

THE LIMITATIONS OF HUMAN AND CIVIL RIGHTS IN THE ERA OF THE COVID-19 PANDEMIC AND THE ACTIVITY OF THE STATE AND LAW: THE CASE OF ESTONIA / Joanna Marszałek-Kawa, Kateryna Holovko

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This research paper is the result of the research project Civil Disorder in Pandemic-ridden European Union. It was financially supported by the National Science Centre, Poland [grant number 2021/43/B/HS5/00290].

Submitted: 03 February 2023
Accepted: 24 April 2023
Published: 30 June 2023

Abstract: *Restrictions in the sphere of civil rights and freedoms introduced by governments led to the numerous demonstrations of citizens in the whole world. During street protests, they expressed their disapproval of the radical measures taken by authorities. The main research problem of this paper relates to the impact of repression on the course of social protest using the example of Estonia. The findings of the study will serve as the basis for formulating more general conclusions concerning protest in the pandemic era. We will describe repressive and non-repressive protest policing from the spring of 2020 to the autumn of 2021. Having in mind the above, we formulated two principal research aims. The first of them refers to the identification of the main reasons behind the organisations of protests in Estonia and what steps the demonstrators took. The other, equally important research aim is to establish what factors influenced the course of demonstrations. In particular, the response of the police to civil disorder will be analysed. The thesis posed in this paper assumes that the high level of political culture, resulting in trust in the institution of the state, contributes to the de-escalation of protests and influences the non-repressive behaviour of the police towards demonstrators. The method used in this study is the qualitative source analysis text analysis. It draws on the technique of content analysis of the specific media coverage of the activities of the police and protest participants during the indicated period. The study rests on the reports that appeared on the most important websites and Internet portals reporting on the course of the protests.*

Key words: *Estonia; Police; Pandemic; Civil Disorder; Protests; Estonian Jurisdiction; Constitutional Law; Human and Civil Rights*

Suggested citation:

Marszałek-Kawa, J., Holovko, K. (2023). The Limitations of Human and Civil Rights in the Era of the COVID-19 Pandemic and the Activity of the State and Law: The Case of Estonia. *Bratislava Law Review*, 7(1), 89-100. <https://doi.org/10.46282/blr.2023.7.1.339>

1. INTRODUCTION

As a result of the global COVID-19 pandemic, which hit the world with a staggering force in March 2020, the authorities of numerous countries in the world faced the challenge of taking immediate steps to prevent the virus from spreading. Their actions affected millions of lives. Radical decisions were often made, including the

introduction of far-reaching restrictions that significantly interfered with the sphere of civil and political rights. States of emergency, in which the regulations that gave the authorities extensive freedom to act, to a large extent suspended the functioning of social life (Podkowik, 2021).

On 27 February 2020, the first case of the coronavirus was reported in Estonia. It concerned a person who had come from Iran. The government effectively managed the crisis, which is confirmed by the data showing that Estonia ranked 11th when it comes to the lowest number of deaths among the European Union member states. As Ringa Raudla points out, "in containing the virus, the Estonian government followed a five-fold approach: 1) Mandating the closure of a series of venues to limit person-to-person spread; 2) Closing the border; 3) Public information campaigns urging people to stay at home and work at home if possible; 4) Extensive testing; 5) Quarantining positive cases and contact-tracing." When formulating the strategies of combatting the virus, the authorities based their decision-making process on four pillars: "1) Political willingness to act fast and the centralisation of decision-making; 2) Fast policy learning; 3) Cooperation with scientists; 4) Advanced ICT infrastructure and e-government solutions" (Raudla, 2021).

In order to minimise the effects of the COVID-19 pandemic and to evaluate the steps taken by the appropriate services to ensure security and public order, this paper will outline the Estonian law restrictions that were implemented during that time. We will thus reflect on the character of public protests and the methods used by the Estonian police and we will assess the strategy, tactics, and variants of operations carried out in the conditions of public concern caused by pandemic restrictions.

According to the concept, declaring a state of epidemic does not provide the executive branch of government unrestricted authority to enact new laws that affect constitutional rights and obligations. Not every extraordinary action taken by the government is justifiable. The imposition of necessary restrictions on civil and human rights (such as the freedom of association, the freedom of assembly, the freedom of movement, and the freedom of religion) in a democratic state based on the rule of law should take into account the proportionality principle and be consistent with constitutional values. Moreover, the introduced orders and prohibitions should be subject to absolute judicial review. What is important, socially accepted limitations which are aimed to fight the epidemic have to be justified by scientific knowledge (Bosek, 2021).

What must be emphasised is the fact that the emergency state of epidemics does not also allow us to disregard the principles of making and applying the law. The experience of the COVID-19 pandemic showed that public authorities often responded to new threats in an inadequate manner, for example, by drawing up excessively detailed and numerous law regulations, which limited civil liberties and were sometimes at odds with the principles of demo-liberal constitutions. As Krzysztof Koźmiński and Jan Rudnicki point out, pandemic regulations "represented a manifestation of a common trend of the progressive juridisation of almost all spheres of social and individual life" (Koźmiński and Rudnicki, 2021).

What is a key concept in democracy is trust, especially citizens' trust in authorities and public institutions. The pandemic reality showed that, in many countries, political issues prevailed over the law in decision-making processes. Consequently, the civil society suffered serious damage due to the limitation of interpersonal bonds. Epidemic regulations were often irrational and, thus, socially contested, also in the form of demonstrations. They sometimes undermined the institutional foundations of a democratic state and international standards of protection of human and civil rights. The crisis of citizens' trust in the state poses a serious threat to democratic principles and

values. According to Ryszard Piotrowski, in the global dimension, this concerns both the foundations of the democratic system and the institution of law itself (Piotrowski, 2021, p. 9). It is worth reminding that the Human Rights Council has acknowledged that "public confidence in police and other law enforcement officials is paramount for their ability to perform their functions effectively and depends on, inter alia, their respect for the human rights, fundamental freedoms and human dignity of all persons" (A/HRC/46/L.27) (UN Experts Call for an End to Police Brutality Worldwide, 2021).

Restrictions and limitations were introduced in a hasty and ill-conceived manner and often turned out to be unnecessary. Thus, it comes as no surprise that they met social resistance, and people showed increasingly less respect for the law made. A number of countries saw mass demonstrations, which even led to street fighting. Tired citizens, who did not accept pandemic regulations, took to the streets to protest against the decisions taken by public authorities, which granted broad powers to uniformed services, especially the police, to ensure the implementation of the new rules. During the dynamically developing pandemic, protesters undermined the legitimacy of pandemic regulations, which allowed for broad interference with the status of an individual. They raised doubts concerning the lack of scientific evidence that would justify the imposition of orders and prohibitions. It was pointed out that the extensive nature of pandemic limitations does not correspond with the scale of the threat.

For example, if we talk about mass protests in the Slovak Republic, then they were accompanied by dissatisfaction, first against the mask regime and then against mass vaccination. At the initial stages, the participants of the rallies were representatives of the radical right-wing views. The day before, their leader of the neo-Nazi opposition was convicted, and therefore their dissatisfaction with the government itself grew. In addition to these representatives, the participants in the protests were ordinary people who were dissatisfied with the activities and policies of the Prime Minister of the State. As a result of misunderstandings between protesters and the police, clashes often occurred. The result of such clashes was the use of tear gas and water cannons by the police. When the policy of mass vaccination was implemented, protests began to be actively held again because discontent among the population was growing. The protests turned into clashes again and some of the protesters were injured. Most were tear-gassed (How quarantine in Europe led to protests against forced vaccination, 2021).

This is one of the examples of how the protests were conducted and what the authority's reaction to them was. In our research, we want to investigate the situation with implemented restrictions in Estonia and to analyse the reaction of the society.

2. THE STATE OF EMERGENCY IN ESTONIA AND THE LIMITATIONS OF HUMAN AND CIVIL RIGHTS

On 12 March 2020, pursuant to the Emergency Act, the government announced a state of emergency in Estonia in connection with the COVID-19 pandemic (Emergency Act, 2017). Based on clause 8 of Para 87 of the Constitution of the Republic of Estonia and Para 13, subsection 1 of Para 19, subsection 1 of Para 21 and Para 23 of the Emergency Act, we can state the following:

The Government of the Republic: 1) declares an emergency situation in connection with the pandemic spread of the corona virus causing the COVID-19 disease throughout the world, the identification of the spread of the virus in Estonia, the likelihood of the expansion of the spread of the virus, the resulting risk of mass contraction of the virus and the need to implement the governance arrangements provided for in Division 2 of Chapter 4 of the Emergency Act and enables the measures provided for in the same

chapter, where necessary. The emergency caused by the spread of the virus cannot be resolved without applying the governance arrangements provided for in the Emergency Act; 2) designates the administrative territory of the Republic of Estonia as the emergency situation zone.

Under Article 2 of the Declaration, the state of emergency was to be in force until 1 May 2020, unless the government decided otherwise (Emergency Act, 2017). On 24 April 2020, the amendment to the Declaration of Emergency Situation extended the period of validity of the state of emergency until 17 May 2020 unless the Government of the Republic decided otherwise. (RT III, 24.04.2020, 5 – entry into force 24 April 2020) (Declaration of Emergency Situation..., 2020). Ultimately, the state of emergency ended on 18 May 2020. By declaring it under the provisions of the Emergency Act of 8 February 2017, the government was able to apply the necessary measures to fight the epidemic (Emergency Act, 2017). On 12 August 2021, the Estonian authorities announced a new state of emergency.

On 20 March 2020, the government of Estonia – having adopted the principles of limiting the spread of the virus - “informed the Council of Europe that it was exercising its right to derogate from its obligations under Article 15 of the ‘European Convention for the Protection of Human Rights and Fundamental Freedoms’. In particular, it declared that, during a state of emergency, it suspended a number of rights, including the right to liberty and security of a person, the right to a fair trial, the right to respect for private and family life, the freedom of assembly and association, the right to education, and the freedom of movement” (Laanpere, 2022; Kuurberg, 2020; Human Rights in Estonia 2022, 2021).

During the state of emergency in Estonia, schools and universities were suspended and switched to online learning. The government encouraged parents to leave their children at home, but the kindergartens were not closed. The issues related to the organisation of work of kindergartens remained local governments’ responsibility (Declaration of Emergency Situation..., 2020).

A number of emergency measures were taken, such as the prohibition of all public gatherings, film screenings, shows/performances, concerts, conferences and sports events, and the closure of public sports halls, gyms, saunas, spas, sports clubs, and swimming pools. This did not apply to those institutions which provided social and health services and soup kitchen services (Declaration of Emergency Situation..., 2020; Laanpere, 2022). Starting from 25 March, groups of more than two people were not allowed to gather in public places (except for families and people performing public duties). As of 27 March, all shopping centres, restaurants, cafes, bars and other entertainment facilities were ordered to close. Grocery stores, pharmacies, telecommunications outlets, bank offices, parcel collection points, and shops which sold or rented medical equipment were allowed to remain open. Restaurants could sell only take-away food. On 17 March 2020, the government (with some exceptions, though) temporarily brought back border checks and introduced some restrictions concerning the crossing of the external border by people travelling to Estonia. The prime minister imposed limitations on the freedom of movement for 14 days with regard to people who were permitted to enter Estonia. Within 14 calendar days after arriving in Estonia, they could not leave their place of stay (Laanpere, 2022; Restrictions on the freedom..., 2020).

The restrictions that the government introduced in the winter of 2022 in order to reduce the spread of the virus were far milder. With the less potent virus and a large part of the society vaccinated, they included the following principles: “The close contacts of a person diagnosed with COVID-19 should self-isolate for at least five days and monitor their health. It is especially important to avoid contact with people belonging to a risk

group (regardless of their vaccination status). If complete isolation is not possible, wear a protective mask that tightly covers the nose and the mouth" (Current restrictions, 2022).

In May 2021, the Act Amending the Communicable Diseases Prevention and Control Act was adopted. The act specified the competence of the government and the Health Board, providing a legal basis ensuring that people follow the precautionary safety measures in the event of the spread of an infectious disease. The act also provided for the possibility of using the police and other law enforcement agencies to perform the Health Board's tasks. The draft act was met with a host of criticism and huge crowds of people protested against it on the hill of Toompea, where the Estonian government and parliament are located. The demonstrators expressed the fear that the new law would make it possible to evict people, especially children, by force. Legal experts argued that this was actually not the case and that the new act would change the procedure only to a minimal extent (Laanpere, 2022).

The government ran a far-reaching information campaign, both on the Internet and in the traditional media. It justified the reason behind the new restrictions with the need to ensure health security. A large part of the society, however, perceived the government's measures to fight COVID-19 as "a deprivation of liberty and a violation of human rights." Such opinions were clearly triggered by the wave of disinformation that spread on social media (Laanpere, 2022).

3. A DISSENTING VOICE AGAINST THE INTRODUCED RESTRICTIONS AND THE ACTIONS OF THE POLICE AGAINST THE DEMONSTRATORS

The introduced pandemic restrictions, which practically meant the suspension of a number of rights and freedoms specified in international conventions and national constitutions, provoked social resistance all over the world. People, locked in their homes and deprived of the possibility of working and spending free time as they wanted, were increasingly opposed to new restrictions imposed by governments. The successive waves of the pandemic were accompanied by a disinformation campaign on social media, denying the existence of the Sars-Cov2, and anti-vaccination movements grew in popularity.

The lack of a sense of security was used by nationalist and populist movements. The pandemic had a strong influence on the shape of the political scene and citizens' attitude to the state. It is indicated in the literature that a sense of security weakens under the pandemic conditions. As Paweł Waszkiewicz points out "the low sense of security and the awareness of limitations as regards self-agency leads to a shift from freedom towards the strong state (...). As the empire of this state actually keeps shrinking, it is its residents that become the ultimate addressee of its activities" (Waszkiewicz, 2021, p. 47).

In the public debate, constitutionalists and representatives of non-profit organisations indicate the real threats related to the fact that the state has seized citizens' living space, which they may not retain after the pandemic is over. The practice of public life shows that once the authorities have granted themselves some powers, they have no interest in returning them. Since the 11 September attacks in 2001, governments have been imposing limits in the sphere of rights and freedoms under the slogans of guaranteeing security. The development of modern technologies allows them to filter people's behaviour both in the physical and mental dimension. According to Luis A. Fernandez, the awareness of such practices obviously affects the choice of the forms of resistance. Knowledge of the infiltration of social movements by way of following contacts, conversations, and meetings raises legitimate fears among activists, who are treated as terrorists by definition, that they may become the subject of repressions.

Hence, they choose less confrontational forms of expressing their objections (Fernandes, 2008, p. 4).

After long months of the pandemic and lockdown, social frustration deepened. In the spring 2021 first protests began in Estonia, with its 1.3 million inhabitants and the population density of 31 per km². On 20 March 2021, demonstrations were held in Tallinn and other large cities, such as Tartu and Pärnu. The protesters expressed their objection to the obligation to wear masks. The police had found out about the protests earlier on the Internet and a few misdemeanour cases were initiated, including the charges of violating traffic rules. Steps were taken to disperse the protesters and punish the organisers, who had not informed the authorities of the planned demonstration and its route (Estonian Protests Against Restrictions ..., 2021).

In 2011, a few demonstrations were held in Tallin to protest against the amendments to the Communicable Diseases Prevention and Control Act (2003) (known as NETS, Nakkushaiguste ennetamise ja tõrje seadus), which extended the powers of both the PPA (Est. *Politsei- ja Piirivalveamet* - Police and Border Guard) and Health Board (*Terviseamet*) as regards monitoring public behaviour at gatherings. Another wave of protests broke out in May 2021 after the Riigikogu adopted the amendments specifying that people would be subject to misdemeanour proceedings for violating mask-wearing rules and imposing restrictions on movement and the organisation of events, as well as other restrictions which may be put in place in the event of a pandemic. The earlier regulation only concerned misdemeanour charges for breaching quarantine requirements. Moreover, the new amendments would also allow the authorities to temporarily close institutions or restrict their activities, and to forbid meetings and events (Whyte, 2021c).¹

The representatives of the initiators of the changes concerning the powers of the Health Board argued that the reason behind the new regulations was to “streamline procedures, both making PPA/Health Board interaction more flexible and, as far as the police are concerned, more independent as well.” It was also emphasised that both the Health Board and the police had already had these rights under the Law Enforcement Act. The draft act allowed the PPA to assist the Health Board to the smallest possible extent and as much as necessary. What is important, “the bill included amendments which reduced fines for potential violators. These have been halved in the case of individuals to 100 units and cut by even more than that, to €13,000 (from €32,000), for legal persons” (Whyte, 2021a). According to the bill sponsors, the adopted legislative changes did not constitute a threat to the freedom of expression. They were only a response to social expectations towards the authorities, the activity of which should increase a sense of security. Legal experts disagreed, arguing that the introduction of the new regulations would lead to the establishment of the police state.

According to the BTI Country Report 2022, Estonia is a stable democratic state, which ranks 2nd out of 137 examined countries (9.65) in terms of political transformation, 3rd when it comes to economic transformation (9.29) and 7th as far as the governance index is concerned (7.02). What should be stressed in the context of the limitations of rights and freedoms in the pandemic times is the fact that electronic chip-embedded ID cards, which almost all adult Estonians have – helped the authorities to manage the epidemic situation in the country efficiently during the COVID-19 restrictions in 2020 (they were used to securely identify individuals online (Estonia Country Report, 2022).

¹ The draft act was passed by the Riigikogu by the majority of 56 votes, with 39 against (Whyte, 2021b).

As P.A.J. Waddington accurately remarks, "over the last two or three decades, public order policing has definitely become more militarised" (Waddington, 2003; Waddington, 2007, p. 2). What should be pointed out, however, is the fact that the police in European countries maintain public order mainly by way of "negotiated management" (the opposite of the repression model), which involves taking preventive actions and accommodation. They use measures such as, among others, surveillance, communication, and the proper selection of officers of higher and lower rank. A significant role is played here by negotiations between the police and demonstrators, which often take the form of bureaucratic procedures of collecting information needed to issue a permit to the protest organisers, including time, date, location, the expected number of participants, the list of speakers and activists, or the props used (Fernandes, 2008, p. 14). David P. Waddington refers to this style as "the iron fist in a velvet glove" (Waddington, 2007, p. 34).

Nowadays, as L. A. Fernandes indicates, the police use modern technologies to monitor protests in a subtler way. Among the measures used are negotiations with protest organisers, channelling mass demonstrations into protest zones, or taking legal steps to nib the protests in the bud. The authorities also use soft-line social control methods, such as creating social fear by presenting a dangerous, discrediting image of demonstrators in the media, establishing legal norms that are politically motivated and become a tool of social control aimed at limiting the rights to the freedom of speech and to the freedom of assembly (Fernandes, 2008, pp. 5–6), and political court verdicts against the opponents. They complement traditional techniques, including intimidation, searches, mass arrests, blockades, removing people from the streets by force, deploying uniformed police squads at the key points in the city (hard-line social control) (Fernandes, 2008, pp. 10–12).

Political influence, combined with the nature of the demonstration and the group of organisers, is a key factor in determining the strategy and operational methods of the police, as David P. Waddington points out. The government and political, economic, or social institutions can have a significant impact on the way uniformed services handle the protests. Mass-media can positively or negatively influence the police decision-making process, too. The actions taken by officers in the line of duty are also determined by the police occupational subculture or the "cop canteen culture" (Waddington, 2007). According to della Porta, the political culture of "host society is fundamental to understanding the long-standing styles of protests politicising" (della Porta, 1995).

What is of utmost importance for the peaceful or violent character of a demonstration are the "trajectories of a historic change" in a given country (McAdam et al., 2004, p. 411). One should also stress the nature of the interaction between the protest participants and the police, which is often influenced by media coverage or by earlier incidents and the police response, such as the repercussions used or the heavy-handed tactics (Lichbach, 1987; Earl, 2003), as well as the type of demonstration. What is more, as Smeler and Hundley point out, when if the police actions are found to be legitimate in the eyes of the protesters, they will not become the trigger leading to riots. However, if the behaviour of officers is perceived as rude, unfair, brutal, and discriminating, the crowd may change its attitude and take joint action against the police (Hundley, 1968, pp. 627–639; Waddington, 2007, p. 42). Della Porta and Reiter argue that bans on public demonstrations may be a factor leading to their violent character (della Porta and Reiter, 1998, p. 20).

A popular opinion in the literature holds that the types of repression utilised by the police and the behaviour of the demonstrators who support them determine the regime model (Rasler, 1996, pp. 132–152). For many years, Estonia has been perceived

as a stable, democratic country that occupies the top positions in the rankings of political transformation. Most of its citizens consider constitutional laws to be of fundamental value. The actions of the police aimed at ensuring the implementation of pandemic restrictions did not lead to an escalation of moods. The protests themselves were not as violent as was the case in, for example, France, Greece, or Spain.

In Estonia, the pandemic demonstrations were of a non-centralised, internally non-hierarchical character and were organised with the use of network-based movement strategies (McAdam et al., 2004). During the protests held during the first waves of the pandemic, police officers took action without, not to intensify the tension. They used oral persuasion and encouraged the protesters to disperse peacefully. In April 2021, mass protests took place on Toompea, outside the Riigikogu, moving down the hill to Vabaduse väljak (Freedom Square) after the Border Guard Board (PPA) installed barriers to disperse the crowds (Whyte, 2021c). The police and the PPA protected the march. The video recordings uploaded on the Internet showed that the police officers mostly explained the rules of dispersion and distancing, although some of them intervened with force, too (Kallaste, 2021). A number of people were detained for not abiding by the binding restrictions, but also for disrupting public order. A few people were fined, too (Whyte, 2021b).

Criminology professor Jaan Ginter of the University of Tartu argued, however, that the "the use of force by the police in the April protests in Tallinn has been excessive (...). The Police and Border Guard Board (PPA) should have conducted a risk assessment, which would show there was the possibility of a situation similar to the storming of the U.S. Capitol building in January. If there had been such a reliable risk assessment, this would have been acceptable. Now, if this was the reaction to the few protesters, it was overkill." According to Ginter, the manifestation of power by the services only aggravates the situation and thickens the atmosphere among the protesters." Paramilitary methods used by the officers against the demonstrators may strengthen violent attitudes (Tilly, 1978; Kallaste, 2021; Waddington, 2007; Waddington, 2003). The representatives of the police argued that their actions were adequate to the situation and were a response to the provoking and insulting behaviours of the protesters against the officers. As the Minister of Internal Affairs Kristian Jaani pointed out, "demonstrators have the right to express their opinions, but this does not exempt them from the obligation to obey the rules adopted to guarantee health security in Estonia. The freedom of expression is not threatened if the protesters abide by the restrictions imposed due to the pandemic circumstances and manifest their views in groups no larger than 10 people" (Kallaste, 2021).

A few-hour demonstrations were also held in October 2021, in Freedom Square in Tallin. They were joined by a number of people from other cities as well - Pärnu, Võru and Saare County. They protested against the new COVID restrictions, demanding the freedom to choose the right to vaccinate. The protesters raised slogans: "No to dictatorship", "We demand freedom of vaccination", "Stop Kaja Kallas", "How many vaccine deaths are OK?", "God save Estonia". The demonstrations were organised by the Foundation for the Protection of the Family and Tradition (SAPTK). Members of the European Parliament also took part, as well as the representatives of other organisations, such as Sinine Äratuse (Blue Awakening) or the Soldiers of Odin group (Wright, 2021).

It is important to note that all the protesters were united by a single goal and a single dissatisfaction with the introduced quarantine restrictions and later with forced vaccination. Most of the protests in 2021 were organised by opponents of the Prime Minister of Estonia and her policy of mass vaccination. If we talk about rallies for the period of 2020-2021, then their organisers were various public organisations, activists,

supporters of the theory of a general conspiracy, or those who did not believe in the existence of the disease as such. The latter were convinced that the measures implemented by the state are illegal and unlawful and are directed against the people themselves and their freedoms.

4. CONCLUSIONS

Prof. Karl A Roberts, Dr Brendan J Cox, Dr Auke van Dijk and Dr Brandon del Pozo formulated a number of recommendations concerning police operations in the pandemic era. The four most important of them definitely contribute to the reduction of human rights abuse, and to elimination of tensions and fears related to the restrictions. First, "legislation should be public health-focused and the police should be encouraged to seek compliance through engagement and education rather than police enforcement actions." Second, "the police should use and explain approaches to the public that are designed to maintain trust rather than adopt draconian or violent enforcement approaches." Third, "the police need to communicate with people clearly in order to explain their decisions and need to be ready to listen to the community's concerns. This will enhance the perception of procedural justice, which, in turn, can maintain social trust and cooperation." Fourth, "legislative action should be aimed at limiting unnecessary enforcement actions during the pandemic where the risk of contraction of the disease outweighs the benefits of enforcement or where it places unreasonable demands on the police" (Roberts et al., 2021).

As the authors of the *Estonia Country Report 2022* indicated, the Estonian government managed the crisis quite effectively. Political parties were remarkably united in their attitude to the main governance challenge during the period under examination – handling the pandemic crisis. There were very few if any public controversies within the coalition or even between the coalition and opposition parties. This can be attributed to the fact that the influence of COVID-19 disease on the economy and public health was not as strong as expected, at least during the first wave. By the end of 2020, Estonia had the lowest coronavirus-related death rate in Europe and the estimated drop in the GDP growth was modest (-5%) (Estonia Country Report, 2022).

The authors of the Amnesty International report published in December 2020 point out that during the pandemic, the police used force against people protesting the restrictions of rights and freedoms in as many as 60 countries of the world. There were cases of death, serious injuries, and mass arrests "for allegedly breaching restrictions or for protesting against detention conditions." In the report, it was also stated that "many states have also used the pandemic as a pretext to introduce laws and policies that violate international law and roll back human rights guarantees, including unduly restricting the rights to freedom of peaceful assembly and freedom of expression" (Governments and Police Must Stop Using Pandemic as Pretext for Abuse, 2020; Covid-19 Crackdowns: Police Abuse and the Global Pandemic, 2020). Patrick Wilcken, Deputy Director of Amnesty International's Global Issues Programme, said that "security forces all over the world are widely violating international law during the pandemic, using excessive and unnecessary force to implement lockdowns and curfews (...) While the role of law-enforcement at this moment is vital to protect people's health and lives, the over reliance on coercive measures to enforce public health restrictions is making things worse. The profound impact of the pandemic on people's lives compounds the need for policing to be carried out with full respect for human rights" (Amnesty International, 2020b).

The United Nations human rights experts also spoke against the violence used by the police during the pandemic. In the statement published on 11 August 2021, they alarmed over "rampant police brutality against peaceful protesters worldwide" and warned "States of grave danger arising from such abuse of human rights and the rule of law." According to them, "this trend, often extending to journalists covering protests, has resulted in countless deaths and injuries, often exacerbated through torture, sexual violence, arbitrary detention, and enforced disappearance, and has intimidated, traumatised, and antagonised large segments of society worldwide." The UN experts also pointed out that security forces all over the world used often excessively violent measures, such as bans on assemblies, lockdowns, and curfews, in order to protect public health (UN Experts Call for an End to Police Brutality Worldwide, 2021).

In small Estonia, there were from a few to several thousand protesters taking part in pandemic demonstrations and the police used the operational method of "negotiated management." For securing the area of protests, they applied mainly soft-line social control measures, only sometimes resorting to hard-line social control techniques (Fernandes, 2008). It is fair to assume that this was related to political culture, which was reflected in the high degree of respect for democratic value among the citizens of Estonia, the previous experience of communication between the police and demonstrators, and high standards with regard to the state governance model, which facilitated the centralised decision-making process in the conditions of political compromise.

To conclude, it must be emphasised that if the police actions are based on the existing law regulations, which also include the provisions concerning restrictions proportionate to the ongoing threat, they become socially legitimate and are not perceived as abusive. What is good law for citizens is also "good for the police and good for policing. The enforcement of the rules using various sanctions is seen as the last resort and is used only if other methods of persuasion fail" (Roberts et al., 2021).

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