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UNDER POLICIES OF RESTRICTIONS**

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Abstract

The paper analyses the aspects of socioeconomic processes during a pandemic (as exemplified by the coronavirus) and government policies balancing the interests of the state vs. the mechanism of guarantees of human rights and freedoms. The aim of this study is to analyse the instruments of national and international law and government tactics and to determine the effects of policies of restrictions on socioeconomic processes. Studies of regulations of international law and political cases of different countries have led the authors to the conclusion of the inefficiency of the legal and political regulatory mechanism governing socioeconomic processes, which means the foundations of international regulations in addressing socioeconomic processes should be revisited to reflect novel threats and risks. This underscores the novelty and relevance of the present research. A central highlight is that political powers in a country should exert every effort to ensure the measures to contain the spread of infection are strictly compliant with the standards of international human rights law and are not used to manipulate social, political and economic processes. The aspects of administering socioeconomic processes when policies of restrictions are in place are primarily determined by the importance of guaranteeing rights, on the one hand, and maintaining national security, on the other hand. Government social policies refer to two levels of standards, universal international norms and internal laws setting the legal space-time for implementing conventions, treaties and accords. If threats arise that impact the level of protection of citizens (and in some cases non-citizens), the state has the power to introduce temporary restrictions and limitations of rights and

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freedoms. The global community has come across an objective threat to human life and health, which required the introduction of tough and politically and economically controversial measures.

Keywords

International law – Human rights and freedoms – Pandemic – Coronavirus – Social policies

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Introduction

Public policies are influenced by the surrounding environment, the type, scope and depth of strategic references governing the political course and the available capacities to pursue the set targets. Public policies are largely predetermined not as much by general political threats and risks as by the eventual outcomes. This point is made in G. Nabi “Impact of COVID-19 pandemic on healthcare delivery, socio-political and economics”¹, where the researcher states the problem of inefficiency of public healthcare policies. Observations are made concerning Liberia and New Zealand's low mortality rates due to COVID-19 despite the countries' status as the developing world and thus presumably higher risks of epidemic growth. In S. Kraus “The economics of COVID-19: initial empirical evidence on how family firms in five European countries cope with the corona crisis”, the authors evaluate the consequences of the rapid global spread of the coronavirus, spanning beyond solely a global crisis in healthcare. The restrictive measures adopted by many governments to impose social distancing led to severe consequences for the global economy².

That means that economic guidance can be either a cause or a consequence of public policies and act as a catalyst of prosperity or an instrument of provocations to restrict a country's access to global resources, export markets and capital markets to nurture the financial system. In the paper “Life versus capital: COVID19 and the politics of life”, Nicholas De Genova discusses the inability of the global capitalist economy to protect human life and health, recognising the irrationality of social relations in the modern economic system³.

The research hypothesis is as follows: restrictions of social and economic processes are a desperate measure only applied by the state as a protection against uncontrollable external threats. Bans must not be used as a mechanism to manipulate social relations and the level of influence in political and economic life.

We conclude that bans and restrictions are an extreme step to protect society against obviously negative and rather uncontrollable processes. However, in this case, political elites should be aware of the consequences of such decisions. If they get it wrong in terms of the intensity and duration of restrictions, it erodes trust in the state and some politicians lose their popularity. This problem is discussed in C. Adolph “Pandemic Politics: Timing State-Level Social Distancing Responses to COVID-19”, where the timing and pace of state-level response are analysed. An attempt was made in the research to substantiate the practicability of timely introduction of social distancing and to focus on mistakes made by American politicians⁴. The principal concern is the attempt to manipulate public opinion to win partisan popularity. According to American statistics, the high pace of pandemic growth was observed in states dominated by Trump supporters, the Republican Party. Meanwhile, the Democrats were faster and more efficient in their response measures as they acted in the interests of their voters.

¹ G. Nabi, “Impact of Covid-19 pandemic on healthcare delivery, socio-political and economics”, *Scottish Medical Journal* Vol: 65 num 3 (2020): 71–71.

² S. Kraus, “The economics of COVID-19: initial empirical evidence on how family firms in five European countries cope with the corona crisis”, *International Journal of Entrepreneurial Behavior & Research* Vol: 26 num 5 (2020): 1067-1092.

³ N. De Genova, “Life versus capital: COVID19 and the politics of life”, *Social Anthropology* Vol: 28 num 2 (2020).

⁴ Ch. Adolph; K. Amano; B. Bang-Jensen; N. Fullman y J. Wilkerson, “Pandemic Politics: Timing State-Level Social Distancing Responses to COVID-19”, *J Health Polit Policy Law* (2020)

The paper laid out an analysis of the efficiency and potential consequences of the policy of restrictions and its positive and negative aspects with regard to the constitutional foundations of the democratic society. As mentioned in the paper, it is incumbent on the state to build a protective buffer for the population by taking over a considerable share of responsibilities. To address this, certain limitations of human rights and freedoms can be adopted, although with due consideration for potential obstacles resulting from people's reluctance to adhere to such kinds of rules. Several papers address the behavioural aspects of the policy of restrictions and highlight the concept of the so-called behavioural economics analysing people's irrational behaviours even in life-threatening circumstances. The paper "Using Insights from Behavioral Economics to Mitigate the Spread of COVID-19" notes people's counter-reaction to social distancing instructions as if the risk probability is low and may not materialise in the future. Irrational choices in some cases reflect people's reluctance to withdraw from their favourite routines (shopping, dining out, cinema-going, attending public spaces, etc.) for the sake of adhering to the rules set by public authorities amid an ephemeral risk of getting infected in the future⁵.

The government should keep in mind that human rights are not luxury to be sidestepped during crises but a critical aspect of life. While adopting the measures to contain the pandemic, the government should ensure the measures are proportionate, non-discriminatory and justified.

Methods

The paper employs a review of scholarly sources, legal regulations and periodicals. A special focus for this publication was scientific papers analysing the practice of political governance in combating the novel virus. The novelty of the threat presets the time interval for analysed references from late 2019 and through the first half of 2020. The methods of generalisation and systems analysis helped to discover the link between the state's political decision-making and economic and social consequences, which predetermined the dilemma of rationality in imposing restrictions for the avoidance of unnecessary crackdown on constitutional rights and freedoms vs. achieving the strongest possible protection of human life and health.

Results

State regulation is integral for public policies in all countries and requires that rights and freedoms and all guarantees be ensured as prescribed by the constitutional framework of the society. However, should any environmental, military or political risks occur, it is incumbent on the state to apply additional protection. It primarily comprises instruments providing guarantees of fundamental human rights and freedoms (right to life, freedom and clean environment) and protection against internal and external negative influences, either man-made or natural, force majeure, environmental, technological or biological hazard. Humanity has come across new challenges threatening people's life and health on a major scale (such as novel viruses or mutated strains of known viruses) and requiring unified action to cope with them.

Whether this fight is going to be effective will depend not only on the pace of the spread of the virus, availability of medical research and practice or complexity of the situation

⁵ M. Soofi, "Using Insights from Behavioral Economics to Mitigate the Spread of COVID-19", Applied Health Economics and Health Policy Vol: 18 num 3 (2020): 345-350.

but also on the state's timely focused decision-making, a proper mechanism of control in place, adequate capabilities and resources for additional emergency support of the population (to prevent the situation from getting worse, combat further infection and eliminate negative consequences after the epidemic). The regulations of international law set basic guidelines for creating favourable environmental and epidemiological conditions. Some of them are recommendations and their implementation takes into account the specifics of government policies. However, others are compulsory and should they be compromised, the respective state can be held liable under international law. Consider further the balance of government policies and norms of international human rights law in the context of an epidemic (specifically, the epidemic of the coronavirus).

The applicable mechanisms of protection against viruses and new forms of diseases are put to a hard test. Given the uncertainty and high pace of infection, the most effective method appears to be introducing restrictions and bans. It potentially helps to localise the outbreaks of disease and win time to figure out new countermeasures. For now, more than 10 member states of the Council of Europe (Albania, Armenia, Estonia, Georgia, Latvia, North Macedonia, Moldova, Romania, San-Marino and Serbia) have informed the General Secretary of the organisation concerning derogations from their obligations in time of emergency (Article 15 of the European Convention for the Protection of Human Rights and Fundamental Freedoms) as they mount efforts to prevent the coronavirus threat. Indeed, the legal system of democratic states faces a contradiction. On the one hand, restrictions help to protect human life from the further spread of the virus. On the other hand, misuse of this instrument compromises constitutional human rights and freedoms, which is a violation. Such measures should be justified and commensurate to the complexity of the situation. E. g., according to Federal Law “On protection of population and territories from environmental and technological emergencies” No. 68-FZ dated 21.12.1994, an emergency is a situation potentially threatening human health or even leading to casualties and affecting livelihood. When the state of emergency is declared, a more stringent legal regime applies and additional liability is borne by individuals in case of noncompliance.

Human rights are fundamental indispensable rights inherent to all human beings, regardless of race, sex, education or any other status. Everyone is entitled to these rights, without discrimination. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education and many more.

International human rights law lays down the obligations of governments to act in certain ways or to refrain from certain acts to promote and protect human rights and fundamental freedoms of individuals or groups.

The United Nations (UN) created a comprehensive body of human rights law — a universal and internationally protected code, to which all nations can subscribe and all people aspire. The UN has defined civil, cultural, economic, political and social rights and stringently observes states in carrying out their responsibilities. The foundations of this body of law are the Charter of the UN and the Universal Declaration of Human Rights, adopted by the General Assembly in 1945 and 1948, respectively, and two pacts of 1966, namely, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights⁶.

⁶ COVID and the Rule of Law. United Nations. Available at: <https://www.un.org/ru/coronavirus/covid-and-rule-law-dangerous-balancing-act>

The UN has gradually expanded human rights law to encompass specific standards for women, children and persons with disabilities.

The International Covenant on Civil and Political Rights and European Convention on Human Rights refer to an “emergency threatening the life of the nation”. In the judgement in *Lawless vs. Ireland*, the European Court of Human Rights rules that a life-threatening emergency refers to an exceptional situation of crisis or emergency which affects the whole population and constitutes a threat to the organised life of the community of which the state is composed.

Emergencies can also occur as a result of armed conflicts or uncontrolled spread of viruses (epidemics, pandemics), which pose a threat (danger) for human life and health, i. e., potentially cost humans their fundamental inherent right to life.

An epidemic is the rapid spread of a disease registered in a given country or population. An epidemic can be acknowledged when 5% of the population in a country is diagnosed with a disease.

A pandemic means the disease spreads beyond the limits of a country and on a larger scale. According to WHO criteria, a pandemic is the worldwide spread of a new disease to which most people do not have immunity.

The first registered mass incidence of disease in the world was the plague epidemic that killed more than 25-50 million people in 541-550 in the Eastern Roman Empire under Emperor Justinian. In 549, Emperor Justinian enacted a decree requiring detention of travellers from regions where the plague was recorded, i. e., even then, there was an awareness of the need to introduce quarantine measures and restrict movements to prevent infection. The second plague pandemic, the Black Death in the 1340-50s, killed approximately 150 million people and again several bans were introduced. For example, all ships arriving from other countries (even those carrying food) were required to lie on anchor during a 40-day period.

Since the beginning of the last century, the world has survived several pandemics.

E. g., the H1N1 flu pandemic, the so-called Spanish Flu, raged in 1918-1920 and killed more than 20 million people in Spain, Portugal, Greece, England, Denmark, North America and other regions.

More recently, in 1957 and 1968, the Asian flu and the Hong Kong flu pandemics erupted. The death toll was more than 1.5 million people, and economic losses totaled approximately 32 billion USD.

The pandemic of the SARS atypical pneumonia rolled in Southeast Asia in 2002-2003, taking a toll of more than 8,000 lives.

Soon after the SARS pandemic, in 2005, the world was haunted by the H5N1 avian influenza (known as “bird flu”). Even quarantine measures with the slaughtering of infected household poultry spreading the infection could not help avoid lost human lives, 246 people eventually died.

In April 2009, a new pandemic broke out; the “swine flu” H1N1 claimed the lives of more than 2,600 people⁷.

Late in 2019, a new threat was recorded; the outbreak of the coronavirus (2019-nCov) was acknowledged by the WHO as a global concern. According to WHO estimates as of the beginning of August, there were more than 19 million confirmed cases of infection across the globe in the wake of the pandemic and the number of deaths reached 712 thousand.

The first reports of an outbreak of pneumonia of unknown aetiology in the city of Wuhan emerged in December 2019. Chinese authorities took no action to proactively prevent the disease for several weeks and downplayed information on its spread. In these circumstances, withholding a timely government response for the sake of rights and freedoms resulted in the striking expansion of the disease.

Action to prevent the epidemic can significantly affect the rights of millions of people. It primarily concerns the right to health guaranteed by the Universal Declaration of Human Rights, which stipulates the rights of access to medical care and information, prohibits discrimination in healthcare or compulsory treatment without the consent of the patient and provides other guarantees.

The governments responded to the new virus by strengthening the hand of the police and other law enforcement agencies in addressing the situation. Cases of disproportionate use of force have become more common, as well as biases in risk assessments and human rights violations. The temptation is strong, too, to engage restrictions and bans not against viruses but in pursuit of the state's objectives in a less than democratic manner contrary to the principle of the rule of law, meaning any dissenting views are oppressed and the focus shifts from public interest to the interests of the elite.

As to the right of access to information, Chinese authorities were resolute to control news flows concerning the spread of the virus: many media outlets were hit by censorship, Chinese authorities chased people who tried to report news on the coronavirus in social media. Lawyer and journalist Chen Qiushi was chased by Chinese authorities for posting images of Wuhan hospitals⁸.

As the virus spread beyond China to the neighbouring countries of Southeast Asia, authorities were also convinced not to flag it in news channels. In Malaysia, Thailand and Vietnam, people were arrested and fined for posting reports on outbreaks of the disease on allegations of spreading unfounded, “fake” and exaggerated information⁹.

On the one hand, it is certainly very important to dismiss false statements concerning any risks or threats to avoid panic, but it is also crucial to spread competent information, indeed, to protect people, the first step is everyone's own proper behaviour easing the

⁷ Sluchai pandemii v mire v XX veke. RIA Novosti. Available at: <https://ria.ru/20200312/1568463184.html>

⁸ Kak koronavirus porazhaet prava cheloveka? Amnesty International. Available at: <https://eurasia.amnesty.org/2020/02/10/kak-koronavirus-porazhaet-prava-cheloveka-obyasnyaet-amnesty-international/>

⁹ T. L. D. Huynh, “The COVID-19 risk perception: A survey on socioeconomics and media attention”, *Economics Bulletin*, 40(1) (2020): 758-764

government's task in combating epidemics. Meanwhile, barriers preventing access to information on potential threats, on the contrary, put people's life and health at risk and come in contradiction with international human rights law¹⁰.

Times of emergency pose a threat for freedom from arbitrary detention (Article 9 of the Universal Declaration of Human Rights), freedom of movement, freedom of opinion and expression, etc. Any measures that limit these rights and freedoms must be lawful, necessary and proportionate.

The norms of international law have been increasingly violated recently, particularly in terms of the regulations of the Convention for the Protection of Human Rights and Fundamental Freedoms ETS No. 005 of November 4, 1950, concerning the right to liberty and security (Article 5) and freedom of expression (Article 10), which regulate the proportionality of restrictions in emergencies.

E. g., quite controversial is the situation around the cruise ship *Diamond Princess* in January 2020 during its two-week journey from Kagoshima to Hong Kong to Okinawa. The ship was put in quarantine after one of the passengers, an elderly man from China, was diagnosed with the novel virus¹¹. The ship was crowded with tourists, 3.7 thousand people from 56 countries were on board, and a subsequent examination found that the first infected group was 20 people, but the spatial density and lack of opportunity to keep a distance from the outbreak of infection led to more than 500 new cases, including lethal ones¹². On the one hand, quarantine was a desperate step to localise the source of infection. On the other hand, unaffected people had to run higher risks of being infected as they were isolated close to the outbreak and had no possibility to protect themselves.

Under international law, quarantine measures restricting the right of movement can be justified when they are proportionate, strictly necessary, of limited duration, serve lawful objectives and are voluntary as much as possible and non-discriminatory in the application. Quarantine measures should be imposed in a way to be safe and respectful of human dignity.

The threat of a large-scale spread of the virus can not only unite the community in common fight, but be also used for manipulations. The possibility of pursuit of the state's objectives by means of restraints and bans was already mentioned above. Besides, all kinds of extremist groups, terrorist organisations and sects might exploit mass fear of a potentially fatal threat as a lever to disrupt confidence in official authorities by inciting dissatisfaction and spreading subjective interpretations of political decisions and facts potentially causing unrest and risks to national security. The weakening leverage of the state over society allows armed groups to gain control in some territories. Moreover, some states can externally fuel public dissatisfaction to weaken the standing of a country in global politics and economics.

¹⁰ A. S. Petrakova; T. G. Martseva y I. N. Voblaya, *The Problem of Manipulative Interference in the Processes of Identification and Self-identification of an Individual in the Conditions of the Information Society Functioning*. In: Popkova E., Sergi B. (eds) *Scientific and Technical Revolution: Yesterday, Today and Tomorrow*. ISC 2019. *Lecture Notes in Networks and Systems*, Vol: 129 (Springer, Cham, 2020)

¹¹ Lovushka «Brilyantovoi printsessy». *Koronavirus na lainere v Yaponii. Krym. Realii*. Available at: <https://ru.krymr.com/a/lovushka-brilyantovoj-princessy-koronavirus/30422847.html>

¹² Umer eshche odin zarazivshiysya koronavirusom passazhir lainera *Diamond Princess*. *Interfax*. Available at: <https://www.interfax.ru/world/696447>

In life-threatening circumstances, there may be restrictions on human rights. International organisations actively engage in determining the scope of applicability of restrictive policies and the kinds of threats justifying urgent public measures. The European Court of Human Rights (ECHR) plays a crucial part here, judging whether the state mechanism of individual countries is appropriate, efficient and compliant with fundamental democratic values. The ECHR resolves whether defiance of democratic ideals can be justified and rules if the respective measures were necessary, lawful, justified in the respective circumstances and whether they consolidated constitutional guarantees.

Proper funding of the pharmaceutical industry, sufficient levels of production of medications and protective equipment, their accessibility for all categories of population and commercialisation of medication constitute another aspect influencing the fight against epidemics. Assigning additional tranches of funding in the healthcare sector and easing requirements for businesses producing the required medications and protective equipment during viral outbreaks results in the growth of fraud and corruption, especially in the segment of public procurement. A whole nation can be dependent on the production, marketing and pricing policies of individual entrepreneurs¹³.

The primary beneficiaries are drug and vaccine producers, manufacturers of medical equipment and auxiliaries. The sharp growth of demand over supply during the active phase of the disease spread incites speculative activities. E. g., retail prices of medical masks grew several times, from 5 rubles before the deterioration to 50 rubles in March 2020. The price of carbon filter facemasks and FFP masks in online shops reached up to one thousand rubles¹⁴. Russia has experienced shortages of medical masks, sanitisers and ventilators. The imposed strict quarantine measures helped to win time for the healthcare sector to prepare for an efficient fight against the epidemic.

Benefiting from the restrictive measures are sectors gaining specific relevance during the quarantine period. This is primarily true for IT and tools to store, process and transfer information, as, on the one hand, employers actively adopt remote work arrangements, which is specifically visible in education, and, on the other hand, the unavailability of leisure and real entertainment leads to a growing demand for Internet resources. In current circumstances, major media corporations can exploit social, economic and political processes to gain wealth. The situation may be beneficial for organisations providing works and services supporting living routines. Decent profits may be earned by online retail and catering platforms such as Delivery Club, Yandex.Eda and other services. Stress and uncertainty push the focus toward consumption, as of all feel-good options, largely only food and online entertainment are available, so the turnover of major retail chains grew several times. Meanwhile, small business presents another problem, which became obvious during the period of restrictions and bans, given that the biggest danger for an entrepreneur is idling as fixed expenditure keeps accumulating despite the shutdown of production. The state is forced to restrict movements amid uncontrollable spread of the virus, which dampens consumer demand and erodes earning potential for small businesses, thus creating favourable conditions for monopolists.

¹³ T. G. Martseva; I. N. Voblava y E. N. Seifieva, "Osobennosti regulirovaniya farmatsevticheskogo rynka Evraziiskogo ekonomicheskogo soyuza", *Problemy sotsialnoi gigieny, zdravookhraneniya i istorii meditsiny* Vol: 27 num 5 (2019): 841-846.

¹⁴ E. Gaiva, *Iz-za koronavirusa tseny na meditsinskie maski povysili v desyat raz*. Rossiiskaya gazeta. Available at: <https://rg.ru/2020/03/14/iz-za-koronavirusa-ceny-na-medicinskie-maski-podniali-v-desiat-raz.html>

The problem is prevalent globally, not only in Russia. Experts believe the policies of restrictions and bans, which put a brake on global production and eventually caused economic redistribution to stumble, are detrimental for the global economy. The scale of economic stagnation can be compared to the global crisis of the beginning of the 20th century known as the Great Depression.

A crucial problem is the decline of living standards as a result of slowdowns or shutdowns of small and medium businesses muting all types of factor incomes and thus making the normal quality of life inaccessible. Meanwhile, the prevalence of private medical care over public healthcare poses a risk to life and health of citizens in developed countries. The epidemiological threat the world is trying to counter now has exposed the inconsistency of public medical care under the framework of voluntary private insurance, as many people without a signed medical care agreement cannot exercise their right to life. The scheme is, no money means no insurance and no way for seeking medical care under a policy or buying appropriate medication. There are certainly paid medical services in private clinics, but if one cannot afford insurance, it is unlikely that treatment would be affordable in such a case. In calm times, when the epidemiological situation is under control, the use of voluntary medical insurance opens the way for reassigning the responsibility for medical care from the state onto the citizens, private medical centres and insurance companies. However, given the heightened risk, governments have to assume full responsibility and accordingly consolidate efforts and reserves to protect people from possible threats, specifically, epidemics.

Discussion

Given that the problems discussed in the paper are relatively novel, publications usually outline facts concerning restrictions in socioeconomic processes. For now, no efficient methods of governance have been yet developed to operate under the pandemic and restrictions. Cumulative practices of different countries in addressing socioeconomic processes amid the pandemic would become a focus of further research for economists, sociologists and managers.

Conclusion

The accomplished study helped to accumulate the most indicative parameters determining the controversial nature of policies conducted by some governments to counter real threats (as exemplified by the coronavirus). The modern society has not been prepared to face new sudden challenges, which has brought about the following problems:

1. the commercialisation of medical care in developed countries has led to prioritised protection and survival of those who can afford it. I. e., roughly, the right to life risks to evolve from a constitutional right to an elitist right in the future;

2. speculative exploitation of the consequences of the coronavirus infection resulted in erroneous policies, shift of focus from improving the level of protection and health of the population toward stimulating consumer activities as a lever in trade and economic relations. Downplaying the degree of threat and catering to the interests of political elites and business communities contributed to lower efficiency of subsequent restrictive measures;

3. the third problem is a cumulative effect of the former two, excessive restrictions of rights and freedoms disproportionate to the level of risks, have proved not only inefficient,

but also inconsistent. Indeed, total social distancing: a) is hard to control and requires extra effort and resources to facilitate such a tough regime; b) has hit hard the global economy, particularly, by causing a sharp decline in the levels of prosperity in different countries; c) shows low efficiency when the state tries to reassign the responsibility to develop the social guarantee system onto citizens and businesses (by forcing them to purchase sanitisers and protective equipment at their own expense; by limiting access to public spaces under the compulsory digital pass system, while allowing unrestricted visits to major food stores; by restricting operations of social and medical infrastructure facilities without providing any alternatives, etc.).

The findings can be useful in further research on the efficiency of restrictions and their socioeconomic effects in different countries of various level of development, given several scholarly observations concerning low-income countries (on the per capita basis) with minimum fatality rates caused by COVID-19. The input can be also used by government agencies implementing the policies of bans and restrictions to figure out their scope, intensity and practicability. Proper focus is also warranted on the behaviour of the media acting, on the one hand, as the only information source during the period of social isolation¹⁵ and, on the other hand, as a lever for manipulations with public perceptions.

Having reviewed the whole spectre of preconditions, circumstances and outcomes, we found both positive and negative aspects of the policies of bans and restrictions. It is important to keep in mind that in a democratic society, it is incumbent on the state to create institutions to automatically regulate social, economic and political processes. The state reserves its role as the regulator and guarantor of the rule of law, division of powers and protection of constitutional freedoms. However, in case of emergency, interference is allowed where the state is supposed not only to prevent negative effects but mitigate damage. That said, governments should take into account the principles of international law and constitutional policies even in situations of heightened risks to prevent discrimination, political and economic manipulations and disruption of the statehood.

Therefore, under international laws, measures restricting human rights and freedoms can be only deemed justified when they are proportionate, strictly necessary, limited in duration, when they serve lawful objectives and are voluntary as much as possible and non-discriminatory in the application, since violations of rights not only create obstacles for proper response in a public security emergency but also erode the efficiency of the applied course.

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¹⁵ T. L. D. Huynh, “The COVID-19 risk perception...”

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