

The state of human rights during the COVID-19 pandemic in East-Central Europe



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Edited by Dániel Mikecz

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Editor's note

The COVID-19 pandemic already resulted in crucial economic and political changes globally. In an emergency situation, extraordinary measures by governments could be necessary, nevertheless, democratic institutions and minority rights should be respected. In Hungary, the parliamentary supermajority of the Fidesz party supported prime minister Viktor Orbán to govern with decrees without a temporal limit. Since March 30 not even the Fidesz MPs can control the government, which was crucial for Orbán in the tight-fisted management of the economic crisis followed by the pandemic. In Poland, the right-wing populist PiS party planned to hold the presidential election during the pandemic, which could harm the health of active citizens while could also have a negative effect on turnout.

Beyond the national level in the European Union the coronavirus could backslide integration as borders are closed, the movement of persons is restricted and distrust in international organizations grew. Nevertheless, citizens in populist regimes are witnessing how the constricted public sphere and crooked governance lead to policy failures. Also, the need for international cooperation in challenging global risks might give a new momentum for European integration.

In our project 'Public opinion and the state of human rights during the COVID-19 pandemic in East-Central Europe' we wish to assess the illiberal tendencies, freedom restrictions related to emergency measures and centralization during the COVID-19 pandemic and the subjective perception of these in the Czech Republic, in Hungary, in Poland, and in Slovenia. We are also interested if the emergency situations and special measures by central governments can have an irreversible effect on human rights and individual freedom. We are focusing in this regard on citizen's reactions and attitudes. This volume summarizes the lessons of the project in four country-case studies. The volume's chapters are demonstrating that right wing populist political forces deliberately exploited the pandemic to put forward their agenda of dismantling rule of law, media freedom and to undermine the liberal element of democracies.

Natasa Briski: THE CORONAVIRUS RELATED LOCKDOWN MEASURES, HUMAN RIGHTS VIOLATIONS AND THE EU'S PERCEIVED ROLE IN SLOVENIA

On March 4th, 2020 Slovenia confirmed the first case of infection (The first case of novel coronavirus infection confirmed in Slovenia, 2020) of COVID-19 disease (SARS-CoV-2 virus). Due to the growing number of coronavirus infections and based on an expert assessment by the National Institute of Public Health an epidemic was declared (Slovenia declares coronavirus epidemic, 2020) a little over a week later, on March 12th, 2020.

To limit the spread of infection various measures included testing, isolating patients, finding contacts, quarantining high-risk close contacts, hand and cough hygiene and respecting the physical distance. Doctors also called to shut down educational institutions, extend the closure to all places where people gather and urged people to stay indoors in order to prevent the epidemic from unfolding the way it has in neighbouring Italy, at that time the epicentre of Covid-19 outbreak in Europe.

Meeting for its maiden session the new Slovenian government was sworn in on March 13th (14th Government of Slovenia, 2020) immediately set up a coronavirus crisis unit and soon put in place sweeping new emergency measures to curb the spread of the novel pathogen.

Lockdown measures

With a number of exceptions, 14th government of Slovenia adopted a decree temporarily banning gatherings and movement of people in public areas (Novak, 2020). People were allowed to leave home only to go to work, the pharmacy and to buy groceries at their closest shop, to go outdoors and to parks, but only alone or with people living in the same household. Protective gloves and face masks were mandatory in closed public places.

Public passenger transport was temporarily suspended (STA: Public transportation services suspended as of Monday, 2020). Slovenia shut down air traffic. Work was largely suspended or reorganized from home. All schools were closed and started gradually reopening in second half of May. Indoor events were banned and all cultural events have been cancelled. The health service postponed all preventive health checks and hospitals were closed to visitors. The vast majority of shops, all bars and restaurants, hotels, and service establishments such as hair salons were shut down by decree.

New rules enforced grocery shops to be open from 8 am to 8 pm, and for the first two hours groups particularly vulnerable to infections – the elderly over the age of 65,

pregnant women, and disabled persons – have been given priority. By the end of March, this time slot was reserved exclusively for these vulnerable groups of the population while pensioners were not allowed into shops after 10 am at all. They were later given an additional hour during the last hour of the shops' operation.

Strict social distancing rules were imposed and for a couple of weeks in March and April, public life in Slovenia came to a near halt. Public gatherings of more than five people were banned. Many towns locked or cordoned off playgrounds and sports grounds and facilities. In a bid to contain the spread of coronavirus Slovenia imposed a ban on exiting one's municipality of residence (The prohibition of movement outside the municipality of permanent or temporary residence in force from midnight, 2020).

Human rights restrictions and violations

Janša led government has been going out of its way to present the crisis not as medical but as a security issue, which is why it has set its mind on sending additional units of Slovenian Armed Forces with police powers on the southern border, desperately trying to activate Article 37.a of the Defence Act (Zakon o obrambi (ZObr-NPB8), 2020) on the pretext that the virus was likely to spread among migrants. The motion was voted down, though the government, as lately as September 28th, 2020, continues to push for this change (STA: Hojs: Trenutno priprtih okoli 100 tihotapcev migrantov, policija dela vedno bolje, 2020) pointing to growing numbers of migrants trying to cross the border illegally.

In the face of the coronavirus pandemic, the government also proposed provisions that would give police sweeping powers to control the movement of individuals. Article 103 (Zakon o interventnih ukrepih za zajezitev epidemije COVID-19 in omilitev njenih posledic za državljane in gospodarstvo (ZIUZEOP), 2020) (Police powers) of the bill to mitigate the consequences of the coronavirus epidemic for businesses and people would give police new powers to control Covid-19 patients, to monitor the location of individuals who opt for self-isolation instead of mandatory quarantine - to which such individuals would have to explicitly consent. In order to contain the epidemic and enforce the implementation of special measures police would have access to face recognition, the power to erect roadblocks, enter apartments, and temporarily apprehend persons. The Information Commissioner Mojca Prelesnik warned (Epidemija ne sme biti razlog za ukinitve ustavnih pravic. (2020) against the adoption arguing that proposed Articles would violate constitutional rights and turn Slovenia into a de facto police state. The provisions were met with a huge public outcry. The Ombudsman was completely left out and not consulted (Prelesnik: Širitev policijskih pooblastil bi v praksi pomenila vzpostavitev policijske države, 2020) at all.

Many were also questioning movement restrictions that limited citizens' freedom of movement to their municipalities, the necessity, and proportionality of lockdown restrictions. The Constitutional Court assessed the constitutionality of two Government decrees (Odlo ba Ustavnega sodiš a št. U-I-83/20 z dne 27. 8. 2020 – Ustavno sodiš e Republike Slovenije, 2020) adapted to contain and control the Covid-19 epidemic and at the end of August 2020 ruled, with a close decision 5 against 4, that the Government pursued a constitutionally permissible goal by introducing a restriction of movement on the municipality of residence, i.e. containment and control of the spread of the infectious disease COVID-19 and thus the protection of the health and life of people at risk.

The government's decision about when vulnerable groups of the population were allowed into shops was according to an Advocate of the principle of equality (Zadeva: Ocena diskriminatornosti 2.a lena Odloka o za asni prepovedi ponujanja in prodajanja blaga in storitev potrošnikom v republiki Sloveniji (v asu epidemije novega koronavirusa, 2020) discriminatory against those over the age of 65, as the government violated the prohibition of discrimination on the basis of personal age. According to an anonymous online survey conducted by an Advocate of the principle of equality on the situation of residents of nursing homes during the epidemic, the first results show (Zagovornik ob mednarodnem dnevu starejših: Ob varovanju javnega interesa naj bodo ukrepi im bolj sorazmerni, 2020) most residents estimated they had insufficient information about who was entitled to hospital treatment for the infection. Nearly 60 % said they felt worse because of the restrictions, most missed spending time with relatives. The Advocate started the process of identifying possible discrimination against certain elderly people (Zagovornik ob mednarodnem dnevu starejših: Ob varovanju javnega interesa naj bodo ukrepi im bolj sorazmerni, 2020).

According to report Locking Down Critical Voices (Civil Liberties Union for Europe, 2020) by Greenpeace and Civil Liberties Union for Europe: "Slovenia is among the EU members that most disproportionately restricted people's freedoms in the Covid-19 pandemic... the Slovenian government used the fight against the pandemic as an excuse to limit critics of the government ... restrict public access to information and participation in decision-making. ... severely restricted freedom of assembly, while also encouraged the use of digital technology to track protesters. It also attacked media freedom, restricted access to information, and used rapid procedures to lower environmental standards."

Scapegoating of certain racial and social groups

Journalists and members of the media were and still are the group most frequently targeted by the current Slovenian government. Within days of assuming power Prime Minister Janez Janša and his Slovenian democratic party (SDS) started accusing public broadcaster TV Slovenija of lying or manipulating whenever the reporting was critical

to governments crisis response and dealings with protective gear. Prime minister in May even published an essay named “War with the Media” (Vojna z mediji, 2020)

Minister of Culture Simoniti proposed changes to media laws in July (eUprava – Predlog predpisa, 2020), controversial legislative amendments to the public broadcaster and press agency (STA), and it was only thanks to wide-spread protests and criticism from international bodies that the government accepted to subject the bills to a meaningful public consultation.

In 2020 Rule of law report (Slovenia country report) (2020 Rule of law report – Communication and country chapters, 2020), Slovenia has been listed among countries where journalists and other media actors increasingly face threats and attacks in relation to their publications and their work. International Press Institute (IPI) recently published an in-depth analysis of press and media freedom in Slovenia (Wiseman, 2020) and concluded: “Few countries in Europe have experienced such a swift downturn in press and media freedom after a new government came to power than in Slovenia under veteran Prime Minister Janez Janša.”

The culture and creativity sector has been hammered hard by the coronavirus pandemic. There were also number of protests (H kulturi smo se zatekli med epidemijo in kultura nam lahko pomaga tudi po njenem koncu", 2020) of numerous individuals and organisations representing more than 100.000 people working in culture directed toward the Minister of Culture for his alleged inaction.

NGOs and activists advocating for various minority groups also reported being replaced or thrown out of government’s working bodies and being largely left out of decision-making processes during the Covid-19 crisis, according to Goran Forbici, director of CNVOS Institute, the national NGO umbrella network. Minister of the Environment and Spatial Planning Andrej Vizjak from the ruling SDS party used Covid-19 emergency measures to introduce certain limitations on the involvement of environmental NGOs in administrative and court proceedings related to the issuing of building permits. Environmentalists described restricted access to public participation and justice for environmental NGOs, challenged in the Constitutional Court, as "a declaration of war on the protection of nature and environment" (Petkovic, 2020) in Slovenia.

Discourses on the EU’s role

Slovenian government adopted an ordinance declaring the end of the Covid-19 epidemic (Uradni list - Vsebinska Uradnega lista, 2020) effective from 15 May 2020 and thus became the first country in Europe to take this step and proclaim an end to the coronavirus epidemic at home.

Discussions in Slovenia about the EU's role in the face of Covid-19 focused on various aspects, one being the need for more solidarity in the EU to deal with the crisis. PM Janša repeatedly warned about the grave political consequences of insufficient solidarity. Movement bans, border restrictions in the EU, and that non-discrimination among EU citizens were discussed as well, majority of EU countries reopening their borders in line with the Commission's guidelines, while some member states circumvented them.

Some were critical with regard to the EU Commission's approach, saying it could have been quicker and more effective in responding to the outbreak. The need for joint standards was also frequently mentioned, as was the awareness of the importance of self-sufficiency in food, medical equipment, and energy. The focus was also given to the EU's post-pandemic relations with China.

In the light of the Covid-19 crisis and in cooperation with the other members of the trio presidency, Germany and Portugal, Slovenia already readjusted its priorities for the presidency of the Council of the EU in the second half of 2021.

Public opinion data and the COVID19

Latest results of #Novanormalnost survey (#Novanormalnost –V asu po epidemiji ponujamo podroben vpogled v odzivanje in spremembe vedenja potrošnikov, 2020) (t.i. New normality, since the beginning of the epidemic carried out by pollster Valicon), published in October, show that pessimism about developments and personal well-being in Slovenia is deteriorating. At the same time, distrust in Janša government to take action to curb the spread of the virus is growing and people are primarily concerned about the longevity of the situation, according to Valicon survey #Novanormalnost that systematically monitors “key indicators of public response to government measures and experiencing everyday life in new conditions.”

83 % of respondents believe things are getting worse. This number was slightly higher only in March (86 %), when the country confirmed the first case of Covid-19. At the beginning of April and until mid-June the situation was quite the opposite, about the same majority felt things are getting better not worse.

The pessimism regarding the development of events, which has recently intensified, is followed by a deterioration of the assessment of personal well-being. The 53 % of respondents reported the current situation as being unpleasant, critical or hopeless. It's only been worse mid-September (61 %) and mid-July (54 %). As expected, the number of those who know someone infected with new coronavirus, either personally or through their social network, is growing. At the beginning of May majority (53,1 %) didn't know

anyone, while five months later, at the beginning of October that percentage was 30 %. More than they are today - in the beginning of October (67%), were people only concerned about the spread of the new coronavirus in the first half of March (76%).

September was the first month when most respondents assessed measures to control the spread of the virus as being too harsh. The trend continues in October when more than a third think the measures are just right, and slightly less than a third that they should be harsher.

Citizens' reactions to lockdown measures, civil aid initiatives

Given these Valicon survey #Novanormalnost results (#Novanormalnost, 2020), it is probably not surprising that confidence in the government in taking action to curb the spread of the virus has also fallen sharply in the last weeks – 63 % don't trust the government to do the right thing.

Back at the end of April, when Ivan Gale, the whistleblower from the Commodity Reserves Agency, revealed political pressures in the procurement of personal protective equipment (Ozadja naro anja in nakupov zaš itne opreme 2020), anti-government protests only intensified.

To a certain point distrust in the government has been mirrored in extremely weak support for tracing application #OstaniZdrav (t.i. #StayHealthy) that the government made public in August. After a huge opposition to its mandatory use, as first envisioned by the government, it then released an app in line with EU recommendations, meaning the use is completely voluntary. As of October 6th, it was downloaded by around 120.000 people.

Protests have been held across the country since the new government came into power in March 2020 and haven't stopped since (Vladislavjevic, 2020). Reasons, stated by the protesters, are many, ranging from criticism of the lockdown measures, strong opposition to SDS and its leader Janez Janša, restrictions to the right to protest, disrespectful communication by the government and attacks on the media, health care situation in Slovenia and restricting rights of environmental groups, to political interference in the procurement of protective gear and ventilators during the coronavirus outbreak.

Slovenia has so far (October 7th, 2020) performed over 242.684 tests, over 7120 people have been infected with coronavirus, there have been 159 deaths recorded due to Covid-19, more than 80% of them among an age group of 75 years and older, according to the data posted on Covid-19 Tracker Slovenia (COVID-19 Sledilnik, 2020). Citizens' initiative project that collects, analyses and publishes data on the spread of the SARS-CoV-2 coronavirus and the cause of COVID-19 in Slovenia.

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Petra Gelencsér and Jutka Székely: **COVID-19 RELATED LOCKDOWN, HUMAN RIGHTS AND PUBLIC OPINION IN HUNGARY**

On the 4th of March, it was confirmed that the first two registered cases of people infected with the new coronavirus SARS-CoV-2 in Hungary were two Iranian university students (Panyi 2020). Among the first measures, the government announced from March 7th state events related to the national holiday of March 15 would be cancelled (Urfi 2020). Due to the deteriorating situation in Northern Italy to the suggestion of the so called Operational Group, Liszt Ferenc International Airport has stopped accepting the incoming flights from the northern Italian region on March 9th (MTI 2020). From March 11, the government declared a state of national emergency. The main measures regarding that were: university education switching to distance learning and allowing only Hungarian citizens to return from places that have been considered the national focal points of the epidemic. The government also banned indoor events with above 100 participants and outdoor events with more than 500 people (Merkely et al. 2020). Presumably not independently from public pressure, from March 16th, elementary schools and high schools also were closed (Joób –Zsuppán 2020). On the same day from midnight, the borders were closed to all non-Hungarian citizens, all events were banned, and the opening hours of restaurants and cafes were also limited. On the 27th of March, when the number of registered coronavirus-infected people in Hungary reached 300, the government introduced partial movement restrictions. People could only leave their houses with ‘justifiable reason’, which at first reading meant going to work or purchasing medicines (Merkely et al. 2020), but in a broader sense also included personal care services such as visiting nail or hair salons (RA 2020). There was also a time restriction regarding shopping. Between 9 a.m. and 12 p.m. only people above the age of 65 could visit grocery stores, drugstores, markets, or pharmacies. Initially, these measures were supposed to be two weeks-long, but Viktor Orbán later announced its prolongation (Merkely et al. 2020). In April, Gergely Karácsony, the oppositional mayor of Budapest announced, that from the 27th of April in Budapest, wearing masks would be obligatory while using public transport, visiting shops, markets, shopping centres, and in taxis (narancs.hu 2020). In the countryside, the ease of the movement restrictions started at the beginning of May, and the government lifted the partial curfew in Budapest in the middle of May as well (Tóth 2020).

During summer, there were relatively fewer coronavirus-related cases, but in the second half of August, the daily number of cases began to rise spectacularly (Csiki 2020). At the end of August, Gergely Gulyás, Minister of the Prime Minister's Office announced that from September 1st, foreign citizens would only be able to enter

Hungary in exceptional cases (funeral, visiting sick relative), and Hungarian citizens would need a two-week quarantine or two negative tests (Portfolio 2020). After weeks without any serious measures and many criticisms from experts or from the opposition, on November 3rd Viktor Orbán announced the special legal order again. This time it had a 90-day time limit, due to this, the majority of the opposition figures voted in favour of the bill (Pap 2020). The prime minister also introduced a few restricting measures, including movement restrictions and security measures for events (Portfolio 2020). Not even a week later, on November 9th, Viktor Orbán announced stricter measures: among others, there would be a curfew between 5 a.m. and 8 p.m., every gathering and social event would be banned, and high schools would have to switch to remote learning again (hvg.hu 2020).

During the first wave, we could witness diversified strategies on behalf of the opposition. In their approach to the authorization act, the opposition parties – except for Mi Hazánk, if we consider that an opposition party because of its standing often near to the majority decisions – acted in unison. But looking at the policy proposals, we could see that the parties had different focuses (Teczár 2020). Which proved to be a recurring element for several parties was emphasizing that the government has implemented the ideas of the majority by introducing some measures (TÓG 2020). Overall, the measures were not criticized as much by the opposition as the lack thereof. How the opposition criticized the pace of implementation of the measures in early March (Teczár 2020), that seemed to recur in the initial phase of the second wave only a few weeks ago. What also seems to be a consistent demand since March is to increase the testing capacity, subsidies and social measures. In response to the latest announcement, the opposition parties with parliamentary representation demanded in unison, among others, the mentioned measures (Kálmán 2020).

On March 30, the National Assembly passed the authorization law, which the opposition has criticized as a threat to the democratic functioning of the parliament (Lehotai 2020). The main issue of the debate was the lack of time limit. The opposition demanded that the parliament re-decide on the extension of emergency regulation in 90 days at the latest. Viktor Orbán argued that the law provides the possibility for the National Assembly to revoke the current authorization at any time. This argument essentially translates a practical danger into a political theory debate. Although, in theory, the prime minister's right, but in practice, this would obviously require the ruling parties' majority voting. Thus, the lack of initiative on behalf of the government basically could have equalled authorization with no time limit. The government argued that the legislation is needed mostly because the epidemic could have made the functioning of the parliament impossible. The opposition suggested online voting for that case, but Gergely Gulyás said this would be unconstitutional (Bita 2020). The ruling party seemingly has prepared for both answers with which the opposition can react. If they choose to support the law regardless of the lack of time limit, they can

refer to that extensive authorization later. If they don't, the government and the pro-government media can run with the narrative that the opposition hinders the ruling parties' efforts against the virus (Teczár 2020).

On September 11, "COVID 911 - Demonstration for the Normal Life" organized by György G dény pharmacist, bodybuilder – also known for establishing a camouflage party in the 2018 national election – took place on Liberty Square in Budapest. Around two hours after the demonstration started, roughly 1,000 people gathered to express their resentment regarding the measures. Although G dény claimed that he is not a conspirator, the date of the event and some theoretical remarks suggested otherwise. Most of the speeches were not about denying the existence of the coronavirus, but how the measures against the virus were too extreme and excessive. The main statement was that COVID-19 is not as dangerous as people think, and the fear - which the virus is accompanied by – works as a political tool to control people. The speakers and the crowd seemed to be very mixed, both in their profession and in their motivation to protest. There were conspiracy theorists and economists as well as everyday people who were just 'tired' of the measures (Sarkadi 2020).

A few of the virus deniers/skeptics have some kind of medical degree, thus more people think of them as legitimate sources, which makes the defines against them a lot harder. Some of the Facebook groups, which have been focal points of misinformation, were deleted after many people reported them, but not long after new pages have already been launched with the same content. An ethical inquiry was launched against József Dr. Tamas, doctor-naturopath, by the Hungarian Medical Chamber – which he is a member of –, but he has been acquitted (Hanula 2020), and an orthopaedic specialist was fired on the claims of denying COVID-19 (Neuberger 2020).

Human rights and public opinion

In a recent study supported by the European Liberal Forum (ELF) in Hungary, the Republikon Institute examined how the first wave of the epidemic is perceived, how the population thinks about their freedoms during the coronavirus epidemic and how they see the European Union's role in fighting the virus (Republikon Institute 2020). Given the results, it can be said that, in general, Hungarian respondents are critical of government virus management. Among them, 44 percent said they were satisfied with the government's strategy against the coronavirus.

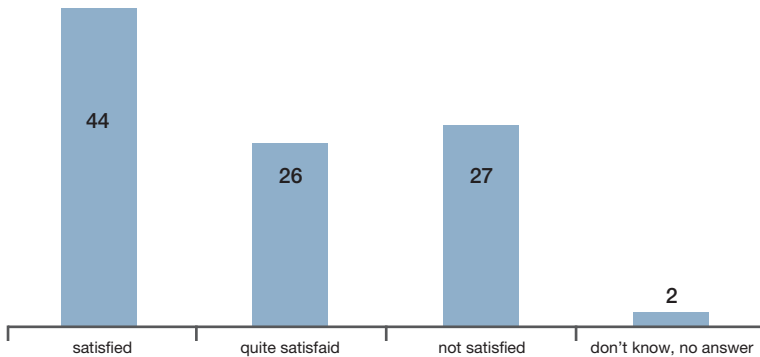


Figure 1 How satisfied are you with the Hungarian government's strategy against the coronavirus? (%)

Respondents were also asked to comment on measures restricting free movement. Hungarians are not critical of mobility restrictions, but it can be seen that this is a divisive issue: 41 percent consider this type of measure appropriate in times of coronavirus, a quarter of respondents do not consider it appropriate and nearly a third have an intermediate position.

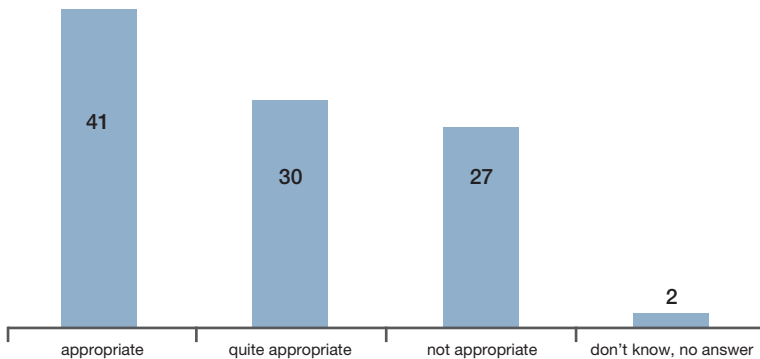


Figure 2 To what extent do you consider it appropriate for government decisions to restrict mobility during the coronavirus? – Hungary (%)

In our research, we also listed different liberties, and respondents were able to indicate how they thought they changed during the coronavirus epidemic period. The answers show that most people in Hungary see access to education as worse during the viral situation (49 percent). Concerns about the situation of education played a significant role in the Hungarian public discourse regarding the epidemic, as online education caused a lot of difficulties for families, and students who did not

have the necessary tools were at a serious disadvantage. In the slightest proportion, freedom of religion is thought to be in a worse position.

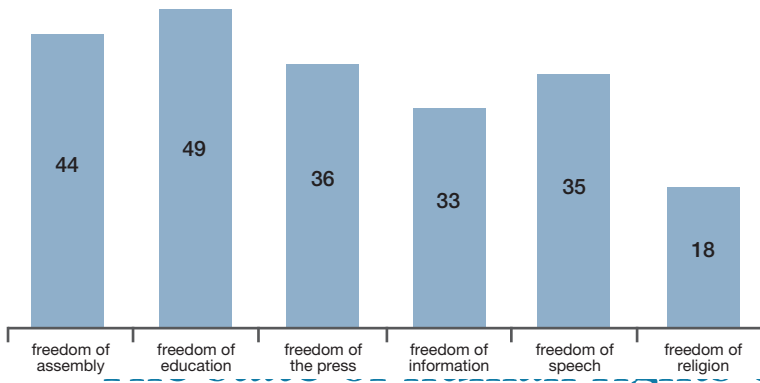


Figure 3 In your opinion, how did the following change during the virus situation in Hungary? - "Worse" responses (%)

Conclusion

The lockdown measures followed in most cases those of the Western neighbour of Hungary, namely Austria. The Hungarian government hesitated in Spring and Autumn 2020 between the prominence of health and economic related goals. This behaviour of the government was interpreted as infirmity in the oppositional public sphere. The 2015 refugee crisis created a political opportunity for populist right wing politicians to frighten people with terrorism. However, the coronavirus was not just an abstract threat, but a real-world problem, which demands policy answers and cannot be solved with propaganda. The coronavirus was a real challenge for populist politicians, who narrowed down political action to communication. Nevertheless, the public opinion survey demonstrated that the government's performance was evaluated by the voters according to their party affiliation. While such an attitude can strengthen the position of parties by restricting voters' volatility, it is also a barrier of proposing policy alternatives by the opposition.

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Olga Łabendowicz and Blazej Lenkowski: **THE STATUS OF HUMAN RIGHTS DURING THE COVID-19 PANDEMIC AND LOCKDOWN IN POLAND**

The COVID-19 pandemic has sparked an avalanche of responses from governments around the world. The employed measures, regardless of the rationale behind them, pose one of the greatest threats to human rights, freedom, and the economic status of citizens worldwide in decades. The situation in Poland – similarly to other countries where power is exercised by political parties willing to turn to authoritarian solutions – is even more perilous, because it gives the ruling party the opportunity to restrict the operations of “inconvenient” civil society organizations.

The pandemic is not conducive to maintaining healthy democracies, as people are more willing to give up many of their freedoms and liberties in the name of security. Meanwhile, the recommended self-isolation, the inability to assemble and meet with other citizens, as well as difficulties in organizing large-scale meetings are a great blow to the foundations of a democratic civil society and solidarity in self-defence against the actions of the authorities.

The Scale of Pandemic in Poland in Numbers

By October 3rd, 2020, 95,773 cases of COVID-19 were recorded in Poland, and 2,570 have died because of the infection so far – the vast majority of them suffered from serious comorbidities. 71,353 people recovered. Throughout all the months of the pandemic thus far, the Polish health service, poorly assessed by experts, has not yet reached the limits of its efficiency – the supply of free beds and respirators has been sufficient. At the same time, the relatively lower number of tests carried out in Poland than in many other European countries may suggest that there could be significantly more asymptomatic cases in Poland.

Nonetheless, between the beginning of March and mid-June 2020, a radical lockdown was introduced, which caused a deep economic crisis and a serious crisis in the functioning of all other health-care sectors. Health insurance in Poland, paid for by millions of citizens on many levels of treatment of other diseases, basically ceased to apply. The public debt, compared to the projections from the beginning of the year, increased by PLN 250 billion in the period from March to September 2020 – some economists even estimate that the amount could be PLN 300 billion (Mi czy ski, 2020). It means 13.000 PLN of extra debt per every citizen. The vast majority of this deficit is due to a collapse in tax revenues caused by curtailed business operations

and bailout programs for companies subjected to and forced to suspend operations. At the same time, Poland has not yet developed a long-term and consistent plan to increase the scale of operations and financing of the health service, which would allow for more effective and extensive treatment in the event the pandemic continues and expand in the coming months or years. And only an efficient health service with a wide range of possible solutions can prevent further lockdowns with all their consequences.

Currently, it can also be said that radical steps with profound economic and social consequences, violating the citizens' and electoral rights of Poles, have not brought the expected results. At the end of September 2020, the number of infections began to increase significantly. Hopes that the lockdown would stop the virus permanently, which from the very beginning were based on wrong assumptions, have proven simply illusory. Lockdown only gives a very short window of time for better preparation of the health service, while radically limiting the revenues of the state and local governments – without which it is difficult to imagine the expansion of the health service potential in the long run. At the same time, however, the death toll caused by the coronavirus in Poland remains essentially low. 2,570 deaths from COVID19 could be compared with more than 12,000 deaths per year from standard pneumonia. Every day in Poland about 1,000–1,200 die on average. However, the last news seems to announce worse time in following weeks.

Lockdown Measures

On March 11, 2020, the Polish government decided to close educational institutions. At the same time, all universities that were closed and had to adapt to remote learning (Reuters, 2020). The state of epidemic emergency was declared and subsequent restrictions introduced on March 20 ("State of epidemic emergency in Poland", 2020). Cultural institutions, cinemas, theatres, cafes, restaurants and bars, shops in shopping malls were closed, parties and gatherings were banned, access to parks and beaches was limited, and upper limits were set for the number of customers in shops. Soon after, hairdressing and beauty salons were shut down. In early April, a temporary ban on access to forests was introduced. At one point, even married couples could not walk-in public holding hands; jogging outside was also forbidden. Freedom of movement and freedom to conduct business were radically restricted. Most of the introduced restrictions had a questionable legal basis. However, for example, the penalty for non-compliance with the quarantine was increased to PLN 30,000.

The right to education was infringed upon, hundreds of thousands of children in Poland were obliged to remote learning in a situation where they did not have the necessary equipment and quality Internet connection in their homes. It became

painfully clear that Polish schools were not and are not prepared for this mode of education. It is, therefore, futile to debate the right to quality education in a situation where in many households one computer had to be shared between siblings for e-learning and parents working remotely at the same time.

Meanwhile, construction and furniture stores, among others, could operate with minimal restrictions, thus allowing more than dozens of people to be on their premises at the same time. The unequal treatment of certain branches of business made the entire system faulty. The introduced measures were clearly inconsistent, thus rendering the whole set of restrictions pointless; they also contradicted the principle of equal treatment. At the same time, economic, educational, and psychological damages, difficulties posed in terms of available treatment options for persons suffering from other medical conditions, limited access to specialist doctors, and restrictions imposed on organizing civil society were very extensive.

Human Rights Restrictions and Violations

In accordance with the Polish law, the presidential election was scheduled for May 10, 2020. Nevertheless, no election was held on that day. One may debate the safety measures necessary for holding general elections during a pandemic and reasonability of such a decision. However, the truth is that the election did not take place at that time as a result of the extraordinary legal chaos and inertia of the institutions established to organize the election, which did not undertake their clear statutory obligations as a result of a legally non-binding agreement of the leaders of the two ruling political parties, i.e. Jaroslaw Kaczynski and Jaroslaw Gowin.

Following this lawless inertia on the part of the state authorities, the National Electoral Commission issued a resolution in which it interpreted that the lack of voting for candidates on May 10 was tantamount to a lack of candidates, and, therefore, the election had to be scheduled once again. As a result, it was postponed to June 28, 2020. Legal and organizational chaos deprived Polish citizens of the possibility to vote for the President of the country within the constitutional deadline.

The election was, indeed, held on June 28. Leaving aside the question of epidemiological safety and whether or not the election in this context should have been postponed or not, in light of the rule of law, if it was not to take place on May 10, moving it to a later date required acting in accordance with the law and procedures that are in force in a democratic state. Especially in regard to such an important aspect of democracy as elections. The pandemic, therefore, contributed to the violation of the fundamental electoral rights of citizens and further erosion of the principles of the rule of law in Poland.

Corruption Suspicions

Time and again, the public in Poland kept finding out about further allegations against the Ministry of Health, which was said to have violated the existing procedures of purchasing medical equipment to counteract COVID-19. “*PLN 370 million – this is how much the E&K company from Lublin was paid by the Ministry of Health for respirators worth PLN 2.2 thousand [...]*” (Wszeborowska, 2020) reported the *Gazeta Wyborcza* daily in May about the purchase of respirators by the Ministry from the former arms dealer from the UN blacklist, Andrzej Izdebski. Controversy was caused not only by the contractor's past, but also by the astronomical cost of the transaction – although the prices of respirators on the market reach approx. PLN 70-90 thousand, the E&K company requested approx. PLN 160 thousand apiece (Wszeborowska, 2020).

According to the information shared with the public opinion, the payment for the respirators was made in advance without a tendering process, and – as a result – most of the equipment was not delivered to the Ministry. Similar cases were reported by the press when the Ministry of Health purchased personal protective equipment and other medical equipment. Whether the law was breached directly, this should be determined by independent courts, but this situation shows a clear picture of chaos, non-compliance with procedures, and complete organizational unpreparedness of the Polish health service administration to face such a challenge as a pandemic.

Summary: Panic versus a Rational Response

At present, it is still difficult to draw any conclusions from an ongoing and developing pandemic. Nevertheless, one thing has become crystal clear: an unprecedented manifestation of globalization has occurred and so the spread of good and bad emotions accelerated. This phenomenon has some serious repercussions. Someone may say that it has prepared us to react faster to various threats in the future – that is true. But there is a dark flip side to this coin – threatening and difficult to tame negative emotions, including fear, are being released and spread at a speed that nobody can control.

The global response to the pandemic in the vast majority of countries around the world was based on great fear, moral blackmail against politicians, and replicating similar solutions through emulation rather than on data analysis. It stemmed from panic and was not a result of a deliberate strategy. This is not to say that the COVID-19 pandemic is not a serious threat – this goes without saying. But no serious threat should ever legitimize any action in the name of combating it. Let us be honest,

Western countries were unprepared for the present epidemic threat, so they panicked and took steps of uncertain effectiveness and significant side effects. They did not make these decisions on the basis of data but based on fear.

Such an approach is extremely dangerous – both when facing the current pandemic and in an unforeseeable number of cases in the future. A growing number of experts, such as Alvaro Vargas Llosa, already indicate that the most effective strategies are those adopted by the countries that have not imposed the strictest form of “lockdown”, but which are able to respond efficiently to specific issues. These countries include South Korea, Germany, and Sweden. These are the states competent enough to use a scalpel with precision instead of swinging a chainsaw. Those countries that retain the greatest capacity to finance broad-based epidemic control programs – such as mass-scale testing, costly protection of the most vulnerable social groups, a broad-band healthcare system, and helping the society to adapt to living with the virus – are likely to be the winners in a global perspective. The pandemic may continue. If we manage to get it under control in the future with a vaccine and new drugs, we still may face another pandemic. Let us also remember that for one of the diseases caused by another coronavirus – HIV – no vaccine or a fully effective drug has been for over 30 years! (!). There are many indications that we will have to learn how to live with COVID-19 over time – as has been done with other dangers that threaten our health and lives – by taking similar and not extraordinary measures to fight it.

How to fight epidemics of fear? This is one of the greatest challenges for the leaders of the 21st century world. How does one avoid the self-perpetuating cycles of fear that lead societies and governments to making wrong and disastrous decisions? I believe that this is one of the biggest and most important questions that the pandemic will leave us with. Can we somehow develop social habits that would help prevent such epidemics of fear? I feel that the answer to this question will, indeed, have to be based on developing such habits, as Charles Duhigg described it fittingly. It is one of the largest and still underrated weapons for the effective shaping of social behaviour.

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DR. ŠÁRKA PRÁT: Public opinion and the state of human rights during the COVID-19 pandemic in East Central Europe

Each country facing the current COVID-19 pandemic is dealing differently with the dangerous situation. Some countries are doing better in this matter, while others are doing worse. The current situation raises a number of questions, especially concerning what we could do differently or why we were not better prepared.

The first case of Covid-19 in Central Europe was found in the Czech Republic on March 1st; within two weeks, the Czech Republic, Hungary, Poland, and Slovakia had instituted unprecedented emergency measures to stop the spread of the virus. Borders that had remained open since EU accession in the early 2000s were slammed shut, citizens ordered to stay home, and almost all gatherings cancelled. While these restrictions are common around the world, the Central European governments have been seen as going too far. More than anywhere else in the EU, Democratic institutions in Central Europe were accused of being under threat.

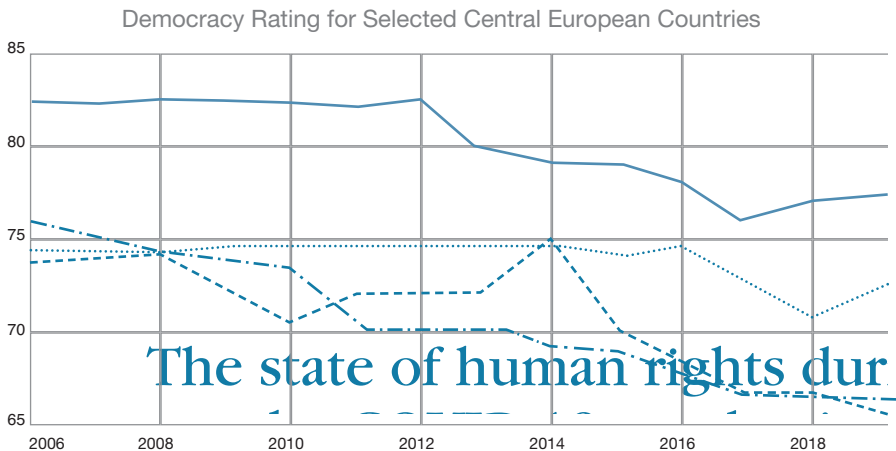


Figure 4 Democracy Rating for Selected Central European Countries, Source: Economist Intelligence Unit. Democracy Index Reports 2006 -2019

This perceived threat comes from the fact that all Visegrad countries have reduced personal freedoms and enacted legislation that gives the executive more power.

The crisis has reduced scrutiny for government actions, caused governments to reduce personal data protections, and has allowed Chinese attempts to use the virus to cement its influence in the region.

The largest threat to democracy COVID-19 has posed to the region are measures governments have had to undertake to reduce its spread. Due to the speed of the pandemic, these measures could not always be adequately scrutinized before they were implemented. This problem was initially exacerbated by citizen's tendency to rally around the flag, which gave all of the leaders in the region high approval ratings at the beginning of the crisis. At senior levels, this has given many unscrupulous politicians the ability to enact policies that benefit their immediate political desires rather than the long-term interests of their countries.

At a lower level, the crisis has created the immediate necessity for huge purchases of personal protective equipment and other medical equipment. At the same time, governments have reduced the public's access to information by cancelling in-person press conferences and extending freedom of information deadlines.

The virus has also exacerbated threats from abroad. While several authoritarian powers have tried to use COVID-19 to promote their foreign policy agenda, China has been the most active by portraying its heavy-handed response to the virus as a model for the rest of the world, including central Europe. Chinese engagement with Central Europe has been a prominent goal of the Chinese communist party since the 17+ China Eastern Europe economic platform was launched in 2012. Critics have argued that this platform is a political tool for China to use financial leverage to exert influence over the region.

State of Emergency

The first COVID case in the Czech Republic was discovered in Prague on March 1st. Two weeks later on March 13th, the Czech Government enacted a state of emergency. This involved many unprecedented restrictions including restrictions on movement for nonessential purposes, limitations on non-family gatherings, the closing of non-essential businesses, a ban on most foreign arrivals, and most controversially, a ban on Czech citizens leaving the country. The most severe restrictions included banning meetings of more than two non-family members, mandating the wearing of a mask in all public spaces, and closing the borders to almost all travel.

Another necessity with a more concrete potential for a reduction of freedom is contact tracing applications, which have become essential for fighting the virus.

These applications can store immense amounts of data about their users. In a worst-case scenario for privacy, governments could use mandatory centralized contact tracing apps, which could create a full database of their resident's movements and contacts. Privacy rights activists fear that in such a scenario, governments will abuse access to data. While all tracing apps in the region are voluntary, some governments have already made some worrying decisions about personal data, as prior applications have been known to store location data on a central server.

In early March, Czech citizens overwhelmingly agreed with the strong governmental measures implemented to tackle the virus (Ipsos, 2020). A few months later, small scale protests against the government took place in a few cities around the country. These protests were primarily related to the economic impact of the severe lockdown restrictions. Polling has shown that overall support for Andrej Babis' ruling ANO party has stayed at roughly 30% throughout the pandemic.

Democracy and liberalism are also challenged, both directly and indirectly, by the crisis and Czech response, as seen with speculations that some portions of the government's response to the virus have been based on the politicians' personal goals rather than the interests of the nation. The independent Czech media has also faced issues during the era of Covid-19. Unlike any of the other countries, Czech politics benefits from a largely independent media which accommodates a wide range of voices with differing opinions. While online readership has increased as people spend more time at home, media organizations that still rely on revenues based on print sales have seen their sales plummet as a result of the lockdown (Berger, 2020). This gives media sources with stable revenues from oligarchs and political organizations a significant competitive advantage during the pandemic. In the long run, this could undermine the free media in Czechia. In the short run, free media organizations have criticized the Czech government for cancelling press conferences in the early months of the virus (Council of Europe, 2020). However, the topic of the coronavirus epidemic began to fill the leading pages of the media in the Czech Republic. Opportunities are also felt by misinformers trying to convince the public that "everything is different" and that the virus is a biological weapon from a secret society and to be used to destroy humanity or that the epidemic does not exist and is a "false flag operation" to disguise the war against the citizens and against Russia. The so-called disinformation scumbags, whose business model is the spread of false news, are not left out either. With interest in the topic, the traffic to their websites and thus the income from advertising placed on them also increases. Disinformation platforms also like to provide space for the publication of articles by various conspiracy theorists or anonymous people who spread false messages through them. Cooperation is therefore advantageous for both parties (disinformation trader - conspirator).

Country Czechia (Komunikace, 2020)	Peak Restrictions
	State of Emergency from March 12th to May 17th
	Mandatory Quarantine when returning from selected countries. (Ongoing since March 13th)
	Up to 10-year sentence for willfully spreading COVID-19
	National Stay at home order from March 15th to April 24th
	Borders closed to nonessential travelers March 12th to May 11th
	Gatherings restricted to 2 people from March 23rd to April 27th
	Mask mandatory in all public spaces from March 18th to May 25th
	Non-essential businesses and restaurants closed except for takeout March 14th to May 11th

Table 1: Restrictions on Personal Freedoms in the Czech Republic

NGOs have also criticized the President and other politicians' warm relationship with China. They fear that the pandemic has allowed China to exercise more leverage in the Czech Republic through the use of incentives and disincentives (Karásová et al, 2020). The biggest criticism for Czechs was when the government started to close businesses because it was expected to have dire consequences for the Czech economy, including an immense decrease in productivity. In addition to its economic impact, the Covid-19 pandemic has undoubtedly had a political effect on the European Union in a number of ways. It has changed many Czech citizens' perception of the Union's influence, both positive and negative, on their country, as well as their views on their domestic political landscape. The uncommon approach of all members of the Union created an even deeper scepticism of Czechs towards the whole concept of the EU. This trend of rising Euroscepticism is very worrying, especially in a country which gains more from the EU than it contributes. Stronger Euroscepticism is surely based on two main factors: the aid which the European Union provided for the country's economy and the EU's immediate reaction to the healthcare crisis. In the view of the Czech Republic, it seems that the EU left its members to deal with this crisis alone. To some extent, the people are right to feel this way as the European Union did indeed demonstrate a disturbing lack of coordination when it became known that the virus was rapidly spreading throughout Europe. Not only did individual member states not help each other at first, but they

took measures rapidly on their own, with little consideration of how they are impacting their neighbours and the Union as a whole – leading, for example, to a number of clogged up borders and stranded transportation and passenger vehicles throughout Europe, as well as blocked seasonal workers in key sectors of the economy (Adlerman, Eddy, & Tsang, 2020). There is no doubt that this is partly a flop of the European Union, as it failed to act as a platform for coordination. The EU needs to draw a lesson from this and think about how to prevent being caught off guard in future crises for which coordination between its member states is crucial. Reaction plans have to be formulated on how to coordinate the actions of individual member states in various hypothetical crises, natural or man-made, which impact a multitude of or all of its members in order to ensure the mutual compatibility of countries' measures.

New Normal

The COVID-19 pandemic also has a considerable impact on the Czech labour market, as a result of the trend it is setting for working from home. Many companies, such as Google, have already announced that they will be extending the possibility for workers to remain out of the office at least until the end of the year (Gartenberg, 2020). While others have gone further, giving employees the choice to continue working from home indefinitely (Paul, 2020). Some Czech companies recently suggested that within the next few years up to half of their workforce could work remotely (Fung, 2020). and experts widely agree that this trend is here to stay (Loten, 2020). It will aim to redesign the work experience of non-production employees to enable them to work remotely after the pandemic, underlining that a similar trend was already in place before, as employees who (occasionally) worked from home went up. Both private and public companies that are planning to reduce their office space and close are planning to make remote work a permanent option for the roles which allow it (PwC, 2020). It is a common phenomenon for workers to migrate within the EU, especially from its newer members, which tend to have lower economic standards, towards the older and richer ones. In fact, such brain drain has been labelled as a significant EU problem (Arak, 2020). However, with the rise of remote working it is possible to imagine, in the medium and long term, a movement of workers in the other direction, as well as increased interest from Western European, and even foreign companies in the highly skilled lower-cost workers of CEE states. There have been a number of arguments against distance work, usually focused on a potential loss of innovation coming from informal office chat. However, these have not yet been proven and, more importantly, can be outweighed by a number of potential benefits. First, while the proximity of workers could be contributing to innovation, it is just as likely to be a cause for distraction. Second, the diversity of having workers coming from and living in different countries, cultures, urban or rural

areas, and letting them interact, even only online, can be an even bigger driver of innovation. Third, working from home can be financially beneficial to both employers and employees, especially in the case of outsourcing labour to countries with lower costs of life. The fact that hiring workers from such regions can give them a locally competitive salary while saving companies based in more expensive states money is well known. Additional benefits such as the reduction of the pollution and stress caused by commuting are another positive externality.

While the benefits of remote work were known before the pandemic, the concept has received a big boost as companies have been forced to implement it temporarily and, by investing in infrastructure and breaking psychological barriers, will likely continue to use it. This could represent a new trend in the Czech labour markets, as companies begin hiring workers in regions with lower costs of life and employees begin to migrate towards them. Of course, such a development could be further helped at national levels (Shotter & Parkin, 2020). To add to this, individual members should aim to make themselves more attractive for remote workers looking to move there and for companies looking to outsource. This could be achieved by increasing investments in digital infrastructure and improving the computer literacy and foreign language skills of their population through all levels of education – school, university and adult – in order to make their workers more attractive; as well as aiming to reduce bureaucratic barriers in order to attract potential expats. With such measures, Czechia would be better prepared for a future increase in employee mobility resulting in more movement both towards the Union and within it.

Vacations

Before the outbreak of the pandemic, 55% of Czechs planned a holiday abroad. Of the total population, a quarter (26%) had to cancel reservations and 24% have adhered to their plans. Exactly half of the people did not have anything booked and decided to take a holiday according to the development of the situation. The coronavirus pandemic disrupted the summer plans of almost half of the citizens (48%). The threat of a fortnight's quarantine upon return and testing at one's own expense was fundamentally involved in deciding whether to spend a holiday abroad. 69% of people resigned to foreign holidays due to fear of infection in a selected destination and 16% due to the need for financial savings (Institut pro politiku a spole nost. Pr zkum: eši a dovolená v dob pandemie, 2020). At 15%, plans for holiday abroad have changed for other reasons. In 20% of cases, people who reconciled with the absence of this year's holiday abroad would reconsider their decision if the prices for stays fell by half compared to previously normal prices. Those interested in a holiday abroad (if they do not have to quarantine) from selected countries are most attracted to Croatia (32%), Slovakia (28%) and Greece (21%).

18% of people would travel outside Europe. For the Czechs, traditional summer destinations such as Italy or Spain would be chosen, with 15% and 11%, respectively. The government has pushed for a plan to support domestic tourism through vouchers. The largest vouchers were issued for holidays in Czech spas.

Conclusion

In early March, Czech citizens overwhelmingly agreed with the strong governmental measures implemented to tackle the virus (Ipsos, 2020). A few months later, small scale protests against the government took place in a few cities around the country. These protests were primarily related to the economic impact of the severe lockdown restrictions. Polling has shown that overall support for Andrej Babis' ruling ANO party has stayed at roughly 30% throughout the pandemic. Overall, the Corona Virus has weakened the Czech public's ability to hold the government accountable and potentially opened the door to some less than scrupulous manoeuvres by the ruling government. There has been no significant scapegoating or human rights violations. The virus has not substantially weakened Czech democracy or liberalism in the Czech Republic. Successfully combating the virus requires global cooperation. No state can defeat COVID-19 alone on a global scale. In terms of the interconnectedness of the world, even relatively successful states have not won; however, it is appropriate to learn from successful ones.

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Authors of the volume

Nataša Briški, M.A., Strategic communications adviser and social media expert, co-founder and Editor-In-Chief of digital media network Meta's list. Journalist by profession, with strong media credentials and 25 years of experience working for various media - local, national and international. Former foreign affairs correspondent, based in Washington D.C., a correspondent for BBC World Report and POP TV anchorwoman. Nataša is a Member of The Ombudsman's Council For Human Rights (2019 - present), Member of The Commission on Equal Opportunities in Science (2018 - present) and Member of The Expert Council on Gender Equality (2014 - present).

Petra Gelencsér is a second-year student at Eötvös Loránd University's Sociology MA program, she graduated with a bachelor's degree in Sociology at ELTE as well. Her main academic interests are sociology of gender and political sociology. In her first publication, she examined patterns in the division of housework among same-sex couples. She currently focuses on questions regarding the politics of memory. Petra was an intern at the Republikon Institute, and also has been doing an internship at the Institute for Sociology at the Centre for Social Sciences.

Błażej Lenkowski - President of the Board of Liberté! Foundation (Freedom Games, Liberté!, 4liberty.eu, 6. Dzielnica, Naukaobywatela.pl). Political scientist, publicist, entrepreneur.

Dániel Mikecz is Senior Research Fellow at Republikon Institute. He graduated as political scientist at the Eötvös Loránd University in Budapest. He defended his doctoral thesis in 2017 on the Hungarian global justice movement. From 2010 he holds various courses at the Eötvös Loránd University on protest movements and political participation. Since 2013 he is also a Research Fellow at the Institute of Political Science at the Hungarian Academy of Sciences. Daniel publishes articles in academic journals and weekly, daily newspapers on social movements, protests and a political participation.

Dr. Šárka Prát is the director of the Institute for Politics and Society. Šárka covers transatlantic, economic and migration issues. Her doctoral research was on the issue of migration, the results of which were published on the Web of Science. Šárka participated in internships in Cyprus, Corfu, Malta, and Brussels. Additionally, she has studied at the University of Juárez del Estado de Durango (Mexico) and IDRAC (France). She holds a doctoral degree (Ph.D.), engineer degree (Ing.) and master degree (MBA) from University of Economics in Prague. She holds a master degree (MA) from the Université Jean Moulin Lyon 3. In 2020 Šárka was elected as a member of the Board of Directors of the European Liberal Forum, think tank of the ALDE Party.

István Szent-Iványi is a Hungarian liberal politician, former Hungarian Ambassador to Slovenia, founding member of the Alliance of Free Democrats political party, and former Member of the European Parliament (MEP) for the Alliance of Free Democrats, part of the ALDE Group. Szent-Iványi has been chief foreign policy advisor to the Hungarian Liberal Party

Judit Székely, researcher at Republikon Institute. She graduated with a bachelor's degree at Eötvös Loránd University, Faculty of Social Sciences and continued her studies at ELTE's MA program in Sociology as well. Besides her academic studies she gained knowledge and experiences as a member of College for Advanced Studies and as a researcher in various projects. Aside from quantitative research methodology, she has also engaged in the empirical application of qualitative methods, her main interest of research is the politics of memory in Hungary and in Europe. After graduating, in addition to her studies of social science, she has also gained experience in marketing.



