

**VIOLATION OF HUMAN RIGHTS OF DOCTORS DURING
COVID-19**

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ABSTRACT

In these unprecedented times, doctors and healthcare workers responding to the global health crisis- trying to save individuals and families with limited resources and types of equipment- have become an unexpected target in the war against covid 19 pandemics. This paper attempts to focus on the violation of human rights of the health-care workers during the ongoing Covid-19 pandemic, with distinct emphasis to analyze subjects like the dues not being paid to the health-care workers, shortage of the number of workers as well as the personal protective equipment and social stigma that has to be faced by the workers daily.

Keywords: Covid-19; Doctors; Human rights; Social stigma; Personal Protective Equipment (PPE); Unpaid due

RESEARCH METHODOLOGY

The project involves secondary research. The use of electronic research has been made to collect information regarding the topic. Newspaper articles and other articles have been the primary source from which information has been collected. Websites have been referred to as well.

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INTRODUCTION

In March, Covid-19 was declared to be a pandemic by the World Health Organization (WHO). By the second week of October, this virus has infected more than 3 crore people worldwide and has claimed more than 10 lakh lives.¹ Almost all countries have imposed restrictions on people's movement and other human rights intending to control the virus's spread.

During these challenging periods, the role played by the health-care workers has been extraordinary. Health workers have risked their own lives just so the lives of strangers to them could be saved. Despite the crucial role played by them, governments worldwide have failed to ensure the safety of health workers due to which they have faced large difficulties in doing their jobs.

A research conducted by Amnesty International has shown that more than 7000 health care workers have died due to Covid-19 worldwide. It is the right of every health care worker to have a safe work environment and be provided with equipment that keeps them protected while dealing with communicable diseases. In India, more than 573 health care workers have fallen prey to the pandemic.²

This paper looks into how the human rights of doctors have been violated during the Covid-19 pandemic. Further, the article looks into the challenges that healthcare workers face while dealing with the virus. The paper also looks into the effects the pandemic has had on the health-care workers' mental health and what measures the Government has taken to support the health-care workers during these challenging times.

FACTORS AFFECTING MENTAL HEALTH

SOCIAL STIGMA

Canadian sociologist Erving Goffman has theorized social stigma as a behaviour through which individuals are socially discredited by being classified as "others who are undesirable". Goffman saw stigma existing as part of the people's lives of p, which they wary of others who do not share their stigma.³

The number of people whom the Covid-19 virus has infected is increasing and will keep on increasing. However, for the health-care, the fight is the virus but also and the wide-spreading social stigma.

¹ WHO Coronavirus Disease (COVID-19) Dashboard (October 13, 2020)

² Agence France-Presse, around 7000 healthcare workers have died due to COVID-19 worldwide: Amnesty International, First post, September 4, 2020

³ Matthew Clair, *Stigma*, Harv. Univ., Core Concepts in Sociology (2018)

During an outbreak of a contagious disease, infectious anxiety may cause people to develop prejudices against the warriors at the frontline, i.e., healthcare workers. People begin to shun health-care workers as they fear being infected, and to some part, fake-news on social media is to blame.⁴

Throughout the country, several incidents have come up in which people shunned health-care workers because of fears of being infected. People have even gone to the extent of attacking the health-care workers who were tracking a person who came in contact with a confirmed case of Covid-19. In Indore, a group of health-care workers tracked down a man who came into contact with a confirmed case of Covid-19. A mob of more than 100 people surrounded them and started throwing stones at them and cursing them.⁵

Not only Indore, but accounts could be found from other cities of the country as well such as Bangalore in which health-care workers were attacked as they went to houses of people to check for symptoms, in the state of Bhopal, doctors who were returning from their shifts were beaten up by none other than the police officers whose very duty is to protect the citizens.⁶

Doctors, nurses and other health-care workers have been asked to vacate their residences forcefully by their landlords as they fear being infected from Covid-19. These actions taken by the landlords are baseless in no small extent as the health-care workers dealing with Covid-19 related cases wear equipment that prevents them from contracting the virus to a large extent thus reducing their risk of being infected.⁷

In Kerala, which happens to be the most literate state in the country, three male nurses were forcefully thrown out by their landlord and lived on an empty quarter in the hospital they worked in. Many people who have put up their homes for rent are avoiding renting their houses to health-care workers due to the fear of catching the virus. Similar stories can be seen in Karnataka, where healthcare workers have stopped coming to the hospital in which Covid-19 patients are being isolated as they would not be allowed to go back to their villages by fellow villagers.⁸

India has a long history of segregating people based on various factors like caste, gender etc. Therefore, such segregation of the health-care workers would seem reasonable to many people. Segregation leads to the institutionalization of stigma, a process through which such behaviours get incorporated into our

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⁴EH News Bureau, Stigma of COVID-19 amongst healthcare professionals, Express Healthcare, (April 29, 2020)

⁵Bloomberg, *Doctors come under attack in India as Coronavirus stigma grows*, Deccan Herald, (April 14, 2020, 12:20 PM)

⁶*Id.*

⁷Neetu Chandra Sharma, *Doctors, nurses face stigma over coronavirus, asked to vacate rented home*, Livemint, (March 25, 2020, 1:00 PM)

⁸*Id.*

everyday routines. The feeling of alienation harms the mental health of the people. Many people start to blame themselves for such actions of other people.⁹

One could ask what the healthcare workers' fault was, but no one could give a satisfying answer for the same. The health-care workers have put their own lives at risk in an attempt to contain the virus and for this apparent "fault" of theirs, are being subjected to such acts of violence. Such behaviour leads to the feeling of alienation in people towards whom such behaviour is extended.

On multiple occasions, our prime minister has asked the people to come out and appreciate the healthcare workers' efforts by banging utensils and through the lightening of candles. Such acts do not provide the moral support needed for someone who is putting their own lives at risk. As can be seen, the ground reality is entirely different, and people do not appreciate healthcare workers' efforts.

A society cannot have its entire population consisting of rational people. However, the hour's need is to ensure that the health-care workers are protected, cared for and motivated by the system and reasonable neighbours.

There is an obligation to protect the health and safety of the health-care workers on the Government. This obligation exists so that they can enjoy just and favourable conditions of work. This obligation includes providing fair wages for equal work without any discrimination, protecting safety equipment so that infectious diseases are not transmitted to the healthcare workers, providing enough time gap between their shifts so that both the minds and bodies of the health-care workers are not overworked etc.

WAGES NOT BEING PAID

Everyone indeed has a part to play in the battle against the Covid-19 pandemic, but it is also true that no one is playing a more important role than the health-care workers. Despite this, the Indian Government fails to appreciate the healthcare professionals' efforts and fails to make them feel motivated to do their jobs.

More than four states have not made timely payment of salaries to the health-care workers. Some of these states are Punjab, Maharashtra, Tripura and Karnataka. This has happened despite the Supreme Court ordering the States to make timely payment of the salaries to the health-care workers. In the month of June, the Supreme Court went to the extent of criminalizing the non-payment of salaries to the health-care workers. The Supreme Court has equated the health-care workers to the soldiers in

⁹ Pradeep Krishnatray, COVID-19 is leading to a new wave of social stigma, The Wire, (May 12, 2020)

wars and has directed the state governments not to make the "soldiers" unhappy in this battle against the Covid-19 pandemic.¹⁰

It is deplorable that States have not made timely payment to the health-care workers even during such a difficult time for the people working in the health-care sector. The apathy towards them does not end there, a recent circular circulated by the Delhi government blamed the doctors who contracted the Covid-19 virus. Such attitudes display the indifference towards the health-care workers.¹¹

Another incident in Delhi can be used to depict the attitude of the Governments towards health-care professionals. More than three hundred doctors in two of the biggest government hospitals in Delhi threatened to resign together as they were not paid their salaries for more than three months. The Delhi government's careless attitude towards the health-care workers makes them feel less valued when, in reality, the medical profession is one of the noblest professions. This has adverse effects on doctors' mental health and cannot be 100% involved in their work as they have to worry about how they would pay their rents, travelling expenses, and pay for essential commodities.¹²

These hospitals are under the Government's administration at the Centre, i.e., the Bhartiya Janata Party. During the beginning phase of the pandemic, the honourable Prime Minister asked the citizens to bang pots as a sign of appreciation for health-care workers. No one can doubt that symbolism is an important part of democracy. However, no one can even doubt that symbolism by itself would not achieve anything. There is a lack of the support provided by the Indian Government to the health-care professionals, which might just extend the country's battle against the Covid-19 pandemic.

HEALTH-CARE WORKERS OVERWORKED

The norms that have been published by the World Health Organization mandate that there be a minimum of 44.5 health-care workers for every ten-thousand people. However, India does not even fulfil half of this requirement, with there being only 20.6 health workers for every ten-thousand people in the country. This should not come as a surprise as the Government's spending on the health sector is one of the lowest in the entire world.¹³

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¹⁰ Amit Chaturvedi, 4 States have not made timely payment to Covid-19 healthcare workers: Govt. tells Supreme Court, Hindustan Times, (July 31, 2020)

¹¹ The Financial Express, Unhealthy ATTITUDE: Deplorable that some states have failed to pay health worker's salaries amid Covid, Financial Express, (August 3, 2020)

¹² Akshay Deshmane, Nearly 300 Doctors in Delhi's Municipal Hospitals threaten Mass Resignations, HuffPost, (June 6, 2020)

¹³ Shoaib Daniyal, To effectively battle Covid-19, India must do much more for its doctors and nurses than bang thali, Scroll, (June 12, 2020)

In Kerala, the government doctors protested and declared that no doctor from the Kerala Government Medical Officer's Association would undertake any additional duty. This has been done as a sign of protest against the Government's apparent lack of concern about the conditions of the doctors who are overworked and too exhausted. The Kerala Government Medical Officer's Association has requested the State Government to deploy additional human resources. Still, the Government has not responded due to which health-care workers have to work around the clock shifts.¹⁴

In Kochi, the doctors are responsible for treating the patients affected by the Covid-19 virus and have to diagnose people and take records of people coming into contact with those who are testing positive for the Covid-19 virus among others be done by the health-care workers as there is an acute shortage of staff in hospitals or people are afraid of themselves becoming the carriers for the virus as these tasks would include coming in contact with people testing positive for Covid-19.¹⁵

It is true that doctors and other health-care workers in the government hospitals are overworked and tired and are too involved in dealing with the pandemic, the doctors and other health-care workers in the private hospitals might have not even been involved at all in the pandemic care despite them stating their willingness for doing the same. This shows to the extent that the health sector has not been used to its entire potential in the country's battle against the Covid-19 pandemic.¹⁶

SHORTAGE OF PERSONAL PROTECTIVE EQUIPMENT

Safety is a significant issue while dealing with infectious diseases. By using personal protective equipment, the transmission of the virus to the health-care workers may be prevented. These equipment cover the user's heads, the eyes and face, and almost the entire body. This is useful as the body parts like the eyes, nose and mouth through which the virus might enter the person's body coming into contact with a person who has already contracted the virus is covered.

In the first survey conducted on the status of the personal protective equipment in the state of Delhi, it showed that either the equipment is not available in most hospitals or there is an acute shortage of the same. On several occasions, the government has claimed that there is no such shortage of personal protective equipment; however, the survey conducted by a group of independent health researchers hints to the contrary. The participants in the survey were the doctors, nurses and other health-care workers. Nearly 33% of the participants claimed that the N-95 masks have not entirely made available

¹⁴ Special Correspondent, Government doctors in Kerala to boycott additional duties, The Hindu, (October 15, 2020)

¹⁵ Staff Reporter, Overwork, stress among health workers in Kochi raise concern, The Hindu, (July 21, 2020)

¹⁶ G.B.S.N.P. Varma, COVID-19 fatigue wilting frontline workers, Nature India, (October 5, 2020)

to the health-care workers. These masks are useful as they prevent the virus molecules from entering into the wearer's respiratory system. More than 85% of the healthcare workers did not know how to use the equipment; neither were they aware of the appropriate kind of equipment for their work.¹⁷

In the beginning stages of the pandemic, a report suggested that India needs at least 6.2 million personal protective equipment kits and 38 million masks to protect healthcare workers from contracting the Covid-19 virus successfully. However, the number that has been made available to the health-care workers is significantly lower than that.¹⁸

An acute shortage of personal protective equipment kits and health-care workers to protect themselves has been seen using raincoats and even garbage bags. No one can doubt that these are unprecedented times, and the health-care workers being at the forefront of the battle against the pandemic are facing the worst odds. Some doctors working in the isolation wards have gone to the extent of using their motorcycle helmets as they have not been provided with full personal protective equipment.¹⁹

As a result of the shortage and lack of knowledge regarding the proper use of the personal protective equipment kits, the number of health-care workers contracting the Coronavirus is increasing day by day. The number of health-care workers whom Covid-19 has infected is high, but it could be much more than the authorities are claiming as there is no proper data collection regarding the same by the government. More than 1200 health-care workers have tested positive with Covid-19 by June only in the capital state of Delhi.²⁰ With more and more health-care workers testing positive for Coronavirus, the burden on those not infected with the virus has increased. It becomes the respective state governments' responsibility to deploy additional human resources so that the healthcare workers' duty hours do not get unbearable. However, no such measures have been taken by the Governments.

CONCLUSION

A healthcare worker provides care and services to the sick directly as a doctor or indirectly as a helper, technicians, etc. Any country can develop only when its health-care workers are in good health and get enough time for leisure and look after their mental health.

¹⁷Sumi Sukanya Dutta, Availability of PPE kits still a major issue in Indian hospitals: Survey, *The New Indian Express*, (June 24, 2020)

¹⁸ Aditya Kalra, Devjyot Ghoshal, *India needs at least 38 million masks to fight coronavirus: agency document*, *Reuters*, (March 28, 2020) <https://www.reuters.com/article/health-coronavirus-india-equipment/india-needs-at-least-38-million-masks-to-fight-coronavirus-agency-document-idINKBN21F0H3?edition-redirect=in>

¹⁹Pranit Sarda, *India's PPE crisis puts workers in the line of fire*, *Forbes India*, (April 29, 2020) <https://www.forbesindia.com/article/coronavirus/indias-ppe-crisis-puts-workers-in-the-line-of-fire/59073/1>

²⁰The Wire Staff, Delhi: More than 2,000 healthcare workers have tested positive for COVID-19, *Finds report*, (June 20, 2020)

Given that the healthcare industry is one of the most hazardous environments to work in because of the constant risk of contracting a disease, healthcare workers' protection becomes an important task. These health-care workers may be seen as being in a similar condition as those of the construction workers and miners. Hence, they too need all the protective equipment that they may require to keep themselves safe.

The government should take appropriate steps to assist the health-care workers in fighting the pandemic. These steps may include hiring more workers so that the burden does not fall on a small number of workers, and more people can be looked after. This may help distribute work currently; it is on the doctors to track the primary and secondary contacts of a person testing positive for Covid-19.

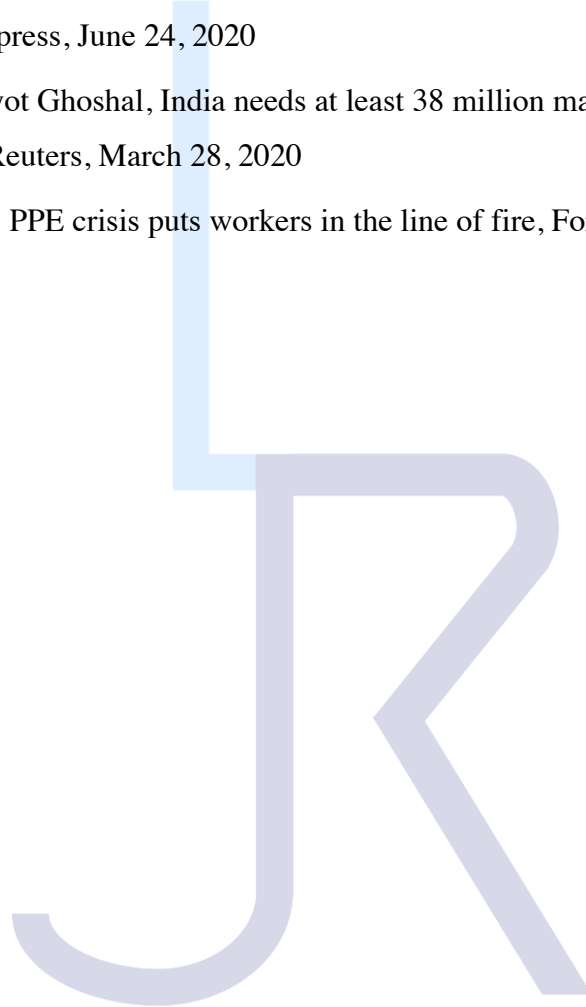
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