

ZOOM IN

The Question:

The shadow pandemic: Assessing the impact of COVID-19 on women's rights

Introduced by Micaela Frulli

As the UN Secretary-General António Guterres pointed out in his Policy Brief of 9 April 2020: 'Across every sphere, from health to the economy, security to social protection, the impacts of COVID-19 are exacerbated for women and girls simply by virtue of their sex'.¹

Available data clearly show that the economic consequences of the pandemic disproportionately affected women and girls, who lost their jobs to a greater extent than men,² who continue to receive lower pay for the same work, who are in more precarious jobs and who most often find themselves on the poverty line.³ The consequences of the pandemic had a major impact on women and girls not only in the economic sphere, but also impinged on their fundamental rights. The heavy and disproportionate impact on women is due not only – and perhaps not mainly – to the pandemic as such, but to the way in which States met the challenge to adopt urgent measures to cope with the emergency and subsequently to put in place tools for recovery. For instance, the policy of isolation and confinement led to an increased level of domestic, sexual and gender-

¹ Policy Brief: 'The Impact of COVID-19 on Women' (9 April 2020) available at <www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Policy-brief-The-impact-of-COVID-19-on-women-en.pdf>.

² See the *ILO Monitor: COVID-19 and the world of work* (7th edn 25 January 2021) available at <www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_767028.pdf>.

³ According to the *Global Gender Gap Report 2021*, adopted by the World Economic Forum, as the impact of the COVID-19 pandemic continues to be felt, closing the global gender gap has increased from 99.5 years to 135.6 years: <www.weforum.org/reports/global-gender-gap-report-2021>.



based violence and to an intensification of online violence.⁴ In many States there was also a significant increase in violence against women's health caused by the difficulty (or even the impossibility) to access sexual and reproductive health services.⁵

This zoom-in investigates the impact of the pandemic on women's rights and the (inadequate) way in which States cope with their obligations to respect women's rights and to foster gender equality, both during the first phase of the COVID-19 emergency in 2020 and in the subsequent period when States began to prepare and implement recovery plans.

Tramontana examines what happened during the pandemic and focuses her analysis on three critical areas: right to work, domestic violence and access to maternal health services and abortion. In these areas there are structural inequalities that the health crisis harshly uncovered, and that need to be addressed as a matter of priority for States to fulfill the obligations incumbent on them by virtue of a large number of human rights treaties. After a thoughtful analysis of several human rights instruments and of the case-law of international courts and monitoring bodies, she points at specific measures that States should have adopted (and should adopt in the future if a similar situation should happen again) and shall adopt in the recovery phase.

Most studies address the economic impact of measures set up by states in the phase of recovery management, but there are no in-depth analyses of the duties of States to respect women's rights and gender equality in the context of recovery plans. Hence, Russo tackles State obligations in the recovery phase, with a view to assessing the impact of measures set up by states on women's rights and gender equality. She develops her analysis around three main priorities: participation, reparation and equality and suggests measures to foster a gender-sensitive reconstruction.

⁴ See the Report *Women must not pay the price for COVID-19!* by the European Women's Lobby available at <https://womenlobby.org/IMG/pdf/ewl_policy_brief_on_covid-19_impact_on_women_and_girls-2.pdf>.

⁵ See S De Vido, 'Gender Inequalities and Violence against Women's Health during the CoViD-19 Pandemic: An International law Perspective' (2020) *BioLaw J* 77-110. More in general on violence against women's health: S De Vido, *Violence against Women's Health in International Law* (Manchester UP 2020).



What emerges from these accurate analyses is that the greater part of the global response to COVID-19 has been gender blind. However, gender issues are both female and male problems.⁶ Stereotypes, bias and discriminatory norms deleteriously impact society. The opportunity for a paradigm shift is not to be missed, the time is ripe for a profound cultural change from which every society would benefit enormously.

⁶ See the OECD Report *Man Enough? Measuring Masculine Norms to Promote Women's Empowerment* (8 March 2021) available at <www.oecd.org/dev/man-enough-measuring-masculine-norms-to-promote-women-s-empowerment-6ffd1936-en.htm>.

