

## Government Responsibilities During Lockdown

29 March 2020

### Statement from Jan Swasthya Abhiyan (JSA) and All India People Science Network (AIPSN)

An extended lockdown of 21 days has been announced across the country as an epidemiologic intervention to break the chain of transmission of COVID-19. While the citizens of the country observe this lockdown as part of their civic responsibilities, the state must ensure that it delivers on its responsibilities to its citizens in a human rights respecting manner that addresses the peoples' needs for essential goods and services, especially the needs of the poor, the elderly and disabled, and other vulnerable sections of the society. Through the lockdown, the government has suspended the fundamental right of movement of persons in India. This does not absolve the government from its responsibility to fulfil other fundamental rights in the Indian Constitution.

Principles of human rights, empathy and solidarity must guide the governments during this time. Many government officials, and law enforcement officials in particular, appear to be confusing determination with brute force. Without treatment or a vaccine, measures to prevent the disease are for the long haul. The state needs to build trust and solidarity amongst citizens and between the state and citizens.

Towards this, we call upon the Government of India and the State governments to ensure that the following are ensured during the period of lockdown for all its citizens, with a special focus on those who are vulnerable.

#### 1. Continued access to essential health care

- a. OPD closures in public health facilities leave those who are dependent on them for essential health care without any alternatives and are not acceptable. There needs to be **triaging of those coming in with suspected COVID symptoms and their care needs to be channelled through a separate stream.**
- b. Access to essential health services, especially those that need to be provided in a time-bound manner need to be continued even through a period of lockdown. Otherwise any gains made in COVID prevention will be lost in increasing morbidity and even mortality from other conditions. Some examples of such essential services include **continued access to NCD drugs, access to anti-tubercular and anti-retroviral drugs, access to dialysis services, cancer chemotherapy, pregnancy care, abortion care, contraceptive services, emergency services, continued services for those under clinical trials.** Similarly, measures should be put in place to ensure an uninterrupted supply of blood to people with blood disorders like Thalassaemia who require regular blood transfusions, as also oxygen cylinders in some other disorders.
- c. For those unable to travel to refill their medications, **home delivery of these medications through frontline health workers** needs to be arranged. This includes those who require medicines from schemes like CGHS/ESI; alternatively, such schemes should allow patients to buy their own medicines and then reimburse either at cost or at least the amount that is usually paid by the scheme for the medicine.
- d. **Mental health needs** during continued periods of lockdown need to be recognized. **Counselling services through call-in helplines** need to be arranged.
- e. **District level helplines** to coordinate delivery of essential services including essential health care should be set up immediately.

#### 2. Food security

- a. During the period of lockdown, state must ensure that food security is not compromised. **PDS provisions must be provided** to all those eligible. In addition, **access to PDS needs to**

**be expanded** beyond the usual eligibility criteria to address the needs of those whose food security may have been compromised during the lockdown.

- b. **Mid-day meals for school and Anganwadi going children should continue to be provided in their homes** as per the Supreme Court's directions.
- c. Vulnerable households, such as those with the elderly or disabled living alone, those with chronic illnesses, women living alone with infant children, in each community that are unable to travel outside to procure food supplies must be identified and arrangements made to **deliver food grains, local vegetables and fruits to their homes**.
- d. In addition, **local community arrangements, e.g., local community kitchens**, must be made to provide cooked food to households where members are under home quarantine or have been identified as having difficulties in preparing food. These are also urgently needed in **urban areas** where several out-of-work migrants and daily wage workers and homeless people reside. These community kitchens must be **in sufficient number and open for long hours in order to avoid overcrowding**.
- e. **People living in institutional settings**, e.g. senior citizens' homes, orphanages, shelter homes, prisons, detention centres, juvenile homes, are especially vulnerable and **continued supply of cooked food** needs to be ensured in such circumstances.
- f. **Uninterrupted supply of cooking gas** needs to be ensured.
- g. **Safety and protection of the volunteers and workers** who keep the supply chain of essential services maintained needs to be ensured through appropriate training and provision of protection equipment.
- h. Systems for live feedback need to be set up. Contact points for community groups to report urgent necessities must be identified and made public in each locality. Contact persons must be higher ups who can take decisions and give orders if necessary.<sup>1</sup>

### 3. Access to water and sanitation

- a. Access to water and sanitation must be ensured through the lockdown **for all citizens**. A large proportion of homes in the country do not have access to piped water. **Water supply through tankers and other means** needs to be ensured to these households. This is especially important as washing hands regularly with soap and water is an important preventive step.
- b. **Passes for those engaged in maintenance of water supply, sewage, electricity, internet services** must be provided to facilitate their unhindered movement to provide these essential services.
- c. For those houses in which someone is quarantined, **arrangements to deliver water to the homes** through local volunteers in the absence of piped water supply must be made.
- d. **For those under quarantine, access to separate toilets** must be ensured. If this is not possible in their homes, they must be provided **institutional quarantine facilities**.
- e. In order to facilitate access to sanitation facilities, **use of pay -and-use toilets must be allowed free of cost** and their maintenance must be ensured by hiring persons for the same.

### 4. Transport services for essential needs and essential supplies

- a. There are several reports of people facing difficulties in travelling to access essential services, especially health services. States need to **ensure availability of transport**

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<sup>1</sup> A detailed Statement on economic support and relief package issued separately

**facilities for such needs** – these could be in the form of continued skeletal public transport services, or where possible in the form of designated vehicles to provide such transport. Shutting down public transport makes it difficult for those who need to move to provide the services, for migrants, for persons who need to reach the services including hospitals. This has to be a **rationalised response**, not a shutting down.

- b. **Maintaining supply chains for essential commodities** is important. Due to freeze on movement of trucks across state borders, there are reports of medicines running out in pharmacies and shortage of essential goods in groceries. There are also reports of essential food items like bread, groceries, fruits, vegetables, eggs, chicken, meat and fish being unavailable because of transport bottlenecks. Adequate physical distancing must be maintained during such transport and supply of essential commodities.

**Home Delivery Services:** During lockdowns, home delivery services can play an important role in assisting households, especially the elderly and vulnerable, to access groceries, fruits and vegetables, chicken, meat and fish, cooked food, and a variety of other household goods without having to leave home. These will also provide jobs and incomes for many people engaged in delivery as well as in back-end supply. This would also necessitate permitting small restaurants and eateries to remain open only for home delivery services, while maintaining hygiene and physical distancing within their premises. In many countries with lockdowns, home delivery companies have been ADDING several thousand workers to their payroll, keeping the economy and employment market ticking. In many parts of the country, police are preventing movement of home-delivery vehicles and also supply sources such as restaurants, small eateries, godowns etc. Clearly spelled out rules and guidelines for home delivery services need to be brought out soon, and police instructed to ensure compliance.

## 5. Facilities for those most vulnerable

- a. **Migrants** in different parts of the country are faced with a situation of loss of livelihood due to the lockdown while also being stranded in a place far away from home with no social networks to support them. Urgent measures must be taken to provide **safe accommodation and cooked food** for migrants. Assistance of voluntary and community service organizations may be sought for such services, and passes for volunteers and their vehicles may also be provided by local administrations. Available spaces like marriage halls, stadiums, schools, and similar places should be used safe housing of migrants, with provision of food and **essential medical care**. **Access to adequate water and soap for handwashing and adequate sanitation facilities** must also be ensured in these facilities.
- b. There are several media reports of migrants trekking back long distances by foot to reach their homes as no transport services are available. **Immediate arrangements must be made to provide shelter to them in the nearest town. Safe transport facilities must be arranged back home** for them through sanitized buses or trains in case of larger numbers without overcrowding. Women and children on the move must be prioritized. While arranging such transport, **adequate data should be collected** on where they have come from, their home addresses and contact details so that they can be followed up in case of necessity of subsequent contact tracing. They should also be given **adequate information** regarding self-isolation to the extent possible, avoiding gatherings, and to report symptoms immediately.
- c. **Homeless persons:** Similar facilities also need to be made for the homeless.
- d. **Persons who use drugs:** Several will face sudden withdrawal requiring support and medical attention.
- e. **Elderly people** with no support are at serious risk and require both care and attention.
- f. **Persons with disabilities** are dependent on care givers and other help. **Access to food and water** needs to be ensured. Since it is difficult to follow physical distancing in such

situations, **adequate access to hand sanitizers for prevention, protective equipment for the disabled and their caregivers** needs to be considered. Apart from setting up a mechanism for home deliveries for persons with disabilities, **a separate helpline** needs to be set up exclusively for them at the State level. There should be a point of contact at the community level, preferably ASHAs, to facilitate any issues faced by persons with disabilities.

- g. Several other persons belong to vulnerable groups and will face severe hardship in accessing food and other essential services during the lockdown. These include **sex workers, trans-persons, persons who rely on alms for their daily earnings, those in existing relief camps**, particularly in Delhi, where homes have been burnt or localities are not safe for people to return to— **such vulnerable groups need to be urgently mapped in each locality with the involvement of local bodies, NGOs and community groups, and their essential needs ensured.**
- h. **Women facing domestic violence** are at increased risk of violence during this period of lockdown when they are unable to leave their abusive partner, or access services that offer support. **Support mechanisms for women facing domestic violence, eg. helplines, shelter homes must continue to be functional** during the lockdown. Counsellors at these facilities must be able to offer **emergency plans** for women who are continuing to face violence or where violence has escalated during the lockdown. Police personnel must be directed to respond to cases of domestic violence and to connect them to appropriate support mechanisms.
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#### 6. Access to information

- a. Access to **updated, accurate, transparent information on the disease, prevention and current interventions** must be provided in multiple languages and formats.
- b. **4G internet services** need to be urgently provided in all parts of the country, including Kashmir, so as to facilitate smooth access of such information.
- c. In many cities and localities, delivery of daily newspapers has been disrupted, including prevention of bulk delivery from newspaper offices to distribution points, breaking-up of distribution points, and prevention of home-delivery vendors. Necessary guidelines require to be issued to all State governments, local administration and police in this regard so that **free access to newspapers is not hindered.**

#### 7. Addressing shaming and stigma

- a. There are reports of stigma against suspected patients of COVID, their families and service providers. The state must take **proactive steps to address such stigma** through providing accurate information on the disease transmission and through emphasizing that those quarantining themselves or providing services are doing so for larger public good. Posters, notices, hand markings etc on Covid-19 patients or suspect cases should be avoided.
- b. Care must be taken by media and in official communication that affected persons are not shamed into believing they are responsible for the disease.
- c. Messages on public media are failing need to highlight that most persons recover, that they become immune, that immune persons can then be a community support.

#### 8. Strict prohibition on use of violence by law enforcement

- a. There have been multiple reports of police using lathis to inflict injuries on persons found on the roads and streets. **The use of mass violence in this manner is unjustifiable and must be strictly condemned and offending police officers must face immediate action.** It is evident from reports that most persons who were moving during the lockdown were supplying essential services. Even if this is not the case and persons do not have passes or a reasonable explanation, law enforcement must first counsel such

persons and issue a warning. **Citizens need to be taken into confidence on the need for the lockdown or quarantine, and should be treated as equals with respect, not as criminals flouting laws.** Repeat offenders can be issued challans carrying fines. Inflicting injuries at a time when health services are already overwhelmed is also irresponsible behaviour from the law enforcement agencies. Giving power to the police to 'enforce' this rule will inevitably result in human rights violations.

- b. Absolutely **no action from the police is acceptable** where people found on the road or streets are homeless.
- c. **The use of shame and humiliation by the police such as publicly making people do squat or jumps or other absurd forms of punishment must be strictly prohibited;** the lockdown has serious consequences for people and it is hard to escape the sense that a large number of police officers on the ground appear to be taking perverse pleasure from the hardships and confusion among people over the lockdown and the availability of services at this time. There is increasing concern that the lack of clear instructions, lack of oversight and lack of accountability to the police during these 21 days will see an escalation in incidents of violence, humiliation and corruption. These actions must be nipped in the bud with clear directions for an **empathetic enforcement of the lockdown backed by strict action.** A dedicated helpline and online platform for complaints against heavy handed and arbitrary behaviour by the police should be set up for the period of the lockdown.

**Developed by Group 2 team**

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