

**THE COVID 19 PANDEMIC:
AN ANALYSIS OF POLICY TRENDS AND FUTURE IMPLICATIONS**

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INTRODUCTION

The Covid-19 pandemic is the single largest pandemic since the Spanish Influenza in 1918, and one of the largest global crises of the 21st century. The current legal mechanisms and policies are required adapt to cope with the catastrophic impact of the pandemic. In the current stage, measures are being implemented to deal with the situation's short-term impacts on various sectors. However, the pandemic has undoubtedly damaged the global economy and human conditions all over the world. The long-term impact could undo years of progress, and aggressive policy changes are the need of the hour to improve conditions. In this paper, we analyse the short-term changes that have been implemented globally in various sectors, along with the possible future implications for countries in the short and long terms.

1. BANKING LAWS

With respect to the global trend of how various countries have responded to the Covid-19 outbreak, it can be safely said that there is some sort of consensus. Various banks, such as the Reserve Bank of India [**"RBI"**], the Federal Reserve [**"FED"**], and the People's Bank of China [**"PBC"**], have accepted that the overall levels of income shall substantially decrease in the near future. Given the circumstances, there is somewhat a common trend across the respective regulatory banks in the world. All of them are focussed on maintaining the free flow of credit in the market. The RBI,¹ the FED,² and the PCB,³ among others are doing so by accordingly reducing various rates of interest. By reducing the rates at which the commercial banks themselves borrow money, the central banks have enabled the respective banks to then further lend to households and businesses. Central banks have also gone ahead and eased various regulations. While the FED has eased the Total Loss Absorbing Capacity

¹ Reserve Bank of India, *COVID 19 Regulatory Package*, Notification No. RBI/2019-20/186, ¶ 2 [hereinafter "RBI Notification"].

² Jerome Powell, Chair, Federal Reserve Board of Governors, Press Conference (Apr. 29, 2020).

³ Graem Wearden, *1.2 Trillion Yuan to be Pumped into Chinese Markets to Fight Coronavirus Slump*, THE GUARDIAN (Feb. 2, 2020), <https://www.theguardian.com/business/2020/feb/02/12tn-yuan-to-be-injected-into-chinese-economy-to-fight-coronavirus-slump>.

regulations for banks,⁴ the RBI has eased the Cash Reserve Ratio requirements of banks, so as to enable banks to dig deep into their reserves for lending. Further, the European Central Bank,⁵ has eased rules regarding how banks decide the creditworthiness of borrowers. In fact, the FED has reintroduced programs that it had initially implemented during the global economic crisis of 2008-09⁶ – proof of how seriously regulators have perceived the present predicament to be! Adding to everything, a country as populous as India, has outright granted a *moratorium* on all loans.⁷ Regulators have thus been fairly proactive in fighting the Covid-19 outbreak.

All in all, there is a general trend in the fact that all regulators/central banks have tried to encourage banks to lend money to the public. This would, in the short term, make sure that households and businesses have the resources to survive the consequences of Covid-19. On a macro level, due to reduced production, income, demand, and hence consumption, the GDP is bound to fall. The central banks have, in light of this, attempted to maintain the overall equilibrium and liquidity, so as to attempt to reduce long term effect. The regulators would be expected to only gradually ease into the regular laws and regulations, to make sure that economies are sound in the long term.

2. PUBLIC HEALTH

In light of the Covid-19 outbreak, there has been a tremendous augmentation of public health budgets across the world. All national governments, as well as international organizations, such as the World Health Organization [“WHO”], have been extremely proactive. Countries are redistributing funds from their general funds for public health care, and even approving long term budgets in addition to the regular budget.

Keeping the budgetary aspect aside, there has been a considerable introduction of new rules and regulations in the light of public health. While WHO has been trying to disseminate

⁴ Press Release, The Federal Reserve, Federal Reserve Board announces technical change to support the U.S. economy and allow banks to continue lending to creditworthy households and businesses (Mar. 23, 2020), <https://www.federalreserve.gov/newsevents/pressreleases/bcreg20200323a.htm> [hereinafter “Federal Reserve Press Release”].

⁵ Ingird van der Klooster & Roderik Vrolijk, *Commission Adopts Banking Package in Response to COVID-19 Pandemic*, STIBBE (Mar. 1, 2020), <https://www.stibbe.com/en/news/2020/may/commission-adopts-banking-package-in-response-to-covid-19-pandemic>.

⁶ Press Release, The Federal Reserve, Federal Reserve Board broadens program of support for the flow of credit to households and businesses by establishing a Money Market Mutual Fund Liquidity Facility (MMLF), (Mar. 18, 2020), <https://www.federalreserve.gov/newsevents/pressreleases/monetary20200318a.htm>; *Federal Reserve Press Release, supra note 4.*

⁷ RBI Notification, *supra* note 1, ¶ 3.

information and advice to the public,⁸ countries have enacted more solid provisions. Travel bans and sealing of international borders have been imposed and more than 50 countries have made it compulsory for the citizens to wear face masks when they leave home.⁹ In India, it has been made compulsory for all doctors in certain states to serve Covid-19 patients for a prescribed period of time, or they could even lose their license.¹⁰ Some countries have gone to the extent of using penal punishment¹¹ or imposing fines to enforce quarantine or lockdown requirements to contain the virus¹² (France,¹³ Australia,¹⁴ Saudi Arabia,¹⁵ etc.). Therefore, we see that countries are accordingly imposing regulations to preserve public health outbreak in their respective territories, and it seems to be yielding good results as well.

3. INTERNATIONAL TRADE POLICIES

While talking about international trade policies in light of the Covid-19 outbreak, it must be realised that the broader effect and consequences of the pandemic are extremely relevant. Due to lockdown measures, and fear of contracting the virus itself, transportation channels, production, packaging, etc. have all been jeopardised. On one hand, the entire supply chain has been compromised, while on the other, overall demand has reduced due to a decrease in income levels. Therefore, as all these factors are linked, there has been a considerable impact on international trade. The World Trade Organization has gone on record by stating that the world trade is expected to fall between 13% and 32% this year, due to the Covid-19

⁸ WHO, *Coronavirus Disease (COVID-19) Advice for the Public*, (Apr. 29, 2020), <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>.

⁹ *Which Countries Have Made Wearing Face Masks Compulsory?*, AL JAZEERA, <https://www.aljazeera.com/news/2020/04/countries-wearing-face-masks-compulsory-200423094510867.html>.

¹⁰ Kalpana Pathak & Ridhima Saxena, *Maharashtra: Doctors Failing to Report for COVID Duty Will Face Legal Action*, LIVEMINT (May 9, 2020), <https://www.livemint.com/news/india/maharashtra-doctors-failing-to-report-for-covid-duty-will-face-legal-action-11588774270120.html>.

¹¹ PEN. CODE, §§ 180, 270, 271 (India).

¹² *Coronavirus: How Are Lockdowns and Other Measures Being Enforced?*, BBC NEWS (Mar. 12, 2020), <https://www.bbc.com/news/world-51911340>.

¹³ Zoe Tidman, *Coronavirus: More than 350,000 People Fined in France for Breaking Lockdown Rules*, INDEPENDENT (Apr. 1, 2020), <https://www.independent.co.uk/news/world/europe/coronavirus-france-fines-update-christophe-castaner-a9440146.html>.

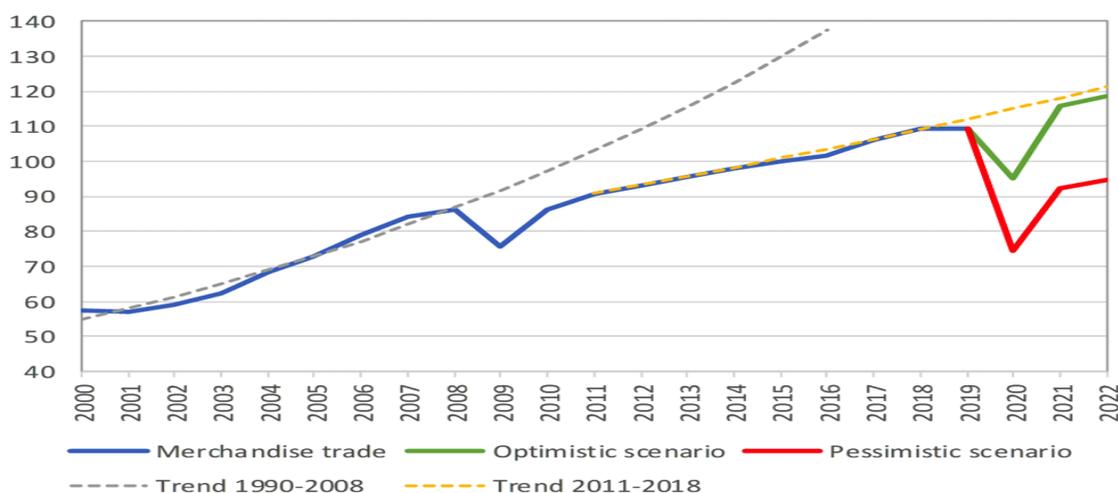
¹⁴ Matilda Boseley & Christopher Knauss, *Social Distancing Rules Explained: Australia's Current State by State Coronavirus Guidelines*, THE GUARDIAN (May 11, 2020), <https://www.theguardian.com/australia-news/2020/may/08/social-distancing-rules-australia-guidelines-coronavirus-laws-physical-restrictions-nsw-victoria-qld-queensland-act-sa-wa>.

¹⁵ Zaid Sabah & Glen Carey, *Saudi Arabia Will Enforce Covid-19 Lockdown with Tough Penalties*, BLOOMBERG (May 5, 2020), <https://www.bloomberg.com/news/articles/2020-05-05/saudi-arabia-will-enforce-covid-19-lockdown-with-tough-penalties>.

pandemic.¹⁶ Further, export restrictions (especially on medical-related goods and foods) that have been implemented in various countries, will result in a decrease in supply and consequently an increase in price of the same elsewhere.¹⁷ Where there are no export restrictions, countries have increased their respective import duty (to increase their own national revenue, and to also protect domestic industries in light of the Covid-19 crisis), hence, again adversely affecting trade.¹⁸

Therefore, in the short-term, countries have taken a more *nationalistic approach in terms of trade policies*, and this, in our opinion, will also affect globalisation in the long-term as countries will now aim to be self-sufficient. Covid-19 may have potentially undone years of progress with respect to globalisation of international trade. The following graphs are to illustrate the effect of Covid-19 on international trade. While *Graph A* deals with overall world trade volume,¹⁹ *Graph B* deals with the ratio of world trade to its GDP, from 1990-2020.²⁰

Graph A



¹⁶ Press Release, World Trade Organization (WTO), *Trade Set To Plunge as COVID 19 Pandemic Upends Global Economy* (Apr. 8, 2020), https://www.wto.org/english/news_e/pres20_e/pr855_e.htm [hereinafter "WTO Press Release"].

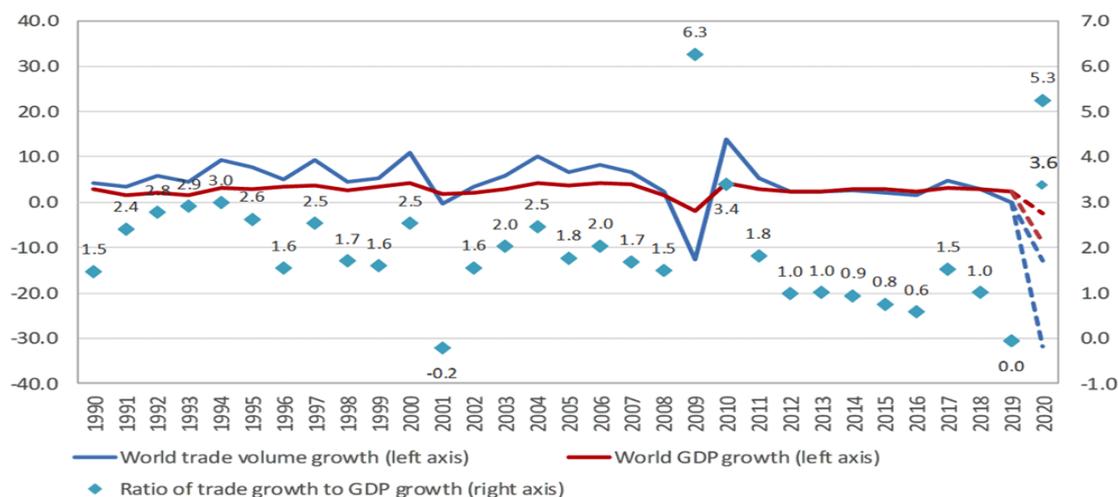
¹⁷ Siddharth S. Atreya, *Are COVID-19 Related Trade Restrictions WTO-consistent?* EUR. J. INT. L. BLOG (Apr. 25, 2020), <https://www.ejiltalk.org/are-covid-19-related-trade-restrictions-wto-consistent/>.

¹⁸ Agneshwar Sen, *Trade Policy Scenario in Post Covid-19 Era*, ERNST & YOUNG INDIA (May 2, 2020), https://www.ey.com/en_in/tax/trade-policy-scenario-in-post-covid-19-era.

¹⁹ WTO Press Release, *supra* note, 16.

²⁰ *Id.*

Graph B



4. NATIONAL MONETARY POLICIES

Across the world, there are many countries that are in a fragile state due to the Covid-19 pandemic. The cost of funding public health care, while the simultaneous loss of human life, can be strenuous on the developing and smaller countries of the world. In this light, monetary assistance from various international organizations can be of immense help..

The Asian Development Bank has approved a 20-billion-dollar package as a response package to Covid-19, with almost 2.5 billion dollars in the form of grants.²¹ The World Bank Group expects to use around 160 billion dollars over the course of next 15 months, to help needy countries to support their households and businesses.²² The International Monetary Fund has also set aside 50 billion dollars, with a special reserve of 500 million dollars to countries that will not be able to repay their loans.²³ Several private funds such as Bill and Melinda Gate Foundation, and the Jack Ma Foundation have stepped up and donated millions of dollars to various UN agencies. The reason why such grants and funding potentially affect national monetary policies, is because often money is pledged for extremely specific reasons such as vaccine development or research.²⁴

²¹ Asian Development Bank (ADB), News Release, *ADB Triples COVID-19 Response Package to 20 Billion \$* (Apr. 13, 2020), <https://www.adb.org/news/adb-triples-covid-19-response-package-20-billion>.

²² The World Bank, *The World Bank Group Moves Quickly to Help Countries Respond to COVID-19* (Apr. 2, 2020), <https://www.worldbank.org/en/news/feature/2020/04/02/the-world-bank-group-moves-quickly-to-help-countries-respond-to-covid-19>.

²³ Ben Parker, *Coronavirus Emergency Aid Funding*, THE NEW HUMANITARIAN (Apr. 23, 2020), <https://www.thenewhumanitarian.org/news/2020/04/23/Coronavirus-emergency-aid-funding>.

²⁴ *Id.*

These donations have helped vulnerable countries accordingly alter their monetary policies to combat the economic damage of the pandemic. These involve, increasing liquidity injections in credit sectors, easing reserve requirement ratios, decreasing repo and reverse repo rates, allocation of funds to cater to the needs of the circumstances, providing deferrals to banks, businesses and households for repayment of loans or credit facilities, among others.²⁵

5. NATIONAL FISCAL POLICY

Fiscal policy is the method by which governments adjust their spending rates and areas of expenditure, alongside its tax rates, so as to monitor and influence their economies.²⁶ The fiscal policy of a country includes everything ranging from the public healthcare budget, to injecting liquidity into credit markets to allow redemption by the general public. It is estimated that countries across the world have taken fiscal actions amounting to 8 trillion dollars to battle the Covid-19 pandemic.²⁷ In the present scenario, there is a trend with respect to the policies of various countries. Most countries are dedicating a lot of their expenditure to *firstly* containing the further spread of the virus in the short term; this means various expenditure on healthcare.²⁸ *Secondly*, countries are injecting billions into their respective credit markets so as to ensure that there is liquidity to a certain extent.²⁹ *Thirdly*, countries have also attempted to bail-out organizations and companies that are severely affected by the consequences of Covid-19.³⁰ *Lastly*, in many countries, such as India, the government has eased tax payments for the current period due to instability brought about.³¹

²⁵ IMF, *Policy Responses to COVID-19*, Policy Tracker (May 2020), <https://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19#A>.

²⁶ Leslie Kramer, *What is Fiscal Policy?*, INVESTOPEDIA (Nov. 21, 2019), <https://www.investopedia.com/insights/what-is-fiscal-policy/>.

²⁷ Vitor Gaspar et al., *Fiscal Policies to Contain the Damage from COVID-19*, IMF BLOG (Apr. 15, 2020), <https://blogs.imf.org/2020/04/15/fiscal-policies-to-contain-the-damage-from-covid-19/> [hereinafter "Gaspar"]

²⁸ Nidhi Sharma, *Government Okays Rs. 15,000 Crore Package to Boost Health Infrastructure*, ECONOMIC TIMES BUREAU (Apr. 9, 2020), <https://economictimes.indiatimes.com/news/economy/policy/government-sanctions-rs-15000-crore-to-strengthen-indias-covid-fight/articleshow/75066313.cms>.

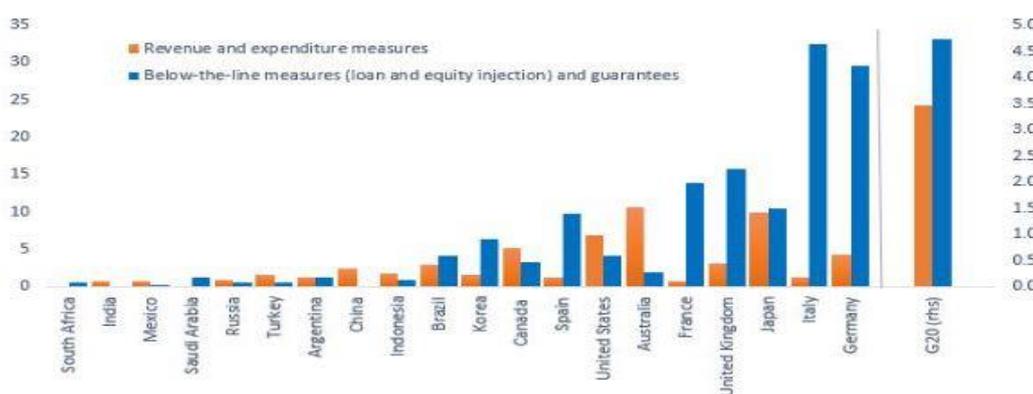
²⁹ Reserve Bank of India, *'Liquidity Adjustment Facility – Repo and Reverse Repo Rates'*, Notification No. RBI/2019-20/182, ¶ 1.

³⁰ John Harney, *Here's What's in the \$2 Trillion Virus Stimulus Package*, BLOOMBERG (Mar. 25, 2020), <https://www.bloomberg.com/news/articles/2020-03-25/what-s-in-congress-2-trillion-coronavirus-stimulus-package>.

³¹ Vikas Vasal, *Relaxation in Income-Tax Compliances Amid the COVID-19 Outbreak*, LIVE MINT (Apr. 9, 2020), <https://www.livemint.com/money/personal-finance/relaxation-in-income-tax-compliances-amid-covid-19-outbreak-11586433656568.html>.

Therefore, most countries have opted for the above ways to adjust their fiscal policy, with varied prioritisation of the respective sectors (healthcare, credit market, etc.) depending on their respective situations. The following graph, *Graph C*, illustrates the fiscal measures of G20 countries in terms of their GDP.³²

Graph C



6. NATIONAL EXCHANGE RATE POLICIES

Unlike the above segments, where a common trend exists, there is a major disparity when it comes to the effect of Covid-19 on national exchange rate policies. While countries such as Russia, Australia and Canada, have seen their currencies fall to all-time low rates, others such as the United States, Japan, and Switzerland, have been extremely stable.³³ The reasons for this disparity are two-fold. *Firstly*, countries who have a larger external debt as compared to foreign exchange reserves are more likely to see a depreciation, and *secondly*, vulnerable countries that heavily rely on energy exports (and are therefore victims of the massive fall in oil and energy rates³⁴).³⁵ Consequently, Russia and Australia are losing out due to excess reliance on energy imports, and Argentina, Turkey and Mexico have taken a hit due to excess foreign debt. Countries like United States, Japan, and Switzerland, whose currencies are used as reserve currencies, and do not rely on energy exports, are therefore unaffected. To counter

³² Gaspar, *supra* note 27.

³³ Morgan Grenier, *How is COVID-19 Impacting Global Currency?*, AIRSHARE (Apr. 24, 2020), <https://airshare.air-inc.com/how-is-covid-19-impacting-global-currency-update-april-24>.

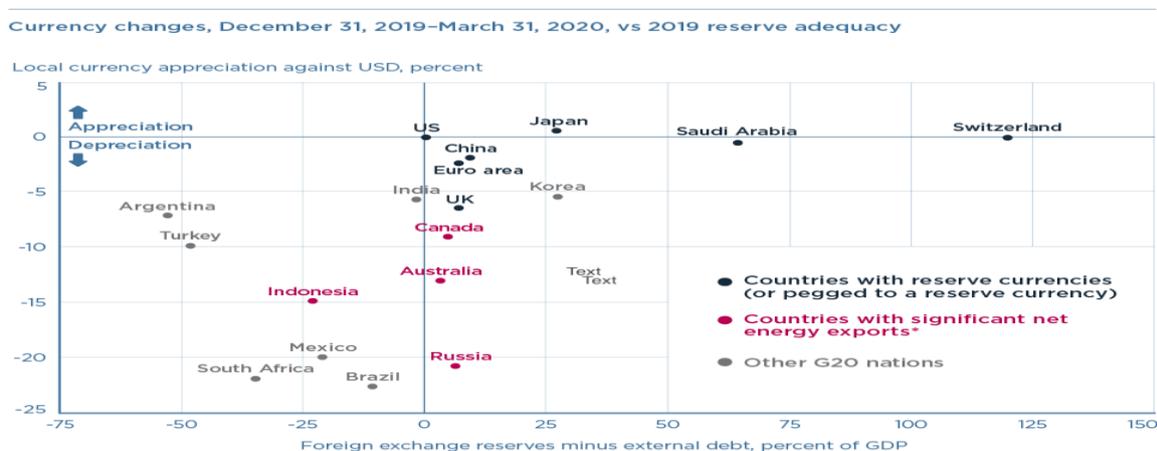
³⁴ *Coronavirus Outbreak: Global Oil Demand to Fall to 95-96 MBD in 2020*, ET ENERGY WORLD (Apr. 1, 2020), <https://energy.economictimes.indiatimes.com/news/oil-and-gas/coronavirus-outbreak-global-oil-demand-to-fall-to-95-96-mbd-in-2020-say-agencies/74923648>.

³⁵ Christopher Collins & Joseph Gagnon, *Exchange Rate Policy in the COVID-19 Pandemic*, PIIE (Apr. 10, 2020), <https://www.piie.com/blogs/realtime-economic-issues-watch/exchange-rate-policy-covid-19-pandemic> [hereinafter “Collins”].

any more adverse effects, countries such as India are hoping to preserve their foreign exchange reserves, while allowing the market to hedge exchange rate risks.³⁶

Therefore, in a mixed global scenario with respect to national currency rates, there is not much that the developing countries can do at the moment. Their only hope is that countries with stronger currencies, buy their respective declining currencies for the sake of global equilibrium. The following graph, *Graph D*,³⁷ is an illustration of the currencies of various countries, with respect to United States Dollar, and their foreign debt.

Graph D



7. FOREIGN DIRECT INVESTMENT REGULATIONS

The Covid-19 pandemic has made many companies and organizations across the globe extremely susceptible to hostile takeovers. Since supply chains, production, demand, and world trade on the whole seem to be taking a significant hit, there has been a severe fall in companies’ valuations.³⁸ The general trend across the globe is that countries are tightening their Foreign Direct Investment [“**FDI**”] rules to prevent any opportunistic takeover attempts during this crisis.³⁹ For example, the EU issued guidance to all member countries, warning them about the increased threat of hostile takeovers, and requested all to enforce a stringent

³⁶ Aparna Iyer, *COVID-19 May be Lethal for India’s Economy but it isn’t Bad for the Rupee*, LIVE MINT (Apr. 9, 2020), <https://www.livemint.com/market/mark-to-market/covid-19-may-be-lethal-for-india-s-economy-but-it-ain-t-so-bad-for-rupee-11586407946514.html>.

³⁷ Collins, *supra* note 35.

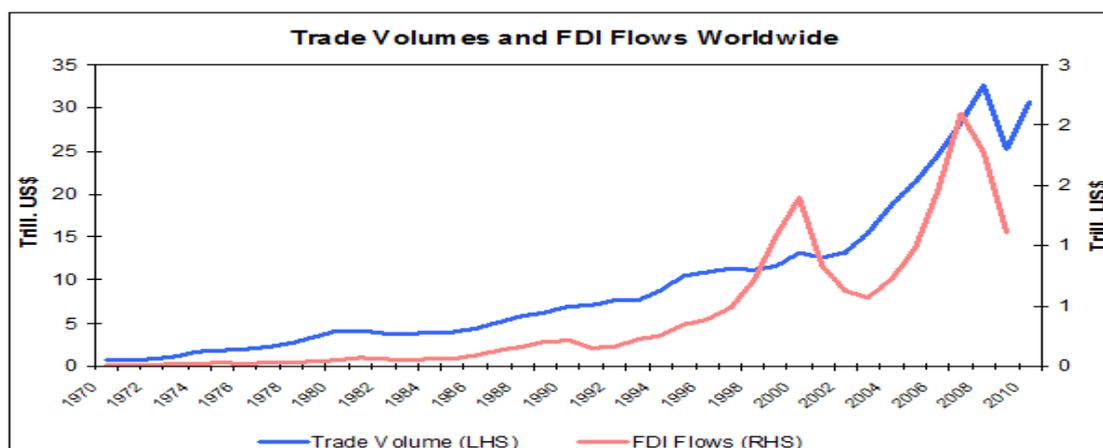
³⁸ Peter Vanham & Cristian Chiffelle, *Foreign Investment may be Drying Up Thanks to COVID-19, But There may be a Silver Lining*, WORLD ECONOMIC FORUM (Apr. 24, 2020), <https://www.weforum.org/agenda/2020/04/foreign-investment-covid19-economy-winners/>.

³⁹ Rajat Sethi & Tanya Aggarwal, *Impact of COVID-19 on FDI Regimes*, BLOOMBERG QUINT (Apr. 14, 2020), <https://www.bloomberquint.com/coronavirus-outbreak/impact-of-covid-19-on-fdi-regimes> [hereinafter “Sethi”].

FDI-screening mechanism.⁴⁰ Allegedly, the US government had even tried to acquire a German vaccine firm for the purposes of Covid-19;⁴¹ which indicated how firms in healthcare sector, are especially susceptible to being taken over due to high demand everywhere. While countries like Germany have tightened FDI rules on the whole during this period,⁴² others have implemented FDI rules for protection against particular parties such as China.⁴³

On analysing the current trend, it can be easily estimated that FDI across the world are going to shrink considerably. The pandemic has prompted countries to adopt a nationalist approach as everybody is inclined to protect their domestic industries. The following graph, *Graph E*,⁴⁴ illustrates the negative effect of such protectionism mechanisms on FDI seen during the global crisis of 2008. In our opinion, the same effect can be expected post the Covid-19 pandemic.

Graph E



⁴⁰ European Commission, *Guidance to the Member States concerning foreign direct investment and free movement of capital from third countries, and protection of Europe’s strategic assets, ahead of application of Regulation (EU) 2019/452 (FDI Screening Regulation)* (Mar. 25, 2020), <https://ec.europa.eu/transparency/regdoc/rep/3/2020/EN/C-2020-1981-F1-EN-ANNEX-1-PART-1.PDF>.

⁴¹ Sethi, *supra* note 39.

⁴² Patrick Donahue, *Merkel’s Government Approves Tighter Rules on Takeovers*, BLOOMBERG QUINT (Apr. 8, 2020), <https://www.bloombergquint.com/business/merkel-s-government-approves-tighter-rules-on-foreign-takeovers>.

⁴³ Department for Promotion of Industry & Internal Trade (GoI), *Review of FDI due to the Current COVID-19 Pandemic*, Press Note No. 3 (Apr. 17, 2020).

⁴⁴ Holger Gorg & Christiane Krieger, *Trade Protection Backfires on FDI*, VOX CEPR POLICY (Jun. 9, 201), <https://voxeu.org/article/protectionism-backfires-fdi>.

8. LEGAL FRAMEWORK FOR REFUGEES, STATELESS PERSONS AND INTERNALLY DISPLACED PERSONS ["IDPS"]

Amidst the outbreak of Covid-19 international organisation are advocating for protection of rights and health of refugees, stateless persons, migrants and IDPs. They have called for release of migrants and refugees detained without sufficient legal basis. The UNHRC aims to support Ministries of Health of various nations to reach such vulnerable people and provide water, medical care, and hygiene material to them.

With the help of above-mentioned organisations, governments have established response and health prevention mechanisms, as well as facilities at strategic border zones.⁴⁵ Many countries adopted mechanisms for migrant workers to be included in national social protection schemes, and have free access to testing and screening irrespective of their status. Portugal has adopted provisions to treat migrants as permanent residents during the pandemic to ensure they have access to public services, including National Health Services.⁴⁶ Among others, Qatar, Saudi Arabia and Malaysia provide free screening and testing for migrant workers.⁴⁷ To prepare for a potential outbreak of Coronavirus in the camps, UNHCR and partners have started constructing isolation and treatment facilities, with the goal of ensuring the availability of 1,900 beds to serve both, refugees and host communities.⁴⁸ The International Organization for Migration has recently partnered with local traditional town criers and troubadours to ensure that the most rural communities across the country are informed about COVID-19 transmission and preventive measures.⁴⁹

The biggest problem faced by such people due to the pandemic is the closure of borders and restriction on movement by various countries. This results in lack of access for asylum seekers and denial of refugee status. Management of border restriction in a manner that respects international human rights and refugee protection standards is imperative, and countries must to continue to allow asylum.⁵⁰ Preventing or delaying an outbreak in cramped

⁴⁵ United Nations High Commission for Refugees (UNHCR), *Impact of COVID-19 on the protection of displaced and stateless populations*, Protection Note (Apr. 15, 2020), <https://data2.unhcr.org/fr/documents/download/75706> [hereinafter "UNHCR Protection Note"].

⁴⁶ International Labour Organization (ILO), *Protection of Migrant Workers during the Covid-19 pandemic*, Policy Brief (Apr. 2020), p. 3.

⁴⁷ *Id.*

⁴⁸ UNHCR Protection Note, *supra* note 45.

⁴⁹ *Id.*

⁵⁰ UNHRC, *Global Covid-19 Emergency Response* (Apr. 24, 2020), http://reporting.unhcr.org/sites/default/files/24042020_UNHCR%20Global%20COVID-19%20Emergency%20Response.pdf.

camps through mechanisms like social distancing and frequent hand washing are difficult but necessary to implement.

9. NATIONAL AND INTERNATIONAL HUMAN RIGHTS

The pandemic has exacerbated the vulnerability of the least protected in society. The scope and severity of the outbreak justifies restrictions on certain rights, such as limitation on movements. Yet, there are several human rights concerns arising at this time, and governments are required to respond adequately in order to protect the human rights of people.

Quarantine, lockdowns and restriction of movements should comply with international human rights norms

Restriction on movement and lockdowns can be imposed for reasons of public health and national emergency. This is strictly required to contain the spread of the virus. However, it must not be arbitrary, discriminatory, and must not violate human dignity. When restrictions are imposed, it is the governments' obligation to ensure that schemes and policies benefiting the vulnerable and poorer sections are in place, and are implemented adequately. Water, food, health care and support must reach these people. For example, several old, sick, and disabled people require access to health care and other support. Neglecting their well-being could result in severe consequences, including death.

Protection of public workers and health workers

With the outbreak of Covid-19, countries have faced a global shortage of masks, gloves, gowns and other supplies. Governments have the responsibility to mitigate occupational hazards and accidents due to exposure. The supply of appropriate protective gear and equipment is essential. Social protection programs must be set up for the families of these workers.⁵¹ There must be affordable and accessible health care for such people who expose themselves to the virus on a regular basis, thereby risking infecting themselves and their family. Policies can be put into place for large non-essential Multinational Corporations to use their inventory to help in production of required essential medical equipment and goods.

⁵¹ *Id.*

Ensuring access to crucial information

A major issue is the government's failure to effectively communicate proper and accurate information, several of whom withheld information and downplayed the gravity of the situation. Governments must respect people's freedom of expression, and the right to have access to information. Further the information provided must be accurate and regularly updated. This information must be free and easily accessible in various languages. Caution must be applied as such health-related data is often sensitive, and release of such information online may jeopardise the affected people.

Human rights of low-wage workers and labourers

While companies are encouraged to make employees work from home, this is not possible for low-wage/daily-wage workers and small businesses from low-income backgrounds. Policies are needed to ensure that such vulnerable people do not suffer a heavy loss of income. Several countries have witnessed a grave violation of human rights of labourers and low-wage workers. A possible solution is to grant direct cash payments to compensate workers for lost income and unconditional tax cuts.

10. LABOUR LAWS

The Covid-19 induced lockdown has resulted in reduced working hours and loss of employment, along with several businesses risking bankruptcy. Almost all establishments, except those which constitute essential goods and services, have been closed, and companies are mandated to make their employees work from home wherever possible. The International Labour Organisation recommended a four pillared policy to tackle the effects of Covid-19 outbreak. While several of these have been implemented globally amidst the outbreak of Covid-19, larger policy changes are required to effectively deal with the effects of the pandemic.

First, some governments have employed an active fiscal policy to stimulate the economy and employment, lay down working arrangements, protection of specific categories of worker, and employment protection and security, to ensure decent conditions amidst the pandemic. Some tools include forgoing revenues through tax exemptions, public sector loans,

equity injections and loan guarantees which can ensure continuity of self-employed or small enterprises.⁵²

Second, enterprises, jobs and incomes must be protected and supported. The outbreak has caused policies to aim towards providing tax reliefs and relief for enterprises in order to support their continuity.⁵³ The quickest payment channels, including mobile money and other digital payment services are operationalized, and payment of outstanding balances to the private sector are being expedited.⁵⁴ Governments have also implemented measures such as wage subsidies, shorter workweeks, work sharing social security and temporary tax.⁵⁵

The *third* pillar involves promoting and strengthening occupational safety and health by proper implementation of public health measures at the workplaces. This is aimed at fast detection and containment at early stage. There have been collaborations with social partners in order to cater to the needs of the migrant workers, refugees and more vulnerable workers. Work arrangements and processes should also be adapted in order to risk the spread and contraction of the disease.

Fourth, the use of social dialogue between governments, employees, workers and representative organisations, to come up with a feasible solution. Given the unprecedented nature of this pandemic, such a dialogue can help in mitigating the effects of the pandemic on employment and wages. This also plays a crucial role in responding to the needs of enterprises, workers, recovery and resumption of economic activity, and public confidence.

11. HOSPITALITY AND SERVICE INDUSTRY

The outbreak has had a disastrous impact on the hospitality and service industry. Among these include, travel and tourism, lodging and recreation. The factors that drove this industry, such as increasing disposable income, tourism advertisements and popularity of exotic destinations, new travel trends, web presence, and easy access to booking flights and hotels, have all been negatively affected by the crisis.

⁵² ILO, *ILO Brief Policy on Covid-19*, Policy Brief (May 7, 2020), https://www.ilo.org/global/topics/coronavirus/impacts-and-responses/WCMS_739048/lang--en/index.htm [hereinafter "ILO Policy Brief"].

⁵³ *Id.*

⁵⁴ ILO Policy Brief, *supra* note 56.

⁵⁵ *Id.*

The impact on the hospitality and service industry can be felt globally, as hotels, flights and other leisure services face cancellations due to lack of demand. Events, concerts, conferences, conventions and sports leagues, which are usually a large source of income for this industry, now stand cancelled. In an attempt to continue making some revenue, some hotels offer home delivery of food items. Several hotels are also offering their rooms and services as quarantine facilities to those affected by the crisis.

However, even post the crisis, the economy, and most individuals' income would have taken a toll, and therefore demand for services of this industry will still be less. The industry will slowly have to regain a customers' trust and confidence to overcome the crisis. Sanitary and hygiene measures will have to be implemented even more strictly in order to reassure people about the safety of travelling, and public spaces. The industry must be promoted in a positive manner to remind the customers of their benefits.⁵⁶ New concepts of travel will have to develop, aiming to benefit the society in need of emotional retreat and psychological well-being.

12. LAW RELATING TO ESSENTIAL COMMODITIES

Every time a pandemic hits a nation, the legal framework relating to essential commodities, depending upon the needs of the respective health hazard, is impacted. With the outbreak of Covid-19, countries have either moved into lockdown or are practicing social distancing. Amidst this, authorities have to keep supply chains of commodities like sanitizers, masks and gloves active and running. Due to the high demand, the prices of the commodities also rose. This resulted in governments fixing the price of such goods in order to make them accessible and affordable to all. Raw materials used to manufacture the above goods would also be governed by similar laws. These laws also make manufacturers enhance their production capacity of these items. People found hoarding and selling such items in the black market are punished under these laws. The main objective of laws relating to essential commodities is to control the production, supply and distribution of essential commodities. This will help to enhance the availability of these items at a reasonable price.

⁵⁶ Hassan Djeebet, *What is the Impact of Covid-19 on the Global Hospitality Industry*, Hospitality Net (Apr. 9, 2020), <https://www.hospitalitynet.org/opinion/4098062.html>.

13. LAW AND JUSTICE FRAMEWORK

The global outbreak of Covid-19 has caused major disruptions to the law and justice system.

Courts and the Justice System

Almost all workplaces and public places, including courts, are being shut down to prevent the gathering of people. Under lockdown, many courts have attempted to take innovative measures to ensure the continued functioning of the legal systems. Part of this plan includes measures that allow civil proceedings in courts to be carried out by telephone or video, while expanding the use of audio and video live links in criminal proceedings.⁵⁷ This allows courts to continue operating even during the height of the pandemic. China was one of the first countries to adopt such measures. Courts at all levels were required to give priority to guiding parties to file cases, contact judges, submit materials, hold court sessions or online mediations during the epidemic.⁵⁸ Naturally, the economic effects of the pandemic will affect the legal system. Courts and other legal institutions will have to continue operations in order to prevent major backlog and maintain an adequate level of access to justice.

Prisons and places of detention

The confined nature of prisons and detention centres makes these places highly vulnerable in terms of spreading of Covid-19. The WHO released interim guidelines for preparedness, prevention and control of Covid-19 in prisons and other places of detention.⁵⁹ These cover prevention measures, mandating the use of masks, physical distancing, restricting access and movement limitations. They further advise that the prison staff should coordinate with health care teams in order to identify potential cases among employees and prisoners, and isolate them from other proximate inmates. Guidelines for risk management, preparedness and contingency plans, training of staff, prevention measures, case management, and other information have been laid down by the WHO.⁶⁰

⁵⁷ Mimi Zou, *Virtual Justice in time of Covid-19*, OXFORD BUSINESS LAW BLOG (Mar. 16, 2020), <https://www.law.ox.ac.uk/business-law-blog/blog/2020/03/virtual-justice-time-covid-19>.

⁵⁸ *China Focus: China moves courts online amid coronavirus epidemic*, XINHUA (Feb. 18, 2020), available at http://www.xinhuanet.com/english/2020-02/18/c_138795315.htm.

⁵⁹ WHO, *Preparedness, prevention and control of COVID-19 in prisons and other places of detention Interim guidance* (Mar. 2020), http://www.euro.who.int/_data/assets/pdf_file/0019/434026/Preparedness-prevention-and-control-of-COVID-19-in-prisons.pdf.

⁶⁰ *Id.*

14. NATIONAL DISASTER LAWS

Undoubtedly, the Covid-19 pandemic has highlighted the inadequacy in the disaster management laws of various larger countries. Countries with higher populations did struggle to deal with the disaster effectively. Good legislation is integral in reducing the impact of such a pandemic, ensuring the well-being of citizens and mitigating chaos and damage. Various governments have look to improve and strengthen their disaster management laws.

First, a pandemic of such a magnitude requires better coordination between governments and administration at various levels. Federal and state governments need to be better coordinated and collaborated. The management at ground level is haphazard and disorganised. Issues such as movement of migrant laborers, statutory relief, and daily wage workers need special attention. Disaster management legislation must be expanded and updated to cover pandemics and climate risks as well. Antique laws cannot be used to tackle modern day disasters.

Second, disaster management laws must be strengthened to be gender and socially inclusive and protective, reflect diversity in responsiveness, and reflect international humanitarian standards. Domestic preparedness and response must be must be improved, including institutional and procedural arrangements, risk financing, etc.⁶¹ Recognizing the critical role of national societies, as auxiliaries to their public authorities in the humanitarian field with a unique community outreach, so as to ensure community voices and engagement with national level policy development and planning processes is crucial.⁶²

⁶¹ International Federation of Red Cross and Red Crescent Society (IFRC), *Disaster Law in 2019* (May 6, 2019), <https://reliefweb.int/report/world/disaster-law-2019>.

⁶² *Id.*

CONCLUSION

Needless to say, the impact of Covid-19 has been exceptionally pervasive and continues to increase. It globally affects laws ranging from international trade and finance, to public health and human rights, consequently giving rise to certain noticeable trends.

For the better part of the 20th and 21st century, countries all over the world have focussed on liberalisation and globalisation of their economy. It is unfortunate to see, that as a result of the Covid-19 shock, all such progress may have been potentially undone. As countries adopt a more nationalist approach to almost everything, restrictive policies seem to be the trend. Stricter FDI mechanisms, export bans, and increased import duties, are all testament to the fact countries are going to be looking inward for the foreseeable future.

In times such as these, it is important to look towards tested macroeconomic policies for revival. The Keynesian theories of economics were used during the Great Depression of 1930s,⁶³ as well as the crisis in 2008-09⁶⁴ for economic revival, and it will be prudent to consider the same even now. Keynes had always propounded that for governments to overcome such depressions, heavy spending is absolutely mandatory, and is a firm believer of fiscal stimuli.⁶⁵ According to such theories, self-healing of the market is not quite possible, and governments need to inject money to gain equilibrium. The key problem of such depressions is the fact that demand drastically falls; and this phenomenon may only be overcome by government spending. By an increase in government spending through various channels, such as bail-outs, liquidity injections, slashing of interest rates, etc., the incomes of people are again increased. Once the markets are back in equilibrium, and the income levels are normal, the levels of demand shall automatically revive. That shall consequently improve conditions of labourers, migrants, and other vulnerable sections of society as well.

If countries continue with their positive policies and increased spending, the distant future seems bright. However, considering the overall and pervasive way that Covid-19 is impacting us, it seems like there is still a long way ahead.

⁶³ Kimberly Amadeo, *Keynesian Economics Theory*, THE BALANCE (Apr. 30, 2020), <https://www.thebalance.com/keynesian-economics-theory-definition-4159776>.

⁶⁴ Brian Blankenship, *Are We All Keynesians Now? Political Ideology and State Deficit Spending in the Great Recession* (2012), 4 (7) INQUIRIES J. 1-2, <http://www.inquiriesjournal.com/articles/667/are-we-all-keynesians-now-political-ideology-and-state-deficit-spending-in-the-great-recession>.

⁶⁵ Sudeep Reddy, *The New Old Big Thing in Economics: J.M. Keynes*, THE WALL STREET JOURNAL (Jan. 8, 2009), <https://www.wsj.com/articles/SB123137373330762769>.