

### Directorate of Anti-Discrimination

**THE ANTI-DISCRIMINATION, DIVERSITY AND INCLUSION**

**DIMENSIONS OF THE RESPONSE TO THE COVID-19 PANDEMIC**

**QUESTIONNAIRE**

With a view to providing an analysis of Council of Europe member states’ responses to the COVID-19 pandemic and disease from the point of view of anti-discrimination, diversity and inclusion, the Secretariat of the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) is seeking input from the members of the CDADI, as well as participants and observers and other relevant stakeholders.[[1]](#footnote-2)

In line with the mandate of the CDADI, the analysis will focus on the impact of the COVD-19 crisis on **specific groups or communities**, namely persons belonging to national or ethnic minorities, Roma and Travellers, religious or linguistic minorities, migrants and LGBTI people.

In the context of this crisis, it is understood that member states’ responses cover measures (legislation, policy, practice, judicial decisions) taken both at national and subnational levels.

The replies will feed into a study to be presented at the first meeting of the CDADI.

Please send your replies in English or French to cdadi@coe.int, marked *CDADI/COVID-19*, by **15 June 2020**.

***Preliminary remark by the Federal Government:***

*The Federal Government believes it would be more effective if questions were formulated more specifically and precisely in future. The intention of the questions should also be explained with regard to a particular context, so that it is possible to accurately reflect the specific aspects of minorities’ experience of discrimination.*

*The procedure also raises questions: the same questionnaire was sent to members of the Committee of Experts on Roma and Traveller Issues (ADI-ROM) and described as an ADI-ROM study. In future, it would be desirable to coordinate studies so that it is clear who commissioned them.*

1. **Please provide information on any steps taken to establish whether the COVID-19 pandemic has had a different impact on the specific groups or communities mentioned above as compared to the general population, or on any available reports, research or statistical data to this effect.**
2. National Minorities

The general policy measures taken to contain the COVID-19 pandemic benefit the national minorities as well. We currently have no information indicating a specific impact on the national minorities in Germany.

1. Integration/Migrants

Mainstream corona measures apply:

https://www.bmi.bund.de/SharedDocs/faqs/DE/themen/bevoelkerungsschutz/coronavirus/coronavirus-faqs.html

General information on the coronavirus and government measures is available in different languages:

https://www.integrationsbeauftragte.de/ib-de/amt-und-person/informationen-zum-coronavirus#tar-1

Furthermore, an information platform for the public is provided (scientific information about the virus, risks, hygiene, information for employees, companies, self-employed entrepreneurs, artists, cultural institutions, travel restrictions, etc.).

https://www.bundesregierung.de/breg-de/themen/coronavirus

Adaptations apply to different integration measures in general. In the fields of migration counselling and language acquisition the possibilities of online service provision and online tutorials, for example, are encouraged:

https://www.bamf.de/SharedDocs/Meldungen/DE/2020/20200316-am-covid-19.html?nn=282388

1. LGBTI

The effects of the corona crisis also on LGBTI persons and thus also on rainbow families are already being researched. For example, the University Medical Center Hamburg-Eppendorf, the Federal Association Trans\* and other community associations are conducting an online survey on the effects of the corona pandemic on the health and health care of Trans\* people. The Münster University of Applied Sciences and the Charité hospital in Berlin have presented the first results of a survey. They had evaluated a questionnaire that focused on lesbian, gay, bisexual and trans people.

According to the survey, asexuals and trans people are particularly lonely during the corona crisis.

1. Complaints about discrimination

As Germany’s national equality body, the Federal Anti-Discrimination Agency (FADA) has compiled a report on COVID-19 related complaints about discrimination. At the time of the publication deadline (20 April), the agency had received 100 such complaints (58 of which concerned discrimination on grounds of ethnic origin). This number has climbed to 216 (65 regarding ethnic origin. https://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/Dokumente\_ohne\_anzeige\_in\_Publikationen/20200504\_Infopapier\_zu\_Coronakrise.pdf )

FADA has mostly received complaints from people with a perceived Asian background. Incidents range from racist slurs uttered in the street to severe forms of harassment. Multiple complainants have reported being denied service or experiencing discriminatory treatment in retail shops, doctors’ offices and by police. A large number of early complaints concerned media coverage that was perceived as racist.

FADA has received a number of complaints pointing out that the official application forms for government support in the context of the COVID-19 crisis do not include the legally recognised third gender option “diverse”. The Agency has also received repeated complaints about a lack of sign language interpretation for government press conferences and news broadcasts.

In recent weeks, there have been increasing complaints from people with disabilities or chronic diseases who are unable to follow mandatory protective measures such as wearing a mask or using a shopping cart. Other complaints concern perceived ageism in the public discourse around COVID-19.

1. **Please provide information on measures taken to mitigate any differentiated impact on the above-mentioned groups or communities.**

*Includes information on measures to remove possible barriers and/or facilitate access to health care, to emergency or on-going medical treatment, to social benefits, to food, clean water and electricity; to overcome specific challenges in the field of employment, training and education; and to resolving possible challenges to respecting containment regulations in certain contexts and/or living conditions.*

Please see our responses to 1 a) and b).

Furthermore, the lesbian and gay federation Germany (LSVD) arranged detailed information and left to consulting and support offers for LSBTI people. The overview page of the German Trans\* Association provides information, resources and links to counselling services as well as tips for Trans\* organisations on the effects on trans\* people and ideas for community and counselling work during the corona pandemic. The news portal "Queer.de" collects nationwide counselling services for LGBTI people as well as appeals for donations, neighbourhood help, virtual youth groups and cultural and fitness streams. News about corona with relevance for queer communities is also recorded. The Deutsche Aidshilfe has answered questions about corona and sex, HIV and sex work. The CSD Germany e.V. publishes a press release on the corona crisis and its effects on the CSD season in 2020. It also provides first points of contact and contact addresses in aid and emergency situations as well as information on developments in planning the nationwide CSD dates in 2020, which are updated weekly.

1. **Please describe the measures taken, if any, to reach out to the above-mentioned groups or communities, to involve (or consult) their representatives in communicating the government response to the COVID-19 crisis, and to enable community leaders to provide feedback on the challenges faced by their communities**.

*Includes information on the consultation, participation, involvement of representatives of persons belonging to national or ethnic minorities, religious leaders, LGBTI representatives, human rights groups, and on accessibility of COVID-19-related information in other languages than the state language(s).*

The Federal Ministry of the Interior, Building and Community (BMI) has consulted representatives of the minorities to clarify whether they have experienced any specific impacts of the COVID-19 pandemic.

The Federal Ministry for Families, Senior Citizens, Women and Youth (BMFSFJ) responded immediately to the needs and added an overview of the wide range of current support services, information and online offers for LGBT persons on the homepage of its online portal "Regenbogenportal - das Wissensnetz für gleichgeschlechtliche Lebensweisen und geschlechtliche Vielfalt" (Rainbow portal - the knowledge network for same-sex lifestyles and gender diversity) (Regenbogenportal.de).

1. **Please provide information on the impact of measures taken by law enforcement officials regarding compliance with containment regulations by the above-mentioned communities.**

*Includes available information on possible sanctions or criminal proceedings initiated against persons from certain communities for non-compliance with containment regulations, as well as information about possible cases of racial profiling or other abuse of power by law enforcement officials*

No information is available which would indicate that measures taken to enforce compliance with containment regulations have other impacts on the above-mentioned groups or communities than on the rest of the population.

1. **Please provide information on media and other public statements stigmatising or inciting hatred towards certain communities in connection with COVID-19. Please describe actions taken to counter this phenomenon.**

*Includes information on hate speech, including on-line, racist statements by political leaders, scapegoating, reporting on such cases, sanctions, and counter speech*

1. Disinformation/hate speech

According to information from the domestic intelligence agencies and to internet monitoring of right-wing extremist politically motivated crime, there is a wide variety of conspiracy theories which purport to identify those responsible for the coronavirus pandemic. Like other crises, the pandemic is often blamed on a “Jewish world conspiracy” which is supposedly seeking to profit financially from the crisis, reduce the global population and establish a “Jewish world government”. There are overlaps between right-wing extremists, opponents of vaccination, people who deny that the coronavirus exists, critics of 5G technology, opponents of a “shadow world government” and QAnon followers.

Reports from the news media, from representatives of social networks and from NGOs which address the issue of hate speech and/or those affected by it indicate that certain groups, in particular people of Asian background, Jews, asylum seekers and migrants are being attacked on social media and accused of spreading the coronavirus. In this context, the Federal Government is criticised for not restricting the right to asylum and for allowing asylum seekers to enter the country despite the COVID-19 pandemic.

The Central Council of German Sinti and Roma has further documented a number of stigmatising and racist media articles, as well as fake news about Sinti and Roma in connection with COVID-19, in particular on the right-wing extremist platforms *Anonymousnews* and *Kriegsberichterstatter*.

The Federal Government, the governments of the federal states and government officials are accused of using the pandemic as a pretext for curtailing civil rights and establishing a dictatorship. The need for measures to contain the coronavirus and the threat posed by COVID-19 are questioned.

1. Actions taken to counter this phenomenon

Disinformation about the pandemic is spread primarily via social networks. YouTube and Facebook say that they are taking steps to counter disinformation, for example by displaying information from fact-checkers and from the Federal Centre for Health Education. However, content with conspiracy theories and false information on COVID-19 can still be found on all the social networks. Some of this content constitutes a criminal offence, in particular incitement, insults, defamation or false incrimination. The Network Enforcement Act, among others, applies to such content and requires providers of social networks having at least two million registered users in Germany to accept complaints about punishable content, to review this content and to remove or block it if it constitutes a criminal offence. If social network providers do not have a proper procedure for managing complaints, the Federal Office of Justice can order them to pay a fine of up to 50 million euro. If in the course of monitoring the internet or of its other tasks, the Federal Criminal Police Office (BKA) becomes aware of published material containing indications that it constitutes a crime, the matter is processed further in line with police jurisdiction.

1. German media authorities (*Landesmedienanstalten*)

So far, the German media authorities have not observed a significant increase in discrimination and stigmatisation of marginal groups in connection with COVID-19, which would have required a regulatory intervention. Thus, the German media authorities have not initiated specific or general preventive measures so far. Nevertheless, the media authorities have noted that relevant international scientists already specifically deal with that topic, e.g. in the following studies:

• Pandemic Populism: Facebook Pages of Alternative News Media and the Corona Crisis -- A Computational Content Analysis, von Svenja Boberg, Thorsten Quandt, Tim Schatto-Eckrodt und Lena Frischlich (https://arxiv.org/abs/2004.02566?fbclid=IwAR3cEgsLGttEuYWLcDp-ihmLjyzviUmFokG7jP-etPF4SkAouqCcY\_4SxLw; https://arxiv.org/abs/2004.02566?fbclid=IwAR3cEgsLGttEuYWLcDp-ihmLjyzviUmFokG7jP-etPF4SkAouqCcY\_4SxLw)

• Social reaction toward the 2019 novel coronavirus (COVID-19), von Chung-Ying Lin (https://shbonweb.com/article.asp?issn=2589-9767%3Byear%3D2020%3Bvolume%3D3%3Bissue%3D1%3Bspage%3D1%3Bepage%3D2%3Baulast%3DLin&fbclid=IwAR3ABTChgjxt-cjq-i2lIE-98uH2CgcfFsIX2KxRsgBRnnA5VQGDQGfzxj)

1. **Please highlight any positive experience and/or examples of measures taken to promote an equality and inclusion-based response to the crisis and to foster positive inter-group relations (if not already provided under question 2).**

See question 2.

1. These include but are not limited to the following: the Committee of Experts on Roma and Traveller Issues (ADI-ROM), the European Commission against Racism and Intolerance (ECRI), the Advisory Committee on the Framework Convention for the Protection of National Minorities, the Committee of Experts of the European Charter for Regional or Minority Languages, the European SOGI Governmental Expert Network, and the Intercultural Cities Network. [↑](#footnote-ref-2)