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Members of a youth disabled people's organization participate in the 2020 International Women's Day March in Ukraine. Photo Credit: Andriy Pavlenko

DRG AND COVID-19 TRENDS PAPER SERIES: **DEMOCRATIC BACKSLIDING**

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THE TREND: DEMOCRATIC BACKSLIDING

During a time when democracy was already under threat, the COVID-19 pandemic has, in many countries, accelerated democratic backsliding¹ and allowed autocrats to further consolidate power. These developments may have lasting impacts well beyond the pandemic. A recent “Call to Defend Democracy” letter, signed by nearly 100 organizations and 500 prominent individuals worldwide, warned that in addition to being a health and economic crisis, COVID-19 is “a political crisis that threatens the future of liberal democracy.”²

In authoritarian environments, governments are using the pandemic to further limit political space, consolidate power, and deepen existing backsliding trends.³ Without robust pushback from democratic forces and enhanced, context-appropriate donor support for democracy, human rights and governance, backsliding trends could be maintained long beyond the crisis, thus further entrenching authoritarian regimes.⁴ In fragile democracies, the response to COVID-19 is straining weak institutions and democratic norms and practices, and impeding political competition. This can result in ineffective pandemic responses, less equitable distribution of resources, the weakening of labor rights and occupational safety and health, diminished rule of law, and increased corruption. These deficiencies could undermine public trust in the government and/or foment conflict.

CONSOLIDATION OF POWER AND CLOSING OF POLITICAL SPACE

Many authoritarian and semi-authoritarian regimes are using the COVID-19 crisis to tighten their grip on power by granting themselves and their political loyalists more expansive powers than warranted and without appropriate time constraints or checks and balances.⁵ According to the International Center for Not-for-profit Law (ICNL), 92 countries have imposed emergency declarations.⁶ While democracies have generally made these declarations in a manner that adheres to international norms, other countries are abusing the decrees and could maintain them long after the COVID-19 pandemic. A number of less democratic governments have also used COVID-19 as a pretext for cracking down on political opposition and for concentrating executive power by, among other things, curbing the ability of parliaments to exercise oversight powers.⁷ Autocrats and some hybrid regimes are taking advantage of increased COVID-19 related state resources for graft⁸, patronage, and other methods of tightening their grip on power. In addition, many governments have expanded the powers of security forces, including increasing police powers and authorizing the military to assist in enforcing COVID-19 measures. As a

¹ Nancy Bermeo defines democratic backsliding as “state-led debilitation or elimination of the political institutions sustaining a democracy.” See Bermeo, Nancy. 2016. “On Democratic Backsliding.” *Journal of Democracy*. 27(1), p. 6. Available at: [On Democratic Backsliding](#)

² Joint Letter. June 25, 2020. A Call to Defend Democracy. Available at: [A Call to Defend Democracy](#)

³ Panchulidze, Elene and Richard Youngs. July 2020. Global Democracy & COVID-19: Upgrading International Support. p. 4. Available at: [Global Democracy & COVID-19: Upgrading International Support](#)

⁴ Brown, Frances Z. et. al. April 6, 2020. “How Will the Coronavirus Reshape Democracy and Governance Globally?” Carnegie Endowment. p. 4. Available at: [How Will the Coronavirus Reshape Democracy and Governance Globally?](#)

⁵ [Closing Space: Democracy and Human Rights Support Under Fire](#)

⁶ ICNL COVID-19 Civic Freedom Tracker. Available at: [COVID-19 Civic Freedom Tracker](#)

⁷ CIVICUS. Civic Freedoms and the COVID-19 Pandemic. Available at: [COVID-19](#)

⁸ USAID. May 2020. Corruption and COVID-19 Key Issues and USAID Approaches. Available at: [Corruption and COVID-19 Key Issues and USAID Approaches | US Agency for International Development](#)

result, a number of countries (including Kenya,⁹ Nigeria,¹⁰ the Philippines,¹¹ and Morocco¹²) have seen a rise in police misconduct. Further, the potential for intense discontent with government responses paired with the lack of capacity to manage the epidemic has created an opportunity for grievances to be exploited by violent extremists and other malign actors.

The COVID-19 pandemic also poses grave threats to electoral norms and standards, which are a key bulwark against democratic backsliding. As of October 2020, 73 countries have postponed national or subnational elections since the pandemic began.¹³ Particularly in countries that lack strong democratic safeguards, political elites may use COVID-19 as an excuse to consolidate control of, or manipulate democratic processes in their favor, including the timing and manner in which elections are held. Some governments have delayed elections to hold onto power (such as in Hong Kong); others (such as in Russia and Benin) have pushed forward to hold elections under conditions that greatly benefit them.¹⁴ Incumbents are also abusing emergency powers and other curbs on freedoms and rights during electoral periods to gain advantage (such as in Uganda).¹⁵

RESTRICTIONS AND ABUSES OF FUNDAMENTAL FREEDOMS

Repressive governments are using emergency powers to excessively restrict freedoms of expression, assembly, association and movement; limit digital rights; and reduce transparency. According to ICNL, during COVID-19, 44 countries have increased restrictions on expression and 126 on freedom of assembly.¹⁶ These governments are intensifying crackdowns on independent media and journalists reporting on COVID-19. Several countries have criminalized the publication or communication—knowingly or unknowingly—of “false news” about COVID-19, as well as criticism of government response to crisis (such as in Thailand).¹⁷ Many of these new laws are worded vaguely, inviting arbitrary, discriminatory arrests and unfair convictions. Authoritarian regimes, political actors, and malign foreign and non-state actors are incorporating COVID-19-related content into their own propaganda and disinformation campaigns. In addition, less democratic governments are restricting access to information and data about their response to the pandemic, including how public funds are being spent or distributed.

Governments and security forces are rapidly introducing, and potentially entrenching as a norm, surveillance technology without necessary safeguards to ensure protection of personal privacy. Because

⁹ Deutsche Welle. September 7, 2020. “In Africa, Concern Over Rising Police Brutality.” Available at: <https://www.dw.com/en/in-africa-concerns-over-rising-police-brutality/a-54845922>

¹⁰ Deutsche Welle. April 20, 2020. “COVID-19: Security forces in Africa brutalizing civilians under lockdown.” Available at: <https://www.dw.com/en/covid-19-security-forces-in-africa-brutalizing-civilians-under-lockdown/a-53192163>

¹¹ Al Jazeera. April 28, 2020. “UN raises alarm about police brutality in COVID-19 lockdowns.” Available at: <https://www.aljazeera.com/news/2020/4/28/un-raises-alarm-about-police-brutality-in-covid-19-lockdowns>

¹² Ibid.

¹³ International IDEA. Global Overview of COVID-19 Impact on Elections. Available at: [Global Overview](#).

¹⁴ Quarcoo, Ashley. July 29, 2020. “Can Elections Be Credible During a Pandemic?” Carnegie Endowment. Available at: [Can Elections Be Credible During a Pandemic?](#)

¹⁵ The Economist. October 17, 2020. “The pandemic has eroded democracy and respect for human rights.” Available at: <https://www.economist.com/international/2020/10/17/the-pandemic-has-eroded-democracy-and-respect-for-human-rights>

¹⁶ ICNL. COVID-19 Civic Freedom Tracker. Available at: [COVID-19 Civic Freedom Tracker](#)

¹⁷ Human Rights Watch. October 15, 2020. Thailand: Emergency Decree Pretext for Crackdown. Available at: <https://www.hrw.org/news/2020/10/15/thailand-emergency-decree-pretext-crackdown#>

these new surveillance methods are often outside of any legal framework or civic oversight, they could easily be extended in scope and duration. These measures could be used to restrict and monitor civic space by highly advanced means.¹⁸ Additionally, regimes are further restricting digital rights by continuing or increasing limitations to online access and participation, including access to health related information (such as in Iran and China)¹⁹, or at a minimum not actively addressing digital divides that already existed.²⁰

Democratic backsliding amid COVID-19 has disproportionately affected vulnerable and marginalized populations, including refugees, internally displaced persons, asylum seekers,²¹ the poor,²² migrant workers,²³ workers in the informal sector,²⁴ aging populations,²⁵ LGBTIQ,²⁶ persons with disabilities,²⁷ the homeless,²⁸ children,²⁹ and groups that have traditionally been discriminated against on the basis of ethnicity,³⁰ race,³¹ and gender.³² Some governments are using the pandemic as cover to suppress unions and workers' organizations, while giving latitude to employers to discharge and arrest workers who protest unsafe working conditions (such as in India and Burma).³³ These actions, coupled with devastating losses of employment and income from COVID-19, often disproportionately affect women,³⁴ migrant workers,³⁵ and other marginalized groups. There has also been a dramatic increase in cases of

¹⁸ Utrecht Centre for Global Challenges. July 2020. Bibliography on COVID-19 and Civic Space. pp. 15-17. Available at: [Bibliography on COVID-19 and Civic Space](#)

¹⁹ Huang, Roger. March 29, 2020. "Internet Censorship During COVID-19 Is Threat To Cryptocurrencies And Liberty." Forbes. Available at: [Internet Censorship During COVID-19 is Threat to Cryptocurrencies and Liberty.](#)

²⁰ UN Press Release. June 11, 2020. "UN: Digital Divide 'a Matter of Life and Death' amid COVID-19 Crisis, Secretary-General Warns Virtual Meeting, Stressing Universal Connectivity Key for Health, Development." Available at: [Digital Divide 'a Matter of Life and Death' amid COVID-19 Crisis.](#)

²¹ Growthe, Cathryn. April 27, 2020. Refugees and Asylum Seekers Need Coronavirus Protections, Not Restrictions. Freedom House. Available at: [Refugees and Asylum Seekers Need Coronavirus Protections, Not Restrictions](#)

²² E.g., Human Rights Watch, India. March 2020. COVID-19 Lockdown Puts Poor at Risk. Available at: [India: COVID-19 Lockdown Puts Poor at Risk](#)

²³ E.g., ILO. April 2020. Policy Brief: Protecting Migrant Workers during the COVID-19 pandemic, Available at: [Policy Brief](#); and United Nations. April 2020. COVID-19 and Human Rights, pp. 11. Available at: [COVID-19 and Human Rights](#)

²⁴ ILO. March 2020. COVID-19 and the world of work: Impact and policy responses. pp. 4-6. Available at: [COVID-19 and the world of work: Impact and policy responses](#)

²⁵ E.g., United Nations, May 2020, Department of Economic and Social Affairs, COVID-19 and Older Persons: A Defining Moment for an Informed, Inclusive and Targeted Response, Available at: [COVID-19 and Older Persons: A Defining Moment for an Informed, Inclusive and Targeted Response](#); and Inter Press Service, August 2020, Ageing Africa Left out of COVID-19 Policies, Available at: [Q&A: Ageing Africa Left out of COVID-19 Policies](#)

²⁶ LGBTI Caucus Statement in Response to the Covid-19 Pandemic. March 2020. Available at: [LBTI Caucus Statement in Response to the Covid-19 Pandemic](#)

²⁷ Root, Rebecca. May 7, 2020. "How to ensure a disability-inclusive response to COVID-19." Available at: [How to ensure a disability-inclusive response to COVID-19](#)

²⁸ United Nations. April 2020. COVID-19 and Human Rights, pp. 7. Available at: [COVID-19 and Human Rights](#)

²⁹ Human Rights Watch, April 2019, COVID-19 and Children's Rights, Available at: [COVID-19 and Children's Rights](#)

³⁰ United Nations. June 2020. COVID-19 and Indigenous Peoples' Rights. pp. 4-7. Available at: [COVID-19 and Indigenous Peoples' Rights.](#)

³¹ United Nations. April 2020. COVID-19 and Human Rights, pp. 11-12. Available at: [COVID-19 and Human Rights](#)

³² Henriques, Martha. April 12, 2020. "Why COVID-19 is different for men and women." BBC. Available at: [Why Covid-19 is different for men and women](#)

³³ Business and Human Rights Resource Centre. August 21, 2020. "Union busting and unfair dismissals: Garment workers during COVID-19." Available at: [Union busting and unfair dismissals: Garment workers during COVID-19.](#) See also [Morocco Union Condemns Firing of Top Journalist, Labor Advocate.](#)

³⁴ World Trade Organization. The Economic Impact of COVID-19 on Women in Vulnerable Sectors and Economies. August 2020. Available at: [The Economic Impact of COVID-19 on Women in Vulnerable Sectors and Economies](#)

³⁵ ILO Policy Brief. April 2020. Protecting migrant workers during the COVID-19 pandemic. pp. 1-2. Available at: [Protecting migrant workers during the COVID-19 pandemic](#)

gender-based violence amid lockdowns³⁶ (particularly among women and girls with disabilities),³⁷ and, in some countries, sexual minorities have been subject to further abuses (such as in Mexico and South Korea).³⁸

POSITIVE DEVELOPMENTS: COUNTERING DEMOCRATIC BACKSLIDING

While COVID-19 has accelerated backsliding in many countries, several positive developments have emerged. These include:

- **Resilience of democratic governments:** Most democracies have addressed the pandemic with no or only minor violations of democratic standards.
- **Robust civil society response:** Civil society has demonstrated remarkable resilience, dynamism, and adaptability, despite facing closing space, increased restrictions, and reduced funding. Civil society groups have engaged in new forms of online and offline engagement and have been an essential force in monitoring, exposing, and pushing back on government abuses, restrictions, and corruption during COVID-19.³⁹
- **Reinvigorated protest activity:** After an initial drop in the number of in-person protests following 2019's "year of protest," they quickly gained strength again as activists have adapted their methods.^{40 41 42} While some activism quickly moved online, citizens are once again taking to the streets around the world to push for racial equality, protest against government responses to COVID-19, and fight for democracy.
- **New opportunities for political opposition:** Opposition groups are mobilizing campaigns against overly restrictive, overly lax, or mismanaged responses to COVID-19. This has renewed political support for opposition in some countries, even in more closed contexts.
- **New forms of participation and engagement:** This includes online democratic forms, online meeting and debate methods, and parliaments adjusting session and voting procedures so they can continue to function.⁴³
- **Online justice and legal service delivery:** Judiciaries and legal service providers have embraced virtual platforms and Information and Communications Technologies as temporary measures to continue operations and perform core functions during the pandemic, including the conduct of remote hearings, delivery of client services, and use of online resolution of disputes.

³⁶ For example, from March 17 to May 22, El Salvador saw a 70 percent increase of GBV reports compared to 2019, and Colombia saw a 51 percent increase during the first days of national quarantine. See: [IRC data shows an increase in reports of gender-based violence across Latin America](#).

³⁷ Human Rights Watch. July 2020. Submission to the UN Special Rapporteur on Violence Against Women, Its Causes and Consequences Regarding COVID-19 and the Increase of Domestic Violence Against Women. Available at: [Submission to the UN special rapporteur on violence against women, its causes and consequences regarding COVID-19 and the increase of domestic violence against women](#)

³⁸ UN Women. 2020. [COVID-19 and Ending Violence against Women and Girls](#).

³⁹ April 21, 2020. "Civil Society and the Coronavirus: Dynamism Despite Disruption." Carnegie Endowment. Available at: [Civil Society and the Coronavirus: Dynamism Despite Disruption](#)

⁴⁰ ACLED COVID-19 Disorder Tracker. Available at: <https://acleddata.com/analysis/covid-19-disorder-tracker/>

⁴¹ Carothers, Thomas and David Wong. May 4, 2020. "The Coronavirus Pandemic Is Reshaping Global Protests." Carnegie Endowment. Available at: [The Coronavirus Pandemic Is Reshaping Global Protests](#)

⁴² Pavlik, Melissa. August 4, 2020. "A Great and Sudden Change." ACLED. Available at: [A Great and Sudden Change](#)

⁴³ April 3, 2020. "Parliaments Respond to COVID-19." NDI. Available at: [Parliaments Respond to COVID-19](#)

- **Increased activism for workers' rights:** Unions and worker organizations are pressing for testing and workplace protections, as well as acting to prevent governments from using the crisis to backslide from labor rights protections and democratic practices.⁴⁴

IMPLICATIONS FOR DRG PROGRAMMING

The National Endowment for Democracy's Democracy Digest notes that "what's novel about the pandemic isn't the authoritarian response. What's different is the scale and speed with which it's happening all over the world at the same time."⁴⁵ While authoritarians are eroding remaining democratic safeguards in their countries, international donors have not matched this with efforts to push back on backsliding. Instead, donors have had to shift significant resources to support much-needed medical, humanitarian, and economic responses to COVID-19. Without significant bolstering of support for democracy, human rights, and governance (DRG), years of DRG investments could be lost, and future attempts to reverse backsliding will become much more challenging.⁴⁶

Fortunately, the resilience of democratic governments, robust and innovative responses by civil society, and reinvigorated protest activity provide fertile ground for DRG support during and immediately after the COVID-19 pandemic. Since the pandemic has different democratic implications depending on whether the government is democratic, authoritarian, or somewhere in between,⁴⁷ it is important to not only bolster support for democracy, but also to tailor strategies to prevent, counter, and reverse democratic backsliding to accurately reflect each individual political context.

POTENTIAL RESPONSES

- Provide flexible emergency funds and increased rapid response funding, including building on existing USAID and State Department programming, to allow implementers and local actors the flexibility to respond to windows of opportunity and/or democratic backsliding that may occur during and after the pandemic.
- Bolster civil society and activists' to maintain and expand civic space, monitor/expose curbing of rights, and advocate for democratic reforms. This includes increasing support for new forms of democratic civic activism that have emerged during the pandemic, and strengthening the financial sustainability of civic actors and civil society organizations.
- Ensure that DRG support, as well as post-COVID-19 recovery support across all sectors, includes a focus on protecting and empowering vulnerable and marginalized populations.
- Support post-COVID-19 economic recovery efforts in fragile democracies, and embed post-COVID-19 recovery support, including health and economic/fiscal related efforts, with strong

⁴⁴ E.g., Wu, Sarah. January 9, 2020. [Hong Kong workers flock to labor unions as new protest tactic](#). Reuters. See also Walsh, Nick Paton, et. al. June 13, 2020. [Nurse leader accuses Brazil of sacrificing medics to coronavirus](#). CNN.

⁴⁵ April 23, 2020. "Pandemic of power grabs: Autocrats' opportunity in disaster." Democracy Digest, NED. Available at: [Pandemic of power grabs: Autocrats' opportunity in disaster](#)

⁴⁶ USAID. April 2020. COVID-19: Democracy, Human Rights, and Governance Issues and Potential USAID Responses. Available at: [COVID-19: Democracy, Human Rights, and Governance Issues and Potential USAID Responses](#)

⁴⁷ Panchulidze, Elene and Richard Youngs. July 2020. Global Democracy & COVID-19: Upgrading International Support. p. 7. Available at: [Global Democracy & COVID-19: Upgrading International Support](#)

transparency, accountability, and oversight measures and provide support for civil society monitoring of these efforts.

- Increase support for independent media, including bolstering media outlets' financial independence and expanding skills and legal protections for investigative journalism.
- Promote efforts to combat disinformation and hate speech by government regimes, malign actors, and non-state actors, and to disseminate accurate public health information.
- Monitor and perform careful evaluation and impact assessments to ensure that the shift to online delivery of justice and legal services safeguards due process and access by vulnerable and marginalized populations. Where appropriate, accelerate and scale-up these innovations while ensuring sustainability over the long term.
- Address overreach of powers by supporting activities⁴⁸ focused on defending human rights, digital rights and privacy;⁴⁹ monitoring emergency decree implementation; and supporting those wrongfully arrested on alleged COVID-19 related charges.
- Support rule of law and advocacy efforts to roll back emergency decrees when abused or unnecessarily extended.
- Boost support for demand-side efforts to safeguard electoral integrity, including citizen election observation, electoral reform advocacy, and media monitoring.
- Enhance worker organizations' advocacy for government accountability to ensure workers' voices are included in the formation and implementation of measures to reduce risks of exposure at work, expand support for loss of income, reduce violence and harassment as a result of work status changes, and increase access to social services.
- Enhance support for global and regional civil society, media, and human rights networks to promote solidarity and facilitate sharing of emerging lessons learned across borders.

⁴⁸ Depending on the context, activities could be driven by civil society, quasi-governmental institutions (i.e., ombudsmen), and/or separate or parallel government institutions and actors.

⁴⁹ Joint letter. April 2, 2020. Coronavirus: States use of digital surveillance technologies to fight pandemic must respect human rights. Available at: [Coronavirus: States use of digital surveillance technologies to fight pandemic must respect human rights](#)