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COVID-19 response: Governments should Protect Migrant Workers and other Marginalised Groups

The nation-wide lockdown, and closure of borders, in Nepal in response to the COVID-19 pandemic has gravely impacted thousands of people. Migrant workers are stranded in the countries where they work, and people living in poverty are struggling to fulfill their basic needs across the country. While implementing measures to protect public health are important to respond to the COVID-19 pandemic, the government must ensure that these measures are consistent with the country's international human rights obligations, said Amnesty International Nepal today.

"Any measures undertaken by the government in its fight against COVID-19 must be consistent with human rights, particularly the rights of marginalized groups and others who are particularly at risk in this context," said Nirajan Thapaliya, Director of Amnesty International Nepal. "Furthermore, the government should put in place measures to protect people whose health and livelihoods are at risk."

Following the global surge in the cases of COVID-19 infection and mortality, the government enforced the nationwide lockdown on 24 March, including sealing its borders and banning all international flights to and from Nepal. Thousands of Nepali migrant workers abroad, including in Qatar and Malaysia (which collectively host the highest number of Nepali workers), and in India are now in a dire situation as these countries have also imposed lockdowns and other public health measures spanning several weeks. With the resultant slowdown of economic activity and closure of some businesses in the host countries, many of these migrant workers have now either lost their jobs, or are on unpaid leave, with inadequate access to basic necessities such as health care, food and accommodation. Due to the closure of the Nepal border, they are also unable to return to their homes. Others continue to have to work in environments that put them at risk of exposure to COVID-19.

The migrant workers, many of whom have faced [entrenched patterns of abuse](#) and ill-treatment in both Nepal and destination countries even prior to the COVID-19 pandemic, are now facing even more hardship. In Malaysia, [workers are reportedly being forced](#) to come to their work despite a lockdown in place. In Qatar, [migrant workers reportedly live in overcrowded accommodation](#) and the [World Cup Construction workers are](#) reportedly still being made to work in overcrowded construction sites, which increases the risk of their exposure to the virus.

Thousands of Nepali migrant workers returning to Nepal from India after India imposed a three-weeks long lockdown on 25 March are left stranded at several border points as the Nepali authorities bar them from re-entering their home country.

"In the wake of this pandemic, states have not adequately protected migrant workers, whose contribution to these economies remains grossly forgotten," said Thapaliya. " All workers should have access to sufficient accommodation facilities, including facility to isolate themselves, as well as water and sanitation, so they can effectively protect themselves, in the countries where they are working. They should also have access to social security protections and financial support when they are unable to work because of the COVID-19 epidemic, including if they are sick or quarantined in these countries".

Nepali migrant workers who are stranded at the India-Nepal border, and trying to enter Nepal, are in an extraordinarily difficult situation. They have limited economic opportunities and economic support in India as a result of the lock-down, and many are struggling to access even basic necessities. The government of India should ensure that all workers, including migrant workers, have access to social security and targeted economic support during these difficult times, so they are able to enjoy their right to an adequate standard of living. Furthermore, the Government of Nepal should urgently consider all steps possible to allow Nepali workers waiting at the India-Nepal border to safely return to Nepal. They must also ensure that once they are in Nepal, they have the means to adequately protect themselves from COVID-19 and have equal access to health care, in particular if they have, or are showing symptoms of, COVID-19.

The lockdown in Nepal has also disproportionately affected several groups, including daily wage workers, refugees, and those employed in the informal sector. The government should introduce comprehensive relief packages and economic assistance to ensure they have access to basic services, and their right to an adequate standard of living. Where needed, the government of Nepal must also request international cooperation and assistance from the international community to ensure that it is able to protect the health and livelihoods of people in an adequate and timely manner.

It is also concerning to see multiple incidents of excessive use of force by security personnel tasked with enforcing the lockdown. "Instances of physical assault and unjustified use of force as reported in the media are deeply worrying. We call on the authorities to investigate these allegations and penalise those found to be misusing their power", said Thapaliya.