence against women with disabilities.

### **Recommendations:**

- To prevent abuse, social services and other relevant government bodies should implement an emergency deinstitutionalization plan, providing, when feasible and safe, options outside institutions with quality support to meet women with disabilities' requirements.

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<sup>25</sup> See UN Women, "In Focus: Gender equality matters in COVID-19 response," [https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response?utm\\_source=media&utm\\_medium=video&utm\\_campaign=shadowpandemic#featureshadowpandemic](https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response?utm_source=media&utm_medium=video&utm_campaign=shadowpandemic#featureshadowpandemic) (accessed June 25, 2020); and Arturo Angel, "¿Familia fraterna? Crecen casos de violencia familiar, sexual y de género durante epidemia," *Animal Político*, May 22, 2020, <https://www.animalpolitico.com/2020/05/violencia-familiar-sexual-genero-epidemia/> (accessed July 2, 2020).

<sup>26</sup> Human Rights Watch, "*Better to Make Yourself Invisible: Family Violence against People with Disabilities in Mexico*," June 2020, <https://www.hrw.org/report/2020/06/04/better-make-yourself-invisible/family-violence-against-people-disabilities-mexico>.

<sup>27</sup> Ibid.

- Ensure general services to protect women against acts of violence are accessible for women with disabilities, including procedures to report abuses, protection orders and shelters.
- Governments should disaggregate data to provide discrete data on women with disabilities.

## Women without Access to Technology

There is a significant digital gender divide globally, which the Covid-19 pandemic has further exposed.<sup>28</sup> According to the International Telecommunications Union, in 2019, 48 percent of women used the internet globally compared to 58 percent of men. This can be understood in relative terms as a 17 percent global internet user gap.<sup>29</sup> The gap grew between 2013 and 2019 in Arab states, Asia, the Pacific, and Africa.<sup>30</sup> The UN Broadband Commission in a study across 10 countries in Africa, Asia, and South America, found women were 30-50 percent less likely than men to use the internet to participate in public life.<sup>31</sup>

In low and middle income countries, mobile internet is the primary means of accessing the internet. According to the GSMA, a global network of mobile operators, 48 percent of women in these countries use mobile internet.<sup>32</sup> The GSMA estimates that a gender gap of 23 percent persists, representing 313 million fewer women using mobile internet than men.<sup>33</sup>

The internet is essential for the exercise of so many human rights during the coronavirus. And at a time when connectivity is more important than ever, trends suggest that the gender digital divide may worsen during the pandemic. People, including women and girls, piece together access across a spectrum of connectivity, with many people supplementing access at home or on a personal mobile device with access at work, school, cafes, libraries, and other sources of public access (which might be of higher quality or less expensive).

During Covid-19 and its related economic crisis, women are having to shelter in place or practice social distancing measures, they have lost their jobs or schools have closed, and as a result access to alternative or supplementary sources of internet access has been reduced. Existing gender discrimination at home may also make it even more difficult to access household digital resources. When multiple members of a household need access to limited computing resources in the home, gender inequality may mean women and girls lose out on access. Governments should expect that women may be less connected during Covid-19 than the 2019 figures above indicate because, in general, people are cut off from supplemental sources

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<sup>28</sup> Deborah Brown, "Closing the 'Digital Divide' Critical in COVID-19 Response," commentary, Human Rights Watch dispatch, March 25, 2020, <https://www.hrw.org/news/2020/03/25/closing-digital-divide-critical-covid-19-response>.

<sup>29</sup> "Bridging the gender divide," International Telecommunication Union, November 2019, <https://www.itu.int/en/mediacentre/backgrounders/Pages/bridging-the-gender-divide.aspx> (accessed June 25, 2020).

<sup>30</sup> Ibid.

<sup>31</sup> Broadband Commission for Digital Development, "The State of Broadband 2019 – Report Highlights," 2019, <https://broadbandcommission.org/Documents/SOBB-REPORT%20HIGHLIGHTS-v3.pdf> (accessed June 26, 2020).

<sup>32</sup> GSMA, "Connected Women: The Mobile Gender Gap Report 2019," February 20, 2019, <https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2019/02/GSMA-The-Mobile-Gender-Gap-Report-2019.pdf> (accessed June 22, 2020).

<sup>33</sup> Ibid. The gap in likelihood for women to use mobile internet, versus a man, is largest in South Asia, at 58 percent, and then in sub-Saharan Africa, at 41 percent.



of internet access; therefore, they cannot rely solely on digital services to address the increase in violence or in protection gaps.

The digital divide may be less visible in higher income countries, but many women from marginalized communities may face disproportionate digital exclusion. Service providers that respond to gender-based violence in the United Kingdom told Human Rights Watch that the Covid-19 crisis has exacerbated a lack of access to services for migrant and Black, Asian, and minority ethnic (BAME) women, particularly as resources go digital. Representatives of organizations serving these communities say that persistent inequality, including access to the internet, leads to additional difficulties in providing services remotely.<sup>34</sup> As one Black feminist service provider in Newcastle, England, explained, “Twenty-five percent of the women we support don’t even have a phone, let alone a smart phone. [Digital services] assume a baseline of access.”<sup>35</sup> Also in Mexico, while most of the country’s 32 states have a process allowing the user to initiate the process to press charges for a crime via telephone, internet, or videoconference, internet penetration in Mexico is around 60 percent and it is not uncommon for rural Indigenous communities to share a single landline phone or computer.<sup>36</sup>

This digital divide has significant implications for access to resources for survivors of gender-based violence during the Covid-19 crisis. Women may not be able to physically access shelters or other services for survivors. The internet can facilitate access to survivor support groups, counseling, health information (including sexual and reproductive health), and other online resources that can be critical lifelines to women experiencing gender-based violence.

Many countries are relying on digital resources to continue programming around gender-based violence. For example, in Belarus, the Ministries of Internal Affairs, of Labor and Social Protection, and of Healthcare, with other governmental institutions and NGOs launched its annual campaign “Home without violence” with this year’s focus shifted to online activities.<sup>37</sup> There have also been attempts by government or companies in Belarus to increase access to services through mobile use, with some of mobile phone service providers offering customers free calls to the nationwide helpline.<sup>38</sup> The Ombudsman Apparatus in Azerbaijan has responded to a reported uptick of domestic violence during the Covid-19 pandemic by hosting a series of

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<sup>34</sup> “UK Failing Domestic Abuse Victims in Pandemic,” Human Rights Watch news release, June 8, 2020, <https://www.hrw.org/news/2020/06/08/uk-failing-domestic-abuse-victims-pandemic>.

<sup>35</sup> *Ibid.*

<sup>36</sup> Itxaro Arteta, “Centros de Justicia para las Mujeres ajustan servicios en contingencia por COVID-19,” *Animal Político*, April 29, 2020, <https://www.animalpolitico.com/2020/04/centros-justicia-mujeres-servicios-contingencia-coronavirus-covid-19/> (accessed June 25, 2020).

<sup>37</sup> “Акцию ‘Дом без насилия’ проведут в Минске онлайн,” *Belta*, April 12, 2020, <https://www.belta.by/regions/view/aktsiju-dom-bez-nasilija-provedut-v-minske-onlajn-386937-2020/> (accessed July 2, 2020).

<sup>38</sup> “сделал бесплатными звонки на горячую линию для пострадавших от домашнего насилия,” *Gender Perspectives*, June 17, 2020, <https://www.genderperspectives.by/novosti/641-life-sdelal-besplatnymi-zvonki-na-goryachuyu-liniyu-dlya-postradavshikh-ot-domashnego-nasiliya> (accessed July 2, 2020).

online video conferences to talk about the issue of domestic violence during the pandemic, as part of a month-long “Human Rights Month” campaign.<sup>39</sup>

However, privacy is difficult and surveillance of actions and devices more of a risk when people are locked down with potential abusers. For example, in Cambodia, some nongovernmental service providers for survivors of gender-based violence told Human Rights Watch that abusers are around more due to job loss or are more agitated as a result of the economic impact of Covid-19 on their personal lives. The service providers noted that prior to the pandemic, survivors in Cambodia may have feared or were discouraged from reporting incidents of violence because incidents often go uninvestigated and unpunished in a system of official corruption, impunity and silence of crimes that occur within the home; this creates challenges when trying to assess the impact of external factors like a pandemic. However, incidents of violence may have increased in Cambodia like elsewhere, and similarly, the reasons may also be manifold. The acting director of a crisis center association in Kyrgyzstan told Human Rights Watch that many women are too afraid to call police or crisis centers because “their abusers are at home 24 hours a day, controlling their every step.”<sup>40</sup>

Some service providers do not have the means to set up appropriate and timely remote services. In the UK, service providers also told Human Rights Watch that they are incurring up-front costs—which can be prohibitive for smaller organizations—to urgently establish internet-based or other remote services due to Covid-19.<sup>41</sup> Emergency calls to hotline numbers in Mexico to report domestic violence are not accessible for deaf women and lack relay systems.<sup>42</sup>

Digital privacy and security are always important. For survivors, internet or mobile services must be secure to be meaningful. For example, in some regions in Belarus, regular visits of local police to families where violence had been reported were substituted with calls during the pandemic.<sup>43</sup> Without ensuring privacy of the connection, survivors may not be able to communicate openly with police. Access to encryption and the ability to use the internet anonymously can be essential for seeking help and accessing resources online. Additionally, internet access can provide an important prevention tool, as it can facilitate women’s ability to access economic and education opportunities and exercise a range of rights.

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<sup>39</sup> “Regional centers of Ombudsman held a videoconference on combating domestic violence,” The Commissioner for Human Rights of the Republic of Azerbaijan Ombudsman, June 5, 2020, <http://www.ombudsman.gov.az/en/view/news/1878/regional-centers-of-ombudsman-held-a-videoconference-on-combating-domestic-violence> (accessed July 2, 2020).

<sup>40</sup> Aichurek Kurmanbekova, “Women Risk Domestic Violence During Kyrgyzstan’s Lockdown,” commentary, Human Rights Watch dispatch, April 8, 2020, <https://www.hrw.org/news/2020/04/08/women-risk-domestic-violence-during-kyrgyzstans-lockdown>.

<sup>41</sup> “UK Failing Domestic Abuse Victims in Pandemic,” Human Rights Watch news release, June 8, 2020, <https://www.hrw.org/news/2020/06/08/uk-failing-domestic-abuse-victims-pandemic>.

<sup>42</sup> “Services and Amenities – Video Phone Services,” University of Rochester Medicine, accessed July 2, 2020, <https://www.urmc.rochester.edu/strong-memorial/services-amenities/video-phones.aspx>.

<sup>43</sup> “Пандемия и домашнее насилие. Что происходит в Беларуси?” *Gender Perspectives*, May 5, 2020, <https://www.genderperspectives.by/novosti/637-pandemiya-i-domashnee-nasilie-hto-proiskhodit-v-belarusi/> (accessed July 2, 2020).

For example in Brazil, the nationwide phone line maintained by the federal government (Ligue 180) received 36 percent more calls about domestic violence in April 2020 than in April 2019.<sup>44</sup> Conversely, there was a drop in police complaints and protection orders issued by judges in April in all states that provided data, suggesting that women encountered difficulties in going to police stations to file complaints or requesting those measures. As an alternative, 18 out of 26 states, plus the Federal District where Brasilia is located, now allow women to report crimes online to the police.<sup>45</sup> Those services are often quite new, and not all women may know about them or are able to use them, particularly poor women who cannot access mobile or other internet services.

As more people live their life online, online gender-based violence is a key factor influencing, preventing, or inhibiting women's access and use of the internet.<sup>46</sup> Young women, women belonging to ethnic or racial minorities; Indigenous women; lesbian, bisexual and transgender women; women with disabilities; women human rights defenders, journalists; bloggers; women from marginalized groups; and those facing multiple and intersecting forms of discrimination may be particularly and acutely effected by online gender-based violence.

As many women have become more reliant on the internet to exercise fundamental human rights during the pandemic, states need to redouble their efforts to meet existing obligations to combat online gender-based violence.<sup>47</sup>

Finally, Human Rights Watch is concerned that ongoing internet shutdowns can differentially effect women and create barriers to accessing resources to prevent and address gender-based violence during the pandemic. For the most part, internet shutdowns are blunt tools that hit entire communities. However, because of power differentials in society and the specific reasons that women use the internet, research has found that gender can impact how women experience internet shutdowns.<sup>48</sup> For example, shutdowns can differentially impact women's personal safety, their professional and economic lives, emotional well-being, education, and ability to find alternative sources of connectivity. At time of submission, authorities had shut down the internet in at least four countries (Bangladesh, India, Myanmar, and Pakistan). Such shutdowns violate multiple rights and can be deadly during a crisis like Covid-19.<sup>49</sup> They should be urgently lifted.

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<sup>44</sup> Alex Rodrigues, "Ligue 180 registra aumento de 36% em casos de violência contra mulher," *Agência Brasil*, May 30, 2020, <https://agenciabrasil.ebc.com.br/geral/noticia/2020-05/ligue-180-registra-aumento-de-36-em-casos-de-violencia-contra-mulher> (accessed July 2, 2020).

<sup>45</sup> Ibid.

<sup>46</sup> UN Human Rights Council, "Promotion, protection and enjoyment of human rights on the Internet: ways to bridge the gender digital divide from a human rights perspective," A/HRC/35/9, May 5, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/111/81/PDF/G1711181.pdf?OpenElement> (accessed June 22, 2020).

<sup>47</sup> UN Human Rights Council, Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective, Dubravka Šimonovic, A/HRC/38/47, June 18, 2018, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/184/58/PDF/G1818458.pdf?OpenElement> (accessed June 22, 2020).

<sup>48</sup> Association for Progressive Communications, "Why Gender Matter in Cyber Security," April 2020, [https://www.apc.org/sites/default/files/Gender\\_Matters\\_Report\\_Web\\_A4.pdf](https://www.apc.org/sites/default/files/Gender_Matters_Report_Web_A4.pdf) (accessed June 25, 2020).

<sup>49</sup> "WHO Should Intervene to End Internet Shutdowns amid Pandemic," Human Rights Watch news release, May 26, 2020, <https://www.hrw.org/news/2020/05/26/who-should-intervene-end-internet-shutdowns-amid-pandemic>, and "End Internet

## Recommendations:

- Governments should ensure that, as more services move online to reach women during Covid-19 lockdown, outreach is made to ensure women without access to safe, private internet or mobile resources can continue to access services. Governments should conduct or support communications campaigns and other outreach measures to inform people about how best to mitigate the risks of using services via technology.
- Governments should, as a matter of urgency, adopt special, targeted measures, including through international cooperation, to ensure affordable and equitable access to internet services for women and girls. In the interim, governments should provide emergency support for service providers to establish online or remote services for survivors of gender-based violence and should include this in all future emergency and contingency planning.
- Governments should allocate adequate budgets to address online gender-based violence, including by providing training for law enforcement, legal staff, victim advocates, and educators, and build awareness of the implications of online gender-based violence among users, internet service providers, and social networking platforms.

## Women and Remote Work from Home

Many people have shifted to remote work from home due to public health measures to contain the Covid-19 pandemic. Reports of domestic violence have spiked as people are effectively confined at, and work from, home.<sup>50</sup> The role that employers can play has also grown, in awareness-raising, facilitating access to support services, and taking steps to prevent the abuse resulting in job loss. While worrying, this comes at a time of growing recognition of the intersection between domestic violence and the world of work, and the role that both governments and employers can play in prevention and response.

There is a positive trend of countries adopting protections in national legislation,<sup>51</sup> and the groundbreaking 2019 ILO Violence and Harassment Convention specifically obliges governments to recognize and mitigate the impacts of domestic violence on work.<sup>52</sup> The convention is accompanied by a non-binding recommendation (Recommendation No. 206) that provides additional guidance on the types of measures that governments and employers can take, such as providing leave and flexible work arrangements so that

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Shutdowns to Manage COVID-19,” Human Rights Watch news release, March 31, 2020, <https://www.hrw.org/news/2020/03/31/end-internet-shutdowns-manage-covid-19>.

<sup>50</sup> UN Women, “COVID-19 and Ending Violence Against Women and Girls,” 2020, <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006> (accessed May 25, 2020); and Amanda Taub, “A New Covid-19 Crisis: Domestic Abuse Rises Worldwide,” *New York Times*, April 6, 2020, <https://www.nytimes.com/2020/04/06/world/coronavirus-domestic-violence.html> (accessed May 25, 2020).

<sup>51</sup> Human Rights Watch, *Safety and Dignity at Work, A Guide to the 2019 ILO Violence and Harassment Convention*, June 2020, [https://www.hrw.org/sites/default/files/media\\_2020/06/ILO\\_advocacy\\_brochure\\_0620.pdf](https://www.hrw.org/sites/default/files/media_2020/06/ILO_advocacy_brochure_0620.pdf).

<sup>52</sup> ILO Convention No. 190 concerning Violence and Harassment in the World of Work (Violence and Harassment Convention), adopted June 21, 2019, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C190](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190) (accessed June 8, 2020), art. 10(f).

domestic violence victims can seek safety or pursue legal proceedings.<sup>53</sup> It also provides for temporary protection against dismissal for reasons related to domestic violence.<sup>54</sup>

In 2004, the Philippines was the first country to legislate specific leave for domestic violence survivors, providing for 10 days paid leave.<sup>55</sup> In 2018, New Zealand passed a law granting victims of domestic violence 10 days of paid leave to leave their partners, find new homes, and protect themselves and their children.<sup>37</sup> In 2019, Puerto Rico enacted a law providing for reasonable accommodation, flexible work conditions, and 15 days of unpaid leave to deal with abuse.<sup>56</sup>

#### **Recommendation:**

- Member States should ratify and Implement the ILO Violence and Harassment Convention, with specific regard to aligning national law and practice with protecting domestic violence victims in the world of work.

#### **Overlapping Discrimination or Inequalities, including Economic**

Not all women have been hit equally by the Covid-19 pandemic and associated economic crisis. In many countries, women from already marginalized communities find themselves on the frontline as essential workers, in more economic precarity as informal workers, or facing unaddressed institutional racism and health disparities. This can make it even more difficult for women in marginalized communities to access services.

For example, service providers in the UK told Human Rights Watch that the Covid-19 crisis has exacerbated a lack of access to services for already marginalized communities, including migrant and BAME women.<sup>57</sup> Language barriers can exclude women in these communities from getting information about services. The #YouAreNotAlone campaign introduced by UK Home Secretary Priti Patel during the Covid-19 response aimed to raise public awareness about domestic violence and encourage those experiencing abuse to seek help, but messaging is only in English.<sup>58</sup> While all survivor services are struggling to remain fully operational during the pandemic, shelter spaces designated for women from marginalized groups are especially limited; as of May 2019, Women's Aid found that there were only 418 dedicated shelter spaces across England for BAME women, 4 dedicated spaces for women over 45, 12 for women with learning disabilities, and none for

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<sup>53</sup> Ibid., art. 18.

<sup>54</sup> Ibid.

<sup>55</sup> Anti-Violence Against Women and Their Children Act, 2004 (RA 9262), <https://pcw.gov.ph/law/republic-act-9262> (accessed June 8, 2020).

<sup>56</sup> Act No. 83 of August 1, 2019; "Special leave law for employees with situations of domestic or gender violence, child abuse, sexual harassment in employment, sexual assault, lascivious acts or stalking in its serious mode," ("Ley de Licencia Especial para Empleados con Situaciones de Violencia Doméstica o de Género, Maltrato de Menores, Hostigamiento Sexual en el Empleo, Agresión Sexual, Actos Lascivos o de Acecho en su Modalidad Grave"), July 29, 2019, [https://www.trabajo.pr.gov/ley\\_83-2019.asp](https://www.trabajo.pr.gov/ley_83-2019.asp) (accessed June 8, 2020).

<sup>57</sup> "UK Failing Domestic Abuse Victims in Pandemic," Human Rights Watch news release, June 8, 2020, <https://www.hrw.org/news/2020/06/08/uk-failing-domestic-abuse-victims-pandemic>.

<sup>58</sup> Home Office and The Right Honourable Priti Patel MP, "Home Secretary announces support for domestic abuse victims," April 11, 2020, <https://www.gov.uk/government/news/home-secretary-announces-support-for-domestic-abuse-victims> (accessed July 2, 2020).

deaf women.<sup>59</sup> While all women can access other shelters, many from marginalized communities have more difficulty in accessing general shelters.

Migrant women in the UK face particular barriers to getting critical services.<sup>60</sup> Their abusers use their immigration status to control them or prevent them from seeking help, and they may fear approaching authorities due to risk of detention, deportation, or separation from their children.<sup>61</sup> People on visas such as spousal or fiancé visas have “no recourse to public funds” under the Immigration and Asylum Act 1999, making them ineligible for most government benefits.<sup>62</sup> Many shelters, reliant on public funds, cannot accept survivors with “no recourse to public funds.”

While Wales and Scotland instructed local authorities to ensure safe shelter for all of those who have this status and are fleeing domestic abuse during the pandemic, England, and Northern Ireland have not issued such explicit instructions.<sup>63</sup>

Women from marginalized communities often feel most comfortable receiving support and services from small, local organizations that understand and can respond to their specific needs. In the UK, the government allocated £28 million (approximately US\$35 million) to support domestic abuse services during the pandemic.<sup>64</sup> However, service providers raised concerns that this is insufficient to meet needs, that no funds are designated for organizations “led by and for” marginalized groups such as migrant, BAME women or women with disabilities, and that the process for accessing funds remains cumbersome and time-intensive for already strapped organizations.<sup>65</sup> In Mexico, the government cut the budget by 75 percent for Casas de la Mujer Indígena (CAMI – Indigenous Women’s Centers), which service rural and Indigenous areas of Mexico, forcing many of the centers to close and leaving rural Indigenous women with nowhere to go.<sup>66</sup>

Other overlapping forms of discrimination might increase risks of violence. A survey of more than 3,000 adults in Colombia found that while nearly one in three women reported experiencing violence in the home

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<sup>59</sup> Women’s Aid, “The Domestic Abuse Report 2020: The Annual Audit,” 2020, <https://1q7dqy2unor827bqjlsoc4rn-wpengine.netdna-ssl.com/wp-content/uploads/2020/01/The-Domestic-Abuse-Report-2020-The-Annual-Audit.pdf> (accessed July 2, 2020).

<sup>60</sup> Step Up Migrant Women UK, “Research: #RightToBeBelieved,” May 23, 2019, <https://stepupmigrantwomen.org/2019/05/23/research-righttobebelieved/> (accessed July 2, 2020).

<sup>61</sup> House of Lords and House of Commons - Joint Committee on the Draft Domestic Abuse Bill, “Draft Domestic Abuse Bill: First Report of Session 2017–19,” June 11, 2019, <https://publications.parliament.uk/pa/jt201719/jtselect/jtddab/2075/2075.pdf> (accessed July 2, 2020).

<sup>62</sup> “In an Emergency: Abused Women with No Recourse to Public Funds,” Southall Black Sisters, accessed July 2, 2020, <https://southallblacksisters.org.uk/need-help/abused-women-with-no-recourse-to-public-funds/>.

<sup>63</sup> “UK Failing Domestic Abuse Victims in Pandemic,” Human Rights Watch news release, June 8, 2020, <https://www.hrw.org/news/2020/06/08/uk-failing-domestic-abuse-victims-pandemic>.

<sup>64</sup> “Emergency funding to support most vulnerable in society during pandemic,” Ministry of Housing, Communities & Local Government news release, May 2, 2020, [https://www.gov.uk/government/news/emergency-funding-to-support-most-vulnerable-in-society-during-pandemic#:~:text=An%20unprecedented%20%2%A376%20million,today%20\(2%20May%202020\)](https://www.gov.uk/government/news/emergency-funding-to-support-most-vulnerable-in-society-during-pandemic#:~:text=An%20unprecedented%20%2%A376%20million,today%20(2%20May%202020)) (accessed July 2, 2020).

<sup>65</sup> “UK Failing Domestic Abuse Victims in Pandemic,” Human Rights Watch news release, June 8, 2020, <https://www.hrw.org/news/2020/06/08/uk-failing-domestic-abuse-victims-pandemic>.

<sup>66</sup> Itxaro Arteta, “Casas de la Mujer Indígena cierran por cancelación de presupuesto; Segob busca dinero en el extranjero,” *Animal Político*, May 27, 2020, <https://www.animalpolitico.com/2020/05/casas-mujer-indigena-cierran-presupuesto-segob-busca-dinero-extranjero/> (accessed July 2, 2020).

during the pandemic, a slightly higher percentage of healthcare workers did. More worrying, 45 percent of people who identify as gender non-conforming experienced violence.<sup>67</sup>

### **Recommendations:**

- Governments should establish safe reporting systems, including a guarantee that no information is shared between domestic violence reporting services and immigration authorities.
- Governments should dedicate funding for organizations specifically serving women in marginalized communities.
- Governments should make resources available in various languages to ensure people in marginalized communities have access to information and resources.

### **Housing Precarity, Property Rights and Violence**

Women are concentrated in many of the sectors that are particularly hard-hit by the looming economic recession, but who may not be able to access social safety nets, for example domestic workers, sex workers, and informal sector workers.

Women are often taking on a disproportionate share of the caregiving for children unable to attend daycare, preschool, or school due to Covid-19-related shutdowns; affording women even less time to engage in income generating activities. Single households headed by women may also be more likely to have insecure tenure than men, for example renting instead of owning. In countries where inheritance laws discriminate against women and girls or where same-sex partnerships are not legally recognized, the death of a spouse or father from Covid-19 could have gendered impacts on women, girls, and people in same-sex relationships who may lose access to the deceased's estate, as well as their share of the marital property or inheritance.

So, when a woman faces violence at home, the precarity of housing and property rights may make it difficult to seek services. With the heightened risk of violence in lockdowns due to increased social isolation, increased financial stress, breakdown of community structures, and lack of information or access to support measures, women may face homelessness if they seek to leave an abusive home. Similarly, migrant domestic workers facing abuse who live in employers' homes and victims of trafficking are at even further heightened risk of housing precarity.

Shelters in many countries are closed or close to full capacity. The government of Kyrgyzstan did not deem shelters and crisis centers "essential services" during the country's state of emergency.<sup>68</sup> Meanwhile, Kazakhstan already had a shortage of crisis centers. Most crisis centers and shelters for domestic violence victims—many run by NGOs—stopped accepting new survivors during the Covid crisis due to mandatory quarantine measures and lack of capacity for social distancing or self-isolation. Their activities are now limited to online consultations. However, at least two NGO-run centers in Kazakhstan made exceptions and

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<sup>67</sup> Sandra Marcela Sanchez, Danny Rivera, Rocio Murad, Marta Royo, "Informe 4. Salud sexual y salud reproductiva desatendidas durante la cuarentena en Colombia," *Profamilia*, June 5, 2020, [https://www.researchgate.net/publication/341983915\\_Informe\\_4\\_Salud\\_sexual\\_y\\_salud\\_reproductiva\\_desatendidas\\_durante\\_la\\_cua\\_rentena\\_en\\_Colombia](https://www.researchgate.net/publication/341983915_Informe_4_Salud_sexual_y_salud_reproductiva_desatendidas_durante_la_cua_rentena_en_Colombia) (accessed July 2, 2020).

<sup>68</sup> Aichurek Kurmanbekova, "Women Risk Domestic Violence During Kyrgyzstan's Lockdown," commentary, Human Rights Watch dispatch, April 8, 2020, <https://www.hrw.org/news/2020/04/08/women-risk-domestic-violence-during-kyrgyzstans-lockdown>.

accepted newcomers, despite health risks, fines, and even arrests. Only one state-run crisis center continues to formally receive survivors in a separate supplementary safe space.<sup>69</sup>

In Belarus, according to the NGO Radislava, its shelter is the only one in the country accepting all survivors of domestic violence regardless of their age, gender or sexual identity, and religion.<sup>70</sup> Radislava also noted that women living in their shelters are not able to leave for permanent housing due to financial impacts of Covid-19 (e.g. some women could not get a job as planned).<sup>71</sup> While Radislava decided to stay open during quarantine, another NGO, SOS Children’s Village Mogilev, decided to close its shelter for quarantine and stopped accepting newcomers.

In Russia, there was already a shortage in crisis centers prior to the pandemic. For instance, there is only one state crisis center in Moscow<sup>72</sup> and due to the quarantine measures, most of the nongovernmental crisis centers had to stop accepting visitors. In Saint Petersburg, where state apartments for domestic violence survivors closed due to Covid-19, the Crisis Center for Women worked with hotels to allow them to serve as temporary shelters for women.<sup>73</sup> In the UK, during the pandemic, representatives of organizations that provide services for women experiencing violence said some shelters have had to reduce capacity so as to leave enough space for social distancing or quarantine measures.

Shelters may not be available or equipped for all women needing safety. Older people face heightened risks of violence during Covid-19 lockdowns and may have fewer accessible services for shelter.<sup>74</sup> Women with disabilities with high-level requirements of support cannot access shelters for women or access alternative personal support staff enabling them to move away from abusive situations.

Organizations providing legal representation to women have seen increases in calls related to legal consultations on property rights. For example, an NGO in Belarus, Yeyo prava (Her rights) registered an increase in requests for legal consultations on splitting the property.<sup>75</sup> The law in Belarus requires 5 percent of the value of the property to be paid to the government, apart from paying the lawyer, before property can be split. Additional obstacles create situations where the property was bought with a soft loan. In that case, the property cannot be split unless the loan is paid. In Kenya, the Federation of Women Lawyers

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<sup>69</sup> Viktoriya Kim, “Lack of Refuge for Kazakhstan’s Domestic Violence Survivors,” commentary, Human Rights Watch dispatch, April 9, 2020, <https://www.hrw.org/news/2020/04/09/lack-refuge-kazakhstan-domestic-violence-survivors>.

<sup>70</sup> “Пандемия и домашнее насилие. Что происходит в Беларуси?” *Gender Perspectives*, May 5, 2020, <https://www.genderperspectives.by/novosti/637-pandemiya-i-domashnee-nasilie-cto-proiskhodit-v-belarusi/> (accessed July 2, 2020); Evgenia Dolgaya, “Olga Gorbunova: ‘My jihad is the fight against domestic violence,’” [Ольга Горбунова: «Мой джихад – это борьба с домашним насилием»], *34 Mag*, February 26, 2019, <https://34mag.net/ru/post/olga-gorbunova> (accessed July 2, 2020).

<sup>71</sup> Ibid.

<sup>72</sup> “В России — всплеск домашнего насилия из-за карантина. Что делать жертвам прямо сейчас? И какими будут последствия?” audio feed, *Meduza*, May 1, 2020, <https://meduza.io/episodes/2020/05/01/v-rossii-vsplesk-domashnego-nasiliya-iz-za-karantinnyh-mer-cto-delat-zhertvam-priamo-seychas-i-kakimi-budut-posledstviya-vspleska> (accessed July 1, 2020).

<sup>73</sup> Alexandra Korobeynikova, “Пандемия агрессии. Кто и как помогал жертвам домашнего насилия в России во время карантина,” *7x7*, June 2, 2020, <https://7x7-journal.ru/articles/2020/06/02/pandemiya-agressii-kto-i-kak-pomogal-zhertvam-domashnego-nasiliya-v-rossii-vo-vremya-karantina> (accessed July 2, 2020).

<sup>74</sup> Charles Hymas, “Silent scandal of elderly abused during lockdown,” *The Telegraph*, May 17, 2020, <https://www.telegraph.co.uk/news/2020/05/17/silent-scandal-elderly-abused-lockdown/> (accessed July 2, 2020).

<sup>75</sup> “Пандемия и домашнее насилие. Что происходит в Беларуси?” *Gender Perspectives*, May 5, 2020, <https://www.genderperspectives.by/novosti/637-pandemiya-i-domashnee-nasilie-cto-proiskhodit-v-belarusi/> (accessed July 2, 2020).



(FIDA-Kenya) found that nearly 10 percent of calls to its toll-free number to report sexual and gender-based violence involved property complaints, including evictions of widows, succession, or matrimonial property disputes.<sup>76</sup>

The problem of domestic violence has become even more acute in Russia during the Covid-19 pandemic.<sup>77</sup> Yet some survivors of domestic violence face barriers to accessing crucial support because state services demand extensive documentation to obtain emergency shelter, including local registration. Requirements to show proof of local residence can be particularly problematic for some women to produce, if, for instance, they lost ownership of their home after a divorce or had to flee a long distance to escape abuse. Victims must often wait weeks for a decision, and then in some cases are denied access to shelter while facing ongoing risk of abuse.<sup>78</sup>

### **Recommendation:**

- Governments should establish procedures to place those accused of domestic violence in alternate accommodation rather than remove multiple presumptive victims from a home. If the survivor is removed, provide adequate temporary accommodation and in appropriate circumstances require the abuser to pay, or provide alternate housing, for the survivor.
- Authorities should ensure domestic violence survivors can access and petition courts for restraining or protection orders that exclude the abuser from the housing and protects the housing and property rights of the survivor.
- Governments should take active measures to disseminate information to the public and to domestic violence victims to let them know about housing assistance measures, including relocation assistance or how to access emergency shelters that meet public health standards and are accessible for people with different types of disabilities. Similar measures should be available for live-in domestic workers and victims of trafficking facing abuse by their employers and who otherwise have nowhere to go.

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<sup>76</sup> FIDA-Kenya document on file with Human Rights Watch.

<sup>77</sup> “Victims Have Been Locked Up Together with the Abusers—Experts on the Spike in Domestic Violence as a Result of Self-Isolation” [Жертвы оказались заперты с насильниками] – эксперты о всплеске домашнего насилия из-за самоизоляции], *The Insider*, April 4, 2020, <https://theins.ru/news/211330> (accessed July 2, 2020).

<sup>78</sup> Human Rights Watch, *“I Could Kill You and No One Would Stop Me”: Weak State Response to Domestic Violence in Russia*, October 2018, <https://www.hrw.org/report/2018/10/25/i-could-kill-you-and-no-one-would-stop-me/weak-state-response-domestic-violence>, pp. 64-75.