



COVID-19: INITIAL RESPONSES OF CERTAIN AFRICAN COUNTRIES (AFRICA)

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Legal Briefings – By **Thomas Herman, Eva Maarek, Nila Wilde, François Adao and Sharif Abousaada (editors)**

More than 2 months after the WHO declared the novel coronavirus a pandemic on 11 March 2020, the epicentre of the outbreak has shifted from Asia, where it first appeared in late 2019, to the USA, which still has the highest number of COVID-19 cases and deaths. While initial fears were focused on global health, the impact of COVID-19 on the global economy quickly became a major area of concern, with the IMF predicting a “Great Lockdown” recession, likely to be the worst since the Great Depression. A survey conducted in March 2020 in 12 countries (Western countries, China, India, Japan, Russia and Vietnam) even showed that economic concerns have risen more steeply than health concerns among populations worried about losing their jobs or businesses¹. This shift of concern affects Africa as well.

While the coronavirus has infected more than 5.1 million people and killed more than 300,000 people worldwide, Africa appears to be comparatively less affected so far, with approximately 100,000 cases and 3,100 deaths since the discovery of the first case on 25 February 2020 in Egypt. However, the weakness of many healthcare systems makes Africa particularly vulnerable, and many leaders fear that if the virus hits African cities it could easily overwhelm the medical infrastructure. Aware of this, African governments have been reacting sooner to the number of cases of infection in their respective countries in comparison to countries in Europe, Asia and North

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number of cases of infection in their respective countries in comparison to countries in Europe, Asia and North America, and by the end of January some African countries had already put preventive measures in place, including, for example, the Institut Pasteur in Dakar which has been providing training to laboratories in a number of other African countries.

Yet, while the USA reported a surge in unemployment (more than 38.6 million Americans have filed for unemployment in 9 weeks since mid-March), continental and international organisations began to stress the risk of recession in Africa and businesses started to collapse². According to the African Union (AU)³, tourism, air transport and the oil industry are currently the most visibly impacted sectors. In the longer term, the consequences of the pandemic, although difficult to assess, are expected to be enormous, with a probable recession, as a result of the spillover effects from global developments or broken supply chains and the high dependency of African economies vis-à-vis foreign economies. African Ministers of Finance consider that COVID-19 could weigh heavily on African economies for 3 years.

For extractive companies in particular⁴, the consequences become more apparent as the share prices of listed companies are in a downward spiral and commodity prices keep falling, thus jeopardising the profitability of investments. Some companies have declared force majeure⁵ to suspend their operations or delay their obligations. These decisions need to be considered and implemented carefully given the likelihood that they will create tensions with governments worried about their impact on employment and the overall economy.

Moreover, due to travel bans, repatriations and local restrictions, companies are facing a shortage of staff, particularly expatriates. While some companies seeking to reduce their dependence on human resources might see this crisis as an opportunity to accelerate the automation of the industry, this might also be an opportune time to reshape the local workforce and boost local content.

However, several international organisations, including the OECD and the UN, have highlighted the responsibility of corporations to respect human rights in how they address both the public health and economic impacts of the outbreak⁶. For those subject to the French law on the duty of vigilance for parent and instructing companies, it is particularly important to ensure that their response to the crisis complies with their vigilance obligations⁷.

On a more practical level, travel restrictions also affect the daily management of companies since holding face to face board meetings is no longer possible in a number of countries. For public limited companies (*sociétés anonymes*) subject to OHADA law, article 454-1 of the Uniform Act relating to commercial companies allows directors to participate in board meetings by videoconference or other telecommunications methods. Yet such meetings also require the physical presence of at least one third of attendees, failing which the meeting shall be null and void⁸.

Certain regional organisations in Africa have begun to take steps to anticipate the effects of the pandemic, including the West African Economic and Monetary Union (WAEMU) (as set out below). The African Development Bank (AfDB) launched a USD 3 billion “Fight COVID-19 Social Bond”, with a 3 year maturity, and further announced the creation of a USD 10 billion COVID-19 Response Facility to assist governments and the private sector. The AU supports, notably through Africa CDC, the coordinated continental response and has recently appointed 4 special envoys to mobilise international support for Africa’s fight against COVID-19. There has, nevertheless, been some criticism of regional responses as not being sufficiently swift or coordinated. The head of the East African Community and President of Rwanda, Paul Kagame, commented at the EAC’s virtual conference on 12 May 2020 (from which Tanzania and Burundi were absent) that, “*So long as any member of our community is vulnerable, we are all at risk. Therefore, we must work very closely together in the months ahead, to face this challenge as a community of partners*” ECOWAS leaders too have affirmed the need for a coordinated

face this challenge as a community of partners. ECOWAS leaders too have affirmed the need for a coordinated effort among themselves. There has also been disapproval of Burundi's expulsion of WHO representatives and the Burundian Government's focus on 2020 elections instead of the pandemic.

At the international level, multilateral discussions are under way to organise global aid to the continent and 18 African and European leaders issued a joint statement declaring that as “*only victory in Africa can end the pandemic everywhere*”, “*success requires an international effort*”. So far, multilateral commitments include the following:

- the World Bank (WB) announced an immediate USD 14 billion fast-track package to support country-based responses and support the private sector, and intends to deploy up to USD 160 billion over 15 months, including USD 55 billion for Africa. Part of the IFC contribution will go to economic sectors directly affected by the pandemic such as tourism and manufacturing;
- the IMF has doubled its annual access limits for the Rapid Financing Instrument to about USD 100 billion and revamped its Catastrophe Containment and Relief Trust (CCRT) to help 23 African countries through rapid debt service relief;
- G20 Finance Ministers agreed to freeze bilateral government loan repayments for low-income countries that request forbearance until the end of the year, beginning on 1 May 2020. They further called on private creditors to participate in the initiative on comparable terms, but investors have so far pushed back on this, expressing their preference for a country-based approach;
- The EU announced a EUR 15.6 billion rescue plan, including EUR 3.25 billion for Africa, to address health and humanitarian needs, as well as help mitigate the pandemic's socioeconomic impact.

On an individual country basis, several African governments have begun easing their lockdown restrictions to avoid a socioeconomic disaster, despite a WHO study warning that if containment measures fail, up to 190,000 people could die across Africa in the first 12 months of the pandemic. The WHO study also found that while the outbreak will not spread as exponentially as elsewhere in the world, it will likely smoulder in transmission hotspots for a few years.

African countries have notably moved sooner than European countries to stem the flow of the pandemic and, with the effects likely to become more apparent in the near future, countries will need to assess whether their measures are sufficient or whether more critical steps will need to be taken.

We summarise below the preliminary responses to the COVID-19 pandemic by a certain number of African countries as well as 2 regional monetary organisations.

WAEMU

The BCEAO (the Central Bank for the WAEMU area) announced on 20 March 2020 the adoption of a series of incentives to maintain the attractiveness of the zone including:

- increasing banks' resources in order to increase the financing of the economy: the amount that the BCEAO grants to local banks on a weekly basis was increased by FCFA 340 billion, bringing it to FCFA 4,750 billion;
- broadening the scope of the mechanisms available to banks to access Central Bank refinancing: the BCEAO

has taken the initiative to list 1,700 private companies whose bills were not previously accepted in its portfolio;

- granting FCFA 120 billion via the BOAD (the Development Bank for the WAEMU) to member states in concessional loans to face emergency expenses; these loans are softened through the interest subsidy mechanism replenished by the BCEAO and the WAEMU Commission for FCFA 25 and 15 billion respectively. Additionally, the BOAD has decided a suspension of prompt notices for principal repayment involving FCFA 76.6 billion owed by member states for the rest of the year;
- implementing an adapted framework for loan repayments by companies encountering difficulties as a consequence of the pandemic: the BCEAO will request that banks grant appropriate extensions, especially to small and medium sized businesses. On 2 April 2020, the BCEAO invited credit institutions to grant to any businesses who make the request an extension of maturity on loans for a period of 3 months, renewable once, with no interest charges, fees or penalties for late payment;
- supplying local banks with a sufficient quantity and quality of banknotes to enable them to ensure the satisfactory operation of ATMs; and
- organising auctions at its tender counters from 27 March 2020 at a fixed rate of 2.50% (its lowest intervention rate) to provide banks with the necessary resources at lower cost with a view to boosting their liquidity and enabling them to maintain and increase credit to the economy at lower rates, particularly in favour of businesses and WAEMU member states.

Further measures have been taken or announced, including the following:

- on 1 April 2020, the BCEAO announced joint measures taken with the banking community and the electronic money institutions of the WAEMU to facilitate electronic payments to encourage the limitation of physical contact. These measures focus in particular on reducing fees and banking costs relating to electronic payments (eg bank wire transfers, mobile payment/transfers) for a period of 30 days from 3 April 2020 (extended by 30 days as of 3 May 2020); and
- on 21 April 2020, the BCEAO announced its decision to support member states in mobilizing low-cost financial resources by helping them issue treasury bonds with 3 month maturity baptized “COVID-19 Bonds”. Lenders will be able to get cash from the BCEAO at a fixed rate of 2.50%.

Moreover, an extraordinary session of the Conference of Heads of State and Government held on 27 April 2020 adopted the following measures:

- the establishment within the Community framework of greater coordination in the taking of health measures relating to the management of WAEMU's internal and external borders;
- the development and implementation of a regional plan to strengthen the capacity of health systems;
- the adoption of a Declaration temporarily suspending the application of the Convergence, Stability, Growth and Solidarity Pact; and

- the taking, with celerity, of all measures which would prove to be necessary to reduce the impact of the pandemic on populations and support the economy during and after the crisis.

CEMAC

On 25 March 2020, the Bank of Central African States (BEAC) indicated that, in order to help sustain local financial markets from 26 March to 2 April 2020, the BEAC will not proceed with an initially planned reduction of liquidities. Instead, the BEAC announced that it would make available to banks operating in the CEMAC zone a liquidity package of FCFA 500 million (approx. USD 829 million) to finance the needs of economic operators affected by COVID-19.

On 12 March 2020, Health Ministers in CEMAC member countries adopted a plan to manage the availability of medicines and the strengthening of surveillance measures at points of entry (air, sea and land).

On 15 April 2020, the BEAC announced a decrease in the costs of electronic transactions within CEMAC, with a view to promoting the use of digital payments and social distancing. The BEAC's monetary policy committee recommends that credit institutions guarantee the provision of all usual services to their customers and strengthen remote banking operations.

In order to strengthen the external monetary stability and prevent an increasing risk of a devaluation of the Central African CFA Franc against the Euro, the BEAC recently announced that it would continue to strictly enforce foreign exchange regulations in order to avoid speculative and unjustified capital outflows.

ALGERIA

As at 22 May 2020, there were 7,728 confirmed cases of COVID-19 in Algeria and 575 deaths. Algeria entered a “stage 3” alert in respect of the pandemic on 22 March 2020.

The President has adopted several measures which have been supplemented by executive decrees issued by the Prime Minister⁹. These measures include:

- the closure of land and sea borders and the suspension of flights and sea services to and from Algeria, except for goods, as well as a ban on the export of food products and strategic goods;
- a limitation on the gathering and closure of places of worship;
- the suspension of all intra-urban and inter-wilaya public transportation and railway traffic in the country;
- the demobilisation of 50% of civil servants and private sector employees;
- Algeria has initiated the gradual lifting of containment measures by authorising the resumption of certain business activities. The lockdown of Blida, the epicentre of the pandemic in Algeria, has been partially lifted and replaced with a curfew from 2.00pm to 7.00am. In the 9 other most affected wilayas also subject to a partial lockdown, curfew has been reduced by 2 hours (5.00pm to 7.00am). The nationwide partial lockdown has been extended until 30 May 2020; and
- the regulation of the market to prevent shortages by ensuring the availability of essential food items and a planned expenditure of USD 100 million for the import of pharmaceutical products.

On the socioeconomic front:

- the President has announced a 30% decrease in government operating expenditure; and
- the Bank of Algeria adopted instruction No. 05-2020 on 6 April 2020 to limit banking prudential requirements (reduction of the minimum threshold for the liquidity ratio (from 100% to 60%), exemption for the constitution of the "safety cushion", possibility to defer the payment of loans reaching their maturity date or to reschedule debts, possibility to grant new loans to beneficiaries of the aforementioned measures). Following this instruction, the Association of Banks and Financial Institutions announced on 8 April 2020 several measures for a 6 month period, including the possibility to postpone and/or renew credit facilities expiring on or after 31 March 2020 and the cancellation of late payment penalties;
- the Ministry of Labour announced measures on 15 April 2020 to facilitate companies' obligations of reporting relating to social security contributions, deferred due dates for their payment and the suspension of delay penalties;
- the national fund for paid holidays and bad weather unemployment in the construction and public works sectors (CACOBATPH) will exceptionally assume the early payment of annual leave pay for workers in these sectors who are currently off work due to preventive measures against COVID-19; and
- an exceptional monthly bonus of DZD 5,000 has been established for certain local authorities and public institutions staff members involved in the fight against COVID-19.

Tax relief measures were also adopted by the General Tax Department, including:

- the delay of the monthly G series tax declaration No. 50 (applicable to companies under the "régime réel") filing deadline for February and March until 20 May 2020;
- the delay of the annual statement (balance sheets and appendices) filing deadline to 30 June 2020;
- the delay of income tax first instalment payment deadline to 20 June 2020; and
- possibility for taxpayers facing difficulties to request a payment schedule for tax debts.

ANGOLA

As at 22 May 2020, Angola had 58 confirmed COVID-19 cases and 3 deaths. On 25 March 2020, President João Lourenço declared a state of emergency¹⁰, which commenced on 27 March 2020 and was extended until 25 May 2020.

Angola has eased some of the restrictions it had previously imposed to tackle the spread of the virus in an effort to foster an economic recovery¹¹:

- as early as 18 March 2020¹², Angola closed its borders and ordered the suspension, effective 20 March 2020, of all international commercial and private flights of passengers, with the exception of cargo flights, for 15 days, extendable for an equal period of time;

- public events with more than 200 people are prohibited, and all public and private establishments that remain open to the public must provide running water and soap or alcohol gel;
- on 26 March 2020, the government took exceptional measures¹³ to limit the spread of the pandemic. Travel has been limited to necessary and urgent needs, such as essential goods and services (including banking services), professional activities in operation during the period of state of emergency, and healthcare activities. Travel between provinces is authorised for economic purposes only. However, the Province of Luanda has been placed on lockdown, which forbids the entry into and the exit from the Province, except in cases deemed urgent and necessary (eg essential goods and services; humanitarian aid and health reasons);
- urban public transport can operate with half of its seating capacity from 5.00am to 6.00pm;
- the wearing of face masks is obligatorily in public spaces;
- the exercise of an industrial activity in general is allowed, and marketplaces and street vendors are free to operate from 6.00am to 1.00pm from Tuesday to Saturday. Individual sport activity is permitted from 5.00 am to 6.30pm and from 5.30pm to 7.00pm from Monday to Friday and the weekend from 5.00am to 7.00pm;
- Schools, bars, restaurants remain closed and collective church services remain prohibited;
- the closure of entities providing essential goods or services is prohibited, except in cases of force majeure. Entities that remain open are required to take measures necessary for the protection of their staff and workers on duty must have a work statement and a pass to circulate;
- while sovereignty bodies (Órgãos de Soberania) may adopt their own operating procedures, ministerial departments, provincial governments, municipal administrations and urban districts remain open from 8.00am to 3.00pm and must limit or suspend the provision of public services that are considered non-essential. Their staff must not exceed 50% of the workforce and must work on a rotational basis;
- workers with an up to 12 year old child under their care and who are employed by a public or private entity that is required to remain open during the period of state of emergency are exempted from the obligation to work on the workplace in person and shall be subject to telecommuting arrangements. Regarding telecommuting, it is for each private or public entity to define the relevant procedures for its employees;
- the decree prohibits the termination of employment based on the absence of workers from the workplace, except for officials and workers with a duty to provide service during the state of emergency, who may be subject to disciplinary measures; and
- the legal deadline countdowns for limitation and prescription periods have been suspended. Furthermore, as long as the state of emergency is in force, permits, authorisations and other types of administrative acts will remain valid regardless of the expiry of their respective periods of validity.

On the socioeconomic front:

- on 27 March 2020, the central bank announced the equivalent of 0.5% of GDP to be provided as liquidity support to banks. The central bank has also (i) created a liquidity line of approximately USD 18 million for the purchase of government securities from non-financial corporations, (ii) expanded its credit-stimulus

program that allows banks to deduct from their reserve requirement obligations the amount of credit extended to selected sectors, (iii) allowed financial institutions that carry out credit operations to grant their clients a moratorium of 60 days for servicing the debt, and (iv) instructed banks to provide credit in the local currency to assist importers in order to prevent a shortage of essential goods. The central bank further announced on 3 April 2020 that the minimum allocation of credit to promote the production of a set of priority products would increase from 2 percent to 2.5 percent of the commercial banks net assets;

- on 1 April 2020, the central bank introduced an electronic platform for foreign exchange transactions;
- on 9 April 2020, the President approved¹⁴ a series of tax and social security contribution relief measures that had previously been adopted by the Council of Ministers on 26 March 2020.

BURKINA FASO

As at 22 May 2020, 812 cases (including 5 Ministers who tested positive) and 52 deaths had been reported in Burkina Faso. The Council of Ministers declared a state of health emergency on 26 March 2020.

On 4 May, President Roch Marc Kabore and Prime Minister Christophe Dabiré adopted decrees easing some of the following restrictive measures that had previously been adopted:

- the lockdown of several cities, including Ouagadougou and Bobo-Dioulasso, has been lifted;
- all schools and universities have been closed since mid-March but the government has announced measures for their reopening but repeatedly postponed the date;
- all restaurants have been closed and a 7.00pm to 5.00am curfew has been in place across the country since 21 March 2020;
- the central market of Ouagadougou has reopened;
- public demonstrations or gatherings of people in places or venues open to the public are strictly prohibited throughout the territory;
- land and rail borders have been closed, except for freight, since 21 March 2020, but domestic flights are now allowed;
- the mandatory wearing of face masks as of 27 April 2020.

In addition, in his address to the nation on 2 April 2020, President Roch Marc Christian Kabore announced a series of measures, including:

- exemption from taxes and customs duties on pharmaceutical products, medical consumables and equipment used in the fight against COVID-19;
- the suspension of the Employer's Apprenticeship Tax on wages for companies in the transport and hotel industries;
- the suspension of enforcement proceedings for the collection and recovery of tax debts;

- the suspension of enforcement proceedings for the collection and recovery of tax debts;
- specific exemptions and reductions for the transport, hotel and tourism industries;
- the cancellation of penalties for delays in the execution of public contracts with central government and local authorities;
- the postponement of maturities for companies that so request;
- the payment of electricity bills for a part of the population; and
- a potential FCFA 100 billion economic stimulus fund.

CAMEROON

With 4,288 confirmed cases and 156 deaths as of 22 May 2020, a first set of measures had been announced by the President on 17 March 2020. However, on 30 May 2020, the government announced the easing of some of these measures:

- Cameroon's land, air and sea borders have been closed: all passenger flights from abroad have been suspended, with the exception of cargo flights and vessels transporting consumer products and essential goods and materials, whose stopover times have been limited and supervised. The issuance of entry visas to Cameroon at the country's various airports is also suspended, as are missions abroad of members of government and public and para-public sector employees;
- urban and inter-urban travel should only be undertaken in cases of extreme necessity. However, the government has lifted the measure reducing the regulatory number of passengers on all public transport (buses and taxis);
- drinking establishments, restaurants and leisure facilities are allowed to reopen after 6.00pm, with the obligations for customers to comply with barrier measures (face masks and social distancing);
- all public and private training establishments at various levels of education, including vocational training centres and professional schools, will be closed;
- public administrations remain open;
- gatherings of more than 50 people are prohibited throughout the country;
- private health facilities, hotels and other accommodation facilities, vehicles and specific equipment necessary for the implementation of the COVID-19 pandemic response plan in Cameroon may be requisitioned as required by the competent authorities; and
- although the Minister of Justice had initially ordered the suspension of all proceedings and the closing of local tribunals and courts for a period of 1 month from 18 March 2020, the Prime Minister ordered that hearings be maintained up to a maximum limit of 50 people.

On 9 April 2020, the government announced further measures, including the mandatory wearing of face masks in

every public area, the establishment of specialised patient treatment centres, and the local production of face masks, gel and tests, as well as the strengthening of the COVID-19 testing campaign.

On 30 April 2020, the government announced a series of measures to allow the resumption of activities and lighten the burden on the economy, including:

- under the supervision of the administrative authorities, bars, restaurants and entertainment venues are now allowed to remain open after 6.00pm each day. Customers must respect social distancing measures and wear face-masks;
- the suspension of general accounting audits for the second quarter of 2020;
- the extension of the deadline for filing statistical and tax declarations without penalties in case of payment of the corresponding balance;
- the granting of moratoriums and payment delays for companies directly affected by the crisis, suspending forced recovery measures against them;
- the allocation of FCFA 25 billion for clearance of stocks of VAT credits awaiting reimbursement;
- the postponement to 30 September 2020 of the deadline for payment of the property tax for 2020;
- the total deductibility for the determination of corporate income tax of donations and gifts granted by companies for the fight against COVID-19;
- the exemption of the tourist tax for hotels and restaurants for the remainder of 2020;
- the establishment of a MINFI-MINEPAT consultation framework with the major economic operators in order to mitigate the impact of the crisis and promote a rapid resumption of activity;
- the suspension for 3 months (April, May and June) of on-the-spot inspections by the Caisse Nationale de Prévoyance Sociale (CNPS); and
- the cancellation of penalties for late payment of social security contributions due to the CNPS, upon warranted request.

CHAD

As at 22 April 2020, there were 588 confirmed cases of COVID-19 and 58 deaths in Chad. On 25 April 2020, the President declared a national health emergency for 21 days. The declaration of a state of health emergency empowers the ministers concerned to take all measures to prevent the spread of the Covid-19 pandemic. However, the measures provided in the decree do not differ from the measures which were already in place since the beginning of the crisis, ie:

- the cancellation of all flights into the country since 18 March 2020 and until 31 May 2020, except for cargo flights;

- the closure of schools, places of worship, bars, restaurants and markets since 24 March 2020;
- the prohibition of gatherings of more than 50 people;
- the suspension of all public hearings until further notice, with the exception of hearings in cases of flagrante delicto;
- infected people need to be quarantined;
- a 8.00pm to 5.00am curfew (in place since 2 April 2020) in 4 states (provinces) and in the Chadian capital in order to limit the displacement of populations¹⁵. A extended it for two weeks from 13 May 2020;
- on 15 May 2020, Chad set up a Health Crisis Committee to define and implement the national management strategy for the COVID-19 pandemic and to take all appropriate measures against the pandemic¹⁶;
- the creation of a special solidarity fund dedicated to the fight against COVID-19¹⁷. The government of Chad made a FCFA 15 million donation to the fund on 10 April 2020;
- the mandatory wearing of face masks in public places as from 14 April 2020.

COTE D'IVOIRE

With 2,301 confirmed cases of COVID-19 and 29 deaths as at 22 May 2020, Côte d'Ivoire has been in a state of emergency since 23 March 2020 (until 31 May 2020).

- As early as 16 March 2020, while there were then only 6 confirmed cases and no deaths related to COVID-19, the National Security Council announced an initial series of measures, including the closure of schools and universities until 17 May 2020, a renewable 15 day suspension of the admission of non-Ivorian travellers from countries with more than 100 confirmed cases, the quarantine of suspicious cases and their contacts, the prohibition of public gatherings of more than 50 people, and free diagnosis and care for all suspected and confirmed cases.
- Since 20 March 2020, all passengers flights and all arrivals of boat passengers arriving directly or indirectly from countries with more than 100 confirmed cases have been suspended until further notice. On 20 March 2020, the government decided to close the country's land, sea and air borders for an unspecified period as of 22 March 2020, with the exception of the traffic of goods, subject to health checks by the competent authorities.
- As a result of the state of emergency declared on 23 March 2020, a curfew has been imposed from 9.00pm to 5.00am, with a ban on unauthorised movement within the country, and the gradual confinement of the population by geographical area is under way. Travel between Abidjan and other cities is forbidden, except for the purchase of food, medical products, energy, electricity, telephone and water supplies. The wearing of face masks in public spaces and transport is now mandatory.
- Public administrations are open from 8.00am to 2.00pm non-stop, and companies as well as public administrations have been invited to use teleworking.
- On 31 March 2020, the government announced a FCFA 1700 billion plan for economic, social and

humanitarian support. It includes the suspension of tax audits for a period of 3 months and the deferment for 3 months of the payment of taxes and assimilated payments due to the state as well as social security charges.

- A private sector FCFA 250 billion fund has been created to support businesses facing financial difficulties.

On 7 May 2020, the National Security Council eased the restrictions outside Abidjan and decided on the following measures:

- the curfew has been lifted since 8 May 2020;
- restaurants, bars, nightclubs, cinemas and entertainment venues have reopened;
- measures restricting public gatherings, initially capped at 50 people, have now been increased to 200 people. However, during these gatherings, social distancing and protection measures must be respected;
- pre-school, primary school, secondary school and higher education establishments have started reopening since 8 May 2020;

The National Security Council has decided the following measures for Abidjan, which remains the epicentre of the pandemic:

- the lifting of the curfew since 15 May 2020;
- Abidjan remains isolated. This isolation has been reinforced with systematic security and health checks of people entering and exiting Abidjan;
- the reopening of maquis and restaurants. Bars, nightclubs, cinemas and venues of entertainment remain close until 31 May 2020;
- discussions are under way to examine the conditions for the reopening of schools and universities.

REPUBLIC OF CONGO

As at 22 May 2020, 469 cases of COVID-19 had been recorded in Republic of Congo, with 16 deaths. President Denis Sassou-N'Guesso announced a first set of measures in his address of 28 March 2020 to the nation (following declarations of 16, 18 and 21 March 2020). By decree dated 30 March 2020¹⁸, the President declared the state of health emergency which has been extended across the whole territory for 20 days as of 21 April 2020.

The government announced the gradual easing of restrictions from 18 May 2020. The country will be divided into two zones:

- In Brazzaville and Pointe-Noire (“Zone 1”), measures will eased as follows :
 - return to the workplace with specific hours; and
 - travel authorisations are no longer required and vehicles and public transports can circulate freely.
- In the 10 other departments of the country (“Zone 2”), lockdown is lifted.

In both zones, the following measures remain applicable:

- a daily curfew from 8.00pm to 5.00am;
- the closure of borders (land, air and sea);
- the closure of schools, universities, bars, restaurants and other places of leisure, as well as the closure of hotels, and places of worship;
- the prohibition of gatherings of more than 50 people;
- the mandatory wearing of face masks in public areas;
- the respect of social distancing rules; and
- sport events remain forbidden and family events are allowed.

On the economic front, a relief fund of FCFA 100 billion to confront the crisis and to assist businesses through any financial difficulties they may face during this period;

DEMOCRATIC REPUBLIC OF CONGO

On 24 March 2020, the DRC made a "Declaration of National Health Emergency" which has been extended until 23 May 2020. With 1,945 confirmed cases of COVID-19 and 63 deaths as of 22 May 2020, emergency measures taken so far across the country include:

- the closure of schools, restaurants and bars as well as the prohibition of gatherings of more than 20 people. Public administrations remain open but their activities have been significantly reduced;
- the suspension of all flights from countries at risk and transit countries, and the closure of borders to passengers. However cargo ships and other means of freight transport are permitted;
- the confinement from 6 April 2020 of the city of Gombe in the capital Kinshasa, the epicentre of the pandemic in DRC. Only people with an official pass are allowed to circulate, including certain public administration employees and health care personnel;
- the control of people leaving Kinshasa to travel to other provinces in order to avoid the spread of the pandemic; and
- the mandatory wearing of face masks in public spaces as of 20 April 2020 in Kinshasa.

At the economic level, on 27 March 2020 the government announced several measures to support the economy and prevent a recession, including:

- a 6 month exemption from all taxes, duties, levies and fees on the import and sale of farm inputs and pharmaceuticals, as well as medical equipment;
- the emergency removal of farm inputs and pharmaceuticals currently under customs custody;

- a 3 month suspension of the application of penalties in case of delay in the customs clearance of commodities; and
- a 3 month suspension of a number of company tax controls.

EGYPT

With 15,003 confirmed coronavirus cases and 696 deaths as at 22 May 2020, Egypt is still implementing restrictive measures to address the pandemic, although these have been slightly relaxed as compared to those implemented until 23 April 2020, due to the commencement of Ramadan. The measures currently applicable include the following:

- a total ban on any movement or traffic in public places from 9.00pm to 6.00am;
- no public or private collective means of transportation between 9.00pm and 6.00am;
- the total closure of cafes, restaurants, museums, casinos, nightclubs, sports clubs, public parks and beaches;
- restaurants are only allowed to operate through home delivery services or takeaway;
- hotels can operate at 25% capacity until June 2020 and 50% thereafter;
- a ban on public gatherings such as conferences, exhibitions, sporting events or cultural events;
- the closure of all airports until further notice;
- the closure of all shops (save for supermarkets, chemists, grocery stores and bakeries), retail stores and malls from 5.00pm to 6.00am;
- the closure and suspension of all classes in Egyptian schools and universities; and
- the closure of all places of worship and tourist locations.

On 17 May 2020 the government announced a tightening of restrictive measures to prevent large gatherings during the Eid al-Fitr holidays starting on 23 May 2020 which mark the end of Ramadan. All shops, malls, restaurants, entertainment facilities, beaches and public parks will also be closed for 6 days from 24-29 May 2020. Public transport will be halted and the night-time curfew, which usually starts from 9.00pm, will start at 5.00pm during this period. However, Prime Minister Mostafa Madbouli announced that the measures will be eased following the week of Eid al-Fitr and the night time curfew will start at 8.00pm from the week commencing 30 May 2020. The government is also expected to announce a further relaxation of measures on some activities including sports, and the opening of restaurants with precautionary measures from mid-June 2020.

Egypt has also implemented an economic and fiscal package to respond to the pandemic and support its industries. These measures include:

- half of the package amount is to be allocated to the tourism sector, and EGP 5 billion (approx. USD 316 million) will be allocated to the healthcare sector:

- a reduction in the price of natural gas provided to industries to USD 4.50 per million British thermal units (Btu), down from USD 5.50;
- a 3 month delay in the due dates for property taxes on factories and tourist facilities;
- loans with a 2 year grace period will be available to aviation-sector companies;
- a reduction in the dividends tax rate for companies listed on the stock exchange from 10% to 5%;
- a reduction in Central Bank of Egypt (CBE) key interest rates by 3%;
- the increase of pensions by 14%; and
- a 6 month extension by the CBE of the due dates for all types of consumer and small-business loans including mortgages and car loans.

On 11 May 2020, the IMF approved Egypt's request for emergency financial assistance of USD 2.772 billion.

EQUATORIAL GUINEA

As of 22 May 2020, 903 cases and 10 deaths due to COVID-19 had been recorded in Equatorial Guinea. A state of health emergency has been enacted by Decree 42/2020 for an extendable 30 day period from 15 March 2020. On 29 April 2020, Equatorial Guinea ordered a 15 day extension. Following this Decree and the extension order, a set of measures has been adopted to fight the pandemic, such as:

- the creation of the Novel Coronavirus Surveillance Technical Committee in charge of preventing and controlling the spread of COVID-19;
- the closure of all borders, with the prohibition for non-residents to be granted visas and for residents to travel abroad;
- the grounding of international flights;
- a limitation on public gatherings of more than 10 people;
- the obligation for all individuals to remain confined at home, except for urgent needs or in force majeure situations;
- companies are required to provide their employees with credentials to justify their commuting;
- all businesses, shops and factories, other than grocery stores and pharmacies, must remain closed;
- the suspension of all academic and sport activities; and
- the suspension, until 30 April 2020, of the circulation of vehicles in the Insular Region, other than SEGESA (power company) and GETESA (telecom operator) vehicles, and security and defence vehicles, as well as garbage collection vehicles. Company vehicles transporting materials for infrastructure works require the Prime Minister's authorisation in order to circulate.

PRIME MINISTER'S AUTHORIZATION IN ORDER TO CIRCULATE.

To support the economy, the government has also taken the following measures:

- the creation of a FCFA 5 billion COVID-19 Emergency National Fund to guarantee basic food and essential products and basic hygiene kits to the population;
- measures to support small and medium sized-companies such as the postponement of the deadlines for payment of income taxes;
- temporary measures in the hydrocarbons sector such as the support of national employment, the exemption of fees for the registration/renewal of licenses, and the provision of health equipment to personnel;
- under Ministerial Order 2/2020, reductions on power bills for a 30 day extendable period from 29 April 2020 onwards; and
- on 4 May 2020, the Ministry of Mines and Hydrocarbons ordered the granting of a 2 year extension of their exploration programme to oil and gas exploration companies. The Ministry will work with oil companies benefiting from such incentives to make sure that the sector's recovery is made through the promotion of local content, increased technology transfers and procurement of additional goods and services.

ETHIOPIA

As at 22 May 2020, there were 429 confirmed cases of COVID-19 in Ethiopia (the majority of which are based in Addis Ababa) and 5 declared deaths (the first of which was announced on 4 April 2020). The Minister of Health, Lia Tadesse, provides regular updates on her twitter page and an online COVID-19 monitoring platform has been set up to provide statistics, allow people to register their symptoms, and provide quick access to other information platforms including the WHO, Ethiopian Ministry of Health and Ethiopian Public Health Institute.

On 24 April 2020 the Northern Tigray region relaxed its measures relating to confinement (implemented late March) following reportedly intense door-to-door screening and few cases detected. In the region, civil servants may return to work, interstate movement may resume, and bars and restaurants may open for take-away purposes.

On 8 April 2020 the parliament approved a 5 month state of emergency and stay-at-home order (effective immediately across the territory). This comes after certain regions (for example, northern Tigray) declared a region wide state of emergency. Other protective measures that have been implemented since end March include notably the following:

- the closure of all land borders and a ban on public transport (total ban in certain regions, including Addis Ababa);
- a ban on large gatherings;
- the closure of educational and religious institutions as well as federal courts (except for hearings of domestic violence cases);
- the postponement of the national democratic elections that were scheduled for 29 August 2020;

- a mandatory 2 week minimum quarantine of individuals arriving from international flights;
- the establishment of the National COVID-19 Ministerial Committee to meet with key industry stakeholders in various sectors to safeguard the economy;
- the provision of government housing to healthcare professionals and the distribution of face masks and sanitary items to the general public; and
- the relocation of fruit and vegetable markets from closed to open spaces.

It appears that key funding has been provided by the Africa Centre for Disease Control and Prevention.

GABON

As at 22 May 2020, 1,567 cases of COVID-19 and 12 deaths had been recorded in Gabon. Following the discovery of the first case on 12 March 2020, the government immediately imposed restrictions on movement and several other measures through 2 decrees¹⁹. On 9 April 2020, President Ali Bongo Ondimba declared the state of health emergency which has been extended for 15 days as of 26 April. On 8 May 2020, Gabon lifted the state of health emergency from 11 May 2020, while maintaining sanitary measures (ie social distancing and the wearing of face masks in public spaces).

On the social front, the President announced the introduction of an unemployment benefit fixed between 50% and 70% of the gross salary, the suspension of the collection of rents for people with no income, support for the payment of electricity and water bills for the most vulnerable people, and the creation of 2 funds for food aid and mutual aid; and

At the economic level, tax exemptions and reductions will be granted. An emergency financing desk of FCFA 225 billion and a moratorium on bank debt due dates will provide support to companies in urgent need of cash or in serious difficulty due to the crisis. The President announced that tax rebates will be granted to companies that maintain jobs and demonstrate solidarity and exemplarity during the crisis. A FCFA 2.1 billion fund to help the most vulnerable access medical care has also been announced.

GHANA

As at 22 May 2020, there were 6,486 confirmed cases of COVID-19 in Ghana, and 31 deaths. Ghana has also been using drones, supplied by the USA, to make long distance deliveries between rural areas and laboratories in Accra and Kumasi, thereby enabling the country to carry out tests far beyond its major cities. The cases originated largely in the Greater Accra region, the Ashanti region and the Eastern region. In his address to the nation on Saturday 21 March 2020, President Akufo-Addo announced certain measures restricting movement under the newly enacted Imposition of Restrictions Act 1012 of 2020, in accordance with article 21 of the Constitution of Ghana “*in the event or imminence of an emergency, disaster or similar circumstance to ensure public safety, public health and protection.*” (Note: the Emergency Powers Act 472 of 1994 is already in existence and there has been criticism from academics that the President has side-stepped ordinary parliamentary approval procedures for a declaration of a state of emergency, which would have been necessary had the new legislation not been promulgated).

Since Monday 20 April 2020, the President has partially lifted the lockdown in 2 key regions, Accra and Kumasi, but border closures, school closures and a ban on public gatherings have now been extended until the end of May 2020. Social distancing measures are said to continue but people have been allowed to return to work. With the easing of lockdown measures, the number of cases of infection have surged over the past few weeks and the latest

hotspot in Ghana is the gold producing town of Obuasi in the Ashanti region. Public transport must run with the minimum number of passengers. However, some domestic flights (not international) have resumed in Ghana. The full lockdown measures included the following:

- from midnight Sunday 22 March 2020, all of Ghana's land, sea and air borders have been closed (and anyone arriving before that time on Sunday 22 March 2020 would be placed in quarantine and tested for the virus);
- schools are closed, public gatherings (including large funerals and weddings (over 25 people)) prohibited and public events have been suspended with full lockdown being imposed in the cities of Accra, Tema and Kumasi, enforced by police and the military;
- most government institutions and the registrar general (companies registry) are closed and court cases have been postponed where possible, with other court processes for submission of evidence being streamlined and out-of-court settlements being sought more readily, which legal sector participants have praised. With the easing of lockdown restrictions, submission of documents has increased;
- 808 prisoners (largely first time offenders who have served half of their sentences) have been pardoned and released in order to reduce overcrowding in prisons, although the Accra prison has nevertheless been affected by the crisis, with a number of inmates needing to be isolated from others;
- the Bank of Ghana has announced certain monetary policy measures which include reducing policy rates and extending loan periods, and it has also reduced reserve requirements for banks in order to provide more liquidity to banks to support sectors of the economy in difficulty;
- the government will cover the cost of the population's water bills over the next 3 months and will supply water tanks to vulnerable communities, with the President urging utility companies to restore disconnected accounts to ensure a continuous supply of water and electricity during this period. The government will cover the electricity costs of 1 million customers in full and will cover 50% of electricity costs of all other customers for the months of April, May and June. Government, religious organisations and private parties have also been distributing food and have pledged to continue doing so;
- health care workers will receive a 3 month tax holiday and those treating COVID-19 patients will receive an increase in their basic salaries; and
- a budget of USD100 million was set to secure personal protection equipment for frontline health workers and new and retired health professionals have been mobilised against the COVID-19 pandemic in the country.

In addition, the World Bank announced on 2 April 2020 that it will provide financial assistance to Ghana in an amount of USD 100 million over the short, medium and long-term. This includes USD 35 million towards the Ghana Emergency Preparedness and Response Project, for improving prevention, detection and response actions, boosting laboratories surveillance and reporting systems and, providing free health services where needed.

The country is due to hold elections in December 2020 but, in the face of legal challenges brought against the National Identification Authority, the mass voter registration processes in the Eastern Region have been met with temporary injunctions for violating restrictions on public gatherings in the time of this health crisis. The injunction will continue until the later of a vaccine being discovered for COVID-19; the WHO declaring that there is no longer an epidemic in Ghana; or the Ghana Health Service declaring that there is no longer an epidemic in Ghana.

Also important to note, though not directly related to the COVID-19 crisis, is that on 7 May 2020 Ghana was included on the European Union's latest draft list of high-risk jurisdictions (countries which, in the EU's view, have strategic deficiencies in their policies on anti-money laundering and countering the financing of terrorism).

GUINEA

As at 22 May 2020, 2,473 cases and 15 deaths due to COVID-19 had been reported in Guinea. President Alpha Condé declared a state of emergency from 27 March 2020 for an initial period of 1 month that was later extended to 15 June 2020 (renewable).

The following measures have been adopted to date:

- all schools and universities are closed;
- all places of worship, restaurants, cinemas, and public gathering places are closed;
- lands borders are closed to travellers ;
- the mandatory wearing of face masks;
- the nationwide curfew from 9.00pm to 5.00am has been lifted except for the cities of Conakry, Coyah and Dubréka, where it remains in place from 10.00pm to 5.00am until 15 June 2020;
- all international conferences scheduled to take place in Guinea are suspended or postponed until further notice; and
- all sports competitions and cultural events are prohibited.

In addition, on 7 April 2020, the Prime Minister announced an economic response plan of more than GNF 3000 billion (USD 314 million) which includes the following measures:

- the payment of water and electricity bills for 3 months;
- the payment of taxes, duties and similar payments is deferred for 3 months for all small and medium-sized businesses;
- the creation of a guarantee fund for bank loans to small and medium-sized businesses with an initial endowment of GNF 50 billion (USD 5.2 million); and
- to ensure the financing of these measures, a special fund called the COVID-19 Response Fund will be created as of the week of 13 April 2020 with a minimum budget of GNF 2500 billion (USD 262 million), which will be supplied by the government via various sources of financing already identified and by voluntary contributions from individuals and companies.

KENYA

As at 22 May 2020, there were 1,161 confirmed cases of COVID-19 in Kenya (the majority of which are based in the Nairobi metropolitan area) and 50 deaths announced. Several protective measures have been implemented,

however total lockdown has been ruled out by President Uhuru Kenyatta for the time being for fear that this would leave people without food. Indeed several people were injured if not killed in a stampede for food in a Nairobi slum on 10 April 2020.

Key measures implemented progressively since 22 March 2020 include the following:

- the curfew and cessation of movement in Nairobi, Kwale, Kilifi and Mombasa counties until 6 June 2020. On 20 April 2020 the government directed that anyone breaching curfew will be forced into a 14 day quarantine at their own expense;
- the National Emergency Response Committee Coronavirus met to discuss guidelines for the partial reopening of eateries and restaurants (in particular, employees should be tested before starting work);
- the Cabinet Secretary for Education announced that school holidays would be pushed back by 1 month;
- on 18 April 2020, Mutahi Kagwe, Kenya's Cabinet Secretary for Health, issued a warning that truck and motorcycle taxi etc drivers who flout travel restrictions will be reprimanded by a fine up to KES 20,000 or 6 months' imprisonment (or both). He also announced that forecasters for the Kenyan government are predicting 28,000 deaths as a result of COVID-19;
- the suspension of international flights to and from Kenya. Moreover, Kenya decided to close its borders with Tanzania and Somalia, effective on 16 May 2020;
- the quarantine of those persons arriving from international flights, as well as certain other persons suspected of having COVID-19, in designated facilities (the initial period being 2 weeks, recently extended by a further 2 weeks);
- the closure of all bars and restaurants (except for takeaway services);
- the mandatory wearing of face masks as well as social distancing in public places (carrying fines of Sh 20,000 or a 6 month prison sentence). To handle demand the government has organised the daily manufacture of up to 30,000 masks / personal protective equipment, certified compliant by the Kenya Bureau of Standards, which it distributes to the health industry as well as the general population;
- motorcycle taxis (Boda boda) are forbidden to carry more than 1 passenger; and
- random temperature screenings.

On 6 April 2020, the President directed that:

- the National Treasury use KSh 2 billion which was recovered from corruption proceeds, and the Treasury redirect all domestic and international travel budgets of all state agencies, to combat COVID-19;
- all road, rail and air travel be banned in and out of the Nairobi metropolitan area (effective 7.00pm on the evening of the announcement) as well as the Mombasa, Kilifi and Kwale counties (effective 7.00pm on 8 April 2020) for 21 days (extended for a further 21 days). Road blocks have been set up with the objective of preventing even movements of rural farmers to local markets. Movement within these areas is still permitted;

- the provision of free water has been expanded to all informal settlements by the Nairobi Metropolitan Service.

The Kenyan authorities have also taken or announced the following measures to support the economy:

- an announcement by the Central Bank of Kenya that commercial banks will engage borrowers to restructure their debt and that the banks will meet all costs related to the extension and restructuring of loans;
- an announcement by the President of the appropriation of an additional KES 10 billion to the elderly, orphans and other vulnerable members of society through cash transfers by the Ministry of Labour and Social Protection;
- a reduction of corporate tax rate from 30% to 25%;
- a reduction in the highest individual marginal rate from 30% to 25% and non-imposition of individuals earning a gross monthly income of KES 24,000;
- a reduction of turnover tax from 3% to 1% for all micro, small and medium enterprises;
- a reduction of value-added tax rate from 16% to 14% with effect from 1 April 2020; and
- the release of KES 10 billion (approx. USD 95 million) verified VAT refunds within 3 weeks or to allow the outstanding VAT refunds to be offset against VAT withheld by appointed withholding VAT Agents.

LIBERIA

On 22 March 2020, Liberia made a "Declaration of National Health Emergency", which has been followed by a confirmation by parliament (in accordance with Article 88 of the Constitution) of a 60 day state of emergency across the country, including an initial 21 day lockdown period over 4 counties from 11 April 2020, enforced by patrols of the armed forces, which currently remains in effect. This has entailed the closure Government offices and non-essential businesses. As a result of the lockdown, thousands of people began leaving the capital to travel to rural areas. As at 22 May 2020, the country had 240 confirmed cases of COVID-19 and 23 deaths.

The healthcare system in Liberia is particularly under-equipped: 1 laboratory in country is capable of carrying out tests and there is a shortage of printers and ink; there is hospital space for up to 30 patients and only 1 ventilator in the country. Unfortunately, Médecins sans Frontières has had to suspend certain programmes, such as that of paediatric surgery, and stop new enrolments in others, such as their mental health programme, in order to focus on the COVID-19 pandemic. However, MSF has commenced awareness and soap distribution campaigns to the most vulnerable communities in addition to providing donations and advice to Liberia's Ministry of Health and the COVID-19 treatment centre in Monrovia. Also, Liberia's healthcare sector has not yet fully recovered from the high number of deaths of its healthcare workers during the Ebola outbreak only a few years ago; people are afraid of stigmatisation, particularly as those testing positive have had their names announced in the media, which, MSF says, is adding to the difficulty of carrying out widespread testing.

The World Bank is providing USD 7.5 million to Liberia as part of its COVID-19 Emergency Response Project. This is in addition to ongoing support provided through the Second Regional Disease Surveillance Systems Enhancement (REDISSE II) project which has made available up to USD 9.5 million for the response (the REDISSE II project began in reaction to the 2014 Ebola outbreak).

The focus in Liberia is on prevention of contagion and the following measures have been taken:

- the United Nations Population Fund (UNFPA) is working with the Infectious Disease and Epidemiology Division at the National Public Health Institute of Liberia by urgently recruiting, training and deploying “contact tracers”. The tracers will systematically trace each person known to have been in contact with a confirmed case of the disease. The tracers identify possible infected persons, monitor them for symptoms and refer them for testing. Tracers also provide education on infection prevention to communities. This system was similarly employed during the Ebola outbreak 6 years ago;
- an initial 21 day lockdown period came into effect from Saturday 11 April 2020 across Montserrado County, Margibi County, Nimba County and Grand Kru County and has been extended twice until 26 May 2020. The lockdown includes compulsory wearing of masks in public and a curfew beginning at 3.00pm each day;
- the airport is closed and flights are suspended;
- schools and places of worship are closed and public gatherings are restricted, but radio broadcasts of lessons for different levels of education have commenced, interspersed with a variety of public health messages (not only on preventing the spread of the virus but also, for example, preventing abuse of women and children, and avoiding pregnancy among the youth population);
- amid large-scale closure of businesses due to the lockdown, there is uncertainty in practice whether certain government institutions will be allowed to re-open with skeleton staff or will be forced to remain closed for the full lockdown period. However, the Corporate Registry, for example, will remain closed until end May 2020 despite the need for all company filings to be made in person (they cannot be done online or simply delivered by courier to the Registry). Also, the Publishers Association of Liberia has suspended print versions of all newspapers until lockdown comes to an end, which is particularly significant in a country where many do not have internet access. Reporters Without Borders have called on the Liberian Government to provide financial assistance to the media;
- despite the lockdown, Liberia is proceeding with the offshore petroleum licensing round that it announced in April 2020, with information (including seismic data) being made available online. This licensing round covers 9 blocks (LB-25 to LB-33) in the entirely undrilled Harper Basin, off the southwest coast of Liberia, and the offer submission window will run from 1 November 2020 to 28 February 2021. This follows the 2019 amendments to the country’s Exploration & Petroleum Law, 2016 and amendments to the fiscal regime;
- the Ministry of Youth and Sports has launched a “National Youth Taskforce Against COVID-19” to help spread the message in communities regarding protection against the pandemic and to do away with myths around the virus such as the belief that young people are immune. The Taskforce will assist the government of Liberia in distributing bleach/chloride, soap and buckets;
- at the time of writing, the government had not yet published any decrees or laws on measures to be taken. However, as part of the parliamentary approval of the State of Emergency and lockdown, a budget (partly funded by the above mentioned World Bank contribution) was approved to include distribution of food supplies to the counties most affected by the virus; hazard pay to health workers; and free water and electricity during the State of Emergency. Amid fears of corruption, an Emergency Oversight Committee will be established to ensure that funds are properly spent during the crisis; and
- in order to spread the message as far as possible, President George Weah has recorded a song with gospel singers, titled “*Let us stand together and fight corona virus*”, on preventing the spread of COVID-19.

MADAGASCAR

As of 22 May 2020, Madagascar had 448 cases of COVID-19 and 2 deaths. A 15 day state of health emergency was declared by President A. Rajoelina on 21 March 2020²⁰ and extended for 15 days on 16 May²¹. The following measures have been taken in recent weeks:

- a 15 day lockdown of the country's two main cities and their region, ie the regions of Analamanga (Antananarivo) and Tamatave, where the Taomasina Autonomous Port is located, became effective on 23 March 2020 and a curfew is in place from 8.00pm to 5.00am;
- administrative services are reduced, with the exception of health, justice, public safety, water and electricity utilities and roads, and the work of courts and tribunals has been slowed. However, the continuation of the activities of private sector employees will depend on the decision of employers;
- the government ordered the suspension of all international flights for 30 days effective 20 March 2020, and the testing of all individuals who arrived into Madagascar within the 14 days prior to 19 March 2020. In addition, all transport and lines from and to Antananarivo and Tamatave has been suspended effective 25 March 2020;
- on 26 March 2020, the Minister of Economy and Finance announced several tax relief measures for businesses, including the postponement of dates for both the declaration and payment of a variety of taxes, in particular in the tourism sector; and the ability to declare and pay taxes via telepayment so as to limit in person interaction;
- the government has also implemented controls to regulate the sudden, artificial increase in the price of basic commodities; and
- a hotline number has been set up so that anyone can ask for free information about the COVID-19 outbreak or report cases. An Operations Centre, "CO-COVID19", has also been set up and stocked with medical equipment, personal protective equipment for medical staff, and medicine.

Additionally, on 3 April, the IMF executive board approved a USD 165.99 million disbursement under the Rapid Credit Facility (RCF) to help the country meet the urgent balance of payment needs stemming from the outbreak of COVID-19. This news came just days after the World Bank and WHO announced the release of USD 3.7 million to support the country's efforts against COVID-19.

MALI

As at 22 May 2020, there were 947 confirmed cases of COVID-19 in Mali and 60 deaths. On 25 March 2020, President Ibrahim Boubacar Keïta declared a national health emergency:

- a night curfew has been instituted across the country from 9.00pm to 5.00am every day since 26 March 2020 and until further notice²²;
- land borders are closed until further notice except for freight and cargo and repatriation of Malian nationals and certain foreign nationals in Mali. Markets remain open in particular for basic necessities;

- all commercial court hearings have been suspended for 3 weeks since 19 March 2020 until 15 April 2020, but the courts' activities relating to the proper functioning of the public service, including the handling of cases of an urgent nature, will be maintained (as per a Notice to litigants and other users of the court sent by the Commercial Court of Bamako on 20 March 2020). This suspension was extended for the second time on 19 May 2020 but the communiqué has not yet been published;
- the country has closed schools until 9 May 2020 and prohibited gatherings of more than 50 people; and
- however, legislative elections, considered to be an important part of the political effort in a decision of the Inclusive National Dialogue, took place as planned (but with the implementation of barrier measures) on 29 March 2020 (first round) and 19 April 2020 (second round).

MAURITIUS

As of 22 May 2020, there were 332 confirmed cases of COVID-19 in Mauritius and 10 deaths. There have been no new infections over the past 21 days. Full lockdown remained in place until 15 May 2020, upon which confinement measures began to be eased.

The COVID-19 (Miscellaneous Provisions) Act 2020 (the "COVID-19 Act") and the Quarantine Act 2020 (the "New Quarantine Act") were passed on 15 May 2020 and published in the Government Gazette on 16 May 2020. Confinement is set to end fully at the beginning of June and these 2 Acts will regulate the resumption of business within certain public health parameters. Additional regulations will need to be enacted to cover, for example, light rail commuting and the transport industry in general, and the prevention of resurgence of epidemics and disease transmission. The COVID-19 Act provides for the extension of periods for (i) the fulfilment of various contractual and administrative obligations (renewal of a permit; service of a notice; payment of a fee; submission of a report; doing or refraining from doing an act); (ii) instituting or lodging judicial proceedings (before courts, tribunals, commissions or otherwise); or (iii) rendering a decision or determination. Regulations will be required to set out the details of these permitted extensions. The COVID-19 Act covers, inter alia, measures to assist both the Government of Mauritius and the private sector recover from the crisis; employment law amendments; taxes and customs laws amendments; and company law matters such as the holding of annual general meetings as well as insolvency law processes.

During the lockdown, key measures implemented included the following:

- a nationwide curfew order (effective since 23 March 2020, continuing until 1 June 2020) except for essential services with travel permit under the curfew order. As a result, all educational institutions and all religious centres and institutions remain closed. Supermarkets and grocery shops are open Mondays to Saturdays during specific hours, allowing the population on an alphabetical basis to make their purchases twice a week;
- a complete travel ban and closure of Mauritian borders. In particular, airports and ports were closed on 23 March 2020 and there is an ongoing prohibition of any passenger (excluding crew members) or conveyance (excluding a conveyance transporting goods) from boarding / disembarking / otherwise entering the territory of Mauritius until 4 May 2020;
- a 20% reduction in the electricity bills for some 65,000 "vulnerable" households; a 10% reduction for small businesses whose electricity consumption does not exceed 125 kilowatts.

The government also took specific measures to support employment:

- the introduction of a Government Wage Assistance Scheme allowing private sector businesses to receive, in respect of its wage bill for the month of March 2020 (recently extended to include April), an amount equivalent to 15 days' basic wage bill for all of its employees drawing a monthly basic wage of up to MUR 50,000, subject to a cap of MUR 12,000 of assistance per employee. Only those employees in respect of whom monthly National Pensions Scheme contributions are paid may benefit from the scheme;
- the introduction of a Self-Employed Assistance Scheme for self-employed individuals who are in business (eg hairdressers, hawkers, etc.) and casual workers (eg builders, plumbers, artists etc) to receive financial support of MUR 5,100 for the period 16 March 2020 to 15 April 2020 (recently extended to 30 April 2020).

A number of measures have also been taken to support the overall economy, including:

- the introduction by the Bank of Mauritius of a Special Relief Programme in an amount of MUR 5 billion through commercial banks from 16 March to end July 2020. The programme will consist of loans with a maturity of 2 years at an interest rate of 2.5% per annum inclusive of a moratorium of 6 months on capital and interest payments. These loans will be used to meet the cash flow and working capital requirements of operators affected by COVID-19 across all sectors of activities including local manufacturing and small and medium businesses;
- a reduction announced by the Bank of Mauritius of 0.5 percentage point in the Key Repo Rate, from 3.35% to 2.85%;
- a 6 month moratorium granted to micro, small and medium businesses (ie whose turnover does not exceed MUR 50 million) on capital repayments. Eligible businesses will also benefit from a 6 month moratorium on interest payments in respect of their existing loans with commercial banks;
- introduction by the Bank of Mauritius of a 2020 Savings Bond for individuals and NGOs at an interest rate of 2.5% per annum payable every 6 months. The bond will have a maturity of 2 years and will be issued until the amount of MUR 5 billion has been subscribed for;
- a Revolving Credit Fund of MUR 200 million will be established at the Development Bank of Mauritius Ltd (the "DBM") to help companies with a turnover of up to MUR 10 million to ease cash flow difficulties up to 31 December 2020. Under this scheme, the DBM will disburse an amount not exceeding MUR 1 million to an eligible applicant and the funding to the applicant companies will be interest-free, provided that it is repaid within nine months. Otherwise, DBM will charge interest at a commercial rate;
- announcement by the Mauritius Research and Innovation Council of a Special Call for proposals for fast-track innovative projects to counter the impacts of COVID-19. The deadline for submitting application is 17 April 2020. The MRIC has earmarked funds to finance e-entrepreneurs, researchers and start-ups. Projects that can be funded under this Special Call are encouraged to leverage existing infrastructure, capabilities and networks with local partners. The maximum amount per grant is MUR 2 million and MUR 1 million over 3 to 9 months respectively;
- taxpayers who are unable to submit their returns/statements, or effect payments on or before the relevant

deadline, will not be charged any penalty or interest for late submission of returns/statements or late payments;

- with respect to administrative penalties and to alleviate the regulatory burden on the licensees, the FSC will not charge administrative penalties for late filings and reporting obligations due for end of March 2020 arising strictly because of the curfew, provided submissions due at end March 2020 are made on or before 30 June 2020;

With regard to the health sector specifically, additional funds of MUR 208 million have been made available to the Ministry of Health and Wellness for the acquisition of new medical accessories and equipment, of which MUR 108 million have already been disbursed.

On or around 22 April 2020 Air Mauritius was placed under judicial review (*redressement judiciaire*). It is currently uncertain whether the State will intervene to financially assist the company.

Also important to note, though not directly related to the COVID-19 crisis, is that on 7 May 2020 Mauritius was added to the European Union's latest draft list of high-risk jurisdictions (countries which, in the EU's view, have strategic deficiencies in their policies on anti-money laundering and countering the financing of terrorism). Mauritius committed to the Financial Action Task Force action plan in February 2020 and has since submitted its first progress report but this has not yet been reviewed by the FATF due to lockdown measures in the COVID-19 pandemic. Mauritius has objected to its inclusion on this list.

MOROCCO

As at 22 May 2020, there were 7,300 confirmed cases of COVID-19 in Morocco and 197 deaths. A state of health emergency was declared on 19 March 2020 by a decree²³, and will remain in force until 10 June 2020. The country has recently entered a massive test phase to screen for internal clusters.

A number of measures have been taken by the authorities, including the following:

- the closure of borders;
- the suspension of international flights;
- the closure of ports except for goods;
- containment (including closure of schools and mosques) in force until 10 June 2020,
- the mandatory wearing of face masks for all persons authorised to move; and
- the suspension of most judicial hearings.

On the economic level, the authorities have taken or announced the following measures:

- as part of a gradual and orderly transition to a more flexible exchange rate regime, the authorities broadened the dirham's fluctuation band to +/- 5% (from +/- 2.5%) on 6 March 2020;

- the capital market authority has revised downwards the maximum variation thresholds applicable to financial instruments listed in the Casablanca stock exchange;
- a decree-law adopted on 6 April 2020 authorises the government to increase external borrowings beyond the ceiling approved in the 2020 budget act;
- the restructuring of a USD 275 million loan granted by the World Bank to support disaster risk management policies;
- on 7 April 2020, in order to mitigate the impact of the crisis on its economy and maintain its foreign exchange reserves at an adequate level, Morocco drew on the Precautionary and Liquidity Line (LPL) (under the agreement concluded with the IMF) for an amount equivalent to USD 3 billion, repayable over a period of 5 years, with a grace period of 3 years;
- the central bank also adopted monetary and prudential policy measures to support access to loans for households and businesses, by increasing the banks' refinancing capacity (possibility of recourse by banks to all refinancing instruments in dirhams and foreign currencies, extension of the duration of the refinancing operations, extension of the securities and bills accepted by the bank in return for the refinancing granted etc). It has also suspended loan payments for small and medium-sized businesses and self-employed people until 30 June 2020;
- tax relief measures were decided on 16 March 2020 by the Comité de Veille Economique (eg postponement of the deadlines for (i) the declaration of tax results; (ii) the additional corporation tax due for financial year 2019; and (iii) the first tax instalment due for the current financial year);
- a special fund of 10 billion dirhams (approx. EUR 900 million) has been set up to support the various sectors affected by the crisis;
- compensation for employees who have lost their jobs; and
- the government issued a circular letter on 14 April 2020 requiring all administrations and public institutions to comply with strict measures aimed at rationalising their expenditures and redirecting available resources towards the areas where they are most needed to address the crisis.

NIGERIA

As of 22 May 2020, there were 7,016 confirmed cases of COVID-19 in Nigeria (including some 20 persons that reportedly work closely with the President, the majority of which are based in Lagos) and 211 deaths (including in particular the President's chief of staff on 17 April) had been announced. Frequent updates on the situation in-country are provided by the Federal Ministry of Health, the Nigeria Centre for Disease Control and the Lagos State Ministry of Health. To expand and accelerate testing during the pandemic, the NCDC has begun to engage with private laboratories, too. A Presidential Task Force was created to review measures on a daily basis and an initial injection of Naira 10 billion was provided for the purposes of a national response to COVID-19. On 7 April 2020, the Emergency Economic Stimulus Bill was passed by the House of Representatives (still to be passed by the Senate).

On 30 March 2020, President Muhammadu Buhari signed the COVID-19 Regulations 2020 providing for the following:

- the restriction / cessation of movement (that is, confinement) in Lagos the Federal Capital Territory and Ogun State for an initial period of 14 days (effective 11.00pm on the same day) with exceptions for food, petroleum, power and private security companies;
- the suspension of all commercial and private air travel;
- a 3 month postponement of loan repayment obligations; and
- the provision of 2 months' worth of food rations to internally displaced persons.

The Control of Infectious Disease Bill, which has already passed 2 readings by the House of Representatives, seeks to replace the existing Quarantine Act. Under this Bill, a penalty of between N200,000 and N5 million as well as jail terms for violators, rather than the N500 fine from the previous Quarantine Act, would be imposed. The significant increase in penalties and the restrictions on freedom of movement has raised opposition from members of the public who argue that it infringes on human rights and, having used as a basis the Singapore Infectious Disease Act, 1977, they argue that it is inappropriate for Nigeria. A public hearing on the bill is expected to take place in the next few weeks.

Other measures include:

- since 29 March 2020, most states have implemented some kind of partial or total lockdown;
- a draft stimulus bill is before the legislature (yet to be voted into law) that would (i) protect employees from loss of jobs as a result of COVID-19 by granting a 50% income tax rebate to Nigerian companies who retain all their employees from 1 March 2020 to 31 December 2020; (ii) suspend import duties on medical equipment, medicines and personal protective gears for 3 months, effective 1 March 2020; and (iii) introduce a new moratorium on mortgage obligations of Nigerians under the National Housing fund;
- all international flights are suspended and land borders are closed (except for exceptional / emergency flights, eg. bringing medical supplies);
- the President announced on 29 March 2020 that as of 11.00pm on 30 March 2020, there would be a 14 day complete lockdown of Abuja, Lagos (being the COVID-19 epicentre in Nigeria) and Ogun state (a major manufacturing / industrial zone) for 14 days – the focus has been on preventing inter-city and inter-state movements. People are not allowed to leave the house, with the exception of so-called "essential workers" (in the healthcare, pharma, necessity of life industries). This lockdown was extended by the President and will be followed by a phased and gradual easing that will include overnight curfew for non-essential services, nationwide mandatory wearing of face masks in public spaces and a ban on non-essential inter-state passenger travel. Due to a spike of cases, full lockdown continues in Kano State as at the date of writing;
- the country has suspended the issuance of visas for people coming from countries reporting more than 1,000 cases of COVID-19 and imposes a supervised isolation for Nigerians arriving from those countries;
- the country has closed all educational institutions, markets, religious centres and leisure sports and has restricted gatherings to a maximum of 20 people (except in the above-mentioned main cities, where there is a full lockdown);

- the country has also decided to close all of its courts by an Order of National Judicial Council of Nigeria dated 23 March 2020;
- only cargo vessels that have been at sea for more than 14 days are allowed to dock in the ports, after crews have been tested and confirmed disease-free by the port health authority;
- among legislation implemented is the Lagos State Infectious Diseases Regulations 2020 which prohibits, among other things, (i) the hoarding of essential supplies and artificial inflation in the price of food, medicines and other essential goods and services; and (ii) the dissemination of false information regarding COVID-19 and the promotion of unverified, untested or unapproved cures, vaccines or other medicinal treatment for COVID-19 (all such actions being offences subject to fines and/or imprisonment);
- as from 27 April, face masks must obligatorily be worn in public places in Lagos (no such measure has yet been taken for the rest of the country); and
- Nigeria's parliament on 25 March 2020 unanimously approved a 2 week leave of absence for all of its elected representatives to ensure their safety, after the chief of staff to President Muhammadu Buhari and a state governor tested positive for COVID-19 in Lagos.

From the beginning of May 2020, Nigeria began to ease restrictions in parts of the country (notably Lagos and Abuja), allowing a partial reopening of markets and shops (though not of places of worship and schools). The Governor of Lagos, in allowing the resumption of commercial activity to some extent from 11 May 2020, has warned that lockdown will be re-introduced if social distancing rules are not respected. Restrictions were initially intended to be reduced gradually over a 6 week period but the rapid growth in infection has resulted in the Government extending the ban on religious services, for example. Travel between states continues to be banned. Curfews have been introduced as part of the lockdown easement and face-masks are obligatory in public: approximately 1,400 people have been arrested in Lagos for breaking these rules. The Government has tightened restrictions in the country's second-largest city, Kano, which has become a pandemic hotspot despite official figures, though measures are reportedly not being respected. There is significant concern that Kano's location and connectivity to surrounding regions will result in the pandemic spreading farther and faster than ever.

A significant problem that has arisen during lockdown is that of food security: while farmers continue to produce and harvest crops, the issue lies in transporting the food to towns: truck drivers do not travel to farms consistently, amid fears of the spread of the virus and being targeted by police for breaching lockdown rules. Notably, as part of the lockdown easement measures, Nigeria has begun to limit interstate transport of goods and services officially.

As an aside, Nigerian cybercrime group, Silver Terrier, has launched numerous COVID-19 themed malware attacks on healthcare institutions and related supply chains, using 170 different types of phishing emails.

RWANDA

As at 22 May 2020, there were 320 confirmed cases of COVID-19 in Rwanda.

Rwanda announced several measures on 21 March 2020. By a cabinet communiqué dated 1 April 2020 following an extraordinary cabinet meeting chaired by the President, the existing measures to fight COVID-19 have been extended until 30 April 2020.

These measures are as follows, alongside usual sanitary measures (such as social distancing, forbiddance of handshaking):

- complete closure of borders except for goods, cargo and returning citizens who will be subject to a mandatory 14 day quarantine;
- travel between Rwanda's cities and districts is forbidden;
- only markets selling food and medicine and banks will remain open;
- farming activities will continue in preparation for the ongoing agriculture season;
- all bars are closed; restaurants and cafés can only provide take-away services;
- places of worship remain closed;
- schools and higher education institutions are closed and are encouraged to use technology to continue instruction;
- all employees will continue to work from home, except for those providing essential services;
- non-essential movement outside the home is forbidden by the lockdown declared on 22 March 2020;
- Rwanda has started to share food for free and the country is also making electricity distribution free to all its citizens; and
- the mandatory wearing of face masks in public spaces and within multi-person households.

The country has also taken economic measures. The Rwandan Central Bank has announced a relaxation of bank loan repayment terms for businesses and individuals affected by COVID-19. Around EUR 50 million are also being released for commercial banks, which would require additional liquidity. In order to prevent the transmission of the virus through the exchange of money, the authorities have also removed all fees on digital transactions.

SENEGAL

As at 22 May 2020, there were 2,909 confirmed cases of COVID-19 and 33 deaths. On 23 March 2020, President Macky Sall declared a national health emergency by decree²⁴, on the basis of article 69 of the Constitution and law no. 69-29 dated 29 April 1969 related to the state of emergency.

On 3 April 2020, by a decree No. 2020-1014, the President extended the national health emergency by 30 days²⁵.

A number of measures have been taken to date which were extended on 3 May 2020 for 30 days. On 11 May 2020 President Macky Sall announced the easing of some of the following lockdown measures:

- night curfew from 8.00pm to 6.00am since 23 March 2020. As of 12 May 2020, these hours have been reduced from 9.00pm to 5.00am;

- markets and other businesses that were subject to special opening days are now allowed to be open 6 days and must remain closed on a day dedicated to cleaning that will be determined by the competent authority according to local contingencies;
- limitations on public transportation and prohibition of inter-urban transportation; prohibition of processions, parades, rallies, gatherings of people and demonstrations. However, places of worship are gradually reopening and classes will resume on 2 June 2020 in secondary education;
- the permits allowing the right to circulate on the national territory have been temporarily suspended (with an exception in certain situations such as serious illness, transportation of a dead body and professional reasons) by a decree issued on 7 April 2020 by the Ministry of the Interior²⁶;
- all international flights are suspended and land borders have been closed from 21 March 2020 until 31 May 2020;
- administrative services are still running with a specific adjustment to working hours²⁷;
- all courts had been closed from 14 March 2020 for a period of 3 weeks and court hearings had been suspended save for emergency proceedings. However, the suspension seems to have been lifted and hearings have resumed;
- public notaries and bailiffs were, for the most part, still working at the time of writing;
- on 1 April 2020, the parliament passed a bill empowering the President to issue by ordinance, and for a period of 3 months, measures of a legislative nature, in order to meet the budgetary, economic, social, health and safety requirements to fight COVID-19;
- on 8 April 2020, the Council of Ministers held a meeting by videoconference and adopted (i) a draft decree creating and setting the rules of organization and operation of the "Committee for Monitoring and Implementation of the Operations of FORCE-COVID 19", and (ii) a draft decree authorizing financial institutions of a banking nature to receive deposits of public funds;
- on 10 April 2020, the President adopted an ordinance which prohibits layoffs and dismissals during the period of COVID-19 except in case of gross negligence, and imposes the guarantee of an income at least equivalent to the minimum wage and to 70% of the average income during the 3 previous months to an employee placed on technical unemployment²⁸;
- on 15 April 2020, Senegal adopted a draft law (i) on the extension of time limits in civil, commercial, social and administrative matters and the suspension of expulsion measures; (ii) on the suspension of appeals, the execution of court decisions and the extension of certain time limits in criminal matters; and (iii) a draft decree establishing general regulations on public accounting;
- on 17 April 2020, Senegal ordered the mandatory wearing of face masks in public spaces as of 20 April 2020; and
- on 23 April 2020, the Council of Ministers adopted several texts, including a draft ordinance on tax measures and business support measures; draft ordinance relating to the duty and tax free admission of sanitary materials to be used in the fight against the pandemic.

Senegal has taken a series of measures since the beginning of the crisis to support businesses and households financially impacted by COVID-19, including:

- FCFA 69 billion, instead of the FCFA 50 billion initially planned, for the purchase of food for the benefit of 1 million eligible households;
- a response and solidary fund of FCFA 12.5 billion for the diaspora;
- an envelope of FCFA 100 billion for companies in industry sectors which have been most impacted (transport, hotels, agriculture);
- a financing mechanism of FCFA 200 billion in the financial sector and other partial corporate tax relief);
- among the tax measures, the President announced on 3 April 2020 that small and medium-sized enterprises whose turnover is less than or equal to FCFA 100 million will benefit from a deferred payment of taxes until 15 July 2020;
- Senegal has also implemented the reimbursement by the state of VAT credits within shortened deadlines to deliver cash to companies;
- as an employment-related measure, tax rebates and suspensions will be granted to companies which undertake to keep their workers in activity for the duration of the crisis, or to pay more than 70% of the wages of non-active employees during this period.

SOUTH AFRICA

The COVID-19 pandemic was declared on 15 March 2020 to be a national disaster in terms of the Disaster Management Act No. 57 of 2002 (as amended). South Africa, like some European countries, has taken the decision to impose full lockdown (quarantine) measures on the population from midnight on 26 March 2020, recently extended until the end of April 2020. President Cyril Ramaphosa announced the restrictions on 23 March 2020 alongside actions to alleviate the economic and financial consequences of the pandemic and numerous directives and regulations have been promulgated under the Disaster Management Act and other legislation across a variety of sectors.

On 23 April 2020, the President announced that, from 1 May 2020, the country would move from “Level 5 Lockdown”, which allowed only essential workers to leave their homes, to “Level 4”, allowing the resumption of certain key activities in the country to varying degrees:

- agriculture, hunting, forestry, fishing and related services, including the export of agricultural products, permitted to operate;
- in construction and related services, road and bridge projects, other public works civil engineering projects and critical maintenance and repairs will commence;
- the following manufacturing sectors to scale up to 50% employment: (i) automotive manufacturing, including components; (ii) cement, other construction material, and hardware; and (iii) stationery production. All other manufacturing will scale up to 20% employment.

It remains to be seen when the country will advance to Levels 3, 2 and 1 (largescale resumption of normal activity).

As at 22 May 2020, with Level 4 Lockdown having been in place for approximately 2 weeks, 19,137 cases of COVID-19, including 369 deaths, had been recorded in South Africa. In Level 4 Lockdown, the key focus is on identifying and isolating new hotspots of infection: to do so, software that has previously been used to track and protect rhinoceroses against poachers has been adapted to track infected persons and those who have come into contact with them. This is in part aided by cell phone data which cellular providers are obliged to provide to the Ministry of Health (reducing its potential use by police or security agencies). The software adds to healthcare workers' door-to-door household screening process. The Government has urged all provinces in South Africa to fill frozen and vacant nurses' posts for the pandemic and beyond. There has also been increased recruitment of social workers country-wide in light of the pandemic.

On 16 May 2020, the President's Coordinating Council met to discuss preparation for a move to Level 3 Lockdown. Contrasted with the focus of decreasing lockdown status further amid economic strife, is the continued concern over the spread of the virus in some of the poorest areas of the country. Overcrowding in numerous impoverished areas make social distancing difficult in practice. Many have expressed fear over starvation as a result of the lockdown more than the spread of the virus and incidences of violence and looting have emerged. The police and army have already been criticised for the heavy-handedness in dispersing people (using whips, rubber bullets and tear gas) and confiscating food/goods of informal traders.

The key steps that have been taken since the "Level 5 Lockdown" commenced include the following:

- the army has been deployed alongside the police to ensure that movement restrictions are respected (failure to do so is an offence): all persons are to remain indoors except to purchase essential food and medicine or to collect welfare grants. Schools have closed along with all non-essential businesses. Gatherings of over 100 people are prohibited and overseas travellers are automatically quarantined. The country is considering how to define the role of traditional healers, while emphasising that they must adhere to government regulations;
- economic interventions include: (i) the Unemployment Insurance Fund has made ZAR 30 billion available to support workers who lose their jobs because of the virus; (ii) tax subsidies for small businesses and individuals; (iii) emergency funds and debt relief for small businesses. Temporary disability grants and Care Dependency and Foster Child Grants have also been extended until the end of October 2020. Financial assistance will largely funded by the Industrial Development Corporation, the Department of Trade and Industry, and a Solidarity Fund to which the government and wealthy individuals have already contributed and President Cyril Ramaphosa announced on 9 April 2020 that one third of the salaries of all members of parliament would be donated to this fund. Further intervention is being discussed by the National Economic Development and Labour Council. The South African Reserve Bank has decreased the interest rate by 100 basis points;
- workplaces or premises must implement the required care and maintenance procedures to prevent the destruction or significant impairment of the working areas, plant, machinery or inventory. In relation to mines in particular, the obligation on employers not to permit any employee to do any work unless the necessary precautionary measures are taken applies during the period of lockdown where mines are placed under care and maintenance (however, mines involved in the production, processing, or supply of essential goods, such as coal, may proceed with operations);

- regulations were published under the Competition Act 89 of 1998 to (i) exempt the healthcare sector from certain restrictions on horizontal and vertical practices; and (ii) put in place a particular set of criteria by which to assess excessive pricing during this disaster period (for more on this subject, please see the HSF article published on 20 March 2020²⁹) (note that the hard-line prohibition on collusion remains intact); and
- the government has instructed mobile phone networks to assist in tracking those exposed to the virus, raising privacy concerns. Former Constitutional Court judge Kate O'Regan has been designated to oversee government's use of personal information, ensuring, for example, that all such information is destroyed once the crisis has come to an end.

In the midst of the COVID-19 pandemic, South Africa has been downgraded by S&P Global, Moody's and Fitch and the country's credit rating is now at "junk status", while the currency continues to weaken. Some have argued that ratings agencies should hold off on their assessments during the global crisis, given that so many countries worldwide are facing unprecedented difficulties.

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 9. Décret exécutif n° 20-69 du 26 Rajab 1441 correspondant au 21 mars 2020 fixant les mesures de prévention et de lutte contre la propagation du Coronavirus (COVID-19) ; Décret exécutif n° 20-70 du 29 Rajab 1441 correspondant au 24 mars 2020 fixant des mesures complémentaires de prévention et de lutte contre la propagation du Coronavirus (COVID-19) ; Décret exécutif n° 20-72 du 3 Chaâbane 1441 correspondant au 28 mars 2020 portant extension de la mesure de confinement partiel à domicile à certaines wilayas ; Décret exécutif n° 20-86 du 8 Chaâbane 1441 correspondant au 2 avril 2020 portant prorogation des dispositions relatives aux mesures de prévention et de lutte contre la propagation du Coronavirus (COVID-19) ; and Décret exécutif n° 20-92 du 11 Chaâbane 1441 correspondant au 5 avril 2020 modifiant et complétant le décret exécutif n° 20-72 du 3 Chaâbane 1441 correspondant au 28 mars 2020 portant extension de la mesure de confinement partiel à domicile à certaines wilayas).
 10. Decreto Presidencial n.º 81/20 de 25 de Março.
 11. Most of these measures result from Decreto Presidencial n.º 128/20 dated 8 May 2020.

¹² Decreto Legislativo Presidencial Provisório n.º 1/20 de 18 de Março

12. Decreto Legislativo Presidencial Provisório n.º 1/20 de 16 de Março.

13. Decreto Presidencial n.º 82/20 de 26 de Março.

14. Decreto Presidencial n.º 98/20 de 9 de Abril.

15. Decree No. 499 dated 2 April 2020.

16. Decree No. 1001 dated 15 May 2020.

17. Decree No. 0374 dated 24 March 2020.

18. Décret n° 2020-93 du 30 mars 2020 portant déclaration de l'état d'urgence sanitaire en République du Congo.

19. Arrêté n° 000006 /MESRSTT/2020 du 13 Mars 2020 portant fermeture provisoire des établissements d'enseignement supérieur public et privé sur l'étendue du territoire national and Arrêté n° 000008/ PM du 25 février 2020 instituant le Comité de pilotage du plan de veille et de riposte contre l'épidémie à coronavirus au Gabon.

20. Décret présidentiel n° 2020-359.

21. Décret n° 2020-483 du 16 mai 2020 prolongeant la durée de l'état d'urgence sanitaire sur tout le territoire de la République.

22. Décret N°2020-0170/P-RM du 25 mars 2020 instituant un couvre-feu.

23. Décret-loi n°2.20.292 du 16 mars 2020 portant sur les dispositions relatives à l'état d'urgence sanitaire et aux procédures de sa déclaration.

24. Décret n° 2020-830 du 23 mars 2020, proclamant l'état d'urgence sur tout le territoire national.

25. Décret n° 2020-925 du 3 avril 2020 prorogeant l'état d'urgence sur l'étendue du territoire national.

26. Arrêté n° 008622 portant suspension temporaire des autorisations spéciales de circuler.

27. Décret n° 2020-875 du 25 mars 2020 portant réaménagement, à titre provisoire, des horaires de travail dans les services administratifs de l'État.

28. Ordonnance n° 001-2020 du 8 avril 2020 aménageant des mesures dérogatoires au licenciement et au chômage technique durant la période de la pandémie du COVID-19.

29. <https://www.herbertsmithfreehills.com/latest-thinking/covid-19-africa-so...>

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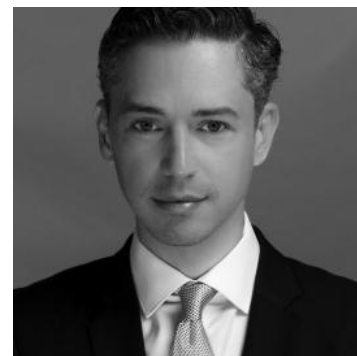
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