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THE SECURITY IMPACTS OF THE COVID-19 PANDEMIC

GUEST EDITOR: SEBASTIAN VON MÜNCHOW

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The Security Impacts of the COVID-19 Pandemic

Sebastian von Münchow

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At the start of March 2020, roughly two months after its outbreak in the Chinese province of Wuhan, COVID 19 hit Western Europe. Up to 5.7 million people around the world have now tested positive, and more than 350 000 people have died. In Italy, the United Kingdom, Spain, France, and Germany alone, more than 135 000 residents have died. At the beginning of the crisis, European countries and the US sealed off their borders and turned inward to slow down the spread of the virus. Schools, universities, retail, and catering sectors were closed. Wherever possible, office staff were sent home to telework and, in varying intensities, laws and decrees were enacted to enforce physical distancing. At first, domestic themes dominated the headlines. The European public witnessed their respective political decision-makers, along with expert virologists and epidemiologists, discussing which steps were needed to keep the infection rates down and to maintain the safety of health sector employees handling patients. Western liberal democracies particularly were caught in the trilemma of trying to save the lives of its inhabitants, to mind the unprecedented restrictions for its citizens' basic rights, and to ensure economic survival.

Even though COVID-19 caught most international security academics by surprise, the very early days of the lockdown saw little attention being given to the impact of the virus on international relations. Initial papers featured the role of China in the pandemic. Some contributors wondered about Beijing's information politics, while others questioned staged relief operations in Europe. Some authors pinpointed the danger of a hungry China swallowing post-COVID Europe's bankrupt economy, whilst others elaborated on the aggressive rhetoric with which China has attempted to defuse the virus's origin. To a lesser degree, at-

tention was also paid to Russia, which was trolling Europe's public with disinformation, propagandistic aid campaigns and winkingly promoting authoritarian ways as superior to western models in handling a crisis.

The Garmisch-Partenkirchen-based George C. Marshall European Center for Security Studies, the operational hub of the Partnership for Peace Consortium (PfPC), shared the same fate as most educational institutions in Central Europe. Within days, it halted its operations, canceled courses and trips or delegations attending workshops or seminars abroad. Its staff was sent home to telework, and by the mid- to end of March 2020, professors of the Center's College of International Security Studies had adapted to a new *modus operandi*. Since then, more than 20 articles have been posted in a distinct COVID-19 section on the Center's website. The majority of contributions came from Marshall Center staff, but also from affiliated writers. Most of the works were written exclusively for the website. A few papers, mostly op-eds, were posted in external outlets and then linked with the Center's site. Based on this freshly generated expertise, College personnel subsequently launched virtual online seminars to discuss, with subject-selected audiences of its 14 000 alumni-counting network, different aspects of the coronavirus and international security.

Content-wise, the focus of Marshall Center academics did not differ from the pattern described above. As with their international peers, their early works focused on what is known as Great Power Competition. The posted articles on distancing from China or Putin's role during the pandemic bear witness to these efforts to think about international relations under COVID parameters. A little later, other contributors shed some light on the impact of the virus on specific regions, i.e., the Balkans or Central Asia. Then, writers submitted articles on the legitimate use of tools to control the pandemic in the national domain, namely the use of armed forces or the introduction of legal instruments to decree a lockdown. Other works revisited pre-coronavirus topics such as terrorism or violent extremism and discussed whether COVID-19 urges us to reconsider respective threat assessments. In sum, almost all sections of the Marshall Center security studies' capability were used in considering the effect of the virus on specific fields of expertise.

The College was thankful when the Garmisch-based office of the Partnership for Peace Consortium suggested that some articles could be published in a printed, special edition on "The Security Impacts of the COVID-19 Pandemic." The following selection of ten peer-reviewed contributions is the result. Eight articles are from Marshall Center staffers. By consent of the authors and the College's publication cell, they were decoupled from the above-described endeavor to enrich a worldwide public with analysis on the virus and how it shapes international relations. The works in this volume are grouped in a way that reflects the earlier categorization. They feature a range of international and national security-related topics from Terrorism, Good Governance, Area Studies, and Great Power Competition.

In the leading article, Dr. Tova Norlen discusses “The Impact of COVID-19 on Salafi-Jihadi Terrorism,”¹ a subject which was less debated when the pandemic spread across the globe in Spring 2020. Perhaps, the domestic health sector focus suppressed the awareness that the jihadi threat would not take a break during the coronavirus-crisis. Dr. Norlen took it upon herself to explain how the current crisis might re-shape the Salafi-Jihadi central message and strategy and, in turn, impact recruitment, tactics, capability, and leadership, and even doctrine.

Professor Ralf Roloff, Deputy Dean of the College of International Security Studies, follows with a contribution entitled “COVID 19 and No One’s World: What Impact for the European Union?”² Inter alia, Ralf suggests linking economic support out of the COVID-19 package to democratic values and the protection of civil and human rights and the Rule of Law.

Dr. Pál Dunay continues by elaborating on the European Union. His work “Coronavirus Pandemic and Reactions in the EU Accession Classes of 2004-2007” is a contribution that assembles Area Studies as far as a specific region in Europe is concerned, but also includes elements of Good Governance.³ Dr. Dunay explains how Eastern-Central European states have withstood the Coronavirus pandemic of Spring 2020 better than many other countries, but also how governments have struggled for economic recovery and to maintain Rule-of-Law standards.

My article on “The Legal and Legitimate Combat Against COVID-19: German Curfew-related Case Law” digs deeper into the dilemma of how to keep the health sector functioning, to restrict basic freedoms, and to maintain economic and industrial activities.⁴ I shed light on some administrative court decisions in Germany, which had to reconcile these aims.

Former Minister of Defense and today’s Head of the Center for Security and Defense Management at the Bulgarian Academy of Sciences, Dr. Todor Tagarev, a cherished academic and friend of the PfPC and the Marshall Center writes about “Balancing Defense and Civil Support Tasks: The Impact of Covid-19 on the Bulgarian Military’s Roles.”⁵ His article can also be seen as a contribution in light

¹ Tova Norlen, “The Impact of COVID-19 on Salafi-Jihadi Terrorism,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 11-23, <https://doi.org/10.11610/Connections.19.2.01>.

² Ralf Roloff, “COVID 19 and No One’s World: What Impact for the European Union?” *Connections: The Quarterly Journal* 19, no. 2 (2020): 25-36, <https://doi.org/10.11610/Connections.19.2.02>.

³ Pál Dunay, “Coronavirus Pandemic and Reactions in the EU Accession Classes of 2004-2007,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 37-47, <https://doi.org/10.11610/Connections.19.2.03>.

⁴ Sebastian von Münchow, “The Legal and Legitimate Combat Against COVID-19: German Curfew-related Case Law,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 49-60, <https://doi.org/10.11610/Connections.19.2.04>.

⁵ Todor Tagarev, “Balancing Defense and Civil Support Tasks: The Impact of Covid-19 on the Bulgarian Military’s Roles,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 61-76, <https://doi.org/10.11610/Connections.19.2.05>.

of good governance. While Pal and I featured the domestic toolbox as a critical element in fighting the pandemic, Todor turns to the power instrument of the armed forces and how it can be utilized to mitigate the coronavirus challenge.

Marshall Center professor Jack L. Clarke adds to this interesting aspect with a general article on “Pandemics and Armed Forces: Which Roles are Appropriate?”⁶ These publications serve well when comparing authoritarian means to fight the pandemic with those of liberal democracies.

The special edition then continues with three works combining themes of Great Power Competition and Area Studies. Marshall Center faculty member Dr. Petra Weyland’s piece on “The Pandemic in the Middle East and North Africa: Reflections on Current and Future Impacts” draws a rather dark forecast for the region in question.⁷

Dr. Greg Gleason from the Garmisch-based College and Professor Kuralay Baizakova (International Relations and World Economy at al-Farabi Kazakh National University, Almaty, Kazakhstan) write about “COVID-19 in the Central Asian Region: National Responses and Regional Implications.”⁸ This region is of particular interest since the five states find themselves in the immediate neighborhood of China and Russia. Thus, they are challenged by two revisionist powers seeking political and economic dominance in the region.

Speaking of which, Frank Mouritz, Academic Coordinator for the Master in Security Studies program at the Marshall Center, writes about “Implications of the COVID-19 Pandemic on China’s Belt and Road Initiative.”⁹ He warns states along the new Silk road to abstain from Beijing’s attempts to rebrand its so-called “mask diplomacy” initiative into a “health road” project.

Last but not least, the PfPC’s Study Group Regional Stability in South East Europe (SG RSSEE) shares with its readers “The Western Balkan Countries in the Face of the COVID-19 Pandemic: Policy Recommendations.”¹⁰ The recommendations in this article result from the First Virtual RSSEE Meeting held on 28 May 2020. They provide a number of tangible suggestions for Western Balkan gov-

⁶ Jack L. Clarke, “Pandemics and Armed Forces: Which Roles are Appropriate?” *Connections: The Quarterly Journal* 19, no. 2 (2020): 77-88, <https://doi.org/10.11610/Connections.19.2.06>.

⁷ Petra Weyland, “The Pandemic in the Middle East and North Africa: Reflections on Current and Future Impacts,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 89-99, <https://doi.org/10.11610/Connections.19.2.07>.

⁸ Greg Gleason and Kuralay Baizakova, “COVID-19 in the Central Asian Region: National Responses and Regional Implications,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 101-114, <https://doi.org/10.11610/Connections.19.2.08>.

⁹ Frank Mouritz, “Implications of the COVID-19 Pandemic on China’s Belt and Road Initiative,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 115-124, <https://doi.org/10.11610/Connections.19.2.09>.

¹⁰ Study Group Regional Stability in South East Europe, “Policy Recommendations: The Western Balkan Countries in the Face of the COVID-19 Pandemic,” *Connections: The Quarterly Journal* 19, no. 2 (2020): 125-131, <https://doi.org/10.11610/Connections.19.2.10>.

ernments, as well as for the EU, EU member states and NATO decision-makers on how to confront the coronavirus and security-related challenges in Southeast Europe.

All the articles in this volume were written in the special context of spring/early summer 2020, the phase when liberal democracies carefully began to re-liberalize public life. But restrictions have still endured, impacting on air traffic, trade, in-time production, academic exchange, and others. The articles were submitted when western governments and supra-governmental organizations like the European Union had generated several massive recovery packages. None of the contributions claim that the observations and findings might not be superseded by an eventual second—perhaps even worse—wave of COVID-19 or national political unrest changing a nation’s course. Hence, these articles should be read in the historical context of March to May 2020. Nevertheless, the articles do touch upon a salient variety of coronavirus-related aspects in international security studies. This special edition of *Connections* reveals the early instincts of security studies academics to remember that phenomena like terrorism will not go away due to a pandemic, to generate counter-narratives that shed light on the attempts of authoritarian regimes to discredit western models and to urge our governments to adhere to rule-of-law standards while fighting the virus. In sum, the authors illustrate what ten acknowledged experts considered important and worthy of observation.

The Partnership for Peace Consortium staffers, the editors, reviewers, and authors wish the readers good health and security in reading this special issue on the pandemic and its impact on international affairs.

June 2020

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Sebastian von Münchow – see the CV on p. 60 of this issue, <https://doi.org/10.11610/Connections.19.2.04>.



The Impact of COVID-19 on Salafi-Jihadi Terrorism

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Abstract: The purpose of this article is to evaluate how COVID-19 might impact the future threat posed by Salafi-Jihadi groups and to explain how the current crisis might re-shape the Salafi-Jihadi central message and strategy and in turn impact recruitment, tactics, capability, and leadership, and even doctrine. Salafi-Jihadi groups have found themselves in a dilemma as they have to reckon with the fact that Muslims are not spared from infection despite fervent prayer. If the Coronavirus is the wrath of God against the infidels, why is it also killing the *Mujahedeen*, and how do you explain it while still maintaining credibility to potential recruits? How do you maintain the *Jihad* during a global lockdown, where movement is curtailed and resources dry up?

To better understand what we should expect from Salafi-Jihadist groups in the future, the analysis explores three challenges that Jihadi groups will most likely have to overcome as a result of the current crisis: First, the challenge to their strategic mission and capabilities, especially relating to the operationalization of motivations for martyrdom and revenge. Second, the challenge to their ideology, faith, and religious interpretation of scriptures, with impacts on the consistency of their doctrine and “brand.” And third, the challenge to their unity and ability to provide members with a shared group identity, which may influence recruitment. How Jihadi groups and their leaders address these multi-level challenges will impact their cohesion and effectiveness, and the credibility of their message. It may also have repercussions on leadership and control, which could determine the relevance of the group as a future global threat. The analysis suggests that Salafi-Jihadi terrorism remains a threat both in the short and long-term.

Keywords: Jihadi terrorism, religious doctrine, Al-Qaeda, ISIS, COVID-19

Across the world, the staunchest holdouts in the face of COVID-19¹ have been religious radicals, fundamentalists, and militants of just about every faith. While some have latched on to conspiracy theories, miracle cures, or end-of-times theologies, others are using the crisis as an opportunity to spread religious ideology and hate, urging followers to engage in militant or terrorist activity. Salafi-Jihadi groups are no different. There are signs that they have become emboldened by the COVID-19 crisis and are seeking to profit from vulnerabilities exposed to western security.² Evidence suggests that they have stepped up their propaganda and operations significantly in the Middle East and elsewhere, including Asia and Africa.³

This article evaluates the impact of the COVID-19 crisis on the future threat posed by Salafi-Jihadi groups by exploring how the crisis might re-shape the Salafi-Jihadi central message and strategy, and in turn impact recruitment, tactics, capability, and leadership, and even doctrine. Most analysts are of the opinion that the current COVID-19 crisis may increase the risk of terrorism both in the short and long-term, as terrorists seek to profit from the vulnerabilities created as governments turn inward to combat the virus.⁴ However, certain elements of the crisis may also have mitigating effects on terrorist activities and operations. Sources of funding may dry up and social distance measures and travel bans make some terrorist tactics, such as bombings and large-scale vehicular rammings, less effective and easier to detect. Further, terrorists are just as much at risk as everyone else from falling ill from the virus.

Sustaining terrorist activity in the long-run thus depends on a groups' ability to weather the upcoming post-pandemic challenges that could end up damaging their operability, legitimacy, and long-term viability. The pandemic could challenge many Salafi-Jihadi groups in significant ways, possibly presenting them

¹ This article uses "Coronavirus" or even "Corona" interchangeably with COVID-19 when referencing Jihadi sources that use those terms, although SARS-Cov-2 is one of several viruses in the Coronavirus family.

² Mina al-Lami, "IS militants step up attacks on Iraqi security forces," *BBC News*, May 5, 2020, <https://www.bbc.com/news/world-middle-east-52535842>; Shelly Kittleson, "Islamic State ramps up attacks in Iraq during Ramadan," *Al-Monitor*, May 4, 2020, <https://www.al-monitor.com/pulse/originals/2020/05/iraq-isis-terrorism-ramadan.html>.

³ Julie Coleman, "The Impact of Coronavirus on Terrorism in the Sahel," *Publications*, International Centre for Counter-Terrorism, April 16, 2020, <https://icct.nl/publication/the-impact-of-coronavirus-on-terrorism-in-the-sahel/>; International Crisis Group, "Contending with ISIS in the Time of Coronavirus," *Commentary*, March 31, 2020, <https://www.crisisgroup.org/global/contending-isis-time-coronavirus>; Abu-Bakarr Jalloh, "Increased Terror Attacks in Africa amid Coronavirus Pandemic," *DW*, April 4, 2020, <https://www.dw.com/en/increased-terror-attacks-in-africa-amid-coronavirus-pandemic/a-53066398>.

⁴ James K. Wither, "The COVID-19 Pandemic: A Preliminary Assessment of the Impact on Terrorism in Western States," *Marshall Center Occasional Paper*, no. 33, April 2020, <https://www.marshallcenter.org/en/publications/occasional-papers/covid-19-pandemic-preliminary-assessment>.

with an existential crisis from which they may not easily recover as they find themselves vulnerable, not just to the virus itself, but also to the strategic and economic implications that follow.

The analysis explores three challenges that Jihadi groups will most likely have to overcome as a result of the current COVID-19 crisis: First, the challenge to their strategic mission and capabilities, especially relating to the operationalization of motivations for martyrdom and revenge. Second, the challenge to their ideology, faith, and religious interpretation of scriptures, with impacts on the consistency of their doctrine and “brand.” And third, the challenge to their unity and ability to provide members with a shared group identity, which may influence recruitment. How Jihadi groups and their leaders address these multi-level challenges will impact their cohesion and effectiveness, and the credibility of their message. It may also have repercussions on leadership and control, which could determine the relevance of the group as a future global threat.

Coronavirus – Destroyer of the Oppressors and Martyrdom for the Believers

To fully understand Jihadi reactions to COVID-19, we need to go beyond the initial analysis of what we think Jihadi groups may do to what they actually say they will do, and also ask whether they have the capabilities to operationalize those plans. The first message about COVID-19 by ISIS media was a warning—very much in line with WHO guidelines but directly sourced from scripture—to stay away from the “area afflicted with the epidemic,” to wash your hands and face, and refrain from infecting others.⁵ This message spread quickly in Western media as a much-welcomed comic relief (“ISIS warns against going to Europe to commit terrorist acts in case they die from Coronavirus”) but proved to be misinterpreted. The more detailed text, and several subsequent declarations from both ISIS and other groups, have been very clear about the Jihadi position: the Coronavirus is a “soldier of Allah” that was sent to afflict the “oppressive Crusaders and their hirelings among the Zionists and apostates” in retribution for their cruel repression of Muslims around the world.⁶

Further, on March 19, an ISIS editorial in the al-Naba’ Magazine called for Muslims to protect themselves through physical precautions and prayer, but also to capitalize on the paralysis of Western governments and their militaries by launching attacks like those in Paris, London, and Brussels, and to conquer new land.⁷ The *Mujahedeen* should show no mercy towards the suffering West, because “the best obedience to Allah the Almighty is in waging Jihad for the sake of Allah, and harming and tormenting His enemies.”⁸ On March 24, an al-Qaeda

⁵ Infographic in Islamic State Al Naba’ Magazine, February 6, 2020.

⁶ Statement of Al-Qaeda Central, As-Sahab Media Foundation, March 31, 2020; Al-Naba’ Editorial # 226, March 19, 2020.

⁷ Al-Naba’ Editorial.

⁸ Al-Naba’ Editorial.

affiliated group issued a declaration on the Media Network Al-Thughur, rejecting the UN Secretary-General Anthony Guterres' appeal for a cease-fire, calling instead for an intensified battle against a crippled West.⁹ Further chatter and infographics followed, encouraging believers to strike in their own communities in any way they could through vehicular or stabbing attacks, suggesting that lone-actor attacks may continue to be the predominant tactic going forward.¹⁰

The number of IS-related attacks in February and March 2020 remained relatively unchanged compared to previous months, but there was a marked increase in operations in Iraq and Syria in April.¹¹ Furthermore, there was a deliberate effort by both ISIS and other Jihadi groups to showcase successes and attribute operations to reduced western preparedness as a result of COVID-19.¹² ISIS-affiliated terrorist groups were also more active around the world. Cells were apprehended in Germany, Spain, and Egypt in late April, and several attacks were carried out by satellite cells in vulnerable regions, such as Africa.¹³

Jihadi groups are also clearly exploiting the current crisis to spread their militant message to their affiliates and supporters globally, which could have significant security effects in the long run. Calls by Asian ISIS-affiliated groups, including in the Philippines, Indonesia, and the Maldives, to exploit the COVID-19 chaos to wage Jihad, led to several attacks in those countries in late March and early April.¹⁴ Similarly, there was a marked increase in attacks attributed to ISIS- and Al-Qaeda-affiliated groups in the Sahel (including Al-Shabaab in Somalia and Jamaat al Islam al-Muslimeen) during the same period.¹⁵ In early April, an ISIS-affiliated group massacred 52 villagers in oil-rich northern Mozambique, reportedly because they refused to join the ISIS ranks.¹⁶

ISIS has also stepped up the fomentation of inter-ethnic and inter-religious tensions, one of its central long-term strategies. With the closing of borders and the global rise in fear and uncertainty, militant nationalism has intensified along pre-existing sectarian lines, as has the scapegoating of ethnic and religious mi-

⁹ Statement on Al-Thughur Media Network, March 24, 2020.

¹⁰ Al-Naba' Editorial.

¹¹ Al-Lami, "IS Militants Step up Attacks."

¹² Infographic and report published by Thabaat Media Agency, April 17, 2020.

¹³ Julie Coleman, "Germany Arrests IS Suspects Plotting Attacks on US Bases," *DW*, April 15, 2020, <https://p.dw.com/p/3avQR>; Sam Jones, "Isis Suspect Who Defied Coronavirus Lockdown in Barcelona Arrested," *The Guardian*, May 8, 2020, <https://www.theguardian.com/world/2020/may/08/isis-suspect-who-defied-coronavirus-lockdown-in-barcelona-arrested-spain>.

¹⁴ SITE Intelligence Special Report: Global Jihadist Reponse to Covid-19 Pandemic, March 2020; Joseph Hincks, "With the World Busy Fighting COVID-19, Could ISIS Mount a Resurgence?," *Time*, April 29, 2020, <https://time.com/5828630/isis-coronavirus>.

¹⁵ Coleman, "The Impact of Coronavirus on Terrorism;" ICG, "Contending with ISIS;" Jalloh, "Increased Terror Attacks in Africa."

¹⁶ Jason Burke, "Islamist group kills 52 in 'cruel and diabolical' Mozambique massacre," *The Guardian*, April 22, 2020, <https://www.theguardian.com/world/2020/apr/22/islamist-group-kills-52-in-cruel-and-diabolical-mozambique-massacre>.

norities. Both Al-Qaeda and ISIS are exploiting this trend by stepping up propaganda to foment grievances among targeted Muslim minorities in regions where they had limited traction in the past, including India, Kashmir, Xinjiang, and the Philippines.¹⁷ The 221st issue of ISIS' al-Naba' newsletter, released on February 13, 2020 was perhaps the first time ISIS dedicated an entire page to India's ethnic tensions, and on February 24, a new journal exclusively focused on the marginalization of Indian Muslims (al-Hind), was published by the pro-ISIS group Jundul Khilafah.¹⁸ Previously, Indian Muslims have been reluctant to embrace Jihadist ideology, a phenomenon attributed to the pluralist social system and the relatively peaceful coexistence between Muslims and Hindus in the country. However, since Modi's election in 2014, and the rapid escalation in Hindu-Muslim tensions, Jihadi propaganda in India has increased. In Afghanistan, an ISIS cell targeted the minority Sikh community when they killed 25 Sikh worshippers at a Kabul temple on March 25, battling the Afghan security forces for several hours.¹⁹

It is important to note that the Jihadi message is rarely unified. The lack of centralized authority gives rise to a storm of messages from second-rate clerics who peddle dangerous conspiracy theories and disinformation that have destructive real-life effects. For instance, the idea that the virus is the wrath of Allah against non-Muslims and that Muslims can protect themselves through prayer, repentance, and Jihad seems to dominate some regions of Pakistan. As a result, authorities have failed to close down mosques and prevent public prayer.²⁰ Al-Qaeda's March 31 Statement gave considerable attention to debunking this thinking, while also addressing non-Muslims and inviting them to embrace Islam.²¹

Finally, while the direct threat of violence is often where Western attention is focused, many deeper conversations are going on between Jihadi ideologues about how the crisis should be understood theologically and what its implications for life and society are. The conversations of interest here relate to doctrinal interpretations and theological explanations for the crisis that may have lasting impacts on the future of Salafi-Jihadi operations. It is clear that Jihadi-Salafi clerics at the leadership level are busy engaging in "message control" to ensure

¹⁷ Samar Halarnkar, "Coronavirus Is Proving to Be Another Excuse to Marginalize India's Muslims," *Quartz India*, April 13, 2020, <https://qz.com/india/1836768/coronavirus-is-another-excuse-to-marginalise-indias-muslims>; Zainul Abid, "Analysis: Jihadists Step Up Efforts to Exploit India Sectarian Violence," *Insight, BBC Monitoring*, March 5, 2020.

¹⁸ *Voice of Hind*, Issue 1, Al-Qitaal Media Center, February 24, 2020.

¹⁹ Sayyed Salahuddin, "Islamic State Claims Kabul Attack on Sikh Minority," *Washington Post*, March 25, 2020, https://www.washingtonpost.com/world/asia_pacific/gunmen-attack-sikh-minority-in-kabul-dozens-trapped-in-temple/2020/03/25/bd452b88-6e58-11ea-a156-0048b62cdb51_story.html.

²⁰ Kathy Gannon, Associated Press, "Mosques Stay Open in Pakistan Even as Virus Death Toll Rises," April 3, 2020, *ABC News*, <https://abcnews.go.com/International/wireStory/mosques-stay-open-pakistan-virus-death-toll-rises-69953780>.

²¹ Statement of Al-Qaeda Central, As-Sahab Media Foundation, March 31, 2020.

that the Coronavirus does not undermine their main mission and ability to survive beyond the crisis. These issues will be explored in more detail in the following sections.

Strategic Mission, Tactics, and Capabilities

Research on radicalization and recruitment shows that individuals join militant—and terrorist—groups for a variety of reasons. However, for Jihadists a few factors often dominate – a sense of grievance and social marginalization; a desire for revenge against injustice committed against Muslims around the world; a personal need for belonging, recognition, status, heroism, and adventure; and a religious obligation/doctrinal appeal, including the lure of future rewards through martyrdom.²²

Motivations, as well as push and pull factors that impact individual decision-making, may shift over time to reflect the context, and also slightly vary for western foreign fighters and those recruited from Muslim majority countries, as well as for those recruited outside the Middle East. Western recruits were more often lured by the promise of status and identity, while Middle Eastern recruits seem to be more influenced by piety and religious identity as well as political repression.²³ The desire for revenge, when confronted with Muslim suffering, was often found to be a central “tipping point” for all recruits, regardless of origin.²⁴

Salafi-Jihadi groups have spent decades successfully exploiting those grievances and frustrations to spread a virulent militant ideology that explains the purpose of Islam in very narrow terms. Speckhart and Ellenberg note that Jihadists have managed to convince many that “suicide terrorism is a type of Is-

²² Edwin Bakker and Roel de Bont, “Belgian and Dutch Jihadist Foreign Fighters (2012–2015): Characteristics, Motivations, and Roles in the War in Syria and Iraq,” *Small Wars & Insurgencies* 27, no. 5 (2016): 837-857; James Wither and Sam Mullins, eds., *Combating Transnational Terrorism* (Sofia, Bulgaria: Procon Ltd., 2016); Martha Crenshaw, “An Organizational Approach to the Analysis of Political Terrorism,” *Orbis* 29, no. 3 (Fall 1985): 465-89; Colonel John M. “Matt” Venhaus, U.S. Army, “Why Youth Join al-Qaeda,” *Special Report 236* (United States Institute of Peace, 2010), www.usip.org/sites/default/files/resources/SR236Venhaus.pdf.

²³ A caveat should be introduced: many Jihadi groups in conflict zones use economic incentives or coercion to recruit foot soldiers. This is especially common in Sub-Saharan Africa and Sahel, where recruitment can provide a secure income and a ticket out of poverty. Because focus here is on the radicalization process, these issues remain outside of the scope of this article.

²⁴ Evidence shows that foreign fighters are often lured by status, identity, or adventure, and recruits from Muslim societies – more by piety and religious identity. Research on Kuwaiti militants showed political repression and suppression of civil liberties as push factor. See Nafees Hameed, “What Makes a Terrorist,” *New York Review Daily*, November 11, 2018; Nicholas C. Scull, Othman Alkhadher, and Salman Al-Awadhi, “Why People Join Terrorist Groups in Kuwait: A Qualitative Examination,” *Political Psychology* 41, no. 2 (September 2019): 231-247, <https://doi.org/10.1111/pops.12622>; Alan Krueger, “What Makes a Terrorist?” American Enterprise Institute, November 7, 2007.

lamic martyrdom, that building a Caliphate is a goal to be strived after, and that making *hijrah*—traveling to lands ruled by *Sharia* law—and participating in militant jihad are obligations incumbent on all Muslims.”²⁵ Central to this ideology is also the *Shari’a* doctrine of *Qasis* (retribution in kind, or “an eye for an eye”), which legitimizes punishment in equal proportion to the crime for those who have inflicted suffering on Muslims around the world.²⁶

For many radical Muslims, the virus represents the triumph of this ideology. That the virus—the “weakest of the weak” of the “soldiers of Allah”—managed to devastate the world of “infidels and apostates” (China, Italy and the US) more than all previous combined efforts of the *Mujahedeen* is exhilarating to many Islamic Scholars.²⁷ The claim that it represents the divine retribution they had waited for is widely celebrated as it quickly spread across the globe in the Salafi-Jihadi online “chatter.” The apocalyptic euphoria, together with the widespread belief that Muslims are immune from the virus through prayer and Jihad, has instilled a sense of invincibility among some radical Muslim communities.²⁸

The pandemic challenges the Salafi-Jihadi operational strategy significantly as freedom of movement has been curtailed, international travel has ceased, and large gatherings (including Friday prayers) have been banned. The closure of all Saudi religious sites, including the Kabaa, has drawn especially strong reactions.²⁹ But it is also clear that disobeying government bans has already had disastrous consequences. In Pakistan, a religious conference led by defiant clerics became a “super-spreader” event that created pockets of a global outbreak.³⁰ The consequences of a COVID-19 spread into Syria’s war-torn Idlib province—the last rebel-held area—would be catastrophic for the already destitute civilian population, a million of whom are in refugee camps.³¹ As the virus spreads further through Syria and Iraq, it might also severely impact Salafi-Jihadi ranks. Alt-

²⁵ Anne Speckhart and Molly Ellenberg, “Is Internet Recruitment Enough to Seduce a Vulnerable Individual into Terrorism?,” *Homeland Security Today*, April 15, 2020.

²⁶ Sahih al-Bukhari, Chapter 87 of The Book of Blood Money.

²⁷ Aymenn Jawad Al-Tamimi, “Jihadist Perspectives on Coronavirus Pandemic: Primary Sources,” personal webpage, March 25, 2020, <https://www.aymennjawad.org/2020/03/jihadist-perspectives-on-coronavirus-pandemic>.

²⁸ See media and writing by Muhammed al-Muhaysi, whose lecture series “Soldiers of Allah” was released on April 24, 2020. Episode 1 was called “How the World Surrendered.”

²⁹ Usaid Siddiqui, “Epidemics, War Have Impacted Muslim Worship Throughout History,” *Al Jazeera*, May 13, 2020, <https://www.aljazeera.com/news/2020/04/epidemics-war-impacted-muslim-worship-history-200420210254391.html>.

³⁰ Michael Kugelman, “Pakistan’s Government Is Caught Between a Mosque and a Hard Place,” *Foreign Policy*, April 24, 2020, <https://foreignpolicy.com/2020/04/24/pakistan-ramadan-coronavirus-pandemic-mosques>.

³¹ “Coronavirus: Saudi Arabia confirms first death as cases spike,” *Middle East Eye*, March 24, 2020, <https://www.middleeasteye.net/news/coronavirus-saudi-arabia-confirms-first-death-medina-cases-spike>. For Syria and the Idlib Province, see OCHA, *Recent Developments in Northwest Syria – Situation Report*, No. 11, March 27, 2020.

though Middle Eastern terrorist groups are agile and accustomed to operating under conditions of insecurity and uncertainty, they often live in squalid conditions without access to modern healthcare, which makes them particularly vulnerable to infection.

In the short-term, as security forces are re-deployed to assist with field hospitals and crowd control, we have to stay vigilant to the possibility that terrorists will exploit vulnerabilities. When travel ceased and lockdowns became global, Jihadi rhetoric shifted further to almost exclusively promote lone-actor martyrdom operations against Western targets or local political authorities. While this should remain a central security concern, it is important also to recognize that lockdowns provide new opportunities for law enforcement and intelligence agencies to track down and arrest suspected terrorists, with such arrests already carried out in Cairo, Brussels, Germany, and Barcelona.³²

Religious Doctrine and Political Constraints

Religious fundamentalists who engage in militant activities—whether Muslim, Christian, Jewish, Hindu, or other—often share important characteristics: They almost always call for a combination of spiritual, nationalist, and/or political ends. The survival of fundamentalist religious groups depends on the extent to which followers continue to adhere to the uncompromising—or absolute—injunctions based on their specific ideological doctrine. Such doctrines represent unchanging truth, the will of the divine, and requires unwavering commitment. It clearly divides the world into “good vs evil” and “us vs them,” and terrorist tactics, militancy, or violent extremism are easily justified to defend the ‘truth.’ However, even absolutist doctrines shift over time as they are confronted with political constraints and changing realities. Salafi-Jihadi doctrines are no different. Scholars constantly engage in “*Ihtihad*,” or Islamic interpretation, elevating certain Surahs or Quranic verses over others and “retooling” central theological concepts—such as martyrdom and Jihad—to serve their own political goals. Salafi-Jihadi scholars present their hardline, militant interpretation, as the absolute and unaltered truth, and everything else as heresy.

Both moderate and extreme Muslims believe that nothing can happen in life, good or bad, if it is not God’s plan. Like in other religions, this creates a theological dilemma, because if God is responsible for the emergence of a virus, there has to be a larger purpose with it, valid for all human suffering. A popular belief among extremist Muslims is that “Corona” was created to warn and punish humanity for consumerism, destruction of the environment, and personal ex-

³² “‘Je l’ai fait pour l’Etat Islamique’: un suspect de terrorisme écrase deux motards de la police à Paris,” *FR24 News*, April 28, 2020, <https://www.fr24news.com/fr/a/2020/04/je-lai-fait-pour-letat-islamique-un-suspect-de-terrorisme-ecrase-deux-motards-de-la-police-a-paris.html>; Mohammed Abdo Hasanein and Walid Abdulrahman, “Egypt Police Neutralize Terrorist Cell,” *ASharq Al-Awsat*, Wednesday, April 15, 2020, <https://aawsat.com/english/home/article/2234841/egypt-police-neutralize-terrorist-cell-cairo-suburb>.

cesses. Extremists quickly adopted this perspective and argued that fighting the pandemic would be futile and that righteous Muslims should instead rely on God to protect them by deepening their faith or engaging in Jihad.³³ In contrast, moderate Muslims argue that even if the virus has divine origins, everything possible should be done to stop its spread in order to preserve life, a central theme in the Quran.³⁴ In fact, the prescription for how to protect communities from illness and the “travel warnings” during the virus come directly from the Book of Medicine, the Sahih a-Bukhari, in which Muhammed warns about a plague during his time.³⁵ But rather than focusing on these sections of the Sunna, Jihadi groups are elevating the hadiths on Jihad and Qisas, and the need to exploit the heightened opportunity to fight against the disbelievers.³⁶

Despite the risk that it might backfire—once their own followers get sick—Salafi-Jihadi scholars have stuck mainly to the original message that the virus is God’s wrath on the infidels, but have also provided “remedial” explanations for the suffering of Muslims. They argue that if Muslims fall ill, it is not a punishment but a test of faith—a tribulation—that should be borne with humility and prayers for mercy.³⁷ This, again, is directly sourced from the Book of Medicine. The fact that the city of Medina confirmed Saudi-Arabia’s first death to the virus also caused some theological scrambling, since Muhammed clearly stated that “no plague would touch Medina.” Scholars suddenly had to explain why COVID-19 did not fit into the category of “plague.”

One of the starkest examples that even apocalyptic and absolutist doctrines can readjust to align with political constraints comes from Jordanian Jihadi Ideologue Muhammad al-Maqdisi. While most Jihadi clerics seem to oppose the closure of mosques and bans on public prayer, al-Maqdisi argued that the closing of the large mosques was actually one of the benefits of Corona. He pointed out that Jihadi clerics could now teach their own sermons, rather than delivering the obligatory unified sermons imposed by the governments. In addition, he claimed, women are now going back to wearing the niqab, and sinful nightclubs and bars have been shut, while private mosques where the “true” message is being preached, are still open.³⁸

Will the ban of public prayer and the lack of the communal experience of Ramadan have an effect on the credibility of the Jihadi doctrine? Might the ab-

³³ Mehmet Ozalp, “How Coronavirus Challenges Muslims’ Faith and Changes Their Lives,” *The Conversation*, April 2, 2020, <https://theconversation.com/how-coronavirus-challenges-muslims-faith-and-changes-their-lives-133925>.

³⁴ Hocine Drouiche, “French Muslim Leader: Coronavirus is a Chance for Solidarity, Not ‘Punishment,’” *AsiaNews.it*, March 23, 2020, <http://www.asianews.it/news-en/French-Muslim-leader:-Coronavirus-is-a-chance-for-solidarity,-not-%E2%80%98punishment%E2%80%99-49632.html>.

³⁵ The Sahi Buhari contains hadiths (or sayings) of Muhammed.

³⁶ Sahi al-Buhari Sunna, Books 56 & 87.

³⁷ From al-Naba’ Newsletter, February 6, 2020.

³⁸ Post on Abu Muhammad al-Maqdisi’s Telegram channel, March 23, 2020.

sence of Friday sermons have a de-radicalizing effect on vulnerable youth? Will they continue to listen as radical clerics pick new explanations to suit their militant politics? These are some of the questions we will be looking for answers to in the next few weeks and months.

Crisis of Identity and Belonging – Recruitment and Messaging

One of the strongest “pull factors” for individuals who join extremist militant groups is what some psychologists call “social belongingness.”³⁹ As discussed above, radicalization occurs more frequently in communities where individuals feel alienated or out of place and where their freedom to express their unique religious or cultural identity is suppressed, curtailed, or even threatened.⁴⁰ Militant groups—whether Jihadi white nationalists or other—offer the possibility to actively participate in the process to correct a perceived injustice, while also providing recruits with a sense of prestige and purpose. Jihadi recruiters are well aware that European youth from immigrant communities are facing an uncertain future due to discrimination in housing, education, and employment and are therefore particularly vulnerable. During the height of its campaign, ISIS convincingly offered a solid structure with a black-and-white world view, the promise of restored dignity, and a holy cause. The fact that the rewards were still far from coming and recruits risked being martyred was insignificant for those for whom the ISIS message resonated.

The weakening of ISIS may have slowed the recruitment of foreign fighters into Iraq and Syria, but there is no indication that it has lessened the enthusiasm of those who already subscribed to the ISIS ideology – it certainly did not slow the spread of militant Jihadi messages around the world. However, COVID-19 has done what the world’s most powerful armies could not do: by curtailing travel, it has prevented foreign fighters from physically joining terrorist groups in the Middle East or elsewhere. While it is too early to say how it is going to affect terrorist recruitment, it is important to note that it could create conditions more favorable for de-radicalization. De-radicalization of extremist militants often mirrors the radicalization process in the opposite direction. Conditions that might make terrorists more susceptible to de-radicalization are life-changing events, the heightened exposure to alternative viewpoints, and detachment due to intra-group conflict and/or dissent.⁴¹

The continued tactical emphasis on lone-actor attacks might be appealing for more seasoned terrorists who are already hardened in Jihadi ideology. However, new recruits may find that their needs for community and group identity unful-

³⁹ See Bertjan Doosje *et al.*, “Terrorism, Radicalization and De-radicalization,” *Current Opinions in Psychology* 11 (June 2016): 79-84.

⁴⁰ Chris Meserole, “Radicalization, Laïcité, and the Islamic Veil,” *Religion*, April 25, 2016, <https://religion.org/2016/04/25/french-connection-part-ii-radicalization-laicite-and-the-islamic-veil>.

⁴¹ Doosje *et al.*, “Terrorism, Radicalization.”

filled, especially as they are also isolated from their mosques and comrades. Thus, rather than increasing their alienation, the COVID-19 crisis might have the opposite effect of drawing communities closer together, while also increasing solidarity in host countries for immigrant communities hard hit by the virus.⁴² As potential recruits to Jihadi groups experience the consequences of the virus with their closest kin and communities, their personal ties to their own communities may be strengthened, possibly increasing the likelihood that they are exposed to alternative viewpoints.

We are also likely to see growing competition for resources (both human and material) between Salafi-Jihadi groups in the Muslim world as numbers of incoming recruits dwindle and groups face increasingly difficult conditions. There are signs that the long-standing rivalry between ISIS and Al-Qaeda has intensified in the Levant and Yemen. At the end of April, the messaging app Rocketchat ran a new religious lecture series by current AQAP (Al-Qaeda in the Arabian Peninsula) leader Khalid Batarfi, where he warned against espionage and infiltration, and lauded success in clamping down on ISIS spying networks. Similarly, on April 29, ISIS' Yemeni branch released a new video with accusations against Al-Qaeda. It included interviews with Al-Qaeda dissidents who blamed their leadership for falsely charging members with espionage.⁴³ Although the two groups have never been on speaking terms, more attention to these squabbles may be a sign of weakness and could dissuade potential recruits.

Finally, beyond the short-term effects on tactics, the current crisis may have set off a paradigmatic shift for Jihadi groups that could have security implications far into the future. On March 26, an introspective editorial in *al-Naba'* magazine claimed that the Coronavirus had changed the balance of power in favor of the Salafi-Jihadist cause. It argues that Muslims need to change their understanding of the enemy, in particular the United States. It explains that the habit of attributing to the US all things evil has gone to such proportions that it is believed that the reach of the US is almost limitless, that "nothing happens without their knowledge [...] and nothing in this world [is] inaccessible to their power and capabilities."⁴⁴ The editorial argues that the pandemic allows Salafi-Jihadists to change the rhetoric to tell a different story, one in which America is no longer the omnipotent "Great Satan" but much more like the Emperor in New Clothes. Such a realization holds the potential to infuse the Jihadi cause with new energy as groups begin to understand that the enemy is more vulnerable than previously thought.

⁴² Doosje *et al.*, "Terrorism, Radicalization."

⁴³ Lecture Series with Khalid Bin Umar Batarfi, *al-Malahem Media Foundation*, Episode 1, April 24, 2020.

⁴⁴ Islamic State *Al-Naba'* Editorial, March 26, 2020.

Conclusion

So what are the effects of the COVID-19 pandemic on Salafi-Jihadi terrorism in the short and mid-term and how might Islamic scholars and Jihadi leaders deal with the challenges it presents to their “brand” and effectiveness in the long-term? As the analysis suggests, the verdict is still mixed. The early warnings of an onslaught in terrorist attacks in the West due to a pre-occupation with the crisis and the re-assignment of security forces to help with the effort have yet to materialize. Most likely, as illicit sources of funding have dried out, recruitment slowed, and movement curtailed, the capabilities of Salafi-Jihadi groups in the Middle East (and to some degree also in North Africa) have been significantly affected. Although the evidence is still mostly anecdotal, it may explain why the “promised” surge in terrorist attacks against the US and its allies has not taken place.

However, there are no indications that Salafi-Jihadi groups have lost their support and enthusiasm. There has been a significant rise in Jihadist activity elsewhere, including Iraq and Syria, Sahel, Mozambique, and Somalia. The international community needs to stay united in counterterrorism efforts, while also remaining vigilant for gaps in both local and global security. The first priority should be increased preparedness for the types of attacks that Jihadi ideologues encourage and that their cadres have the capacity to carry out. Preventing lone-actor attacks is difficult, if not almost impossible, but it should also be reiterated that the restriction on travel continues to provide opportunities for tracking down and neutralizing terrorist groups.⁴⁵

The analysis shows that Jihadi leaders are adapting their strategy and tactics to the operational constraints that the coronavirus has placed on them, while also continuing to engage in a serious scholarly debate over how Islamic doctrine and religious texts remain the most valid sources for answers. Jihadi groups are agile networks accustomed to constraints and hardships. They are also patient; Jihadi goals to expand the Caliphate are not restricted by troop surges or election cycles. Rather, their work may bear fruit in decades or centuries and is only assured through apocalyptic promises. Many clerics are fanning the excitement about the Coronavirus with claims that it is the beginning of the “end of times.” On March 28, Sheikh Abu al-Fatah al-Farghali of Gaza asked if “Corona [is] the wind of our age that will save Islam and restructure the world anew so that the age of might and enabling of the Muslims and Mujahideen can begin?”⁴⁶ Similarly, ISIS argues that now is the time when Muslims should join in their efforts to retake the Caliphate as Jihad during Ramadan is doubly rewarded in heaven.⁴⁷

⁴⁵ Hasanein and Abdulrahman, “Egypt Police Neutralize Terrorist Cell.”

⁴⁶ Article in *Iba’ Magazine* by Sheikh Abu al-Fatah al-Farghali, published on March 28, 2020.

⁴⁷ See Mina al-Lami, “What to Expect from Islamic State in Ramadan 2020,” *Insight, BBC Monitoring*, April 24, 2020.

If Islamic militant groups survive beyond the dip in recruitment and the constraints on movement and resources, the long-term effects of this historical time may be far more serious and difficult to counteract. As discussed, the most lucrative recruiting grounds for Jihadi groups are when they can exploit the grievances of Muslims who feel alienated and repressed in their home (or host) communities. If militant Jihadi propaganda and apocalyptic ideology are left to strengthen in some of the world's most vulnerable Muslim communities, like India or Xinjian, it could have devastating effects on international security. We have to be prepared to counter not only the spread of Jihadi ideology in those societies but also to help governments understand the catastrophic consequences of divisive and repressive policies against these minorities. We, therefore, need to continue to work collectively to counter terrorist networks and disrupt their operations, while also investing resources and efforts to support global partners that may have communities vulnerable to radicalization.

How Jihadi groups weather the COVID-19 pandemic and continue to pose a threat to global security will depend on how they respond to some of these competing forces. Messaging is central as they attempt to appeal to potential recruits and energize their more seasoned members to adapt their tactics without impacting the group's broader mission. We should expect Jihadi messages to showcase strength, victory, and the continued obligation for Muslims to engage in Jihad. Most of the rhetoric from the Jihadi leadership (as well as online chatter) has followed that pattern. They have exaggerated achievements, such as numbers of operations conducted, enemy aircraft downed, military equipment confiscated, and casualties inflicted – ascribing their “victories” to perceived western security gaps.⁴⁸ They furthermore stressed the religious imperative to return to the Caliphate, and the extra blessings promised when engaging in Jihad during Ramadan. While we can hope that inconsistencies in messaging and doctrine will persuade some to seek more moderate alternative viewpoints, those effects may be insignificant in comparison to the Salafi-Jihadi enthusiasm over the COVID-19 predicament.

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⁴⁸ Infographic and report published by Thabaat Media Agency, April 17, 2020.



COVID-19 and No One's World: What Impact for the European Union?

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Abstract: This article analyzes the EU's response to COVID-19 against the backdrop of a changing international environment, which is characterized by globalization and a global shift of power. It raises the question of the implications of the current COVID-19 pandemic and the dramatic changes in the international system for the EU's internal and external development. The article argues that the EU can seize the opportunity and gain more influence on the global level if it uses its strength as a manager of interdependencies by rulemaking and rule shaping as well as exercising its influence as a central node in transnational networks. Internal cohesion, the support of human rights and democracy, and a strong role in global governance are prerequisites for this particular normative and transformative power of the EU.

Keywords: COVID-19, EU solidarity, globalization, climate policy, trade policy, development policy European Defence Union, EU-US strategic dialogue

...to simply say what we learn from the plagues, that there are more things in men to admire than things to despise.

– Albert Camus, *The Plague*

¹ The author thanks the reviewers for the useful comments that helped to strengthen the argument of the article.

Introduction

A lot is at stake for the European Union. Germany takes over the EU Presidency from Croatia on July 1st, 2020. How Germany manages the EU Presidency will be of utmost importance for the future of the European Union.² The challenge for the German EU Presidency is versatile as COVID-19 puts the European Union under pressure from an internal and external perspective. It affects the internal performance of the EU to solve the economic, social, political, and public health ramifications of COVID-19 as well as the EU's ability to act globally and contribute significantly to global crisis management of the pandemic. The German EU presidency will have to strengthen 1) the internal cohesion of the EU, 2) civil and human rights and democracy within and around the EU, and 3) the global role of the EU.³ Each of these tasks would represent a tough program for a six month EU presidency, and altogether they are a herculean task.

This article will analyze the EU's response to COVID-19 against the backdrop of a dramatically changing international environment, which is characterized by globalization and a global shift of power. It raises the question of the implications of the current COVID-19 pandemic and the dramatic changes in the international system for the EU's internal and external development. The article argues that the EU can seize the opportunity and gain more influence on the global level if it uses its strength as a manager of interdependencies by rulemaking and rule shaping⁴ as well as exercising its influence as a central node in transnational networks. Internal cohesion, the support of human rights and democracy, and a strong role in global governance are prerequisites for this particular normative and transformative power of the EU.

COVID-19 and No One's World

The international system is in a period of transition from a western dominated liberal world order to a new bi-, multi- or even poly-centric world.⁵ The power transition is a period of uncertainty, instability, and conflict. Within the last three decades, the international system has been transformed into a highly intercon-

² Sebastian Groth, "Drei Fragen an ... Sebastian Groth," *Internationale Politik* 3 (May/June 2020), p. 6, https://internationalepolitik.de/system/files/article_pdfs/IP_03-2020_Drei-Fragen.pdf.

³ Daniela Schwarzer, "Die Bewährungsprobe," *Internationale Politik* 3 (May/June 2020): 26-29.

⁴ Nathalie Tocci, "On European Power," *IAI Papers* 19 (Rome: Istituto Affari Internazionali, December 2019), <https://www.iai.it/sites/default/files/iaip1925.pdf>.

⁵ Richard Haass, "How a World Order Ends: And What Comes in Its Wake," *Foreign Affairs* (January/ February 2019), <https://www.foreignaffairs.com/articles/2018-12-11/how-world-order-ends>; G. John Ikenberry, "The End of Liberal World Order?" *International Affairs* 1 (2018): 7-23; European Strategy and Policy Analysis System (ESPAS), *Global Trends 2030 – Citizens in an Interconnected and Polycentric World* (Paris: Institute for Security Studies, 2012), https://espas.secure.europarl.europa.eu/orbis/sites/default/files/espas_files/about/espas_report_ii_01_en.pdf.

nected, interdependent, and complex network of international and transnational relationships driven by the digital revolution that requires the ability to manage and shape interdependencies.⁶

Throughout the last at least four years, we have seen in international relations a dramatic shift from the postmodern paradigm of globalization and interdependencies and a focus on human security, democracy, and the rule of law and human development towards a realist paradigm.⁷ Foreign and security policies and strategies have been developed that can be described as “stone age realism” (Stephen Walt) with the return of the nation-state as a predominant actor, the devaluation of globalization and the resurrection of mercantilism, an increase in nationalistic populism and authoritarian politics, thinking in terms of national security as well as great power competition and a global shift of power. Integration, cooperation, and global governance as a prevailing pattern of international and regional politics had been under strain long before the Chinese government announced the existence of a new Coronavirus on December 31, 2019.⁸

The global COVID-19 pandemic led to the most serious global crisis since the great depression and the second world war. It has already shown that the dramatic lack of international cooperation and leadership by the United States, China, and Russia has proven that the Great Power Paradigm and all related politics are not helpful and even dangerous for solving a pressing vital global crisis. Great power competition was faced with the challenges of globalization – and it dramatically failed. The absence of global leadership by the United States, China, and Russia during the COVID-19 crisis can be portrayed as a kind of “G-Zero Moment.”⁹ G-Zero is a power vacuum in international politics because no country, and no group of countries, has the leverage—neither political nor economic—to promote and drive an international agenda or to provide global public goods. Charles Kupchan prescribed such a scenario as “no one's world.”¹⁰

The United Nations Security Council is blocked by the Great Powers' incompetence to agree on a resolution for a global call for a ceasefire in wars and conflicts. The US struggle with the WHO is anything but helpful in orchestrating international crisis management. China's disinformation policy at the very beginning of the crisis was a clear sign of the lack of international responsibility and

⁶ Paul Kennedy, *Preparing for the Twenty-First Century* (New York: Random House, 1993).

⁷ Carlo Masala, *Weltunordnung. Die globalen Krisen und das Versagen des Westens* (München: C. H. Beck, 2016); ESPAS, *Citizens in an Interconnected and Polycentric World*.

⁸ Peter van Ham, *European Integration and the Postmodern Condition: Governance, Democracy, Identity* (New York, NY: Routledge, 2013).

⁹ Ian Bremmer, *Every Nation for Itself: Winners and Losers in a G-Zero World* (London: Penguin, 2012).

¹⁰ Charles A. Kupchan, *No One's World: The West, the Rising Rest, and the Coming Global Turn* (New York: Oxford University Press, 2012).

leadership. Not to mention Russia's continuing efforts in disinformation campaigns in Europe to undermine the credibility of western governments.

The ongoing Great Power competition thus has the potential to overshadow too many pressing global problems from pandemics and public health, climate change, food security, cybersecurity, and global inequality that require a cooperative international response.¹¹

Despite this grim picture of a “no one's world,” we are not living in an era without global governance! Managing complex interdependencies in a cooperative manner through international institutions, regional and inter-regional integration, formal and informal policy networks is taking place and it provides innovative forms of global governance. “Social power” defined as “the ability to set standards, create norms and values that are deemed legitimate and desirable, without resorting to coercion or payment” is relevant.¹² Societies and states with shared values are continuing to gravitate towards each other.¹³

From an interdependence perspective, the world is very much organized as a transnational network with nodes or hubs instead of power poles as building blocks. The number and quality of bi- and multilateral relationships will determine the influence of states and political actors. We have entered a “multi-nodal” world with three major nodes in the network: the US, China, and the EU.¹⁴ Globalization has changed the meaning of power. In addition to the classical material capabilities such as gross domestic product (GDP) and defense expenditure, a key factor is how well an international actor is positioned to influence others through economic trade, military transfers, and membership in regional and global institutions. The so-called Foreign Bilateral Influence Capacity (FBIC) Index presents a much more differentiated and nuanced picture of the distribution of global influence: “Globally, influence is concentrated in the hands of the few, with only ten countries in possession of about half of the world's influence. Today the United States possesses 11 percent of global influence. Germany and France follow with about 9 percent and 7 percent respectively. China is ranked fourth and exerts about 6 percent of global influence. Broadly speaking, members of the European Union perform well in the FBIC Index due to their high levels of continental interdependence. Such states account for five of the seven re-

¹¹ Ernst Ulrich von Weizsäcker and Anders Wijkman, *Come on!: Capitalism, Short-termism, Population and the Destruction of the Planet – A Report to the Club of Rome* (New York, 2019); International Military Council on Climate and Security (IMCCS), *The World Climate and Security Report 2020* (Brussels, February 2020), https://climateandsecurity.files.wordpress.com/2020/02/world-climate-security-report-2020_2_13.pdf.

¹² Peter van Ham, *Social Power in International Politics*, The New International Relations series, 1st Edition (New York: Routledge, 2010).

¹³ Florence Gaub, *Global Trends to 2030: Challenges and Choices for Europe* (Brussels: European Strategy and Policy Analysis System, April 2019), www.iss.europa.eu/sites/default/files/EUISSFiles/ESPAS_Report.pdf.

¹⁴ Jonathan D. Moyer, Tim Sweijts, Mathew J. Burrows, and Hugo van Manen, *Power and Influence in a Globalized World* (Washington, DC: Atlantic Council, January 2018).

maintaining top ten countries: Italy, the United Kingdom, the Netherlands, Spain, and Belgium. Russia rounds out the list and is ranked eighth with 4 percent of world influence.”¹⁵

Given that six member states of the European Union are among the top ten of the “global influencers” accounting for about 30% of the global influence according to the FBIC Index the European Union has the potential to play a much more prominent global role by using its normative and transformative power and setting norms and rules in the globalized world.

How has the European Union navigated through the multiple global crisis of COVID-19 under the conditions of a complex, contested, interconnected, and globalized world?

The European Union's Response to COVID-19

The political system of the European Union as a multilayer decision-making system with its ability to act supra-nationally, internationally, multilaterally, and transnationally¹⁶ is well suited to manage a transnational, global health crisis that transformed into an existential societal, economic and security crisis. Leadership and solidarity are essential to navigate the European Union successfully through this existential crisis. This hackneyed call for leadership and solidarity has never been more important to save the European project from falling apart and Europe from falling back into the dark times of nationalism. Leadership and solidarity are more important than in any of the many crises since the foundation of the European Union.¹⁷

At the early stages of the COVID-19 crisis in Europe, the EU was not very much present.¹⁸ Of course, this has raised much criticism. Indeed the EU was not prominently present at the beginning of COVID-19 as public health is neither within the EU's exclusive nor shared competences. Public health is a national competence and the EU has only supporting competences according to the Lisbon Treaty: “The Union can carry out actions to support, coordinate or supplement Member States actions in the protection and improvement of human health.” Member states initially acted unilaterally according to their respective national contingency regulations. It is telling enough that the underlying assumption of

¹⁵ Jonathan D. Moyer *et al.*, *Power and Influence in a Globalized World*, p. 11.

¹⁶ Ralf Roloff, “Die Außenbeziehungen der Europäischen Union zwischen Globalisierung und Regionalisierung,” *Zeitschrift für Politikwissenschaft* 11, no. 3 (2001): 1045-1072.

¹⁷ Tony Judt, *Postwar: A History of Europe Since 1945* (London: Heinemann, 2005); Ian Kershaw, *To Hell and Back: Europe 1914-1949 (The Penguin History of Europe)* (London: Penguin Books, 2016); Ian Kershaw, *Roller-Coaster: Europe, 1950-2017* (London: Penguin, 2017).

¹⁸ Florence Gaub and Lotje Boswinkel, “Who's First Wins? International Crisis Response to COVID-19,” *European Union Institute for Security Studies (EUISS) Brief* 11, May 20, 2020, www.iss.europa.eu/content/who%E2%80%99s-first-wins-international-crisis-response-covid-19.

most critics has been that the EU, of course, should have a prominent role in public health!

When most borders were closed within the Schengen area as a result of unilateral actions and without further coordination, the EU Commission intervened for the first time reminding the EU member states of their obligations. The negative implication of the uncoordinated closedown of borders between member states was the disruption of supply chains within the EU. This was, of course, an unintended second-order effect of the unilateral actions which caused the EU commission to interfere in protecting the single market.

As a first look on the EU's crisis management seemed to be uncoordinated and showing the irrelevance of the EU, a second look shows that the EU took over much more responsibility and action for crisis management in immediate support for those people and member states most effected by COVID-19, in particular Italy, Spain and France. The active signs of solidarity by the European people, citizens, regions, by the EU member states and by the EU to those most in need in the hardest-hit countries were very impressive: providing help by sending medical material, medical personnel, offering places for most affected patients in hospitals and intensive care, protecting health workers and citizens, and rescuing EU citizens from all over the world in the largest rescue operation ever, more than 60 000 stranded EU citizens have been brought home.¹⁹ "Don't talk it down," warned Stefan Cornelius, one of the leading German columnists already in early April 2020. His warning was directed towards active solidarity and the collective EU response.

COVID-19 represents a stress test for the EU Member states' solidarity, for EU's society(ies) solidarity, for EU's economy with the lockdown of all economies, for EU's institutional resilience and thus for the European project. The COVID-19 response of the European Union after the initial period of national responses and contingency packages was very impressive. The EU's collective response counts for €3 trillion. The EU Coronavirus response²⁰ consists of health measures, border and mobility measures, economic measures, promoting research, including for a vaccine, and fighting disinformation, as the pandemic was accompanied from the very beginning by an 'infodemic.'²¹

The integrated political crisis response (IPCR) mechanism has been launched very early so that coordination, consultation, and information exchange between the EU and its member states could be organized according to well-established procedures. On 13 March 2020, the EU Coronavirus Coordinated Economic Response was presented by the EU Commission with a comprehensive catalog of economic and fiscal instruments and programs. On 9 April 2020, the European Council launched the comprehensive economic policy response, which

¹⁹ EU Commission, "Coronavirus: European Solidarity in Action," https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/coronavirus-european-solidarity-action_en.

²⁰ EU Commission, "Coronavirus Response," <http://www.ec.europa.eu>.

²¹ EU Commission, "EU versus Disinformation," <http://www.EUVsDisinfo.eu>.

could heavily rely on the mechanisms that had been established following the Euro crisis. All EU institutions supported quickly and in full awareness of the urgency and the responsibility of the EU this huge package: the European Parliament, the EU Commission, the EU Council, the European Central Bank, the European Investment Bank, and the Euro Group. The EU and its member states agreed on packages and measures which were unthinkable before COVID-19 because of internal differences among member states' economic philosophies. The speed and the amount of the comprehensive economic policy response were indeed breathtaking. Even the discussion on the so-called Corona Bonds, which were heavily disputed between France, Spain, and Italy on the one side and Germany, the Netherlands, and Austria on the other side could not bring the collective EU response to a halt. In late May 2020, Germany and France presented a compromise by proposing a one-off €500 billion rescue fund to help the EU's economy recover from the impact of COVID-19. The funds would be given as grants to the hardest-hit sectors and regions in the EU. The 27 member countries of the EU would also borrow together on financial markets to raise the funds. The proposed €500 billion in grants would be in addition to the 2021-2027 EU budget that is close to €1 trillion for this period. The German-French proposal can pave the way for a larger deal within the EU. The proposal by Merkel and Macron can end the dispute on the Corona bonds. The EU Commission made the European multi-year fiscal framework 2021-2027 the "motherhip of Europe's recovery." Within the current EU budget, any funds that were not used have been made available for responding to COVID-19.

As a consequence of the uncoordinated unilateral actions at the beginning of the crisis, on 15 April 2020 the President of the European Council, Charles Michel, and the President of the EU Commission, Ursula von der Leyen, presented a "Roadmap for Recovery" and, much more importantly, a joint European Roadmap towards lifting COVID-19 containment measures.

The comprehensive economic response consists of EU budget flexibility, flexibility in EU rules, monetary policy orchestrated by the European Central Bank, emergency support, a Pan-European guarantee fund, lead by the European Investment Bank Group, the European Security Mechanism safety nets, SURE, which is a European instrument for temporary Support to mitigate Unemployment Risks in an Emergency proposed by the EU Commission that will allow for financial assistance up to €100 billion in the form of loans from the EU to affected member states. A recovery fund, the upcoming multiannual financial framework 2021-2027 and the roadmap for recovery are rounding out this kind of "Marshall Plan" for European recovery from COVID-19.

The EU Commission organized a global pledging marathon in May 2020 with global partners for research on a COVID-19 vaccine. The project collected € 7.4 billion from donors worldwide, including a pledge of €1.4 billion from the EU Commission. In early June 2020, the EU Commission pledged €300 million to the Vaccine Alliance GAVI for the period 2021-2025. The funding will help immunize 300 million children around the world and finance vaccine stockpiles to shield

against outbreaks of infectious diseases. France, Germany, Italy, and the Netherlands have forged an alliance to speed up the production of a COVID-19 vaccine in Europe in close coordination with various pharmaceutical companies. The aim of the “Inclusive Vaccine Alliance” is to allow for vaccine production on European soil wherever possible and making the vaccine available globally.²²

Critical Issues of EU’s COVID-19 Response

There are critical issues related to the EU’s COVID-19 response as well. Each of them has the potential to spoil the EU’s joint efforts in crisis management.

The most critical aspect of COVID-19 crisis responses by the member states is the authoritarian temptation to restrict civil rights. The Hungarian parliament actually offered to Victor Orban on a silver plate timely unlimited ruling based on a state of emergency which allows the illiberal democracy in Hungary to undermine further civil rights, the freedom of press, speech, and opinion as well as the activities of NGOs and the restrictions to transgender people. Poland is the other EU member country faced with a serious authoritarian temptation. The ruling PIS party tried to seize the COVID-19 crisis to push its agenda. The efforts of pushing the presidential elections through during the countries’ lockdown were a telling example as well as the efforts to rewrite the abortion law to practically make abortion legally impossible in Poland. Radosław Sikorski, former Polish Foreign and Defence minister and now member of the European Parliament, recently warned that Poland could be turned into a catholic Franco type dictatorship. This might be too far of a stretch, but it indicates the seriousness of undermining the rule of law by the PIS government.

Migration and EU solidarity are still one of the most annoying aspects of EU policy, which has not been solved. As the situation of refugees on the Greek island of Lesbos deteriorates literally every day, the lack of solidarity is still striking. Rescuing the refugees from the terrible situation in the refugee camps and thus protect them from being infected with the Coronavirus is not only a fundamental humanitarian act but as well an act of European solidarity. The member states of the European Union, and in particular the central European member states, are still rejecting any compromise on the migration question.

It needs to be seen whether the EU has learned the lessons from the Euro crisis and is able to practice solidarity with the most affected countries and support them fully in their economic recovery. This proof of solidarity with the most affected member states is key for a full recovery of the European Union as well. In particular, Spain and Italy are suffering from COVID-19. The difference between the COVID-19 and the Euro crisis is that COVID-19 is a symmetrical crisis that affects all member countries and that the impact of COVID-19 is not based on bad governance, which is a big difference to the Euro crisis. Italy and Spain do

²² “Dutch, French, Germans and Italians Form Virus Vaccine Alliance,” *MedicalXpress*, June 3, 2020, <https://medicalxpress.com/news/2020-06-dutch-french-germans-italians-virus.html>.

suffer not only terribly from COVID-19 but from nationalist-populist movements that cannot wait to see the current governments tumbling. They are nurturing the anti-European sentiments in their countries, which puts the EU and its member states in the situation to regain and re-establish the trust that has been lost during the Euro crisis, the migration crisis, and now during the COVID-19 crisis.²³

Rethinking globalization and the EU's global role in the international political economy is another critical issue for the European Union. The vision of a more green and more digital Europe depends very much on the shape of globalization in the coming years. The European Union has established a well casted and functioning net of inter-regional and bilateral comprehensive trade agreements and it commands over a well functioning network of inter-regional relations with almost all important economies and regions of the world.²⁴ During the tenure of the Juncker Commission, 2014-2019, which was globally characterized by a period of trade wars and protectionism, the EU concluded trade agreements with Canada, Japan, Vietnam, Singapore, and the MERCOSUR countries Brazil, Argentina, Paraguay, and Uruguay.

The lack of support for key international organizations such as the World Trade Organizations by key players undermines the EU's potential to reshape globalization, but it does not stop it. The EU has succeeded, for example, to make the General Data Protection Regulation the dominant global standard even under the highly contested and conflictual cyber domain with the US and China as dominating actors. The EU might have a hard time setting the standard for its vision of a carbon-neutral continent by 2050. The EU's ambitions are dependent not so much on its energy dependence from Russia but on the internal discussions with carbon producing countries like Poland that certainly will slow down the EU's ambitions. The EU's green deal will depend much more on its ability to keep the Paris Agreement alive and in the best of all worlds to manage to bring the United States back in. Otherwise, the EU will have a tough time keeping an alliance of medium-sized powers together or built a lasting ad hoc coalition of the willing together – that means keeping China and Russia committed to the Paris Agreement.

²³ Aureliana Sorrento (2020), "Der Dritte Dämpfer," *Internationale Politik* 3 (May/June 2020): 30-33.

²⁴ Heiner Hänggi, Ralf Roloff, and Jürgen Rüland, eds., *Interregionalism and International Relations: A Stepping Stone to Global Governance?* (London and New York: Routledge, 2006); EU Commission, *2019 Report on Implementation of EU Free Trade Agreements: 1 January 2018 – 31 December 2018* (Publications Office of the European Union, 2019), https://trade.ec.europa.eu/doclib/docs/2019/october/tradoc_158387.pdf.

COVID-19 and the EU's Global Role

In the context of the global leadership vacuum and the shortcomings that we have seen in the fight against COVID-19, three main issues will matter for the EU that already mattered in the pre-COVID-19 world:²⁵

- The defense of democracy in the EU, as well as beyond the EU. The contest of political systems will continue. The EU needs to change its policy of resilience regarding third countries and, in particular, regarding neighboring countries. The EU needs to come back towards a policy of supporting democracy and the rule of law. The pragmatic approach to resilience has failed. Therefore, the return of positive conditionality as a vital instrument of the EU needs to be re-considered.

- Closer cooperation on climate change and progress on the low emission transition is not only deeply requested by a vast majority within the EU, but it is a precondition for the ambitious goal of a carbon-neutral continent by 2050. What the EU needs to do here is linking its climate policy very closely with its development and trade policy. Managing the Paris Agenda and a carbon-neutral continent will only work if the EU is able to launch a development policy that takes the challenge of climate change for most of the developing countries seriously and that enables them to build sufficient capacity to counter the challenges of food security, public health, water scarcity, and desertification, just to name a few. The EU, as a trading power, must link its trade policy with its climate and development policy goals. This will require a serious rethinking in many regards as the current trade policy has the tendency to undermine climate and development goals. The trade agreement with the Mercosur is a point in case here as it links the deforestation of the rain forest to trade with the EU. Making sure that climate goals are not negatively impacted by its own trade policy is, therefore, of utmost importance.

- Further progress on EU defense integration needs to be made. This is not only necessary because of the strategic autonomy and the building of a European Defence Union, but also as a back up to the EU role as a trading power, a normative and transformative power. The geopolitical reality of the G-Zero world will require the EU to become more strategically autonomous to be able to protect and defend its citizens and the European Union. PESCO, CARD, and the European Defence Fund (EDF) are initiatives that have the potential to be the nucleus for EU's capacity building and thus provide the basis for a real European Defence Union. The initiatives of President Macron on a European Intervention Initiative (EI2) should be taken seriously, as well as his recent offer to include the French nuclear forces into the European Defence Union. Of course, NATO will continue

²⁵ Susi Dennison, Mark Leonard, and Pawel Zerka, *How to Govern a Fragmented EU: What Europeans Said at the Ballot Box*, Report ECFR/287 (European Council on Foreign Relations, June 2019), https://www.ecfr.eu/publications/summary/how_to_govern_a_fragmented_eu_what_europeans_said_at_the_ballot_box.

to play an important role in the collective defense of the European Union, but strengthening the European pillar in NATO will give the EU greater leverage in transatlantic relations. With the US even more preoccupied with the Chinese-US strategic rivalry, the European Union needs to take even more responsibility for its own security. An EU-US strategic dialogue on security and defense is long overdue. It might be put into the context of a triangle of strategic transatlantic dialogues: EU-US, EU-NATO, NATO-US.

Conclusion

So far the EU has shown its capability to react adequately to the existential crisis posed by COVID-19. The coordination among the member states is very dense and of course, there is a vivid discussion about the best way of recovery. Internal cohesion, support for human rights and democracy, and a strong EU role in global governance are prerequisites for a full recovery of the EU from the COVID-19 crisis, as well as for raising the EU's full potential as a normative and transformative power in a globalized, contested and complex world. Five elements are important:

1. The EU needs to act more rigorously on defending democracy within the EU and take a zero-tolerance policy towards any temptation of autocratic ruling within any member state of the EU. Linking economic support out of the COVID-19 package to democratic values and the protection of civil and human rights and the rule of law needs to be a key feature. The credibility of the European Union depends enormously on the fight against the illiberal democracies and any tendency towards restricting fundamental rights beyond a limited timeframe of the contingency of COVID-19. The governments in Hungary, Poland, and the Czech Republic as well, need to be closely monitored and, in case of continued non-compliance with the EU treaties and EU legislation, sanctioned.

2. Closer cooperation on climate change and progress on the low emission transition – Europe's green deal needs to be put at the very heart of the economic recovery programs. The economic recovery should not take place at the expense of the green deal – exactly the opposite needs to take place. The recovery programs should seize the opportunity to restructure the European industry towards a green economy. The same is true for the restructuring of the energy market. The digitalization has been pushed throughout the COVID-19 crisis. The EU needs to seize the dynamic to push European societies and economies even more into digitalization.

3. A stronger role for the EU in public health should be considered as a lesson from COVID-19. The privatization of large parts of the public health sector in many member states should be reconsidered and checked against the aim of health protection.

4. A larger and broader debate within the EU about the social aspects of the market economy and of capitalism should be part of the recovery as well. The European model of a social welfare state combined with the market econ-

omy needs to be reconsidered and adapted to the requirements of a post-neoliberal era. Digitalization, climate change, re-globalization, and a better integrated international system more focused on human security than national security require adaptations from the European Union, as well as from its member states. If the EU, its member states, and the European people are able to adapt the EU to the Post COVID-19 environment, the sacrifices throughout the crisis were not in vain.

5. Further progress on EU defense integration is necessary to prepare the European Union for taking over more responsibility in the G-Zero world. Strategic autonomy of the European Union should be the ultimate goal. The ongoing initiatives PESCO, CARD, and EDF, the French initiative about the E12 and Macron's offer to use the French nuclear arsenal for European defense should be condensed into a European Defence Union that actually is able to protect the European Union.

Cooperation with NATO is undoubtedly crucial. Further developing EU-NATO cooperation, in particular in capability development, capacity building, hybrid threats, cybersecurity, and training and exercises is important to successfully built on the achievements of both institutions and use their competitive advantages. A new transatlantic bargain is necessary after COVID-19. The European Union and the US need to engage in a strategic dialogue, a strategic dialogue that might be part of a broader strategic dialogue within the transatlantic community: EU-US and EU-NATO and NATO-US.

The German EU Presidency in the months to come has to manage these elements of the EU's COVID-19 crisis management and recovery. It will be not only a real practice test for the EU but for Germany as well.

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Coronavirus Pandemic and Reactions in the EU Accession Classes of 2004-2007

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Abstract: This article presents the reaction of the East-central European (ECE) countries, members of the EU and NATO, to the Coronavirus pandemic. Understandably, there are major similarities as the pandemic—a global challenge—hit every state of the region, by and large, in the same way. The geographical location, size (absence of great powers), and historical traditions led to the exposure of these countries to the pandemic being closely aligned. The points of international reference of these small and medium-sized countries can be seen to align in different directions as to which other states they watch and often follow when deciding about their steps in such a global crisis. This article cannot be fully comprehensive and will, therefore, focus on the reactions of health and emergency services. It raises the question as to whether any similarities are deterministic or whether there are noticeable differences due to the variety of their political systems and current history.

Keywords: Coronavirus, pandemic, East-central Europe.

Introduction

Since the Coronavirus pandemic has hijacked the security agenda and gained priority in international politics, for the time being, speculation has been rife about how long this world change will last. Views vary: Some start out from the view that the pandemic is no more than a hiccup and, after a limited period of a few months or a maximum of two years, the world will return to “normality,” particularly if a vaccination becomes available worldwide. Others are of the view that

we face a paradigm change and that the world is entering a new era. This article takes a position somewhere in the middle and, although it is of the view that we do not face a paradigm shift, it does argue that Covid-19 will make a lasting contribution to the strengthening of those historical tendencies that have been underway for some time. Coronavirus may not change the main actors of international politics or deflect attention from disasters and their management, nor will it change the state-centric nature of the international system and the decisive role of relations among the main actors in the world at large.¹ This article does not subscribe to the view that both China and the US will come out of the Coronavirus crisis weakened and that “the result will be a continued slow but steady drift toward international anarchy” in the world.² Irrespective of which scenario will prevail, it is clear that second-rank powers and smaller ones may well have more choice to decide about their orientation and their ability to influence other actors. Exceptionally, this might also present as an ostensible choice for states in ECE. However, there is every reason to assume that most of these states will not contemplate any other options and will stay as committed to the West as they have been for the last thirty years.

It seems clear that dictatorships and autocratic regimes, on the one hand, and democracies on the other, are managing the pandemic differently (as they usually do with other manmade or natural crises). They have a fundamental difference in outlook. For democracies, “a crisis is a political test,” whereas in an autocracy, “a crisis is a threat to the regime’s legitimacy.”³ This means that for autocracies, a severe crisis is a major challenge that may result in a sudden change of political support and hence endanger those in power. For democracies, it means far less as being in power is not usually a matter of political (and occasionally existential) survival.

This dichotomy notwithstanding, it is essential to take into consideration another factor as well. Other than the cleavage between democracies and autocracies (and the very few full-fledged dictatorial regimes we still have), this is crisis management by populist and non-populist leaders. Populist leaders have usually made attempts to belittle the importance of the problem and hence have not allocated adequate resources in a timely fashion. Due to this, they have often caused damage, including risking the lives of their people. However, beyond this, there is a major difference between democracies and autocratic regimes.

¹ Richard Haass, “The Pandemic Will Accelerate History Rather Than Reshape It: Not Every Crisis is a Turning Point,” *Foreign Affairs*, April 7, 2020, accessed May 20, 2020, <https://www.foreignaffairs.com/articles/united-states/2020-04-07/pandemic-will-accelerate-history-rather-reshape-it>.

² Kevin Rudd, “The Coming Post-COVID Anarchy: The Pandemic Bodes Ill for Both American and Chinese Power – and for the Global Power,” *Foreign Affairs*, May 6, 2020, accessed May 16, 2020, <https://www.foreignaffairs.com/articles/united-states/2020-05-06/coming-post-covid-anarchy>.

³ Shlomo Ben-Ami, “Why Democracies Are Better at Managing Crises,” *The Strategist*, May 20, 2020, accessed May 21, 2020, <https://www.aspistrategist.org.au/why-democracies-are-better-at-managing-crises>.

Whereas populist leaders of democracies sooner rather than later have to face an open society, a free press and political opposition that, in most cases, will massively mitigate against the damage of their actions,⁴ autocrats will have already made political opposition virtual and bought up or frightened the free press thus removing sources of lasting damage. This is where the concern clearly pronounced in the middle of the pandemic has gained importance. There has been backtracking on freedom of the press and, according to the report of Freedom House published in the middle of the pandemic, “media freedom has been deteriorating around the world over the past decade, with new forms of repression taking hold in open societies and authoritarian states alike. The trend is most acute in Europe.”⁵ Even though the difference between democracies and autocracies remains fundamental, each of their reactions to the crisis has been significantly colored by populism.

This article presents and analyzes reactions to the Coronavirus pandemic by those East-central European states that joined the EU in 2004 and 2007. It presents the ways in which the states reacted to the health crisis and the measures they took in order to gain control over the situation and society. It would be easy to conclude that as the countries presented here are, without exception, EU and NATO member-states, they must have acted in a similar way and that they will also do the same during the recovery period and the predicted second wave of the pandemic. However, the situation is more complex.

The Coronavirus Pandemic: Addressing the Health Emergency

No state could have been totally prepared for such a large-scale health challenge that arrived in Europe with such a short advanced warning. Consequently, when we take a look at the reaction of various countries, we can work with relative results and ask what each of them could have done better. Still, the states whose response to the Coronavirus pandemic this article presents and briefly analyzes are presented as success stories nowadays with fewer people infected and, in most cases, smaller shares of deaths than in many western countries that presumably have larger and better-endowed health services than their generally poorer, East-Central European (ECE) neighbors. The question arises as to what the good news can be attributed.

Two data sets are worthy of close attention – the number of cases identified and the number of deaths resulting from the Coronavirus. In both cases, the data available shows that the ECE countries have significantly lower numbers than the larger European states, such as Italy, Spain, France, or the UK. With the exception

⁴ A notable exception may be Brazil where the damage seems lasting and the president has remained reckless in spite of the terrifying data and other evidence hitting the Brazilians. There are speculations to what extent the human loss will affect the president’s popularity in the light of his populist attitude.

⁵ Sarah Repucci, “Freedom and the Media 2019. Media Freedom: A Downward Spiral,” *Freedom House*, accessed May 15, 2020, <https://freedomhouse.org/report/freedom-and-media/2019/media-freedom-downward-spiral>.

of Hungary, the number of fatalities is low and, in some cases, extremely low. The reasons for this may be found not in the quantitative analysis but by taking a look at the region.

Table 1. COVID-19 in East-central Europe (June 1, 2020)

	Confirmed Cases	Confirmed Death	Confirmed Death per Cases (%)	Confirmed Deaths per one million inhabitants	Life expectancy in years
Bulgaria	2,519	140	5,6	20	75.0
Czechia	9,286	321	3.5	29.9	79.3
Estonia	1,870	68	2.75	55.3	77.4
Hungary	3,892	527	13.5	53.9	76.7
Latvia	1,066	24	2.25	12.75	75.4
Lithuania	1,678	70	4.17	25.6	75.5
Poland	24,165	1,074	4.44	28.0	78.3
Romania	19,398	1,276	6.57	59.89	76.0
Slovakia	1,522	28	1.83	18.38	77.8
Slovenia	1,473	109	7.39	51.84	81.4
Total	66,869	3,637	5.2	-	-

Source: Johns Hopkins Coronavirus Resource Center.

The ten states have a number of similarities as far as both their past and present are concerned:

1. For several decades these states were so-called socialist countries where the organization of the society gave priority to accepting and following rules and obedience. Although the *ancien regime* has been over for nearly three decades, and the societies have enjoyed a taste of freedom, old routines have remained, especially in the older generations. As it is this generation that is the most endangered by the pandemic, their self-discipline in following the measures introduced, such as social distancing, staying at home and not going out without particular reason, and wearing masks were certainly part of the relative success.
2. In addition, there is another factor that will require scientific analysis: The level of vaccination in these countries has always been quite high, both historically and currently. Two examples are the numbers vaccinated with *Bacillus Calmette-Guérin* (BCG) against tuberculosis over many years and those currently who have the regular flu vaccination. There is no scientific evidence yet, but there is wide-ranging speculation about the positive effect of the BCG vaccine in keeping the Coronavirus symptoms under control. It can be taken for granted that further analy-

sis will follow to see if there is a correlation between the two not so much as far as contracting the virus is concerned, but as far as the severity of the symptoms and the lethality of the outcome.

3. There is, also, another historical fact that needs to be considered, which is that, during their communist past, the socialist countries had low-quality health services as a social good with massive reserves. These health services have remained far too centered on hospitals, which is one of those characteristic features that the European Union has often criticized. Activities, such as one-day surgeries were, usually, insufficiently wide-spread and, even today, there are still too many hospital beds. If we take a look at the statistics, the conclusion is clear: "Hungary (6th), the Czech Republic, Poland and Lithuania (7th to 9th) all are in the top ten of the world's countries with most hospital beds per thousand inhabitants and Slovakia (11th) is just outside the top ten."⁶ Thus, this insufficiently radical modernization of healthcare worked in favor of the countries of the region during the pandemic.

Leaving historical considerations aside, it is important to note that the population of the ECE still has a shorter life expectancy than many of the "old EU member-states" or even the EU's prodigal son, the UK. Among the 27 EU member-states, Slovenia, with the highest life expectancy in the ECE, is the 9th in the EU, and others are significantly further down on the list. However, there is good news: Life expectancy has been rising in these countries during the last two decades. There are a number of reasons for this favorable data.

The quality of the health services in the ECE varies but, generally, trust in their ability to deliver in the case of a large-scale health emergency has been rather low. Consequently, the population had an additional incentive to be vigilant. As the Health Minister of the Czech Republic said: "We were sure our hospitals were not able to withstand the situation. We had to react."⁷ Three states were identified, eventually, as not being able to manage the pandemic if the needs of intensive care units (ICU) and ventilators increased rapidly: Bulgaria, Hungary, and Romania. As Veronica Anghel said, in their situation, "any increase in cases will tip the system over."⁸ Other countries had somewhat less reason to worry, but

⁶ The data on hospital beds reflect the situation in 2017. Bojan Pancevski and Drew Hinshaw, "Poorer Nations in Europe's East Could Teach the West a Lesson on Coronavirus," *The Wall Street Journal*, April 12, 2020, accessed May 16, 2020, <https://www.wsj.com/articles/poorer-eastern-european-nations-could-teach-the-west-a-lesson-on-coronavirus-11586718779>.

⁷ Dénes Albert, "Hungary, Poland and Other Eastern European Countries Are Faring Better with Coronavirus for These Reasons," *Remix News*, April 29, 2020, accessed May 16, 2020, <https://rmx.news/article/article/hungary-poland-and-other-eastern-european-countries-are-faring-better-with-coronavirus-for-these-reasons>.

⁸ According to Romanian political scientist Veronica Anghel quoted by Shaun Walker and Helena Smith, "Why Has Eastern Europe Suffered Less from Coronavirus than the West?," *The Guardian*, May 5, 2020, accessed May 16, 2020, www.theguardian.com/

they faced other concerns such as the need for state of the art equipment and medical personnel.

As far as medical equipment is concerned, the countries of the region recognized their shortcomings and began to import whatever they could. This usually meant the acquisition of protective gear (masks and gowns), COVID-19 test equipment, and ventilators from China though later, they were also sourced from elsewhere. The Czech Republic showed the way in the region by being the first to send a special plane to China to collect equipment. It was followed by others when the pandemic hit them, who also noticed that China was able to meet the need when potential suppliers in Europe were short of equipment. Although other countries began to export later, in March, there was a monopolistic market. Other EU member-states were busy trying to meet their own pandemic challenge and, as a protective measure, introduced export bans in order to meet their domestic needs. The need in other European countries emerged simultaneously with that in the ECE countries, so the reliance on Chinese imports was a reflection of the fact that Beijing was in a different phase of the pandemic curve and under the impression that it has already overcome the crisis (which was, to some extent, an overestimation). Later, some of the ECE countries, as well as some of the states further to the West, concluded that the imported material and equipment from China was substandard and expressed their dissatisfaction. However, their reactions varied. Czechia was the most forthcoming, clearly expressing their views, as would be normal in any business deal (similarly to the Netherlands) while others were more careful, and some rather timid. Hungary, for instance, satisfied itself with some ambiguous statements and left a vaguely formulated quality concern for the chief medical officer rather than eliciting a response from a person more directly associated with the government.

As far as the availability of medical personnel was concerned, many ECE countries faced a challenge due to a shortage of qualified medical personnel, including physicians. This was due to the combination of the free movement of labor in the European Union along with low pay in the ECE for professions that are easily transferable internationally. The ECE states were lucky that a full-blown pandemic did not hit them at full force. Thus, they did not face a situation in which they would not have been able to react because of a shortage of personnel. Of course, temporary extra pay and some other measures, such as giving recognition to the extraordinary efforts in the health sector, helped. However, this crisis has also identified lasting structural problems. It is open to question whether these states will have learned from this experience and will introduce lasting measures to address the problem before an eventual second wave of the pandemic hits. This would require significant increases in monthly pay so that nurses would not be obliged to survive on €400, and medical doctors on €1,200. If this does not change, the outflow of professionals, that has been going on for

[world/2020/may/05/why-has-eastern-europe-suffered-less-from-coronavirus-than-the-west](https://www.world/2020/may/05/why-has-eastern-europe-suffered-less-from-coronavirus-than-the-west).

some years, will continue.⁹ Last but not least, it will be necessary to train more medical professionals. In some cases, this had already begun when early signs of emigration from the medical sector started some years ago. However, when the shortfall of medical doctors reaches 50-60 percent, there is no remedy. Most of those who leave pursue a career in their profession in western Europe. The market is clearly able to continue to absorb further professionals in some of the wealthiest western European states – from the UK through Scandinavia to the German-speaking part of Europe.

It is understandable that the ECE states, being poorer than their more fortunate fellow EU members further to the West, spend less on the health sector. The fact that they also spend less on purchasing power parity (PPP) is somewhat troubling. However, the gap between the OECD average spending (\$3,994) and the spending in ECE countries is not striking. It ranges between \$3,068 (Czechia) and \$1,749 (Latvia).¹⁰ Still, due to the high mobility of medical professionals, adequate attention needs to be paid to this matter. In some countries, extra spending does not make as much of a difference as it ought. This is because tenders for the procurement of medical equipment and material are affected by corruption and so expenses rise without a commensurate improvement in quality. Rather than skimming the surface of the problem, the roots have to be addressed.

When summing up the experiences drawn from the reaction of the ECE states to the spring 2020 outbreak of the Coronavirus pandemic, it is possible to conclude that although most states faced one shortfall or another, none of them faced an unmanageable challenge. It is open to question whether this “soft warning” will result in a further prioritization of health services so that these countries, like Baron Münchhausen, will manage to pull themselves out of trouble. What adds to the difficulty is that health care is a national competence in the EU, which means that member-states cannot count on more than soft persuasion from their EU partners unless consensus can be achieved to revise the rules.

In several ECE countries (and not only there), it was noticeable that the governments did not learn the lessons taught regularly at conflict management training courses. Priority has to be given to the protection of first responders; in this case, people working in the health service. The second most important layer of protection has to focus on the most vulnerable people, like those living in elderly care homes. Complaints were wide-spread in the health sector, particularly

⁹ The Romanian Ministry of Health estimated that 43,000 medical doctors left the country between 2007 and 2018. See Shaun Walker, “Romanian Hospitals in Crisis as Emigration Takes Its Toll,” *The Guardian*, April 21, 2019, accessed May 16, 2020, <https://www.theguardian.com/world/2019/apr/21/romanian-hospitals-in-crisis-as-emigration-take-its-toll>. The numbers of economic migrant physicians is massively smaller but demonstrate a similar problem.

¹⁰ Health Expenditure per capita, 2018 (or nearest year), OECD, “Health at a Glance 2019: OECD Indicators,” Paris, OECD, 2019, accessed May 20, 2020, https://www.oecd-ilibrary.org/social-issues-migration-health/health-at-a-glance-2019_4dd50c09-en. No comparable data is available for Bulgaria and Romania that are not members of the OECD.

during the early phases of the pandemic. There were some small-scale scandals in various countries. A few hundred people retired from their jobs in Romania, a small-scale spontaneous strike broke out in a hospital in Hungary as no protective gowns were available and masks did not meet the necessary standard for medical professionals. As time passed, and supplies arrived, the organization of the distribution of protective equipment gradually improved.

Successful protection against Coronavirus also depended upon the readiness of various countries to learn from the example of others and to react rapidly. It can be taken for granted that when this crisis is analyzed, which state learned from which partner and which are the “brand names” in healthcare will be identified. According to a Russian political scientist, the “test of the virus was best passed by those states that are not concerned with constant proof of their exclusivity, but are focused on creating safe and comfortable living conditions for their citizens”¹¹ This might also be a matter for many ECE countries as they are usually policy-taker or policy-shaper states and do not have excessive collective *egos* that would prevent them from being ready to learn. What did contribute to success was how well the political classes reacted and whether they provided an example in respecting the protective measures. There were no particular surprises, although some states definitely performed better than others. It is sufficient to say that Slovakia did well on both counts. It learned from Czechia and thus gained valuable time to react as the pandemic evolved. Lockdowns started in a timely manner, e.g., in Czechia six days before the first death from Coronavirus. In Slovakia, when the new cabinet was sworn in, everybody wore a mask in Bratislava, and, at the inauguration of the country’s President, she started a fashion with the mask harmonizing with her dress. While the so-called Visegrad countries were ready to learn from each other and their immediate western neighbors, others, with different geographical locations, appear to have drawn somewhat different conclusions. Estonia, an exemplary transformational country, has indicated that it would apply a more selective lockdown that would be less harmful to the economic interests of Tallinn if the Coronavirus pandemic returns.¹² This is clearly a lesson that could be learned from Sweden that chose to pursue “herd immunity” rather than isolation and applied it relatively successfully.

In addition to the above, the issue of how many Coronavirus tests various countries could carry out was a major and often divisive factor. There were a number of reasons for this:

¹¹ Igor Zevelev, “The post-COVID weakness of the superpowers,” *Kommersant*, May 31, 2020, accessed May 31, 2020, in Russian, https://www.kommersant.ru/doc/4364043?from=main_9.

¹² “May Blog: Coronavirus in Estonia,” *Estonian World*, May 31, 2020, accessed June 1, 2020, <https://estonianworld.com/life/blog-coronavirus-in-estonia>.

1. In an early phase, there was an apparent shortage of test kits available. Then, when further supplies became available, doubts were raised about the reliability of the test kits imported from China.
2. As is apparent – tests do not directly save lives. But without them political decisions might be taken, which could have massive, inherent risks of miscalculation.
3. However, if few tests are carried out, many cases do not appear in statistics and hence records of the number of infections can be kept low. This was of concern particularly in those countries where the fatality rate was high compared to the total number of cases. As the pandemic progressed, most ECE states appeared to understand the importance of testing and the access to reliable information. However, early differences, such as those between Czechia and Hungary, remained.¹³

The management of the pandemic brought the governmental agencies responsible for this sector into the limelight. In some cases, ministers had to take political responsibility for situations they had little to do with such as the delayed payment of bonuses to health professionals, or when some of them got into the crossfire due to their good, professional conscience, requesting comprehensive testing of the population of the capital city.¹⁴ In other countries, the consequences were more severe, like in Hungary, where the minister responsible for health services instructed 36,000 hospital beds to be vacated (approximately 60 percent of the total number available); some of them were not occupied, but many were which resulted in some untimely or unnecessary deaths of patients. Later, this brutal measure was eased and 12,000 hospital beds were returned to non-Coronavirus use.¹⁵ When the government realized that it would be difficult to avoid a scandal, the Minister of Human Capacities was sent to the Parliament with the message that no hospital had been obliged to vacate hospital beds. One might question whether this was a flat lie, as the opposition stated. And, if one were to consider what happened to the hospital directors, one might conclude that it was. However, if one were to take a look at the text of the ministerial instruction, then the situation becomes more complicated. Indeed, the instruction to hospitals was to vacate 60 percent of the hospital beds by April 15. How-

¹³ For an early account see Shaun Walker and Christian Davies, “Lack of Testing Raises Fears of Coronavirus Surge in Eastern Europe,” *The Guardian*, March 29, 2020, accessed May 16, 2020, <https://www.theguardian.com/world/2020/mar/29/lack-of-testing-raises-fears-of-coronavirus-surge-in-eastern-europe>.

¹⁴ For more details see the analysis of Matthew Rhodes and Valbona Zeneli, “COVID-19 and Southeast Europe,” *Security Insights* 58, May 2020, accessed May 22, 2020, www.marshallcenter.org/en/publications/security-insights/covid-19-and-southeast-europe-0, mentioning Bulgaria and Romania, respectively.

¹⁵ Anna Danó, “During Eight Days Hospitals Have to Vacate Approximately 36 Thousand Beds,” *Népszava*, April 9, 2020, in Hungarian, accessed April 15, 2020, https://nepszava.hu/3074040_koronavirus-nyolc-nap-alatt-mintegy-36-ezer-agyat-kell-kiuriteniuk-a-korhazaknak.

ever, the third paragraph of the instruction said: “All patients should be transferred to another institution where this is justified by the patient’s care needs.”¹⁶ As nobody tried to move patients that needed further treatment around to other hospitals, it would be difficult to decide how the ministry might have reacted if hospitals had started to move any severely ill, non-COVID-19 patients that could not be returned home around to other hospitals. It is essential to note that there is one part of the government structure that has performed quite well and that is communicating messages, which could not be identified as contradicting the facts.

Beyond the circumstances outlined above, it is useful to conclude that the success of effectively fighting a crisis like the Coronavirus pandemic depends upon a few simple matters. It requires timely decisions, early action by the authorities, and honest and reliable communication. The unity of the political class, putting earlier divisions aside, also helps as the example of several countries has demonstrated.

Conclusions

The ECE states have withstood the Coronavirus pandemic of spring 2020 better than many other countries, both in Europe and the world at large, that are endowed with better resources and larger health care sectors. This has been due to various factors, including the early reaction of governments, the support of the population, the discipline of the most exposed, the elderly, the abundance of hospital beds, and also that the pandemic did not challenge the capacity of the health services. This was fortunate as some states in the region had shortcomings that included small material reserves and depleted professional cohorts in the medical service. None of the ECE countries tried to “reinvent the wheel” and unlike states, like Belarus, Brazil or Sweden, to follow some *Sonderweg*. Most ECE states tried to constrain individual freedoms to a necessary extent and then gradually lifted the restrictions, such as international travel in the EU, in coordination with their neighbors.

It has remained inconclusive whether every ECE state has learned the lessons of the pandemic and has drawn conclusions for addressing critical shortfalls such as the retention of medical professionals by improving pay and working conditions. Many governments have begun to consider these issues but it would be premature to state whether action will follow or whether a political compromise will water down the necessary solutions. Without these changes, some ECE countries may face severe challenges if the pandemic returns again and is more fatal than before.

¹⁶ “Utasítás COVID-19 fertőzött betegek ellátására alkalmas ágykapacitás bővítésére/Instruction to expand bed capacity to care for COVID-19 infected patients,” Emberi Erőforrások Minisztériuma / Ministry of Human Capacities, IV/3220/2020/ EFFHAT, April 7, 2020, accessed May 29, 2020. Available at www.portfolio.hu/gazdasag/20200521/koronavirus-kasler-miklos-mondatat-sajat-levele-cafolja-meg-433100.

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The Legal and Legitimate Combat Against COVID-19: German Curfew-related Case Law

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Abstract: Much has been written about Chinese and Russian attempts to abuse the pandemic to reshape international order in favor of authoritarian regimes. Diplomatic initiatives, staged relief operations, and troll propaganda were rolled out when COVID-19 hit Europe and the USA in early March 2020. These activities meant to insinuate that centralized, illiberal governance models are better prepared to manage the crisis. In contrast, the transatlantic world fights the virus with measures taken in accordance with Rule of Law standards. In a previous paper, the author argued that access to legal remedies makes the difference. In spring and early summer of 2020, courts in Germany decided on a number of cases where claimants challenge lockdown regulations. Some of these decisions deserve a closer look because they deepen the understanding of how constitutional requirements are assessed in lieu of the constraints. The article, therefore, starts with a short summary of the German judicial system to challenge executive decisions. It will then turn to discuss some outstanding court rulings. In the end, the contribution attempts to assess what kind of COVID-19-related case law in Germany emerges. Could the courts balance core constitutional principles, the need to keep a functioning health sector, to allow a number of basic rights untouched, and to prepare a careful economic recovery?

Keywords: COVID-19, governance, lockdown, civil rights, rule of law

Introduction

In the wake of COVID-19, much has been written about Chinese and Russian attempts to use the crisis to reshape international order in favor of authoritarian regimes. Diplomatic initiatives, staged relief operations, and troll propaganda was rolled out when the coronavirus hit Europe and the USA in early March 2020. The intention was, and still is, to target western societies in distress. These activities insinuate that centralized, illiberal governance models are better prepared to manage the crisis. This approach neglects the question of the virus's origin, the disputable transparency to share critical information with the rest of the world, and missed opportunities to contain the spread of COVID-19 in the early phase. It also overlooks that liberal democracies must adhere to Rule of Law when applying tools to prevent further infections. In a Security Insights paper published on the website of the George C. Marshall Center in April 2020, I claimed that the only legitimate measures against the virus are those taken in accordance with Rule of Law standards.¹

The Virus and the Constitutionality of a Lockdown

The Security Insights paper discussed how one of the 16 German federal states, Bavaria, introduced curfew regulations and what constitutional thresholds had to be taken into account when basic rights were going to be restricted. The case of Bavaria was chosen because it is the *Land* that dealt with the highest number of infected and deceased personnel and thus introduced the harshest constraints compared to states like Hamburg, Saxony, Berlin, or Rhineland-Palatine. I explained that, in Germany, the executive protection of public health falls under the jurisdiction of the *Länder*, the 16 German states; thus, 16 health ministries, 16 parliaments, and 16 law enforcement bodies are occupied with COVID-19. This distinction matters with regard to the internal German discussions on how to avoid or promote a patchwork of tailored-made restrictions across Germany.² The Federal Government, however, serves as the coordinating forum.

On the question of constitutional legality, I argued that the government of the Free State of Bavaria made decisions that impacted on the basic human and civil rights of its residents. I also argued that the curfew regulations carefully balanced Germany and Bavaria's trilemma: to keep a functioning health sector, to allow a number of basic rights to remain untouched, and to prepare for a measured economic recovery. I claimed that the Bavarian government crafted regulations that satisfied basic requirements. The curfew-related ordinance precisely

¹ Sebastian von Münchow, "COVID-19: How to Implement a Lockdown in a Democratic Context," *Strategic Insights* 57 (Garmisch-Partenkirchen, Germany: George C. Marshall European Center for Security Studies, 2020), <https://www.marshallcenter.org/sites/default/files/files/2020-06/Security%20Insights%2057.pdf>.

² See also: Constanze Stelzenmüller and Sam Denney, "COVID-19 Is a Severe Test for Germany's Postwar Constitution," *Lawfare*, April 16, 2020, www.lawfareblog.com/covid-19-severe-test-germanys-postwar-constitution.

referred to Bavarian and federal laws to maintain public health. For the sake of clarity, I pointed out that Munich thoroughly formulated the practices to be prohibited and outlined which conditions allowed for exemptions. The administration stressed the temporary state of these constraints. It bought itself time to fine-tune the restrictions and to equip the health institutions.

Access to the judicial system remained open so that citizens and legal entities could challenge, in court, the provisions and implementing acts. This access to the legal system, I argued, as a basic pillar of Rule of Law, revealed that democracy kept functioning during the pandemic.³ When I wrote my first contribution to this topic, I already hinted that the judiciary could face a wave of suits by individuals and companies that would challenge curfew restrictions. I cited four early cases where individuals had already turned to the administrative courts to ask if constraints had been taken in accordance with the federal or state constitution.

In the meantime, courts have decided on a number of additional cases. It is expected that more cases will have their day in court. However, some of the recent decisions deserve a closer look in order to deepen the understanding of how constitutional requirements are assessed in lieu of the constraints. Therefore, I begin with a summary of the German judicial system that allows challenges to executive decisions. This is necessary to be able to understand the variety of differing judgments that resulted. I will then turn to discuss some outstanding court rulings. In the end, I will attempt to assess what kind of COVID-19-related case law in Germany emerges and what this means for the legitimate fight against the pandemic.

The Administrative Court System in the Federal Republic of Germany

The German system to challenge administrative acts is, in many ways, unique in comparison not only with immediate European neighbors but also on a global scale. It guarantees an all-encompassing set of options for individuals in need of legal redress. Most cases start with an administrative decision by an authority (i.e., federal, *Land*, or municipal) which is considered to be illegal by an affected resident (i.e., revocation of a driver's license, denial of asylum, rejection of a construction project, admittance to public universities, taxation issues, and others). The claimant is usually informed of his or her right to object to the decision. If the institution adheres to its original executive act, then the claimant is entitled to seek a legal review by an administrative court.

The first level is the local *Verwaltungsgericht* (Administrative Court). In this very early stage, the administrative dispute is considered purely on a state-level. An exception would be when a claimant is challenging the decision made by a

³ See also Josef Joffe, "On Coronavirus, Beware the Totalitarian Temptation," *The American Interest*, March 17, 2020, <https://www.the-american-interest.com/2020/03/17/on-coronavirus-beware-the-totalitarian-temptation>.

German federal authority (i.e., disputes between federal Ministries and their federal public servants on promotions or violations of duties). If the first court agrees with the initial executive act, then the affected citizen may appeal. The dispute moves up another level to the *Oberverwaltungsgericht* or, depending on the traditional term used at the state level, the *Verwaltungsgerichtshof* (Higher Administrative Court). If the claimant is faced with another negative ruling, he or she may seek a revision. This means the claimant leaves the respective *Land*-level and submits the case to the so-called *Revisionsinstanz* at the highest administrative court level of the Federal Republic, the *Bundesverwaltungsgericht*. The case would formally end here. However, citizens also have the right to state that the last decision constitutes a violation of his/her basic rights. The Karlsruhe-based *Bundesverfassungsgericht* (Constitutional Court) would then, finally, deal with the matter, but purely with a view to a violation of basic rights, as enshrined in Germany's Basic Law, the *Grundgesetz*. This court authority is unlike the US Supreme Court, which has the ability to re-define the law in real terms.

With regard to coronavirus-related restrictions, challenges to curfew constraints can be found in two basic procedures. First, a case could be initiated solely by the act of issuing a fine based on the COVID-19-associated violations (i.e., a caterer who disregarded the ban to host guests). The fine is the means by which the administrative act affects the claimant. He or she may then appeal to the issuing authority at the local level. If the issuing agency sees no legal or factual circumstances to change its stance, then the case would proceed to the first court level. From then on, the case would be pursued through the above-described procedures until the citizen prevails or resigns from further processes. Second, a potential appellant could also contest the various ordinances mandating a temporary curfew, which were decreed by all 16 German *Länder*.

The process of legally challenging a ministerial decree must pass higher thresholds than one protesting against an individually-tailored administrative act. The reason for this is that these decrees are of a collective nature. They address a certain group or all residents of a *Land*. They are mostly abstract in character. Most German states provide the option to challenge ordinances,⁴ however, the claimant has to prove that he or she is individually affected by the decree. The German legislation did not intend to allow unlimited freedom to file so-called *Popularklagen* (popular action). Nevertheless, the curfew constraints, introduced by the state health ministries in mid-March, were formulated in a direct manner targeting professional groups, institutions of public life, and citizens' interactions with each other. Depending on the structure of the state's administrative judiciary, a review of a respective part of the decree would need to be launched at the state-level higher courts, hence bypassing the municipal

⁴ See Article 120 of the Bavarian Constitution: "Every resident [...] who feels that his constitutional rights have been violated by an Administrative Body is entitled to call upon the protection of the Bavarian Constitutional Court," www.bayern.landtag.de/fileadmin/scripts/get_file/Bavarian_Const_2003_BF.pdf.

stage. The court would then declare the disputed part as a legal violation, not the decree *per se*.

In consequence, the legislating authority would need to rewrite the section at stake in accordance with the court decision. On this note, it might be added that court decisions and judgments do not create case-law in the Anglo-Saxon legal tradition. German rulings correct the violation at hand, set a precedent for similar cases, and create interpretation standards.

In view of the two principal options to seek legal remedy, a number of cases were filed in the very early phase when Germany-wide curfew ordinances were first issued. Most of them sought for temporary justice. This *Vorläufiger Rechtsschutz* allows claimants to have an accelerated court procedure. The court then makes a temporary decision. This may be altered by a later decision when the court finds the time to assess the case in substance. Legal review is also possible in those cases where the authority immediately executes an administrative act (i.e., dissolving a curfew-violating assembly or demonstration).⁵ These cases are filed with a view to an *ex-post* evaluation. In the case of a finding favoring a claimant's view, the court would declare the measure to have been taken illegally. One effect of those decisions is its recommending character for future executive actions. Authorities are required to rethink their intended course of action in lieu of comparable cases.

In the following section, I will present a few decisions which were decided by various court levels. They include a decision by Germany's highest court, the Federal Constitutional Court in Karlsruhe, but also by constitutional courts on state-level, and a higher administrative court of a *Land*. Most of those court decisions were made under the accelerated procedures to seek temporary justice. This selection illustrates how cases are dealt with by various courts in different German regions. I have also selected cases with a variety of alleged violations of basic rights.

The Federal Constitutional Court / Freedom of Assembly

Germany's Constitutional Court decided that the City of Gießen (located near Frankfurt in the State of Hesse) had to allow a demonstration of around 30 persons at a centrally located square.⁶ In accordance with procedures, the demonstrators had announced the proposed assembly to the respective office of Gießen's city administration. The demonstrators also presented a scheme showing how participants could maintain the necessary distance from each other and how speeches could be broadcast. The city rejected the demonstration and referred to the first paragraph of the previously introduced Hessian ordinance that

⁵ Volkmar Götz, *Allgemeines Polizei- und Ordnungsrecht*, 10th ed. (Göttingen: Vandenhoeck & Ruprecht, 1991), p. 151 et seq.

⁶ Bundesverfassungsgericht, Beschluss vom 15. April 2020, 1 BvR 828/20; see: Pressemitteilung Nr. 25/2020 vom 16. April 2020 Antrag auf Erlass einer Einstweiligen Anordnung gegen Versammlungsverbot teilweise erfolgreich.

mandated a temporary curfew. Immediate appeals to the city, the competent administrative court, and the Hessian Higher Administrative Court were not successful. Hence, the case was filed to the Constitutional Court since the claimants argued that the prohibition of the demonstration would violate their right to Freedom of Assembly (Basic Law, Article 8: All Germans shall have the right to assemble peacefully and unarmed without prior notification or permission). The city's legal advisors argued that the ordinance had to be understood as a law regulating outdoor assemblies. Article 8 of the Basic Law states in paragraph 2 that the right to assemble may be restricted by or pursuant to law. They interpreted the curfew decree that residents have to reduce physical and social contacts with persons other than members of their own household to an absolute minimum, which would not be possible in demonstrations. The Constitutional Court, however, emphasized that the city enjoyed discretion to decide on the demonstration according to Germany's Assembly Act (Section 15 on Prohibition, Dissolution, and Instructions, paragraph 1: The competent authority *may* prohibit the assembly or procession or make it dependent on specific instructions if in accordance with the circumstances recognizable at the time of issuing the injunction public security or order is directly endangered by the implementation of the assembly or procession). The judges criticized that Gießen's administration belief that the curfew could prohibit any demonstration as such and that no attempt was made to elaborate the case-related circumstances. The court found that the Hessian decree did not forbid all demonstrations.

Furthermore, Karlsruhe underlined that the freedom to assemble is an essential constitutional right that had to be taken into consideration.⁷ The Constitutional Court ordered the City of Gießen to re-evaluate its decision in the light of this interpretation. The city did so, and the demonstration took place. A couple of persons met in an arranged manner to keep the required physical distance between the demonstrators.

The Constitutional Court of Saarland / Personal Freedom

In a temporary legal decision from 28 April 2020 that was discussed Germany-wide, the Constitutional Court of the Saarland (a fairly small German western state bordering France and Luxemburg) ruled, at the very beginning of the curfew, on the prohibition to leave one's home.⁸ The claimant challenged the Saarland ordinance mandating a temporary curfew. This ordinance was modeled in accordance with the Bavarian decree. The Saarland ordinance also urged residents to stay at home and to reduce contact with persons other than members of their own household. The Saarland ordinance also ruled on the occasions when a person was allowed to leave their own home. This was permitted only

⁷ See also: Dieter Hesselberger, *Das Grundgesetz*, 12th ed. (Bonn: Bundeszentrale fuer politische Bildung, 2001), p. 127.

⁸ Verfassungsgerichtshof des Saarlandes, Beschluss vom 28. April 2020, Lv 7/20.

for good reasons. The ordinance burdened the individual with the need to provide a valid explanation as to why he or she had left home.

The claimant, in this case, stated that the respective sections limited his personal freedom and that he had a right to be in a public space without a duty to give any specific reasons. In its decision, the Saarbrücken-based Constitutional Court first elaborated on the claimant's rights to seek temporary justice at the highest court of the Saarland. It basically approved the procedure by arguing that the legal question at stake is of "general interest" and that the decree had the potential to violate many basic rights of innumerable residents. When making its legal assessment, the court conceded that the executive branch had the responsibility to evaluate the threat to the life and health of its citizens posed by the pandemic. Hence, the court, generally, understood that the right to freedom might be limited under these circumstances. It then equally stressed that the impact of the right to freedom, a right of utmost importance to liberal democracy, requires a constant control by the judiciary. Henceforth, the judges argued that the governmental justifications backing curfew regulations would have to be continuously reviewed. This is where the court touched upon the very debate of data generated by virologists suggesting harsh de-socializing measures to prevent the further spread of COVID-19. The court compared the number of infections with other German states bordering European countries. The judges linked those higher infection rates with the figures of infection rates in the home state. The Constitutional Court then denied that the data would be of significance for the stand taken by the Saarland Government. It even went so far as to cite a study by the ETH Zurich (Swiss Federal Institute of Technology in Zurich) entitled "The estimated impact of non-pharmaceutical interventions on documented cases of COVID-19: A cross-country analysis."⁹ According to this study, curfew restrictions have "only a small added value," and one also had to consider that "lockdowns also entail a ban on public events and gatherings." The judges followed this line of argument when balancing the government's intention to maintain public health and minimize deaths against the individual's right to freedom. The court continued by applying the figures to the case of those who suggest tighter restrictions and to that of those favoring an easing of the curfew. Applying the Saarland decree to different scenarios of social gatherings, the court wondered, in an excessive tone, why family members could be allowed to attend the burial of a deceased relative under the curfew ordinance, whereas people were prohibited from gathering in social settings. The court emphasized that it did not intend to act as legislator, but it recommended that the government should reformulate the respective sections in the curfew decree. The recommendations stipulated that the burden should be shifted from the resident to explain

⁹ Nicolas Banholzera, Eva van Weenen, Bernhard Kratzwald, Arne Seeliger, Daniel Tschernutter, Pierluigi Bottrighi, Alberto Cenedese, Joan Puig Salles, Werner Vach, and Stefan Feuerriegel, "Impact of Non-pharmaceutical Interventions on Documented Cases of COVID-19: A Cross-country Analysis," *medRxiv*, April 21, 2020, <https://doi.org/10.1101/2020.04.16.20062141>.

why he or she leaves home. In light of this decision, everybody can now leave their home whenever they please. It is up to the government to justify any future constraints on the basis of convincing evidence.

Higher Administrative Court Munich / Non-Discrimination

Another, intensively debated, decision by an administrative court took place in Bavaria.¹⁰ At the beginning of May 2020, the Munich-based government started to ease the constraints and amended its respective ordinances to allow shops with a maximum floor space of 800 m² to re-open. The claimant—a corporation of popular shopping centers in Munich, Berlin and Hamburg—argued that the principle of non-discrimination according to Article 118 of the Bavarian Constitution (Everyone shall be equal before the law. The laws shall bind everyone in the same manner and everyone shall enjoy the protection of the laws in the same manner) had been violated. The shopping center consortium sought for temporary legal protection after the amended decree was announced. The procedure went straight to the Bavarian Higher Administrative Court. When assessing whether the restriction to allow retail businesses with a maximum floor space of up to 800 m² to re-open violated the principle of non-discrimination, the court generally stated that legislators are allowed to treat different cases in a different manner. However, the court added, in case the government does wish to apply such different standards to different scenarios, it must thoroughly substantiate its reasoning. The Munich-based Higher Administrative Court did not see any discrimination in the different assessments of the risk of infection in a suburban tool store or a city center shopping mall. But it did consider the easing of restrictions in favor of larger book or bike stores as discriminatory when related to the constraint of keeping shopping malls *de facto* closed due to the 800 m² rule. The court also found that the new curfew decree violated the principle of proportionality. It underlined the severe impact of the restriction on the owners' rights and could not share the government's view why, in particular, the space of 800 m² was determined to set the threshold. In consequence, Bavaria's government had to allow the shopping centers to open.

Constitutional Court of Berlin / Free Development of Personality

Berlin is not only Germany's capital, it is also a *Land*. It is similar to two other *Länder* with little territory – the Hanseatic Cities of Hamburg and Bremen. These three form, with the 13 *Flächenstaaten*, the 16 states of the Federal Republic. Thus, the city of Berlin has a Constitutional Court. A member of Berlin's bar filed a case to the Constitutional Court, where he asked for temporary legal protec-

¹⁰ "Corona-Pandemie – Keine Aussetzung des Vollzugs der Bayerischen Infektionsschutzmaßnahmenverordnung," Beschluss vom 27.04.2020 – 20 NE 20.793 (Verwaltungsgerichtshof München, 2020), <https://www.gesetze-bayern.de/Content/Pdf/Y-300-Z-BECKRS-B-2020-N-6630?all=False>.

tion.¹¹ He claimed that the Senate's curfew restrictions (Berlin's executive power is equal to that of the governments in Germany's territorial states) and the corresponding register of fines *per se* were breaches of his constitutional rights and freedoms. He argued that the curfew would prevent him from participating in professional assemblies, visiting libraries, and departing from his home. In sum, he saw the freedom of development of his personality was being endangered (*Freie Persönlichkeitsentfaltung*¹²). The court dismissed the case. The majority of judges considered that the Senate's interest in maintaining a functioning health system and its efforts to flatten the curve of COVID-19 infected citizens was of the utmost importance. They pictured a situation in which individuals could act without any rules enforcing physical distance. The court held against the lawyer, stating that he could not substantiate why he would be considerably impacted by the Senate's decree. What makes this decision also noteworthy is the fact that two constitutional judges published dissenting opinions – which is unusual in the German legal tradition. They specifically criticized the decree and the list of fines with regard to their clarity, its preciseness (*Bestimmtheit*¹³), and their lack of a thorough explanation as to why the specific restrictions justified those severe impacts on basic rights.

Summary

The cases mentioned above were only a selection. New decisions and, sometimes, judgments are being taken on a daily basis. It would be easily possible to continue with many other cases that would illustrate how administrative and constitutional courts have tried to balance basic rights and public health needs. One could ask whether it is possible to observe any particular features from German administrative jurisdiction. It clearly is.

Just by focusing on the results, one can see that the claimant does not always prevail. For instance, the Leipzig Administrative Court decided against a father who wished to attend the birth of his children.¹⁴ The judges decided that the hospital's interest in maintaining a virus-free health institution was higher than the father's desire to witness the delivery of his twins. Sometimes the courts

¹¹ Verfassungsgerichtshof des Landes Berlin, "VerfGH Berlin: Erfolgreicher Eilantrag eines Rechtsanwaltes im Zusammenhang mit der Covid19-Pandemie – Folgenabwägung – Sondervotum," April 14, 2020, 50 A 20/20, www.gerichtsentscheidungen.berlin-brandenburg.de/jportal/?quelle=jlink&docid=KVRE001092015&psml=sammlung.psmI&max=true&bs=10.

¹² See Peter Schade, *Grundgesetz mit Kommentierung* (Regensburg: Walhalla Fachverlag, 2001), p. 23 et seq.

¹³ Steffen Detterbeck, *Allgemeines Verwaltungsrecht* (München: C.H.Beck, 2002), p. 64.

¹⁴ "VG Leipzig gibt einem Krankenhaus Recht: Kreißsaalverbot für werdende Väter rechtens," *Legal Tribune Online*, May 6, 2020, on Verwaltungsgericht Leipzig, Beschluss vom 09.04.2020, Az 7 L 192/20, <https://www.lto.de/recht/nachrichten/n/vg-leipzig-7l19220-kreissaal-verbot-vater-geburt-corona-hausrecht-krankenhaus-klinik>.

agreed with the broad set of restricting instruments but doubted a specific subset.

One feature is that German jurisdiction stands by its tradition to concentrate on the very individual case and the assessment of the specifics (*Einzelfallbetrachtung*).¹⁵ In consequence, individuals (or legal entities) will continue to file their cases. Unfavorable decisions or judgments do not necessarily mean that a court would not assess a detailed facet differently in a different procedure.

The judges recognized the usefulness of introducing physical-distancing restrictions or obligations to wear protective gear, but they also acknowledged the economic or societal consequences of a lockdown. Overall, the courts did not seek to enter into the heated public debate on the trilemma of protecting the public health system, upholding civic rights, and maintaining a functioning economy. When studying the decisions carefully, one can conclude that the judges repeatedly required the governments to justify their constraints adequately. So far, the emphasis has been on a particular chosen legal tool, which was challenged. The judges deciding in favor of a claimant have lamented that proper data had not been put in proportion to the application of a specific measure that limited individual rights and freedoms. This led to the key observation that federal and state courts should strictly adhere to the principle of proportionality.¹⁶ A restricting measure can only be legal if the public aim is clear, if it is necessary, if no milder measure is at hand, and if maintaining the public aim is so pre-eminent that it justifies the intensity of a limitation of a basic right.

When putting the coronavirus-related administrative court decisions into the German political context of late spring/early summer 2020, one must acknowledge that the judges served their function well in providing checks and balances. After several weeks of lockdown (which was relatively modest compared to some western and southern EU member states), the discussion on pro and counter restrictions became much more political and emotionalized than in early spring. The tone changed, even within political camps. Some politicians could not even hide their public dismay in lieu of some court decisions (which is usually anathema in German politics). In the meantime, Berlin, Stuttgart, Munich, and other cities witnessed demonstrations by thousands of citizens who ignored the decreed physical distancing rules rallying for a “back to normal” situation.

Germany’s criminal courts have so far escaped dealing with corona-related legal questions. During the critical phase of March and April 2020, the state-run health systems have managed to keep the number of patients requiring respiration low until they could upgrade their intensive care equipment. Hence, no case was filed to a criminal court for judgment on what became known as triage. So, no physician has yet been accused of a decision on prioritizing a patients’ treatment based on the likelihood of recovery with or without treatment. The assess-

¹⁵ Detterbeck, *Allgemeines Verwaltungsrecht*, pp. 131, 132.

¹⁶ Münchow, “COVID-19: How to Implement a Lockdown,” pp. 14-16.

ment of these scenarios under the criminal code and constitutional requirements deserves another article.

Outlook

The administrative court decisions so far can be seen to be sober interventions that did not question the aim to prevent a further spread of the virus but were made in order to tame any overambitious measures by governments to maintain public health at the cost of individual freedoms and rights. One might even add that the court rulings paid respect to the very nature of the pandemic. Infections rose in Germany's industrial hubs cross-linked with globalization. COVID-19 broke out in and around nursing homes. It spread in skiing resorts. Yet, it occurred in lower numbers along the less populated Baltic shores. Hence, the local circumstances were taken up by courts asking for proportional and regional-driven measures. The location of a business, the proximity to a border with a country of higher infection rates matter, and so do detailed precautions about the organization of a demonstration. The rulings considered not only the specific circumstances but also the individual in an *in dubio pro libertate* spirit.

Looking at it from the macro-level perspective mentioned at the beginning of this article, Germany's government never had the tools to seal off an urban area of 10 million inhabitants. Nor does the 1949 Basic Law allow Germany's administration to force citizens to download tracking apps. Needless to say, critical researchers, doctors, bloggers, and journalists did not "disappear" or fall mysteriously from windows.¹⁷ Related to the pandemic, the Federal Government refrained from any strong rhetoric in an attempt to bully external challengers. It withstood attempts to sell humanitarian relief operations to a global audience by fishing for respect and compliments. Unlike Russian or Chinese activities, where arriving medical equipment was accompanied by platoons of regime-friendly journalists to create positive images and narratives, the hospital treatments of Italian and French patients went largely unheralded. The Berlin administration did not react to Moscow's coquettish offers at the height of the crisis. Instead, Saxony considered offering beds to Russian patients so that they could be cured of COVID-19 in German hospitals. The German crisis-management appears to have been clearheaded. Its health system survived the outbreak in the spring of 2020 remarkably well and currently, Germany's diplomats negotiate the financial protective shields on behalf of its European partners. In parallel, its Ministry of Defense tries to explore new ways to promote EU-NATO cooperation to ensure future military mobility, ways of countering joint hybrid threats, and similar problems. The calm way that courts balanced the instruments to fight the

¹⁷ "Corona-Zensur in China: Die verschwundenen Blogger von Wuhan," *Tagesschau.de*, May 23, 2020, <https://www.tagesschau.de/ausland/china-blogger-101.html>; see also: "Mysteriöse Todesumstände: Zwei russische Ärzte nach Systemkritik durch Fenstersturz gestorben," *t-online.de*, May 5, 2020, https://www.t-online.de/nachrichten/ausland/id_87819616/corona-in-russland-zwei-aerzte-nach-kritik-durch-fenstersturz-gestorben.html.

coronavirus with Rule-of-Law concerns contributed to the necessary mosaic of the overall achievements. In sum, one might also keep in mind this thorough Rule-of-Law based way, the freedom to access legal remedies and a sound judiciary when countering the narratives of authoritarian regimes in the East that are claiming to serve societies better in the combat against COVID-19.

Disclaimer

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Balancing Defense and Civil Support Tasks: The Impact of Covid-19 on the Bulgarian Military's Roles

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Abstract: Military organizations are often called upon to contribute with specific capabilities or to enhance the civilian response capacity in an emergency at home, in particular, when urgent action in a high-risk environment is needed. The emergency related to the Covid-19 pandemic was not an exception. The Bulgarian armed forces have already made an important and highly visible contribution and are prepared to perform additional tasks assigned through the new emergency law. Both the society and the political elites appreciate this military involvement, and ideas for new civil security tasks have emerged. Based on the analysis of legal and doctrinal documents and the responses to an interview, this article provides an overview of the domestic tasks of the Bulgarian armed forces prior to the Covid-19 pandemic, new tasks assigned during the pandemic and the possibilities for and the caveats in the further expansion of the spectrum of domestic tasks. The opinions of 41 respondents in the interviews are almost equally split. A slight majority suggests further expansion of the domestic tasks, serving as a back-up, and building on high-tech capabilities the armed forces already possess or plan to develop. The remaining respondents call for exercising caution, assuring that the military contribution is effective and efficient, and reconsidering the newly assigned coercive tasks. The article also presents the decision-making context, shaped by long-delayed modernization, limited budget, and the severe shortage of personnel. This is the context in which policy-makers need to find an adequate balance between defense and civil support roles and capabilities.

Keywords: emergency management, crisis management, counter-terrorism, law enforcement, defense support to civilian authorities, Covid-19

Introduction

The Bulgarian armed forces, just like the armed forces in many other countries, have three main roles: defense of the sovereignty and the national territory, contribution to international peace and security, and contribution to internal security, particularly in times of crises. In peacetime, the third of these roles is most visible to society. The military contribution during the Covid-19 pandemic makes no exception. The urgency of the situation, the uncertainty surrounding the new viral threat and its impact, and the limited civilian capacity to act in a contaminated environment sharply increased the interest in the contribution of the armed forces.

In a matter of days, new tasks for the armed forces were codified in law. The military contribution in the pandemic-related emergency so far is largely seen as positive, and although some of the new tasks have yet to be performed, observers suggest a wider involvement of the armed forces. The appetite for assigning new tasks to the military in their third role may grow in the forthcoming election period without giving proper consideration to the wider effects on defense.

The study presented in this article was undertaken with the aim of clarifying the current situation, the options and the rationale for the military contribution to emergency and crisis management on home territory, and the feasibility of assigning new tasks to the armed forces. The results are based on a review of relevant laws, doctrinal documents and annual reports, and on an analysis of responses to interviews. The author designed a structured questionnaire¹ on the impact of Covid-19 on the defense policy of Bulgaria at the beginning of May 2020 and it was sent out to 65 experienced defense practitioners and analysts (avoiding experts in the executive branch that are currently involved in policymaking or implementation). Forty-one responses were received on time to be considered for this study. Respondents included current members of the Defense Committee in the National Assembly, former Defense Ministers, former Chiefs of Defense and other flag officers, academics from defense academies and research institutes, and experienced practitioners. Respondents have only been named when they have explicitly agreed to be quoted. The study has included content analysis² only of the responses to the first question that is related to the internal role and tasks of the armed forces.

The following three sections of the article present, respectively, the domestic tasks of the Bulgarian armed forces prior to the Covid-19 pandemic, new tasks assigned during the pandemic, and the possibilities for and the caveats in the further expansion of the spectrum of domestic tasks. The final section delineates two main options for the future and puts the respective decision making into context.

¹ Steinar Kvale and Svend Brinkmann, *InterViews: Learning the Craft of Qualitative Research Interviewing*, 2nd ed. (Los Angeles, CA: SAGE, 2009).

² Alan Brymann, *Social Research Methods*, 4th ed. (Oxford, UK: Oxford University Press, 2012).

Domestic Tasks of the Bulgarian Armed Forces prior to the Covid-19 Pandemic

The 1999 Military Doctrine of the Republic of Bulgaria—the first doctrinal document open to the public—defined as one of the main goals of defense “the protection of the population in natural disasters, industrial catastrophes, and dangerous contamination in the country and abroad.”³ The first White Paper on Defense and the Armed Forces, published in 2002, clearly defined the military support to civilian authorities and the population as one of the three main roles of the national military, along with “Defense” and “Contribution to international peace and security.” According to the 2010 White Paper, this “third role”⁴ includes

... operations to deter and neutralize terrorist, extremist and criminal groups; protection of strategic sites; protection and support to the population during natural disasters, accidents, and ecological catastrophes; explosive ordnance disposal; humanitarian assistance; assistance to the control of migration; search and rescue activities; assistance, when necessary, to other state and local authorities for preventing and overcoming the consequences of terrorist acts, natural disasters, ecological and industrial catastrophes, and *dangerous spread of infectious diseases*.⁵

Consequent doctrinal documents elaborated further on the organizational roles and procedures for the implementation of this role of the armed forces.⁶

Until 2015,⁷ explosive ordnance disposal (EOD) and the contribution to disaster management and protection of the population were the main drivers for maintaining capabilities and readiness in this role. Both tasks call for the regular involvement of the armed forces. By 2019, the Bulgarian armed forces maintain 99 formations for containment and recovery from disasters and two groups to support the evacuation of the population in case of an accident in the “Kozloduy” Nuclear Power Plant, with total personnel of 1932 and 550 pieces of

³ Military Doctrine of the Republic of Bulgaria, approved by the National Assembly on April 8, 1999, *State Gazette*, no. 34, 14 April 1999.

⁴ The White paper uses the term ‘mission;’ however, the term ‘role’ is preferred in this text for consistency.

⁵ White Paper on Defense and the Armed Forces, approved by the National Assembly on October 28, 2010, pp. 21-22, https://www.mod.bg/bg/doc/drugi/20101130_WP_BG.pdf. Translation by the author. Emphasis added.

⁶ See, for example, Doctrine of the Armed Forces of the Republic of Bulgaria, NP-01 (Sofia: Ministry of Defense, November 2017), https://www.mod.bg/bg/doc/strategicheski/20171211_Doktrina_VS.pdf.

⁷ For an earlier analysis, reflecting on internal counter-terrorist roles post-September 11, see Nikolay Dotzev, “The Soviet Legacy: Transforming Bulgaria’s Armed Forces for Homeland Security Missions,” *Connections: The Quarterly Journal* 4, no. 3 (2005): 83-95.

specialized equipment, including helicopters for aerial firefighting.⁸ In addition, dozens of mobile EOD teams disposed of 503 explosive devices in 2018,⁹ and another 188 devices in 2019.¹⁰ Another highly visible task is the medical evacuation by air, performed by the Air Force, maintaining on duty one military transport airplane and one helicopter, and teams from the Military Medical Academy.¹¹

Nevertheless, details of the expected contribution of the armed forces in their third role remained largely undefined until the migration crisis of 2015-2016, which became another major driver for reconsidering and codifying in law the domestic tasks of the armed forces. Two amendments to the Law on Defense and the Armed Forces clarified existing tasks and introduced some new ones.¹² These amendments introduced new legal requirements for support to the Ministry of the Interior and other civilian organizations, that included:

- maintaining readiness for and providing humanitarian assistance and rescue on the territory and in the maritime zone of the country and abroad;
- assisting the security agencies in countering the proliferation of weapons of mass destruction, the illegal trafficking of armaments, and terrorism;
- protection of strategic sites, assets, and systems of critical infrastructure;
- conducting special operations for countering terrorism and overcoming the consequences of terrorist acts;
- participation in the protection of the state borders;
- conducting special purpose flights for the needs of other ministries and agencies.¹³

All these tasks require additional training and maintaining readiness. The most demanding of them has been the military contribution to the protection of the land borders, primarily the border with the Republic of Turkey. Military engineers built a fence in sectors of that border that were considered to be more vulnerable to illegal migration. The Land Forces were tasked with contributing to the surveillance and control of the border and maintaining their readiness for a

⁸ Annual Report on the Status of Defense and the Armed Forces 2019, Draft, submitted to the National Assembly on April 16, 2020 (Sofia: Council of Ministers, 2020), https://www.mod.bg/bg/doc/drugi/20200415_Doklad_otbrana_2019.pdf.

⁹ Annual Report on the Status of Defense and the Armed Forces 2018, approved by the National Assembly on May 15, 2019 (Sofia: Ministry of Defense, 2019), https://www.mod.bg/bg/doc/drugi/20190424_Doklad_2018.pdf.

¹⁰ Annual Report on the Status of Defense and the Armed Forces 2019, p. 29.

¹¹ Annual Report on the Status of Defense and the Armed Forces 2019, p. 29.

¹² State Gazette nos. 98 and 113 of 2016.

¹³ Law on Defense and the Armed Forces, articles 56, 57, and 57a.

battalion-sized reinforcement of the “Border Police” service of the Ministry of the Interior. In 2017, the average monthly contribution amounted to 240 personnel and 70 pieces of equipment.¹⁴ In the first five months of 2018, the military contributed with approximately 700 soldiers in border surveillance and control tasks, and 435 soldiers and 234 pieces of equipment in related logistics functions.¹⁵ This support operation was terminated in May 2018; yet, the military continues to maintain 350 personnel on 24-hour readiness to support the “Border Police” in case the migration pressure increases again.¹⁶

The Law on Counter-terrorism, adopted in 2016, gave the armed forces typical law enforcement functions in suspected terrorist activities, including the use of force.¹⁷ For that purpose, three services, the Military Police, the Special Operations Brigade, and the Military Medical Academy, could be required to provide up to 1100 personnel with the necessary armaments and equipment.¹⁸ The Land Forces alone have trained and maintain at permanent readiness 30 mechanized and alpine platoons and one CBRN module to support counter-terrorist activities of the Ministry of the Interior.¹⁹

All these examples demonstrate that, when a need arises, the state leadership is willing to assign support tasks to the armed forces, and to amend the legal framework accordingly. The Ministry of Defense has the experience and the institutional mechanisms in place to provide the requested capabilities, to maintain an adequate level of readiness, and to contribute when necessary. That was also the case with the Covid-19 pandemic.

New Tasks Related to the Covid-19 Pandemic

In unexpected ways, the pandemic made the domestic roles of the military even more visible. The country already had a standing plan for action in a pandemic of influenza²⁰ which, in line with the Law on Disaster Protection,²¹ assigns the lead governance role to a National Pandemic Committee with a Vice Prime Minister as Chair, the Minister of Health as Deputy Chair, and deputy ministers of involved ministries, including the defense ministry, as members.

¹⁴ Annual Report on the Status of Defense and the Armed Forces 2017, approved by the National Assembly on September 27, 2018 (Sofia: Council of Ministers, 2018), p. 35, https://www.mod.bg/bg/doc/cooperation/20181005_Doklad_2017.pdf.

¹⁵ Annual Report on the Status of Defense and the Armed Forces 2018, p. 26.

¹⁶ Annual Report on the Status of Defense and the Armed Forces 2019, p. 30.

¹⁷ Law on Counter-terrorism, *State Gazette*, no. 103, 27 December 2016, articles 9-15.

¹⁸ Annual Report on the Status of Defense and the Armed Forces 2018, p. 27.

¹⁹ Annual Report on the Status of Defense and the Armed Forces 2019, p. 30.

²⁰ National Plan of the Republic of Bulgaria for Readiness for a Pandemic of Influenza, adopted with Ordinance # 5 of the Council of Ministers, January 13, 2006. - 109 pp., <http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=366>.

²¹ Law on Disaster Protection, *State Gazette*, no. 102, 19 December 2006.

On March 13, 2020, the Bulgarian Government declared an emergency situation and imposed numerous restrictive measures. In a surprising move, the Government decided to create a “National Operational HQ” (NOHQ) and appointed Major-General Ventsislav Mutafchiiski, professor, military surgeon, and Director of the Military Medical Academy (MMA), as its Chair. The head of one of the MMA departments became NOHQ Secretary. The NOHQ also included two other medical experts—the Director of the National Center for Infectious and Parasitic Diseases and the State Health Inspector—as well as three senior officials from the Ministry of the Interior.

For nearly two months, NOHQ was giving briefings twice a day. It presented not only health-related data, such as the number of tests performed, new cases of infection, hospital patients, cases in intensive care, numbers of death and recoveries, but also additional measures for containment of the pandemic and ways for their implementation. The majority of the citizens, restrained in their homes, waited eagerly for these briefings. General Mutafchiiski, almost always in uniform, spoke with calm and authority on both health and organizational issues. Soon, he became a household name, receiving international recognition,²² and gaining the approval of over 71 percent of Bulgarian citizens, surpassing the ratings of any active politician considerably.²³

NOHQ has been so influential in managing the Covid-19 emergency, that only more careful observers have noticed it is supposedly only there in an *advisory role*. In fact, the law on the Covid-19 emergency assigned most of the decision-making authority to the Minister of Health, while referring to NOHQ only twice in its transitional provisions.²⁴

Notwithstanding the legal powers of NOHQ, the Military Medical Academy has demonstrated convincingly its capacity as the leading national institution in a pandemic scenario and its capabilities for:

- testing for the presence of a little-known virus;
- treating infected people (including most of the cases in the first days of the pandemic);
- advising and training other test laboratories and hospitals on how to use safely protective masks and clothing in the presence of biohazards;
- implementing a combination of health and organizational measures for containment during a pandemic.

²² Alexandre Levy, “En Bulgarie, un général deux étoiles héros de la guerre contre le Covid-19,” *Le Temps*, May 1, 2020, <https://www.letemps.ch/monde/bulgarie-un-general-deux-etoiles-heros-guerre-contre-covid19>.

²³ “Sova Haris Agency: General Mutafchiiski with the Highest Rating among Bulgarians,” *bTV novinite*, April 10, 2020, <https://btvnovinite.bg/bulgaria/sova-haris-gen-mutafchijski-s-naj-visok-rejting-sred-balgarite-1.html>.

²⁴ Law on the Measures and Activities during the Emergency, declared by the National Assembly on 13 March 2020, *State Gazette*, no. 28, 24 March 2020.

The armed forces provided other types of support as well. At the time, when the available hospital capacity to accept infected people was of major concern, the military demonstrated its ability to deploy field hospitals in the capital city of Sofia and several other big cities in the country. Furthermore, at times when protective equipment was scarce and there were significant limitations on civilian air traffic, Bulgaria used the NATO-based multinational Strategic Airlift Capability, and Zhasmina Hristova, a female Air Force captain, landed at Sofia airport a C-17 "Globemaster" containing much needed medical supplies. In another example, and even before the declaration of an emergency, the Bulgarian Defense Institute provided results of testing protective masks and clothing, thus certifying the capacity of Bulgarian companies to meet the increasing demand for high-quality products for the protection of medical personnel in Bulgaria and abroad.

Particularly important for this discourse is the authorization of armed forces' personnel to perform typical police functions. The "Law on the Measures and Activities during the Emergency" authorizes military personnel, "jointly and/or in coordination with other bodies ... to participate in the implementation of counter-epidemic measures and constraints on the territory of the country, over a specific area or at a checkpoint."²⁵ The law leaves to the Council of Ministers the definition of conditions and procedures for such use of the armed forces.

The same law authorizes military personnel to:

1. check the identity of a person;
2. restrain the movement of a person who refuses to or does not adhere to quarantine measures, until the arrival of representatives of the Ministry of the Interior;
3. stop vehicles until the arrival of representatives of the Ministry of the Interior;
4. confine the movement of persons and vehicles at a checkpoint;
5. use physical force and respective means when this is absolutely necessary.²⁶

The assignment of such typical police functions to the military raised questions among observers. In a TV interview after the emergency law was adopted, Defense Minister Krassimir Karakachanov stated that "the participation of the military during the emergency will start first by replacing the Ministry of the Interior in protecting the border, strategic sites, embassies, and only then one can consider patrolling the streets. ... First, that needs to be requested by

²⁵ Law on the Measures and Activities during the Emergency, article 9.

²⁶ Law on the Measures and Activities during the Emergency, article 10.

the Minister of the Interior, and then the Council of Ministers will decide [whether and how to use the military].”²⁷

At the time of writing this article, the military has not been called upon to perform such police functions, and the Council of Ministers has not issued a document specifying further the stipulations of the emergency law.

Future Tasks for the Bulgarian Armed Forces in their Domestic Role

This section of the article builds on the expert responses to the first question in the questionnaire:

What needs to be changed in the tasks assigned to the Bulgarian military (different from warfighting), for example, border control, area isolation, establishing and operating checkpoints, transport, logistics (e.g., field hospitals), provision of communications and information support, cybersecurity, countering propaganda and disinformation, etc.?

The question deliberately included among the examples three groups of tasks: (1) some that are already performed by the military, e.g., aerial transport or contribution to border control under increased migration pressure; (2) tasks that are legally prescribed, but not yet implemented, e.g., area isolation, establishing and operating checkpoints during an emergency; and (3) tasks that have been subject of discussion but, strictly speaking, have not been assigned to the armed forces. Among the latter are cybersecurity and countering hybrid influence – areas in which the military is responsible for protecting its own systems and personnel.²⁸ Hence, any response of the type “the military needs to perform all of the listed tasks” is treated as an opinion to expand the internal role of the military by assigning new tasks.

None of the 41 respondents rejected the need for, nor the utility of, the military contribution in times of emergency. Further, and based on content analysis, the responses were split into three main groups (see Figure 1):

- 23 of the respondents—a majority of 56%—support the implementation of all listed tasks, and some of them suggest that the military might undertake even further tasks in assisting civilian authorities with specific capabilities or by adding capacity in periods of increased demand, i.e., in an emergency or a crisis;
- Ten respondents (24.4%) were cautious about adding new tasks feeling that they may have adverse, rather than positive, effects on societal security and the status of defense and the armed forces;

²⁷ “Karakachanov Foresees Prolongation of the Emergency Situation,” *Sega*, March 1, 2020, <https://www.segabg.com/hot/category-bulgaria/armiyata-obyavi-gotovnost-da-uchastva-prilaganeto-na-merkite>.

²⁸ According to the Cybersecurity Law, “the minister of defense conducts the state policy for protection and actively countering cyberattacks and hybrid influence on the command and control system of the defense and the armed forces” See “Cybersecurity Law,” *State Gazette*, no. 94, November 13, 2018, article 13(1).

- Eight respondents, possibly in line with the thinking of the second group, called for a rigorous and comprehensive review of all the domestic tasks of the armed forces, leading to their prioritization and a balance among the three military roles.

The further elaboration in this section adds detail to the expert opinions and is organized in five topics: the possibility to add capacity to crisis response, the military contribution with specific capabilities, recommended organizational changes, the rationale for caution, and ways to find a proper balance.

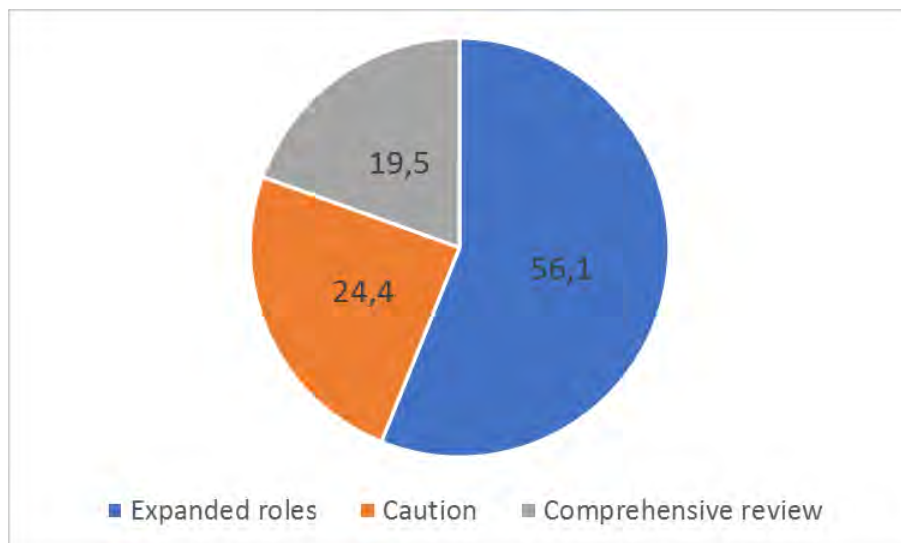


Figure 1: Distribution of the Response in Percentage Points.

Adding Capacity

Most interviewees agreed that the military should continue to play an active and visible role in emergencies, preferably as a back-up to civilian authorities and with a contribution aimed at achieving decisive effects.

As expected, the emphasis was on the use of the medical capability, including the deployment of field hospitals. One respondent pointed out that field hospitals could be established next to international airports, thus allowing arriving passengers who are sick or infected to be quarantined effectively. Among the related tasks are CBRN reconnaissance and decontamination, as well as the disinfection of public spaces and facilities using specialized military equipment.

In the opinion of Col. Orlin Nikolov, Director of the NATO Center of Excellence in Crisis Management and Disaster Response in Sofia, in a massive crisis the military could also assist the civilian authorities and the population by:

- deploying units for field testing (to identify viral or other infections);
- creating mobile medical teams to serve the population in military garrisons;
- performing social support tasks, e.g., delivery of food and medicines to old or disabled citizens, as well as to people under quarantine (involving cadets from the military academies);
- providing psychological support to the population;
- providing satellite observation of sectors of particular interest.

Several experts emphasized that the armed forces need to build on the strengths of existing military capabilities, e.g., established command and control infrastructure, mobility, and the ability to act in infected environments. These capabilities may be used to enhance the capacity of the Ministry of the Interior and other civilian entities to protect critical infrastructures and control the land borders effectively. Other respondents underlined the potential benefits of deploying military intelligence, surveillance, and reconnaissance (ISR) teams and unmanned aerial vehicles (UAVs) to enhance the surveillance of borders and other areas of interest.

Several respondents pointed to the opportunities provided by the defense research and educational community in designing, testing, and certifying new protective materials, organizing multi-agency training, and similar tasks.

Two respondents indicated the, so far, unexploited capacity of the armed forces' reserve units and personnel.

Adding Capabilities

Experts see benefits in the contribution of specific military capabilities. Directly related to the pandemic are Role 1 medical evacuation modules and Role 2 mobile, forward-positioned medical treatment facilities and surgical teams, and advanced biological protection capabilities. In particular, the knowledge and capacity to deal with more "exotic" infectious diseases would obviously be of use.

Of particular interest are the capabilities of the "Military Police" service to establish and operate checkpoints and perform other law enforcement tasks.

Several experts referred to the communications and cyber defense capabilities of the armed forces. For example, Dr. George Sharkov, cyber defense coordinator, sees a possibility for undertaking tasks in providing encrypted telecommunications, including in mobile video teleconferencing, and the cyber protection of critical infrastructures, with a focus on the energy, transport, and health sectors.

One expert pointed to the potential utility of capabilities to provide civil-military coordination (CIMIC), human intelligence (HUMINT), and psychological operations. Although developed for other purposes, they may contribute to emergency operations at home, e.g., to counter the spread of fake news, propaganda, and disinformation.

Four respondents emphasized the need to analyze the experience accumulated in NATO and EU disaster response arrangements and to seek the most suitable tasks for the Bulgarian armed forces in the broader framework of allied and regional cooperation in emergency management.

Dedicated Organizational Arrangements

Several respondents used the opportunity to suggest organizational changes that, in their opinion, would make the military contribution to civil security more effective.

Flotilla Admiral Boyan Mednikarov, Commandant of the Bulgarian Naval Academy, suggested that the capacity of the Military Medical Academy could be increased and that it could be used as the national medical institution specializing in crises.

Col. (ret.) Vilis Turov, Chairman of the Association of the Officers in the Reserve "Atlantic," called for the establishment of new branches of the armed forces, including CIMIC and strategic communication (STRATCOM) units to counter propaganda and disinformation, as well as units that could operate aerial, surface and sub-surface drones and conduct anti-drone operations.

Admiral Mednikarov elaborated on the need for establishing a Cyber Command in the armed forces and cyber operations units at service, brigade, and battalion levels. Col. Orlin Nikolov echoed these ideas suggesting the establishment of brigade-level cybersecurity and STRATCOM units, the latter dedicated primarily to countering propaganda and disinformation.

One expert responded that the importance of the cyber and the psychological dimension of conflicts and emergencies would increase and that the military medical and cyber components would need to be strengthened. This expert sees, as the most relevant organizational solution, the creation of specialized battalion level units subordinated directly to the defense minister.

Col. Turov considered the most relevant organizational solution to be the creation of a "National Guard" that would integrate with the current armed forces' reserve and retired military personnel. The National Guard would specialize in civil support functions but, when necessary, would augment the warfighting capabilities of the armed forces.²⁹

With regard to countering propaganda and disinformation, Admiral Mednikarov envisioned a national level organization that would cooperate with relevant ministries, including the Ministry of Defense.

Reasons for Caution

A quarter of the respondents questioned the need to expand further the spectrum of tasks assigned to the military in their third role. They admitted that the armed forces could be called upon to contribute to emergency or crisis manage-

²⁹ For a detailed discussion of the concept see Velizar Shalamanov, Todor Tagarev, and Anyu Anguelov, *Officers in the Reserve: Innate Bridge between Armed Forces and Civil Society* (Sofia: Entarch, 2006), - in Bulgarian.

ment at home, but only in isolated cases when the capacity of the Ministry of the Interior was overwhelmed. The arguments for this viewpoint came from two main strands of thought: the effectiveness of the military contribution and the pitfalls such contributions could involve. There is also a third reason—the potentially negative influence on the warfighting capacity of the military—that will be addressed in the next section of this article.

Even respondents that supported the expanded role of the military emphasized the need for better integration and cooperation, regular combined training and exercises, new training programs at the military academies that bring together military personnel and representatives of civilian organizations contributing to crisis management. One expert felt that the spectrum of internal tasks had expanded too quickly in recent years. Before considering new tasks, one needs to make sure that the tasks currently assigned are sufficiently financed, and the respective capabilities are developed comprehensively. Another expert stated that no new tasks are needed; it is better instead to invest in training and enhancing the resilience of the public administration, the economy, and society. A third respondent confirmed the need to invest more in combined training, as well as in providing a common situational awareness of both civilian authorities and the military participating in crisis management operations, which may be particularly challenging in an urban environment.

Amb. Valeri Ratchev, retired Colonel and former Deputy Commandant of the “G.S. Rakovski” National Defense College and Chief of Cabinet of the defense minister, in a way summarized these arguments stating that a formal mechanism for coordination is badly needed. This mechanism should provide for both operational coordination and national-level collaboration in the development of crisis management capabilities.

The second type of argument was best expressed by Col. (ret.) Vladimir Milenski. In his opinion, the current legal framework provides sufficient flexibility, but at times flirts with dangerous areas:

At home and in peacetime, the armed forces can be used strictly for logistics [including medical] tasks and eventually to provide communications. Any task, potentially involving coercion to the own population, such as “area isolation” and establishing checkpoints, is inadmissible, no matter the anticipated intensity of the use of force. ... The armed forces are the national machine for lethal effects, and even the assignment of “soft coercion” contains in itself the threat to transition to a higher degree of harshness. Where is the end of this process? Moreover, where are the guarantees for non-escalation and termination of the military involvement? What will be the consequences for the image of the military and the societal trust in the armed forces?

Milenski concluded by stating that the assignment of such roles to the military could have both immediate and long-term detrimental effects on national security.

Another caveat is that the engagement of the armed forces may lead to an increased civilian dependence on the military contribution. This is already happening in Bulgaria, for example, in aerial firefighting. Yet another reason for

concern is that the continuous reliance on support by the military may prevent the deployment of more efficient solutions provided by civilian agencies or commercial companies.³⁰

Finding the Balance

Eight experts, or nearly 20 % of the respondents, did not directly question the idea of further expansion of the military role at home but stated instead that the boundary between 'traditional' and new military tasks is rather fuzzy, and a number of additional tasks have been added recently without a clear and unifying intent. They recommended conducting a comprehensive review of the legal framework, the actual status of the present capabilities that the military possesses for performing its third role, and the effectiveness and efficiency of the military contribution so far.

One respondent underlined that such a review should be conducted in an inter-agency format, using a set of politically approved planning scenarios. The review would be expected to lead to a prioritized list of requirements and a reconsideration of the tasks assigned to the military. Several respondents emphasized again the need to establish clear inter-agency procedures, an enhancement of the combined training of civilian agencies and the military, and investment in the "strategic culture" of collaboration.

Three respondents pointed out that such a review of the domestic tasks of the armed forces should be conducted as part of an ongoing review of national security and the Strategic Defense Review. The author shares this view since the most critical part of the defense review will be to find a balance between the warfighting capabilities of the military, their involvement in deployed operations aiming to shape the security environment, and the contribution to crisis management at home, all to be carried out under harsh demographic and financial constraints.

Options for the Future and Decision-making Context

In the final phase of the defense review, Bulgaria's state leadership faces a choice: to confirm existing tasks, including those assigned to the military in March 2020, and to expand them further, or to prioritize those tasks, building on existing capabilities to provide effective and efficient support in a crisis. The involvement of the military in managing the Covid-19 pandemic and the emergency situation in Bulgaria has contributed to building public trust and societal respect for the armed forces. In the forthcoming election period, some politicians and political parties may be tempted to build on that trust and call for the extension of the law enforcement role of the military beyond the Covid-19 emer-

³⁰ For further discussion see Valeri Ratchev and Todor Tagarev, "Policy and Legal Frameworks of Using Armed Forces for Domestic Disaster Response and Relief," *Information & Security: An International Journal* 40, no. 2 (2018): 137-166, <https://doi.org/10.11610/isij.4011>.

gency, adding new tasks and/or increasing the capacity and the readiness of military units to support civilian authorities and the population on a regular basis.

As witnessed by the study presented here, the expert opinion is almost equally split, with a slight preference for performing a broad spectrum of tasks. Any further discussion in that regard, therefore, needs to be placed in a proper context. Illuminating in this regard is the conclusion of the 2019 Annual Report that the status of defense capabilities allows for the performance of constitutionally assigned roles and the tasks outlined within NATO's collective defense and the Common Foreign and Security Policy of the European Union, but with "limitations on time and scope."³¹ There are three main reasons for this conclusion.

First, the Bulgarian military continues to rely exclusively on combat platforms from the Soviet era. The year 2019 brought a breakthrough with the signed (and fully paid) contract to acquire eight F-16s Block 70. However, projects to acquire armored vehicles for three battalion battle groups, two frigates, 3D radars, and others, which have been in preparation for years, are currently on hold. These projects are essential for providing interoperability with allied forces and commensurate contributions to both national defense and deployed NATO and coalition operations.

Second, as a consequence of the 2008 financial crisis, the defense budget suffered a disproportionate cut of over 37 % (see Figure 2).³² The reduction in real terms continued until 2017 when the Council of Ministers adopted a "National plan to increase the defense expenditures to 2% of the GDP by 2024." In practice, the first substantial increase was in 2019 and covered the procurement of the F-16s. It is not clear at this point how the effects of the Covid-19 pandemic will impact on the defense budget. However, several opposition politicians have already called for its reduction, and one party, represented in parliament, officially proposed a moratorium on all rearmament projects and the suspension of the F-16 contract. Any reduction of the budget, or even delays in the implementation of the plan for its increase, will slow down rearmament and divert precious resources to maintaining old platforms which, in addition, are not interoperable with those of allies and hinder the armed forces' contribution to NATO and EU operations and initiatives.

Third, and most important, is that for years the ministry of defense has been unable to meet the authorized personnel strength of the armed forces of 37,000. The current leadership has invested significant political capital in making the military service more attractive, e.g., by increasing the remuneration and expanding the potential base of recruits by increasing the maximum age for

³¹ Annual Report on the Status of Defense and the Armed Forces 2019, p. 56.

³² Data from the Press Communiques of NATO's Public Diplomacy Division "Defence Expenditures of NATO Countries (2008-2015)," PR/CP(2016)011, January 28, 2016, and "Defence Expenditure of NATO Countries (2013-2019)," PR/CP(2019)123, November 29, 2019. The defense expenditures peaked in 2019, when Bulgaria paid in full eight F016 Block 70 and the supporting services.

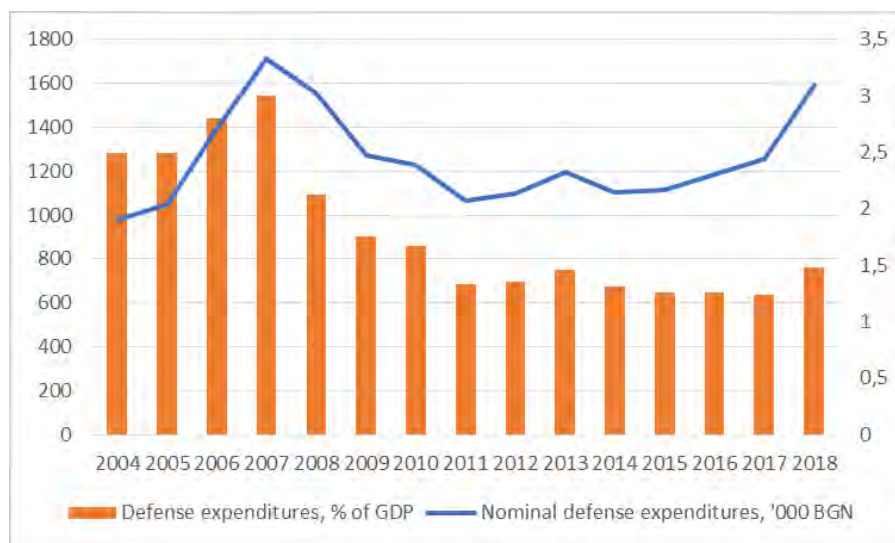


Figure 2: Bulgaria's Defense Expenditures, 2004-2018.

Legend: Left vertical axis in thousands BGN and line; Right vertical axis and columns in the percentage of GDP.

starting military service. Nevertheless, so far, it has not been able to reverse the negative trend. According to the 2019 Annual Report, at the end of the year, less than 80% of the positions are staffed. This situation is particularly worrying for the number of junior soldiers and sailors, with the shortage approaching 30%; the Land Forces, which are expected to provide the bulk of the surge capacity in times of a crisis, are staffed at only 74%; and the special operations forces, expected to contribute key counter-terrorism capabilities, are 27% under strength.³³

As a remedy, three of the respondents see the return to a mix of contract and conscript service.³⁴ Another respondent, possibly anticipating such proposals, described this as “a funny idea that will swallow resources without generating results.” In this author’s opinion, the return of the mandatory conscript service might be beneficial when the domestic role of the armed forces is considered. Its overall impact, however, will be highly negative. It will further divert resources from the development of urgently needed defense capabilities and may have a detrimental impact on Bulgaria’s national security.

³³ Annual Report on the Status of Defense and the Armed Forces 2019, p. 41.

³⁴ The Bulgarian armed forces are fully staffed by contracted personnel since 2008.

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In the coming months, the Government is expected to announce its decisions based on the review of the system for national security and the defense review. It is beyond doubt that the deliberations in the final months of the review will be strongly influenced by the Covid-19 pandemic, the challenges faced in the process of emergency management, and the perceptions on what the military has, or might have, contributed. Policy-makers face the challenge to reflect diverse requirements and find a balanced solution—in an uncertain economic and fiscal environment—that both the society and allies find acceptable.

The analysis of documents and the opinions of experienced policy-makers, practitioners, and academics, summarized in this article, will assist the deliberations and allow decisions charting the most adequate way ahead. They may also be of benefit to policy-makers and analysts in other countries, facing similar challenges.

Disclaimer

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Research Article

Pandemics and Armed Forces: Which Roles Are Appropriate?

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Abstract: In the current pandemic crisis, the armed forces of many nations are being called upon to provide assistance and support to the civil authorities in an ever-expanding fashion. This article explores the kinds of roles, missions, tasks, and functions that the armed forces are carrying out in this crisis and identifies a number of policy considerations for decision-makers to ponder when they consider tasking the armed forces to provide these services.

Keywords: crisis management, defense support to civilian authorities, disaster, law enforcement, capabilities, COVID-19

The Military's Response to Pandemic Disease

The Covid-19 crisis has caused leaders in all affected countries to turn to their armed forces for support in an ever-expanding range of roles. Armed forces are being tasked to provide capabilities that, in many instances, go beyond what they have provided in past crises. It must be expected that these demands will continue to mount even as the current crisis abates, as the pandemic is expected to remain a top national concern for months to come. This article examines the range of roles that armed forces have taken on within the context of this crisis and places those roles, missions, tasks, and functions within a scheme of six mission sets that comprise the Defense Support to Civil Authority (DSCA) rubric. The article goes on to set forth a half-dozen considerations for decision-makers to contemplate before asking the armed forces to undertake these roles.

In the current pandemic crisis, many of the tasks inherent in the DSCA rubric have been prominent in the demands by political leaders for armed forces support, such as the provision of essential services (many logistical and medical in nature) as well as some search capabilities and engineering support. For example, armed forces in Italy, Spain, France, and the United States, just to name a few, have built and staffed medical facilities, transported virus patients, delivered food supplies, searched buildings for victims and decontaminated residences and public facilities, such as train stations and airports.

In addition, armed forces organizations have provided mortuary services, including the transportation and cremation of virus victims remains, which, of course, are contaminated. Photos of Italian Army units have shown convoys of trucks loaded with coffins. Soldiers have also provided medical support to overwhelmed facilities. Soldiers have been photographed administering tests for the virus, moving patients within hospitals, and providing basic services, such as changing bedpans and providing meals, all in a contaminated environment. French military aircraft, equipped for medical evacuation, have transported virus patients to less-stressed medical facilities in France.

Of course, military medical facilities and personnel are not optimized for pandemic outbreaks, but rather for battlefield trauma operations. Moreover, the employment of military medical facilities and personnel in support of civilian facilities inevitably impacts on the military's ability to provide medical services to its own forces.

As societies come under increasing—and unrelenting—pressures due to the pandemic crisis, political leaders are increasingly turning to the armed forces in affected nations to provide support for their police and security forces, as well as for stressed medical and public health organizations. The range of roles and tasks that armed forces personnel are being called upon to support is expanding rapidly and will have significant impacts on the ability of those military organizations to perform their principal missions as the coronavirus crisis deepens.

In all western countries, the armed forces have a long and honorable history in supporting the civil authorities in coping with domestic contingencies. For many countries, particularly those in Europe, supporting the civil authority is a principal mission, equal to that of defending the national security; in others, particularly in Africa and Asia, domestic issues are the principal focus of the national armed forces. Thus, the tradition of armed forces support for the civil authority, and in some cases, even supplanting it, is well established. As a result, we see national authorities increasingly relying on military forces to provide for a novel range of public tasks in response to the crisis. Given the trends extant in contemporary societies, it is worth exploring what political leaders, and the societies they lead, are asking soldiers to do and where it may lead, for the demands on those forces will only grow.

The Missions at Home

In the domestic context, there are essentially two mission sets: homeland defense and civil support. Homeland defense is the traditional task of defending the population, infrastructure, and sovereignty of a nation against threats arising from outside the state. This may involve such tasks as border defense (as differentiated from border security), air defense, and defense of maritime approaches.

Of course, most military forces in NATO countries were designed for the Cold War mission of defending the European homeland in the event of a Warsaw Pact attack; their legacy organization and equipment bear witness to this. For example, Germany had large numbers of armored forces and great numbers of reserve forces; both have nearly disappeared in the post-Cold War period. What forces remain have often been restructured, for the most part, for deployments abroad in peace support operations roles. Also, their numbers have dwindled. Most NATO countries have active force establishments that are but a fraction of their Cold War strength, which begs the second question: is homeland defense still a core mission? And if so, can European armed forces actually carry it out if so directed? For a while, many European countries still retain relatively large numbers of soldiers on the books; however, they are not necessarily organized, configured, trained, and equipped for modern conventional high-intensity operations.

In addition to homeland defense, NATO military forces have always been heavily involved in the second homeland mission, that of civil support. Civil support tasks are those undertaken in support of civil authority, with responsibility and overall command remaining with that civil authority. These tasks include assistance to local authorities in the event of disasters as well as support to law enforcement authorities for select tasks. It may also include actions taken by the military to restore law, order, and stability in the aftermath of a major catastrophe or an insurrection. Such operations may involve both active and reserve forces, as well as some specialized capabilities, such as airborne radar for border surveillance. In every event, the key is that civilians remain in control.

Indeed, the range of tasks for which armed forces may expect to be called into action has long been broad and continues to expand. Military forces have become, in many instances, a resource of choice for many political leaders faced with intractable (often fiscal) problems, including many not related to national security or humanitarian relief.

Clearly, there are civil security tasks that armies can, should, and must perform. This article is focused on identifying those domestic roles and tasks which are inherent to national armed forces, those that armed forces may be called on to support and those that are candidates for inclusion in this growing list, with particular emphasis on the role of armed forces in providing cybersecurity. But it is worth asking what tasks the army should *not* perform as well. There are tasks for which military forces, for a variety of reasons, are not suitable. This is not to say that armed forces are incapable of performing them, merely that they are

not consistent with what we might consider being acceptable civil support tasks. Are there red lines beyond which armed forces ought not to tread?

There appear to be six distinct Defense Support to Civil Authority (DSCA) mission sets for armed forces in civil security, with four having particular utility in pandemic crises. They are:

- Defense Support for Emergencies and Disaster Relief (DSDR)
- Defense Support to Law Enforcement (DSLE)
- Defense Support for Special Events (DSSE)
- Defense Support for Essential Services (DSES)
- Defense Support for Counterinsurgency (DSCI)
- Defense Support for Civil Disturbances (DSCD)

The four with clear applicability for pandemic crises are Defense Support for Emergencies and Disaster Relief (DSDR); for Law Enforcement (DSLE); for Essential Services (DSES) and Civil Disturbances (DSCD). These four will be discussed in detail as to their employment in pandemic crises.

Armed forces in North America and Europe have long carried out these kinds of missions. It is common and expected that in national emergencies the armed forces of a nation would respond and provide support of a robust nature. Soldiers expect to be called upon to assist in these kinds of emergencies and can bring with them unique capabilities, such as the ability to operate in contaminated environments and to provide their own logistics and security. Soldiers can expect increasing calls from civilian authorities for their services. The specific roles, tasks, mission, and functions that military organizations can be expected to fulfill comprise a catalog of requirements that demand a taxonomy which clearly sets forth the categories of expected taskings.

Defense Support for Emergencies and Disaster Relief

When major emergencies strike, the first responders almost always include soldiers. In the world of complex emergencies, military forces bring a level of capability that is almost always in demand from the very start of the crisis. Military forces can do things more rapidly, and often more comprehensively, than the usually much smaller civilian emergency response elements. Armed forces often have unique capabilities for dealing with specific kinds of emergencies, such as toxic chemical spills, which are often lacking in these other response forces. It is therefore not surprising that many armed forces have response to domestic emergencies and disasters as one of these principal missions. Military forces have been exceptionally active in responding to requests by the civilian leadership for assistance in these kinds of contingencies.

Military forces have a number of characteristics that lend themselves to early, rapid, and effective response to emergencies and disasters. Perhaps the most salient capability that military forces are able to offer civilian leaders in catastrophes is the most elementary: an ability to support oneself. While elementary,

this capability is often of critical importance, particularly in the early stages of these kinds of catastrophes. The military's ability to self-deploy and sustain itself can be decisive. Military forces have their own logistical arrangements, particularly with respect to transportation, lodging, and subsistence support, as well as their own medical capability. Of great importance is the military's ability to provide for their own security as well as furnishing it to other organizations. The fact that many military units are in a state of readiness also contributes to this ability to respond in a timely fashion. Thus, the military is uniquely able to respond and provide key capabilities in response to emergencies and catastrophes.

Typical tasks for military units in response to emergencies and providing disaster relief involve the provision of essential services to an affected population. In a major catastrophe, life essentials such as water and food, in addition to shelter and medical care, may be adversely affected. The military—with its capability for rapidly bringing relief supplies to an affected area—is often the only organization capable of providing this on the scale necessary to provide relief. Further, military units may be employed to provide manpower-intensive support, such as earthquake search and rescue, flood control, which may involve the filling and installation of sandbag barriers, engineering support, which may include the generating and transportation of energy, running of public utilities and water purification support, as well as the repair of damaged transportation infrastructure, such as bridges and roads. These are capabilities which are not often resident in civilian emergency management organizations in numbers adequate to responding to major disasters.

Other military responses to disasters and emergencies may involve highly specialized capabilities that may not be found at all in civilian organizations. These may include specialized communications capabilities, including linguist support, for providing public information during disasters, mortuary services for properly disposing of human remains, air traffic control and port services, which are often necessary for the provision of disaster relief supplies. Military forces are also capable of providing command and control capacity, which is often critical for the staging and deployment of follow-on support. These facilities are often rendered ineffective in the early stages of a disaster, and many communities lack redundant command and control facilities, which the military can provide.

As we have seen, the armed forces of almost all countries globally have been heavily involved in responding to the Covid-19 emergency. Indeed, the demand for soldiers and the unique capabilities that armed forces possess continues to grow; we can expect that military organizations will continue to be engaged for a long time to come and that the roles that they will play will continue to grow.

Defense Support to Law Enforcement (DSLE)

Soldiers are not policemen. Nevertheless, military forces have traditionally provided aid to law enforcement agencies – an activity that appears to be growing in importance, particularly in response to pandemic disease requirements.

Armed forces provide support to law enforcement agencies in two ways: the first is support that helps law enforcers do a better job by providing them with technology, training, or logistical support that enables them to enforce the law more efficiently and effectively. The second kind of support that soldiers provide to police officers is to replace them. This involves having soldiers serve in lieu of police officers, thus allowing law enforcement personnel to perform other tasks.

In the first instance, armed forces, due to their significant inventories of high technology equipment and the training that accompanies it, are able to offer law enforcement agencies access to capabilities that many agencies would typically not be able to use. For example, law enforcement agencies charged with border security are often able to rely upon ground surveillance radars provided by the military. Similarly, the armed forces may put aviation assets, particularly helicopters, at the disposal of law enforcement agencies who have limited air mobility capabilities.

In the field of training, military forces are often able to provide highly specialized training to law enforcement personnel. An example would be the provision of training for handling chemical and biological agents and for operating in a contaminated environment.

Soldiers may also be tasked to provide security for police officers. In the same manner that police are often asked to help provide security for first responders operating in a difficult or insecure environment, soldiers may be called upon to provide a measure of security to law enforcement organizations charged with carrying out law enforcement activities in areas such as city slums and difficult terrain used by organized crime to hide their activities.

In all these DSLE activities, the military must be, and must be seen to be, in support of civil law enforcement authorities. In those instances in which the military provides support for police officers, there is always the danger of law enforcement becoming overly militarized. The military must be very careful to avoid taking over these operations unless that is the express intent.

The second kind of DSLE operation is that when soldiers perform law enforcement functions instead of police officers. They are likely to be times when police forces are stretched to their maximum and request the support of the armed forces to conduct specific law enforcement tasks for a specific period. For example, military forces might replace police in carrying out low-level perimeter security or traffic control functions in support of a major sporting event. Similarly, armed forces might conduct patrols as part of security efforts for protecting critical infrastructure or critical assets.

Military units have also been given responsibility for the protection of some critical infrastructure and other key assets. In France, French soldiers help protect key transportation hubs, tourist attractions such as the Eiffel Tower and some parts of the nuclear energy chain. In Italy, the armed forces now provide external security for diplomatic representations in Rome, relieving the police of this task. They also conduct joint patrols with police in certain parts of some Italian cities. These operations, which involve the presence of uniformed and armed

soldiers on the streets of European cities in what we might call presence operations, have also increased in recent years, particularly in response to threats of terror.

DSLE tasks pose a number of challenges for both the military and the civilian leadership, which directs them. Asking the armed forces to provide these functions runs the risk of militarizing law enforcement. This trend towards beefing up police forces can be exacerbated when soldiers carry out police tasks.

The legal issues are also contentious. Some European countries, notably Germany, prohibit employing soldiers on DSLE tasks. Others, such as France and Italy, have an active history of doing so. However, the legal hurdles are significant. The hazards of authorizing military personnel to use force, particularly deadly force, in support of law enforcement activities are hazardous. Soldiers are trained to use force in the first, not the last instance—the opposite of police training. Arrest authority is another area fraught with problems. In some DSLE operations, it may be necessary to authorize soldiers to arrest and detain suspects; but doing so may open soldiers up to legal liability unless their authority is clearly established in law.

Finally, it should be noted that the presence of militarized police forces, such as the French Gendarmerie, Italian Carabinieri, and Spanish Guardia Civil, mitigates the need for some DSLE activities in some European states. Often, these hybrid forces are able to provide many of the requirements of DSLE. The versatility of these forces lends itself to a wide range of DSCA tasks.

Armed forces have been asked to take on numerous DSLE tasks in response to the current crisis. Increasingly, soldiers are relieving overburdened police forces in the conduct of lower-level law enforcement tasks, such as traffic control and security presence outside of major cities, as well as reinforcing border security forces. As the situation develops, it may be necessary for the armed forces in some countries to take on more security tasks, such as prison security and food supply security.

Defense Support for Essential Services (DSES)

Soldiers have often been called upon to provide services to the public when, for a variety of reasons, those services cannot be provided by others or because the military has traditionally provided those services. Civil authorities in many countries have not hesitated to call upon their military forces to provide help in order to sustain services which they view as essential.

By essential services we mean those services whose execution is so critical to the functioning of the state that they must be performed or the state and its citizens will suffer, sometimes grievously. Examples of an essential service would be those associated with the emergency response: law enforcement, fire, and ambulance services. As no clear definition exists, states have come to freely characterize services as essential, often because of the potential political consequences of their failure to provide them. In some instances, these services have

been normally provided by other elements of the state or by commercial providers.

The requirement to provide such services may come about for a variety of reasons. They may be required because a major disaster has rendered their regular provider incapable of doing so, or industrial action or strike might have caused a cessation of a particular service. Other essential services, such as explosive ordnance disposal, the military has traditionally provided to a state. Lastly, specialized, one-time services may be necessary when no existing institution of the state can manage with its own resources.

The list of essential services that military forces have provided to civil authorities is extensive. DSES operations may require the military to provide support ranging from trash collection to acting on behalf of the government in extreme circumstances. In this latter instance the military, because of its inherent capability for command and control, must be prepared to exercise continuity of government (COG) and continuity of operations (COO) services in the event of a breakdown in a government's ability to function, for example due to a major natural catastrophe or attack.

Other DSES tasks may include search and rescue (SAR) operations. In many countries, such as Finland, national SAR capabilities are resident in the armed forces. Military forces often have the requisite equipment, such as helicopters and the necessary training to accomplish this task. Other types of DSES tasks of this nature might include the establishment and maintenance of asylums camps in the event of mass immigration due to conflict or disasters in neighboring countries.

By far, the most common reason for the employment of armed forces in DSES operations is in response to industrial action. Military forces have provided essential services such as fire response in response to a strike by firefighters on numerous occasions, including several times in the last two decades in the UK and, more recently, in Greece in 2010.

Armed forces have also provided DSES assistance in response to strikes by transportation workers in France in the 1980s, by fuel transportation workers in the UK in 2000 and Greece in 2010, as well as providing support to law enforcement in response to strikes by prison employees in several instances.

This mission set includes instances where the military is tasked to provide services that are deemed essential for security or other reasons, such as public health. Examples would include the provision of air traffic control services in the event of a strike or providing support services in the wake of an outbreak of pandemic disease, as is the current case with the Covid-19 global emergency. As those who work in critical sectors such as transportation, fire safety, and ambulance services become incapacitated by the disease, it is logical that the armed forces may be asked to step in to provide such services. Similarly, as states begin to recover from the ravages of the disease, the armed forces are likely to play increased roles in decontaminating public areas and monitoring of populations for health risks.

Defense Support for Civil Disturbances (DSCD)

States may, as a consequence of war, insurrection, or natural calamity, find it necessary to impose law, order, and stability through means other than regular law enforcement. In times of great unrest and disorder, civilian leadership may find that its law enforcement bodies are overwhelmed and that it is necessary to call upon the military to help restore and maintain order. Defense support in times of a great crisis may require the imposition of martial law. Martial law refers to the necessity to engage the armed forces to carry out essential law enforcement functions, as well as a host of other essential services. Most NATO countries have not experienced martial law in the post-war period, even those that have had military governments, which governed according to the rule of then-existing law. Martial law goes well beyond this, with soldiers carrying out tasks intended for police officials.

While unlikely, it might become necessary to impose martial law in the aftermath of a significant natural or industrial catastrophe, such as a pandemic disease emergency or in response to a major terrorist attack with a weapon of mass destruction. In these instances, there might be a general breakdown of law, order, and stability, rendering existing law enforcement organizations incapable of carrying out their duties. It would then become necessary for the armed forces to assert control, usually through a declaration of martial law. While this concept is not embedded in many constitutions, the basic structure is usually present, particularly in those countries with militarized police forces.

As noted, in these instances of a complete breakdown, military forces may well be required to perform a broad range of essential functions. Food, water, lodging, clothing – the list may appear endless. Often, military forces, as previously described, are the only organizations able to respond because of their inherent logistics capability and ability to self-deploy.

Criteria for Decision Makers

Logical, straightforward criteria are required for effectively evaluating situations in which the armed forces might be used in domestic contingencies, particularly concerning pandemic disease emergencies. Six considerations ought to be examined in vetting requests for assistance. Of course, it is recognized that, in some countries and at some times, these criteria may be overlooked or ignored, if the threat of catastrophe disease facing a country is significant enough.

The first and foremost consideration is that of *legality*. Each request should be evaluated in terms of compliance with the laws of that state and its international commitments. Is the request, and the manner in which it has been made, compliant with the laws of the land, in particular with the constitution and those laws which have been established to govern the employment of the armed forces? While many states, such as Germany and the United States, have laws restricting the domestic deployment of armed forces, others, notably France, do not have such restrictions. There may also be exceptional events, such as major

catastrophes or outbreaks of highly contagious diseases, resulting in the breakdown of law and order, which may require capabilities that only the military may be able to provide, even if that employment contravenes the legal construct. While this has not yet been the case with the Covid-19 crisis, it cannot be excluded, particularly as unemployment rises and access to foodstuffs becomes difficult.

The second criterion is that of *lethality*. This criterion considers the issue of whether the military may be required, as part of the provision of support, to employ force, particularly deadly force. The issue of the use of force in domestic contingencies is fraught with danger, as discussed previously in this article. Lethality also considers the possibility that forces may be used against those military forces engaged in DSCA efforts. The potential for the employment of force may require that the military be provided with special equipment and training and be issued appropriate rules of engagement that govern the use of force. As a general rule, military forces in support of civil authorities should always seek to avoid the use of deadly force except in extreme situations. Nevertheless, circumstances may require to engage in potentially lethal activities in self-defense or to prevent greater harm to the population, as might be the case in an outbreak of a highly contagious and deadly epidemic. If it were to become necessary to enforce quarantine orders, the situation might arise where it becomes necessary to employ force, with all of the implications of such a decision, as noted in the discussion of DSCD.

Risk is the third of the criteria governing the employment of armed forces in DSCA. While similar to lethality, risk is more concerned with the safety of the soldiers on DSCA missions. In particular, it seeks to evaluate whether there is enhanced risk to the safety and health of those soldiers who, in the process of performing a task, may be exposed to harmful agents, such as biological or chemical toxins or be required to undertake hazardous acts, such as rescuing civilian personnel or extinguishing large fires. For example, support for civil authorities in the current Covid-19 crisis may expose soldiers to the virus itself; likewise, decontaminating an area with radiation or chemical contamination poses risks to the force given this task. Risk further seeks to determine the long term effects on the force, both physical and psychological, of carrying out tasks which may be disagreeable, such as the collection and disposition of large numbers of fatal casualties pursuant to a major disaster or pandemic disease. Putting soldiers on the streets in uniform can provide for a sense of increased security, but it may render them more vulnerable to attack.

Readiness is the fourth criterion that should govern the process of considering the deployment of military forces in DSCA missions. Armed forces exist to defend the nation against external threats; to the extent that they are engaged in DSCA tasks, they may not be available to carry out their primary missions of national defense, as there is always an opportunity cost to pay. For those DSCA tasks which have little relationship to military functions, such as, say, trash collection, and which may be of long duration there may be a degree of erosion of

primary military skills, such as tank gunnery or artillery fire support, which will require time, effort and resources to recover. Readiness also seeks to measure the opportunity costs associated with the military's ability to perform other military and DSCA functions. If the army, or parts of it, is engaged in a DSCA task, it may not be available to perform other tasks in a reasonable amount of time. In the Covid-19 emergency, we have seen instances where the readiness of military units or maritime forces have been impacted negatively. The ability of the armed forces to recruit and train new members is also likely to be negatively impacted in a viral contamination crisis.

The fifth consideration for evaluating a request is that of *cost*. The issue of who pays for the military's involvement in DSCA is of great, and increasing, importance. Many DSCA missions and tasks can involve a considerable expenditure of resources. In particular, when the military provides disaster relief support to civil authorities in the aftermath of a major disaster, this may involve the expenditure of significant amounts of money for supplies and transportation, in addition to the personnel costs involved. In Europe, these costs are, in some cases, born by the ministry of defense itself. In others, the ministry of defense expects to be reimbursed for some or all of those costs by the ministry or agency to which the assistance is being provided. These considerations should be laid out well in advance of the need for the military's support.

In those instances, in which the ministry of defense is expected to pay for the support it provides, this criterion should also include an evaluation of the impact on the appropriations under which the military functions. There may also be circumstances under which the military receives reimbursement for services and materials rendered, which it may use for purposes other than a reconstitution of the same. In these cases, the military may well choose to use the reimbursement to acquire the equipment it lacks or to provide training that is needed. In a national emergency involving viral contamination, the issue of cost may be initially moot, but it is sure to resurface as the crisis drags on.

The last criterion is that of *appropriateness*. This criterion seeks to answer the question of whether it is right, or seen by the public to be right, for the military to carry out a DSCA task. This issue is connected to the larger issue of the image of the armed forces. Appropriateness is also concerned with the question of whether it is in the interest of the ministry of defense to conduct the task. In cases of disaster relief, the military almost always will answer in the affirmative. However, there are instances, particularly those involving the potential use of lethal force against citizens, which may be viewed by the military as inappropriate and detrimental to the image of the military.

While these six criteria are those which most often govern the military's evaluation of a request for assistance, there may be others, such as the consideration of whether the military has the capacity, in terms of numbers of soldiers or their training, to provide assistance. The military, because of deployments or other engagements, may simply lack the surge capability to provide support.

One further consideration is the issue of *unique capability*. As a general rule, the military should be asked to provide DSCA support only when the military has a unique capability, not resident in type or required quantity in other agencies. A typical example involves the provision of decontamination support. Most other agencies lack the military's capability for decontaminating chemical or biological contamination; therefore, it may be appropriate to request military support in the event of such an incident, because no other agency can provide this support.

Conclusion

It should be clear that the armed forces represent a massive capacity for decision-makers to consider when confronted by pandemic disease crises. The armed forces have a range of capabilities, many of them unique, which can make a critical difference in the ability of a state to survive such a crisis as we are now seeing with respect to Covid-19. The increasing trend to continue to add to the non-military roles of the armed forces, while of great importance, is not without costs, which, at some point, must be considered.

It seems evident that we are likely to see more soldiers on the streets, carrying out tasks that are critical in nature. We should applaud the ability, and the readiness, of soldiers to do so. But these contributions should not be forgotten when the crisis has passed.

Disclaimer

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The Pandemic in the Middle East and North Africa: Reflections on Current and Future Impacts

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Abstract: Covid-19 has spared no region of the world's Global South and Global North. For obvious reasons, countries in the Global South are especially hard hit. This includes MENA, as most of its countries and societies belong to the Global South. The outcomes of perennial poverty, authoritarianism, corruption, and other serious long-term deficiencies mean that this virus hit societies extremely ill-prepared to mobilize the tremendous efforts needed to counter not only the immediate but also the immense future challenges. As long-term governance deficiencies and the new challenges emanating from COVID-19 are mutually reinforcing each other, finding and implementing sustainable solutions for the future becomes even more difficult – and more urgently needed. This prospect cannot remain without implications for the whole Mediterranean region – and for Europe. European-MENA partnerships are more needed than ever. In order to be effective, these partnerships need to include many new stakeholders; they need to be based on trust and on the principle that responsibility for regional, national, and especially for human security has to be shared.

Keywords: MENA, COVID-19, governance, international aid, European-MENA partnerships.

Introduction ¹

There is hardly any country in the world which has not been hit hard by the COVID-19 pandemic. The situation in the US or South Korea shows that even the most affluent and stable countries in the Global North have not been spared,

¹ My thanks go to Rocío Corrales Rayon for her valuable comments on this article.

and are fighting to keep their populations safe and their economies functioning. If it is extremely challenging for the Global North to control the pandemic, countries in the Global South face an excruciating uphill struggle. Perennial poverty, poor governance, and structural deficiencies mean that most countries in the Global South are incapable of successfully meeting a crisis of the COVID-19 dimensions without sustained external assistance. Not only are effective social systems largely non-existent in the least developed countries, but national economies are also extremely weak. Moreover, governing elites are, more often than not, populist, authoritarian, and corrupt – all of which is standing in the way of successfully addressing this enormous challenge.

A quick look at available statistical data and research² shows that most countries in the Middle East and North Africa (MENA) are no exception in this regard. Insightful in this respect is the 2019 *Fragile State Index*,³ which characterized them as “highly fragile” and placed the majority⁴ of them in the “warning” or the “alert” category. The *Arab Multidimensional Poverty Report*⁵ “reveals that across the 286 million people living in the ten countries covered in this analysis, 116.1 million (40.6%) belong to poor households, of which 38.2 million (13.4%) live in acute poverty.” Another important document, compiled by the United Nation’s Economic and Social Commission for Western Asia (ESCWA), provides clear indicators for the numerous severe structural deficiencies. It highlights that “Poverty is widespread, affecting more than four in ten households and children,” and that “An additional quarter of the population is vulnerable to household poverty and the majority of the poor in LDCs [among the Arab countries] are severely poor.”⁶

All these reports show that the prerequisites to successfully addressing a pandemic of the COVID-19 dimensions, and especially its long-term fallout, are hardly given in the MENA region. Coping with the immediate effects of the pandemic necessitates functioning national and local government administrations and critical infrastructure, funds, and capacities enabling them to provide the

² See, for example: UNDP, *Arab Human Development Reports (AHDR)*, <http://arab-hdr.org>; Joseph Bahout et al., *Arab Horizons: Pitfalls and Pathways to Renewal* (Washington, DC: Carnegie Endowment for International Peace, 2018), https://carnegieendowment.org/files/ArabHorizons_report_final.pdf; Adel Abdellatif and Ellen Hsu, UNDP’s Regional Bureau for Arab States, “Grappling with a Crisis Like No Other: The Fragility of Arab Countries in the Face of COVID-19,” *Medium.com*, March 31, 2020, <https://medium.com/@UNDPArabStates/grappling-with-a-crisis-like-no-other-the-fragility-of-arab-countries-in-the-face-of-COVID-19-a174b1017824>.

³ 2019 Fragile State Index, <https://fragilestatesindex.org>.

⁴ The exceptions being some Gulf countries like Oman, UAE, or Qatar.

⁵ United Nations Economic and Social Commission for Western Asia, *Arab Multidimensional Poverty Report*, No. E/ESCWA/EDID/2017/2; (Beirut: United Nations, 2017), p. 7, <https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/multidimensional-arab-poverty-report-english.pdf>.

⁶ UN Economic and Social Commission for Western Asia, *Arab Multidimensional Poverty Report*, p. 21.

necessary public services, a well-equipped health system at the disposal of all societal strata, a social system providing for people in need, and a healthy economy. In other words, the precondition for successfully fighting the pandemic is a high degree of national and human security – which is largely absent in the region.

This article provides a closer look at the deep-rooted politico-economic deficiencies standing in the way of successfully addressing the pandemic's immediate and future consequences for human and national security in the MENA region. Factoring in these historical, structural shortcomings will be a condition *sine qua non* for any successful strategy to mitigate the long-term fallout of the pandemic. With security in the region already at an all-time low, there is a high risk of even more instability and crises as a long-term effect of the pandemic. This cannot remain without implications for MENA's neighbor – Europe. It is, therefore, in Europe's best interest to provide strategically informed support. Immediate cash assistance where needed is, most certainly, the immediate task. Yet, any mid- and long-term collaboration to overcome the effects of the pandemic needs to be built on the profound analysis outlined in this article.

COVID-19 Hits a Region Plagued with Perennial Structural Deficiencies

At the time of writing, it is too early to develop a full picture of the dimensions of the pandemic's long-term fallout. What is clear, however, is that the region was in dire need of reform long before the outbreak of COVID-19, and these structural shortcomings make it impossible to address the crisis meaningfully today. The fallout of the pandemic will be one more heavy burden,⁷ compounding and reinforcing the enormous socio-economic, fiscal, societal and cultural grievances the region has been plagued with for so long.⁸ The future does not bode well for MENA's regional, national, and human security, which cannot remain without consequences for the entire Mediterranean region.

Long-term unresolved ailments will continue to haunt the region. Except for the Gulf region, MENA countries have been hard hit by decades of neo-liberal reforms of the post-independence state-led economies. Structural adjustment and privatization of state economies, continuous reduction of social services, increasing authoritarianism and expanding security sectors, coupled with crony capitalism, a dramatically growing population, and a skewed demographic pyra-

⁷ Marwan Muasher, "The Old Ways Won't Work," *Diwan – Middle East Insights from Carnegie*, April 9, 2020, <https://carnegie-mec.org/diwan/81478>.

⁸ Marwan Muasher, "The Next Arab Uprising. The Collapse of Authoritarianism in the Middle East," *Foreign Affairs* (November/December 2018), www.foreignaffairs.com/articles/middle-east/2018-10-15/next-arab-uprising; Rami G. Khouri, "Comprehensive, Contentious, Convulsive, and Continuing: Some Observations on the 2010–2020 Arab Uprisings," *Journal of Middle East Politics and Policy* (A Harvard Kennedy School student publication, Spring 2020): 8-14, <https://jmepp.hkspublications.org/wp-content/uploads/sites/17/2020/03/Khouri.pdf>.

mid has led to an ever-increasing poor stratum, a shrinking middle class and the emergence of a minority of super-rich. All of this has had extremely detrimental effects not only for citizens but also for state-society relations, for the stability of the MENA region as a whole, and even for Europe as a major migrant destination. Long gone are the times of the post-independence era when social contracts between the populist revolutionary political leaders of countries like Egypt, Iraq or Tunisia successfully traded social services with political acquiescence. Gone are the days when generous funds from the Gulf states provided an alternative source of finance to poor Arab neighbor states. Irrevocably gone are the days when the precarious population found an alternative for diminishing state subsidies by becoming labor migrants in the oil-producing Gulf states. Though still much better off, with sharply declining oil revenues since 2014 and with no viable alternative to the rentier system in place, the situation has become precarious even in the Gulf states. For decades, the extreme wealth generated in the oil sector allowed the ruling elite to trade abstention from politics and any critique of the royal elites for the affluent lifestyle of the indigenous Arab population. As the end of the oil economy grows nearer, the oil price on global markets has plummeted to an all-time low, and no alternative strategies for a sustainable future have been implemented. Consequently, dark clouds were already gathering on the horizon of the formerly extremely rich Gulf countries before the outbreak of the pandemic.

The major deficit in all MENA countries—poor or rich—is the same. For decades, the heirs of the post-independence populist and secular political leaders (and also the royal families) have turned out to be unable to implement feasible solutions to the socio-economic quagmire sketched above. Primarily interested in warding off any threats to their privileged political and economic status arising from the increasingly disenfranchised masses, they have molded governance into ever more authoritarian and corrupt administrations and invested heavily into expanding their country's security sectors, making sure that these primarily serve the interests of elites and bureaucracies, instead of seriously addressing the needs for the safety and security of their societies.

Growing popular frustration with the increasingly untenable situation came to a head in 2011 with the Arab uprisings' demands for dignity, bread, and the fall of the regimes. Some ruling elites—especially in the kingdoms of Morocco, Jordan, and Saudi Arabia—quickly reacted and met some of their population's most urgent needs. Tunisia made courageous steps towards addressing the demands of Tunisian men and women. These measures, however, proved to be largely insufficient. The other authoritarian elites in MENA countered the populist demands voiced in 2011 with even more repression, hence the total devastation we see today in Syria, Iraq, Yemen, and Libya. Yet, even under the repressive circumstances of today, which are much more dire than in 2011, popular protest has been rising again in many MENA countries – most prominently in Iraq, Lebanon, Jordan, Sudan, Algeria, and Tunisia.

This was, by and large, the politico-economic landscape in MENA when the COVID-19 crisis hit: large parts of the region are embroiled in endless, extreme, armed violence; next to nothing had been achieved with regard to new social contracts balancing the legitimate human security needs of the populace with the need for regime stability,⁹ economies still plummeting, and a culture of fear and immense reciprocal distrust determining the relationships between political elites and the Arab populace. In short, when COVID-19 hit, national and human security, freedom from fear and freedom from want, were already at an all-time low, with many thousands of citizens in the conflict zones dead, maimed, or suffering from PTSD, with further thousands incarcerated for demanding reforms, and with the young people turned into a lost generation, unable to play their natural role in becoming capable and qualified future leaders of their countries.

Not to be forgotten are the hundreds of thousands of men, women, and children who tried to find an individual path out of their predicament by becoming internally displaced persons (IDPs) in their own countries or as refugees populating over-crowded camps in Lebanon, Jordan or Turkey. Nor does the future bode well for those refugees who went even further away from their countries and ended up vegetating in EU hotspots such as the Greek islands.¹⁰ Their fate was already extremely bleak before the pandemic. The local host populations, over time, turned from an initially welcoming attitude to becoming increasingly hostile – either because the local governance infrastructure was not built to accommodate the endless number of migrants, or because of a generally growing populism and anti-refugee agitation. Adding to their predicament is the inability, or unwillingness, of Europe, whether nationally or collectively, to implement durable solutions for these people. Living in extremely densely populated areas, which makes physical distancing impossible, and suffering from a shortage in water, hygiene, and sanitation,¹¹ asylum seekers, refugees, and IDPs are among the segments of the MENA population most at risk to be infected by the coronavirus.

In short, all these societal long-term deficiencies make any endeavor to successfully address the pandemic a highly challenging enterprise. What is more, many authoritarian elites are already using measures to restrict the spread of the pandemic to consolidate further their own power positions to the detriment

⁹ Thus, the Bertelsmann Transformation Index (BTI) for 2020 states about the MENA region: “There is barely a single country that is truly addressing its fundamental structural problems: elite power circles and widespread corruption; population growth, particularly among the poorest sectors; and the fragility of overall security,” <https://www.bti-project.org/en/reports/regional-report-ENA.html>.

¹⁰ Human Rights Watch, “Greece: Refugees Working to Protect Moria Camp from Covid-19,” April 22, 2020, <https://www.hrw.org/hy/node/341138>.

¹¹ Justin Schon, “Protecting Refugees in the Middle East from Coronavirus: A Fight against Two Reinforcing Contagions,” *POMEPS Studies* 39, Special Issue on the COVID-19 Pandemic in the Middle East and North Africa (Washington, DC: George Washington University, Elliott School of International Affairs, April 2020), <http://pomeps.org/protecting-refugees-in-the-middle-east-from-coronavirus-a-fight-against-two-reinforcing-contagions>.

of their societies.¹² Struggling with the enormous, long-term burden of the pandemic at home, all countries of the Global North will also have to reassess their ability—and willingness—to provide sufficient assistance. With global commodity chains disrupted, an additional, serious impact will most likely be on the region's food security.

Besides the level of national political economy, the geopolitical dimension is adding yet another layer of complexity to the crisis. Since the invasion of Iraq in 2003, MENA has been witnessing a gradual breakdown of the regional geopolitical order. The US withdrawal has left a space open for a growing number of regional and global actors (especially Iran, Russia,¹³ China,¹⁴ Turkey, and the Gulf states) to increase their footprints in the region and to support proxy forces or state elites with the aim of changing the geopolitical landscape in their favor.

All these regional and global forces will strive to keep and expand their newly won regional clout. The necessity to divert national funds and capacities to fight the effects of the pandemic in their own countries will not necessarily lead to the withdrawal from the region, but to the search for new mechanisms of retaining influence.

Zeroing in on Nation States and Populations

While this assessment is generally valid for all countries in the MENA region, the crisis has certainly hit each country in its own different way, disrupting their society, their rural and urban areas, their individual citizens, or their households. Also, as the crisis unfolds, each day comes with new developments, new emergencies, and statistical updates – which cannot be covered on these pages.¹⁵ Yet, it is possible to discern three major categories of countries, and specific segments of the MENA population that are being impacted in particular ways: conflict zones and failed states; relatively stable, economically and structurally very

¹² Nathan J. Brown, Intissar Fakir, and Yasmine Farouk, "Here to Stay? The Impact of the Coronavirus in the Middle East Has Led to Shifts in the Nature of Authoritarianism," *Diwan – Middle East Insights from Carnegie*, April 22, 2020, <https://carnegie-mec.org/diwan/81611>; Sarah Yerkes, "Coronavirus Threatens Freedom in North Africa," *Carnegie Endowment for International Peace*, April 24, 2020, <https://carnegieendowment.org/2020/04/24/coronavirus-threatens-freedom-in-north-africa-pub-81625>.

¹³ Dmitri Trenin, "Russia's Viral Calculations," *Diwan – Middle East Insights from Carnegie*, April 16, 2020, <https://carnegie-mec.org/diwan/81575>.

¹⁴ Guy Burton, "China and COVID-19 in MENA," *POMEPS Studies 39*, Special Issue on the COVID-19 Pandemic in the Middle East and North Africa (Washington, DC: George Washington University, Elliott School of International Affairs, April 2020): 25-28, <https://pomeps.org/china-and-covid-19-in-mena>.

¹⁵ For a daily update on COVID-19 in the Middle East, the *BBC Essential Media Insight Service* may be consulted at <https://monitoring.bbc.co.uk>.

fragile countries; and lastly, the Arab oil-exporting countries in the Gulf region.¹⁶ Going beyond the macro level of nation states and including the micro-level of the pandemic's implications for individuals and households is also necessary as these are the basic element of any society. Turning a blind eye to the pandemic's impact on the microcosm of everyday life would miss an analysis of the repercussion on the macro-level of a nation state and its stability.

Firstly, there are the *conflict zones and failed states* – countries like Libya, Yemen, Iraq, and Syria, all of which have been embroiled in years of civil wars and armed conflicts as an aftermath of the Arab uprisings in 2011. Years of protracted conflict have resulted in an almost completely destroyed infrastructure of public and social services; countries split into hybrid and dynamic constellations of competing state, non-state, para-state and foreign actors fighting with or against what was once a central government; economies in ruins; the young generation (the future of any society) without proper education, excluded from participation in the decision making of their country or having left the country. This category also includes the overpopulated Gaza Strip¹⁷ under Israeli blockade. Civilians living in conflict zones and failed states are hit hardest by the crisis.¹⁸

Then, there are the *relatively stable yet fragile countries*. Lebanon, Jordan, Egypt, Algeria, and Tunisia fall into this category. With their large populations and weak administrations, each of them is struggling with its own particular structural weaknesses. Though existing government and administration structures provide basic services to fight the current impact of the pandemic, without desperately needed assistance from the global community these countries will soon face extremely high challenges if they are not to slip from fragility into breakdown. This is all the more important as financial assistance from Gulf countries has sharply diminished due to plummeting oil prices. Adding to the fragility of these countries is the fact that the population, and especially the young generation, is largely excluded from political decision-making and sees no future in their countries. While outside observers tend to think that the 2011 Arab uprisings were no more than a short-lived “Arab Spring,” the generation of the uprisings actually has continued to voice its grievances, its demands for economic opportunities, and for inclusion and accountability. Learning from past mistakes,

¹⁶ For an analysis of individual countries, see: POMEPS Studies 39, a special issue on the *COVID-19 Pandemic in the Middle East and North Africa*, April 2020: https://pomeps.org/wp-content/uploads/2020/04/POMEPS_Studies_39_Web.pdf.

¹⁷ Zaha Hassan and Hallaamal Keir, “U.S. Policy Response to Coronavirus in Gaza,” *Policy Outlook – Carnegie Endowment of International Peace*, March 30, 2020, <https://carnegieendowment.org/2020/03/30/u.s.-policy-response-to-coronavirus-in-gaza-pub-81390>.

¹⁸ Eric Goldstein and Amy Braunschweiger, “When Health Care Is Decimated By War: COVID-19 in the Middle East and North Africa,” *Human Rights Watch*, April 16, 2020, accessed April 20, 2020, <https://www.hrw.org/news/2020/04/16/when-health-care-decimated-war-COVID-19-middle-east-and-north-africa>.

the protesters have developed new networks and new forms of action to make their demands heard.

Sharply declining revenues from the oil and the tourism sectors have made it difficult even for the rich oil-exporting countries to implement the necessary coping strategies for the basic politico-economic challenges. Rich oil revenues allowed the maintenance of an excellent health system in the past, which has enabled Gulf States' administrations today to meet the immediate COVID-19 challenges of their inhabitants successfully. This is, however, not the case for a large number of the Gulf population – the labor migrants, including migrant domestic labor. Again, the situation is exacerbated by the particular challenges each individual country is facing,¹⁹ for example, the high cost of Saudi Arabia's war in Yemen and the loss of revenue from the Hajj pilgrimage.

It should not be forgotten that the crisis is deeply affecting the safety and security of each individual male and female citizen, of each household and of many local communities. The urgency of addressing their needs, especially in these times, is not only a matter of human rights but also of the future of their countries. It should be of concern to Europe, too.

The almost complete standstill of all MENA economies most severely affects those at the bottom of the social pyramid. The longer the lockdown continues, the more severely affected are the millions of daily laborers working in the vast informal sectors of their countries.²⁰ Prevented from leaving their homes, left without their daily earnings, and without social assistance, they are increasingly unable to bring food to the table—which leaves them with the choice of “death by COVID-19 Virus or death from hunger”—either to ignore quarantine regulations and put themselves at risk of infection and of penalties, or to starve.²¹ Without their meager incomes, and without social services provided by the government, NGOs, non-state actors, armed groups or religious organizations are becoming increasingly important to address the needs of these people. The services that such organizations provide may come at a price, as it gives these organizations the opportunity to gain influence. In the best case, these organiza-

¹⁹ See, for example: Netty Idayu Ismail, “Market Devouring Record Gulf Bonds Won't Touch Oman, Bahrain,” *Bloomberg*, April 19, 2020, accessed 20 April, 2020, <https://www.bloomberg.com/news/articles/2020-04-19/bond-market-devouring-record-gulf-debt-won-t-touch-oman-bahrain>; Vivian Nereim, “Saudi Arabia Looks at ‘Painful Measures,’ Deep Spending Cuts,” *Bloomberg*, May 2, 2020, www.bloomberg.com/news/articles/2020-05-02/saudi-arabia-looking-at-painful-measures-deep-spending-cuts.

²⁰ For a definition of the informal sector and statistical data from 1999-2007, see Friedrich Schneider, Andreas Buehn, and Claudio E. Montenegro, “Shadow Economies: All over the World: New Estimates for 162 Countries from 1999 to 2007,” Policy Research Working Paper No. 5356 (The World Bank, July 2010), <http://documents.worldbank.org/curated/en/311991468037132740/pdf/WPS5356.pdf>.

²¹ Rana Taha and Dina Aboughazala, “COVID-19 Analysis: Can Arab World's Poorest Survive Stay at Home Calls?” *Insight BBC Monitoring*, April 13, 2020.

tions eventually will be incorporated into trustful local governance structures. In the worst case, aid is conditional on their joining an armed group.

Continued lockdowns and quarantines, rising numbers of deaths, the impossibility to make ends meet has already resulted in severe psychological, emotional, physical, and sexual impacts on most MENA citizens, especially on those living in overcrowded housing conditions in slum areas, or in refugee camps. Among the most vulnerable groups are children and women, IDPs, refugees and labor migrants,²² including live-in domestic labor. Domestic violence is sharply increasing in all societies hit by the Coronavirus, yet these groups are especially vulnerable. Lockdowns have made evading domestic violence even more precarious because institutions which in normal times assist victims, like women's shelters, have also been forced to reduce their services drastically. Also, seeking support from the police or from the judiciary has become almost impossible. A recent report²³ gives some examples of domestic violence in Lebanon. It can be expected to be similar in all societies of the region, and beyond.

Another especially vulnerable group about which next to nothing is heard are the hundreds of thousands of IDPs in war zones. The closure of internal borders is an enormous additional challenge for government services or for international organizations to provide assistance. Like IDPs, the local rural population is highly depending on local voluntary organizations that are trying to do their best even though they are ill-equipped and underfunded. As mentioned before, the dire situation might leave people with no other choice than to seek help from some paramilitary group, which then might force them to become active supporters of a violent extremist group.

In trying to understand the human suffering caused by COVID-19, we cannot forget the refugees and asylum seekers in the dramatically overcrowded camps in Greece²⁴ or the fate of those being pushed around in Turkey – many of them from the conflict zones in MENA.

Regional and International Assistance

In short, national government administrations are hardly able to sufficiently address and mitigate the effects of coronavirus in their countries. The situation is aggravated by the fact that coordinated Arab national responses to address the pandemic on the regional level are absent in MENA. Furthermore, regional bodies – the Arab League, the Organization of Islamic countries, or the Gulf Cooper-

²² Mauro Testaverde, "Social Protection for Migrants during the COVID-19 Crisis: The Right and Smart Choice," *World Bank Blogs*, April 28, 2020, <https://blogs.worldbank.org/voices/social-protection-migrants-during-covid-19-crisis-right-and-smart-choice>.

²³ Hesham Shawish, "Covid 19 Analysis: Lockdown Shines Light on Domestic Abuse in Lebanon," *BBC Monitoring: Insight*, April 15, 2020, accessed April 16, 2020.

²⁴ Human Rights Watch, "Greece: Island Camps Not Prepared for Covid-19 – Government Neglect Puts Lives at Risk," April 22, 2020, <https://www.hrw.org/news/2020/04/22/greece-island-camps-not-prepared-COVID-19>.

ation Council,²⁵ are traditionally very weak and, therefore, of little, if any, help in the current situation.

As countries in the Global North are likewise under enormous pressure to make their economies survive, the amount of intergovernmental aid from the Global North might be slowing down for a number of reasons, among them the pandemic induced severe global economic downturn. So, the future is not bright. Growing populism and unilateralism also have a negative impact on international solidarity, recent examples being the President of the United States' decision to cease financing the WHO, or most European countries' refusal to accommodate even small numbers of unaccompanied minors living in the hotspots on Greek islands.

International and multilateral organizations, such as the IMF, WHO, G7 or the EU, are aware of the situation and are considering assistance. Yet the enormous amount of assistance needed worldwide makes it difficult for even these bodies to provide the necessary help.

Wrapping up: Challenges of the Future

Successfully addressing a pandemic of the COVID-19 dimensions is not only dependent on funding, on capable technocrats taking the lead in fighting the pandemic, and on a reasonably functioning administration. Ultimately, recovery depends upon accountability, transparency, and trust, and on the participation and inclusivity of citizens – all under the umbrella of a vision of shared responsibility. Essential to this is the buy-in of the population, and the political leadership genuinely putting the country's wellbeing first. These are the preconditions for MENA countries to successfully navigate the dire straits of recovery once the virus has been defeated. In other words: without a meaningful new social contract in place, no administration, no ruling elite, can successfully combat the long-term effects of the pandemic. If all this was lacking even before the outbreak of the crisis, it is hard to foresee how an already extremely worn out population can shoulder the additional hardships necessary for the recovery of their country.²⁶ And yet, without these conditions being met, the region will almost certainly descend into even more destabilization.

Even if all these preconditions were to be met, the region would still need the solidarity of external partners with a genuine interest in peaceful, thriving neighbors. The first addressee in this respect certainly is Europe. What is needed is that the EU operationalizes its values, goals, and actions, as defined in the *Global*

²⁵ See, however, for assistance to address the immediate needs of the fight against the pandemic: Matthew Hedges, "Authoritarian Exploitation of COVID-19 in the GCC," *POMEPS Studies* 39, 35-37.

²⁶ Muasher, "The Old Ways Won't Work."

*Strategy for the European Union's Foreign and Security Policy*²⁷ into powerful forms of sustained engagement.

These are the preconditions to master the future fallout of the pandemic. These are also the preconditions for the region to address another looming crisis of even larger dimensions than COVID-19: the effects of climate change.

Disclaimer

The views expressed are solely those of the author and do not represent official views of the PfP Consortium of Defense Academies and Security Studies Institutes, participating organizations, or the Consortium's editors.

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²⁷ "Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union's Foreign And Security Policy," June 2016, https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf.



COVID-19 in the Central Asian Region: National Responses and Regional Implications

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Abstract: Soon after the first instance of COVID-19 in Central Asia was recorded in March 2020 in Kazakhstan, the government took immediate steps to introduce containment and mitigation measures. As cases of COVID-19 appeared soon afterwards in Uzbekistan, Kyrgyzstan, and later in Tajikistan, the governments swiftly responded, instituting emergency measures, empowering law enforcement and medical authorities to implement a broad range of counter-infection mitigation measures to protect public health. Cross-border travel restrictions were imposed. Lockdowns and sheltering-in-place restrictions were imposed in most major cities and curfews were enforced. Routine commercial air flights were canceled or significantly reduced in international and many domestic airports. New levels of visa restrictions were implemented in all the Central Asian countries. The initial infection containment measures were highly successful in curtailing the early spread of Covid-19. But governments immediately confronted a broad range of social and economic difficulties brought on by Covid-19. The sudden interruption of typical earnings and livelihoods for many people, the disruption of commercial supply chains, the cratering of commodity prices and, for Kyrgyzstan and Tajikistan in particular, the loss of migrant labor opportunities and remittances, combined with other consequences of Covid-19 to produce a region-wide economic catastrophe. The pandemic called for immediate steps on the part of all governments in the region and focused attention on addressing the long-term social, economic, and even regional political implications.

Keywords: Central Asia, COVID-19, economic crisis, regional security.

SARS-CoV-2, the virus which is responsible for the COVID-19 disease, emerged in China in late 2019 and in early 2020 began appearing in countries around the world. The Central Asian countries—Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan—lie midway between China and many of its trading partners in Europe and the Middle East. COVID-19 was first recognized in Kazakhstan in March 2020, and after that in Uzbekistan, Kyrgyzstan,¹ and later in Tajikistan.² The effects of COVID-19 were soon recognized in Turkmenistan.³ During this period, COVID-19 was also spreading in the Central Asian bordering countries of Afghanistan, Iran, and Russia.

While Covid-19 challenges all societies and all countries in the same way, countries have various and, sometimes, importantly different circumstances. Some unique conditions put individual countries in a comparative advantage, and some put them at a disadvantage.⁴ In all cases, whatever the pluses or minuses of particular situations, all governments must provide three categories of responses. The first is the emergency medical response; it is directed at containing the spread of the disease. The second is devoted to the mitigation of the effects of the disease, particularly the social and economic consequences. The third category is concerned with the long-term or structural adaptation to the consequences, the medical, social, and economic effects of the pandemic.

Emergency Measures – Front Line in the Pandemic

At the end of 2019, Central Asian governments were actively pursuing policies designed to expand economic ties, social relationships, tourism, and other forms

¹ Gregory Gleason and Anna Gussarova, “Covid-19’s Long-term Implications for Central Eurasia,” *Diplomatic Courier*, May 6, 2020, <https://www.diplomaticcourier.com/posts/covid-19s-long-term-implications-for-central-eurasia>.

² Catherine Putz, “Where Are There Still No COVID-19 Cases? An Updated Analysis,” *The Diplomat*, May 6, 2020, <https://thediplomat.com/2020/05/where-are-there-still-no-covid-19-cases-an-updated-analysis>.

³ Turkmenistan authorities avoided not only formal announcements about Covid-19 but prevented Turkmenistan press and media agencies from any reference to the disease. However, the Turkmenistan president did take part in an unusual video discussion of four Central Asian state leaders on April 9, 2020. The Turkmenistan leader joined the others in pledging a new level of regional cooperation in combatting Covid-19 in Central Asia. See “Kasym-Zhomart Tokayev Called the Heads of Turkic-Speaking Countries to Join in Countering the Current Global Crisis,” *KAZINFORM*, April 10, 2020, in Russian, https://www.inform.kz/ru/kasym-zhomart-tokaev-prizval-glav-tyurko-yazychnyh-gosudarstv-ob-edinit-sya-dlya-preodoleniya-nyneshnego-global-nogo-krizisa_a3636537. A statement of the Turkmen President has been at times available on the Turkmen government website <http://www.turkmenistan.gov.tm/?id=20713>.

⁴ While the countries of the region are often grouped together as “Central Asia,” there are in fact significant differences in political practice and political culture in the region. Many of these differences are illustrated in the differing journalistic coverage of the international media such as *Eurasianet* (<https://eurasianet.org/dashboard-corona-virus-in-eurasia>), *Radio Free Europe/ Radio Liberty* (<https://www.rferl.org/a/the-spread-of-the-coronavirus/30401889.html>) and *Sputnik* (<https://sputniknews.com/>).

of cross-border relationships on a region-wide basis. Cross-border traffic in all five Central Asian states was running at a high level. Economic policies were producing good results throughout Central Asia. Uzbekistan, in particular, poised by presidential succession in 2016 and focused on policies geared to greater foreign economic activity, was in the midst of a highly successful economic reform, increasingly linking Uzbekistan with its neighbors and with the outside world. World Bank Vice President Cyril Muller, who headed the European and Central Asian region, noted in January 2020 that “Uzbekistan’s lending program is now the second largest in the region.” In a short period, Uzbekistan had moved from a relatively isolated country to the position of maintaining the largest World Bank portfolio among post-communist countries.⁵

The announcement on December 31, 2019 on the appearance of what was apparently a mysterious outbreak of pneumonia in the Hubei province of China caused little alarm in the Central Asian states. Central Asian medical and law enforcement authorities tracked the announcements from Chinese medical authorities. Central Asian politicians responded very cautiously, suggesting a concern to avoid exaggerating risks to public health, which might ignite unjustified anxieties.

Central Asian authorities had recent relevant experience with the control of virus infection. In early 2003, an outbreak of the severe acute respiratory syndrome (SARS) in China was identified by Chinese medical authorities. In a period of months, the 2003 SARS virus outbreak spread to at least two dozen countries. Over a period of 18 months, the SARS outbreak infected more than 8,000 people, resulting in somewhat fewer than 800 deaths. Because Central Asian political and medical authorities instituted prompt and highly effective counter-infection policies, no cases of SARS were reported in any of the Central Asian countries. So, when news of a new SARS outbreak surfaced in late 2019 and began to grow in early 2020, Central Asian medical authorities were relaxed in the assumption that their anti-infection measures were adequate.

But the virus which appeared in 2019 was new, highly infectious and very dangerous.⁶ Reports of the spread of the virus were issued by the World Health

⁵ The World Bank defines the European and Central Asian region as including Albania, Armenia, Azerbaijan, Belarus, Bosnia & Herzegovina, Bulgaria, Croatia, Georgia, Kazakhstan, Kosovo, Kyrgyz Republic, Moldova, North Macedonia, Montenegro, Poland, Romania, Russian Federation, Serbia, Tajikistan, Turkey, Turkmenistan, Ukraine, and Uzbekistan – a group of countries which includes basically all the states of the post-communist world. Turkey, of course, was never a communist country and most institutions do not categorize Turkey today as either in “Europe” or in “Central Asia.” The World Bank, “Uzbekistan Enters the Next Phase of Market Reforms with Renewed Support from the World Bank,” January 18, 2020, www.worldbank.org/en/news/press-release/2020/01/18/uzbekistan-enters-next-phase-of-market-reforms-with-renewed-support-from-world-bank.

⁶ SARS-CoV-1 and SARS-CoV-2 are related but different viruses and produce different infections. SARS (Severe Acute Respiratory Syndrome), WHO, <https://www.who.int/ith/diseases/sars/en>.

Organization (WHO). As the infection spread to China's bordering countries and the epidemic proportions grew, the reality of the threat in Central Asia became apparent. Tajik and Turkmen authorities, while denying that there was a problem, began preventative steps even without public announcements. Borders were abruptly closed for reasons of which the public was not aware.⁷ Observers witnessed actions indicating the spread of the epidemic without any public acknowledgment.⁸ Statements of some leaders appeared to be shifting blame to other countries.⁹ The spread of the infection was unprecedented, but the spread of information in the new digital information space was even more unprecedented than the epidemic itself. The public seemed to be circulating information about infection even when government authorities were denying it.¹⁰

COVID-19 spread throughout the Central Asian region in the early months of 2020, provoking timely and effective government measures in each of the five Central Asian countries. The containment measures were focused on large cities. Cross-border travel restrictions were backed up by urban lockdowns, curfews, and sheltering-in-place restrictions. Commercial air flights were restricted. Traffic and freight in major areas drew to a standstill. Visa restrictions were implemented, and personal identification was required for movement within cities. Stores were shuttered and public institutions were closed. Disruption of social and economic life as a consequence of physical distancing and contact tracing was almost immediately apparent. As governments around the world closed or substantially curtailed cross border traffic and freight, the prices for many internationally traded products took a sudden and steep downturn. The fall in primary commodity prices put Central Asian exporters in a precarious position. The disruption of supply chains of trade and transportation throughout the Central Asian region was significant beyond any measure for which the Central Asian political and economic authorities were prepared.

Table 1 includes data reported by the governments to the World Health Organization and contained in the WHO Situation Report. The data is listed from the period of the first identification of Covid-19 in the Central Asian states (March 15, 2020) and includes the data reported after 45 days (May 1, 2020).

⁷ Farangis Najibullah, "Tajik Workers Face Dire Future as Russia Closes Borders Over Coronavirus," *Radio Free Europe/Radio Liberty*, March 18, 2020, www.rferl.org/a/tajik-workers-face-dire-future-as-russia-closes-borders-over-coronavirus/30495815.html.

⁸ Nathan Paul Southern and Lindsey Kennedy, "Central Asian States Can't Hide the Coronavirus Any Longer. Authoritarian States Have Been Downplaying Numbers. That Won't Last," *Foreign Policy*, March 20, 2020, <https://foreignpolicy.com/2020/03/20/central-asian-states-cant-hide-coronavirus-kazakhstan-uzbekistan-kyrgyzstan-tajikistan-turkmenistan>.

⁹ Andrea Schmitz, "Someone Else's Virus," *SWP Comment*, March 27, 2020, www.swp-berlin.org/en/publication/someone-elses-virus.

¹⁰ Farangis Najibullah, "Despite Zero Reported Cases, Coronavirus on Everyone's Mind in Tajikistan," *Radio Free Europe/Radio Liberty*, April 3, 2020, www.rferl.org/a/despite-zero-reported-cases-coronavirus-on-everyone-s-mind-in-tajikistan/30527299.html.

The data includes the number of cases, recent infections, and deaths attributed to Covid-19. The WHO data clearly indicates that the governments of the Central Asian states, by all comparative standards, should be given high marks with respect to their actions to contain the spread of the SARS virus in the initial period. The spread of the infection was significantly hindered by the measures enacted.

Initial containment steps can flatten the dispersion curve by limiting the initial spread, but long-term containment grows more difficult as the numbers of infected victims are larger and new infections appear from foreign sources. Subsequent WHO data indicates spikes, particularly in Kyrgyzstan. Russian Federation's Ministry of Health emergency website "Stopkoronavirus" (in the Russian language) presents daily information on the spread of Covid-19 in the Russian Federation. The data attest to the rapid rise of the virus.¹¹ Central Asia's other bordering countries are facing a rising threat from Covid-19. In a section entitled "Covid-19 Strikes Afghanistan," the most recent SIGAR Report noted: "Afghanistan's numerous and, in some cases, unique vulnerabilities—a weak health-care system, widespread malnutrition, porous borders, massive internal displacement, contiguity with Iran, and ongoing conflict—make it likely the country will confront a health disaster in the coming months."¹²

The medical emergency in the Central Asian states is not yet over. It may continue for some period and the specific length of that period may not be knowable for some time. In the present period of the infection, attention must turn to the second category – the mid-term problems and effects. This is the stage in which the countries of Central Asia, individually and collectively, must come to grips with the challenges of disruption to the social and political order brought about by Covid-19. The steps Central Asian government take will have long-term implications for the social, economic, and even political future of the states and the region. This Covid-19 pandemic will require close collaboration between the civilian political authorities and the national security institutions in the Central Asian region.

SARS-CoV-2 is not a static opponent. It is also not a strategic opponent. In strategic interactions, the opponent is making decisions based on continually adjusting calculations.¹³ In strategic interactions, parties make adjustments based on expectations. In many strategic interactions, deception is an important mode of operation, sometimes feigning and sometimes challenging. Bravado and dissimulation may be useful instruments in strategic posturing. But SARS-CoV-2 is not a calculating opponent. Viruses are conditions-dependent and do not change

¹¹ Russian Ministry of Health, "Stopkoronavirus," <https://xn--80aesfpebagmflbc0a.xn--p1ai>.

¹² *Special Inspector General for Afghanistan Reconstruction (SIGAR)*, Quarterly Report to the United States Congress, April 30, 2020, p. 14, <https://www.sigar.mil/pdf/quarterly-reports/2020-04-30qr-intro-section1.pdf>.

¹³ Building on the insights of Thucydides, the classic work of the logic of strategic theory is Bruce Bueno de Mesquita, *The War Trap* (New Haven & London: Yale University Press, 1981)

Table 1. Reported cases in the Central Asian States to WHO in the initial 45 days of Covid-19.

Country	Date of first Covid-19 report	Cases (1 May 2020)	Deaths (1 May 2020)	Population (million)	Territory Square kilometers
Kazakhstan	15 March 2020	3551	25	18.5	2,724,900
Kyrgyzstan	19 March 2020	756	8	6.5	199,951
Tajikistan	1 May 2020	15	0	9.2	143,100
Turkmenistan	None reported	0	0	5.9	491,210
Uzbekistan	16 March 2020	2046	9	33.5	448,978

Source: Covid-19 figures are collected by national authorities and reported to WHO Situation Report.¹⁴ Population figures are from the Population Reference Bureau, mid-2019 totals.¹⁵ The reported Covid-19 infection figures differ substantially in some instances from the figures estimated by other sources. Compare, for instance, the figures listed by the COVID-19 Dashboard by the Center for Systems Science and Engineering (CSSE) at Johns Hopkins.¹⁶

their own conditions. In combatting condition-dependent virus infections, no strategic posture is useful unless it is attuned to eliminating or mitigating the conditions which provide opportunities to the virus. Eliminating the conditions in which the virus prospers is the first principle in combatting the virus. There are other factors that can accelerate the retreat of the virus, but invective and rhetorical haranguing is not among them. Effective measures are only those that are specifically shaped and implemented to combat the objective threats.

From Containment to Mitigation and Recovery

In the first two months of the pandemic, the Central Asian governments took swift and effective measures to stem the further spread of the Covid-19 infection. However, given the collapse in commodity prices, the disruption of commercial supply chains, the sudden shift in migrant labor and remittances, the cessation of typical earnings and livelihoods, and the collateral effects of the pan-

¹⁴ WHO, "Coronavirus Disease (COVID-2019) Situation Reports," <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/situation-reports>.

¹⁵ Population Reference Bureau. For data, see: <https://www.prb.org>.

¹⁶ Johns Hopkins University, "Corona Virus Map," <https://coronavirus.jhu.edu/map.html>.

demarcation have created an unprecedented social and economic crisis in Central Asia. Social and economic upheaval at this level unavoidably entails political effects.

In an interview in Bishkek, Azamat Temirkulov, a Kyrgyz scholar, summarized the crisis in Kyrgyzstan, pointing out that “enterprises will solve their difficulties through job cuts, some will close due to lack of profit, others will completely go bankrupt. Our migrant workers will begin to return home, joining the ranks of the army of unemployed Kyrgyzstan.” Temirkulov noted that “We are in a non-standard situation; this is not another cyclical crisis, which means that the measures applied must also include non-standard solutions.”¹⁷

The predominant political culture of Central Asian societies, at least in comparison with western societies, is focused on social cohesion. Many aspects of current social and economic conditions in Central Asia would appear to indicate high levels of vulnerability to a contagious disease. Central Asian societies differ to a certain extent by region, but in general social relations throughout Central Asian societies can be described as highly family-oriented, social, congregated in densely populated villages and cities and with family-maintained elderly populations. Conditions of diabetes and high blood pressure, as well as other chronic conditions associated with vulnerability to Covid-19, are relatively widespread. Large numbers of people in the Central Asian countries are self-employed or work in positions in the informal economy. Many of these people are not legally entitled to the socio-economic protections that are accorded to officially employed persons.

The International Labor Organization, for instance, estimated that as many as 75 percents of those employed in Tajikistan were in the informal sector. Data on informal sector employment may be unreliable and the other Central Asian countries could be expected to have a smaller informal sector in comparison, but the effects of the disruption of employment exerted by the pandemic conditions can only be regarded as severe.¹⁸ Perhaps more importantly, large numbers of migrant workers, particularly from Tajikistan and Kyrgyzstan, have held labor positions abroad, mainly in the Russian Federation. There were also large numbers of migrant workers from Uzbekistan working in South Korea. The economic role of these labor migration patterns is substantial. As much as 50 percent of the national GDP of Kyrgyzstan was estimated by a UNDP study to result from Kyrgyz remittances.¹⁹ For up-to-date data on remittance flows between the Russian Federation and Tajikistan, see the World Bank’s roster on remittance flows

¹⁷ Azamat Temirkulov, “The Pandemic is a Chance to Reform the Kyrgyz Economy,” *Vechernyi Bishkek*, April 13, 2020, in Russian, https://www.vb.kg/doc/387130_azamat_temirkylov:_pandemiia_eto_shans_perestroit_ekonomiky_kr.html.

¹⁸ *World Employment and Social Outlook, Trends 2019* (Geneva: International Labor Organization, 2019), p. 53, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_670542.pdf.

¹⁹ *Labour Migration, Remittances, and Human Development in Central Asia*, Central Asia Human Development Series (UNDP, 2015): p. 8, <https://www.undp.org/content/dam/rbec/docs/CAM&RHDpaperFINAL.pdf>.

around the world.²⁰ The effects of the pandemic in both economic and political terms are massive.²¹

Long-term Policies of Adjustment and Recovery

The choices made now by the political leadership in the Central Asian countries on how to deal with the long-term consequences of the pandemic will shape the geopolitical future of the Central Asian states. The Central Asian states, particularly Kazakhstan and Uzbekistan, have carried out in the short-term highly effective public policy measures to meet the first phase of the medical emergency. The medium-term problems of addressing the downward-spiraling social and economic conditions and the policies needed to address them in the months and years ahead will be the focus of forthcoming government activity. In the Central Asian countries, law enforcement, the military, and other security organizations have been assigned to the initial tasks at hand, but as more difficult questions such as very large-scale unemployment begin to exert pressures on local and national leaders, their tasks can be expected to become even more challenging.

The vast increase in government outlays for public emergency support and the downward spiraling drop in government revenue due to tax shortfalls have already exhausted most treasury funds in the Central Asia countries – with Kazakhstan being the sole exception. It may be expected that, fiscally, none of the Central Asian governments can endure for a prolonged period these levels of outlays and constrained revenues without additional financial sources. Central Asian governments will need to address the pressures of structural adjustment on a scale never even contemplated before. Self-generated “bailout” programs in the Central Asian states may be able to meet the requirements for a certain time, but the inability of the governments to finance such massive shortfalls over a prolonged period without running the risk of runaway inflation makes foreign assistance inevitable.

The major international financial institutions have lined-up to offer aid. IMF Managing Director Kristalina Georgieva described the scope and scale of the pandemic challenge bluntly: “Covid-19 has disrupted our social and economic order at lightning speed and on a scale that we have not seen in living memory.”²² The main lending institutions have stepped forward. The World Bank is in the process of developing new forms of emergency funding programs.²³ All the traditional

²⁰ The World Bank, “Remittance Prices Worldwide: Making Markets More Transparent,” <https://remittanceprices.worldbank.org/en/corridor/Russia/Tajikistan>.

²¹ Catherine Putz, “Remittances to South and Central Asia Poised to Dive Dramatically,” *The Diplomat*, May 05, 2020, <https://thediplomat.com/2020/05/remittances-to-south-and-central-asia-poised-to-dive-dramatically>.

²² Kristalina Georgieva, “Confronting the Crisis: Priorities for the Global Economy,” *IMF*, April 9, 2020, www.imf.org/en/News/Articles/2020/04/07/sp040920-SMs2020-Curtain-Raiser.

²³ The World Bank, “World Bank Group and Covid-19 (coronavirus),” <https://www.worldbank.org/en/who-we-are/news/coronavirus-covid19>.

regional development banks such as the Asian Development Bank and even the new regional banks such as the Eurasian Development Bank and the Asian Infrastructure Investment Bank have pledged to raise new forms of support to meet the challenges. But the traditional assistance organizations provide either limited grants or long-term lending programs. Neither of these traditional mechanisms is expected to cover the costs of supporting the governments of the Central Asian states in the long term. International financial donor institutions are designed to help countries negotiate “bumps in the road”; they are not designed to provide all the resources for situations in which all the vehicles are at a standstill and all the roads are closed.²⁴

The wealthy countries of Europe, the Middle East, and North America are in a similar situation with respect to the fiscal challenges, but the specific set of options is very different. Due to the severity of the economic disruption caused by the pandemic, the central financial authorities in the developed countries have turned to instruments of a scope and scale never used before. In Europe, the European Stability Mechanism (ESM) in April 2020 agreed to institute three safety net measures for workers, businesses, and governments, amounting to a package worth €540 billion. On April 23, 2020, the EU Heads of State of Government (European Council) endorsed the agreement.²⁵ In the United States, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law on March 27th, 2020. This provided for over \$2 trillion economic relief package with funding for individuals, workers, companies, and local governments. The goal of this legislation is to prevent the economy as a whole from grinding to a halt by making sure that individuals have support, companies can continue to run, and governments continue to function.²⁶

These financial programs are new, but even the sources of funding for these programs represent innovative approaches to public finance. The US Federal Reserve, which functions as the US central bank, began using unconventional instruments amid the 2008 financial crisis in order to promote the circulation of money. The U.S. began retreating from this kind of programs, but the pandemic crisis made it necessary to return to innovative fiscal programs. In the conventional market economy textbook, the creation by *fiat* of new fiscal resources raises many questions. If money is not earned or borrowed, where does it come from? Simply “printing money” to cover unpaid obligations is not a panacea. To do that would cause inflation. However, the volume of money in circulation is only one factor, along with the amount of circulation and availability of the

²⁴ Gregory Gleason, “Post-Pandemic Central Asia: Moving Beyond ‘Helicopter Money,’” *The Diplomat*, May 20, 2020, <https://thediplomat.com/2020/05/post-pandemic-central-asia-moving-beyond-helicopter-money>.

²⁵ “European Stability Mechanism (ESM) Pandemic Crisis Support,” <https://www.esm.europa.eu/content/europe-response-corona-crisis>.

²⁶ Kelsey Snell, “What’s Inside The Senate’s \$2 Trillion Coronavirus Aid Package,” *NPR*, March 26, 2020, <https://www.npr.org/2020/03/26/821457551/whats-inside-the-senate-s-2-trillion-coronavirus-aid-package>.

money. In order to accelerate the use of money while increasing its availability (liquidity), new fiscal approaches have produced emergency funds at levels never before even contemplated. The US Federal Reserve adopted a policy of purchasing bonds and equities on the open market and then re-selling them in order to circulate financial resources. The European Central Bank has followed a similar course of action in Europe.

This course is not available to the Central Asian governments because they are dependent on earnings from exports (such as the revenue deriving from Kazakhstan's oil exports) and reliant upon foreign currencies to fund the purchase of imports from other countries, such as China. If Central Asian central banks simply begin "printing" more of their national currencies in order to pay bills, this will lead directly to inflation. The Central Asian financial managers are all familiar with the bitter experience of the years 1992-1994 when their countries were flooded with Rubles, the value of which they could not control. This led to calamitous circumstances where people lost their entire life savings when they relied upon banks to protect their savings. This is a situation all too vivid in the recollection of many Central Asians. The government financial managers in the Central Asian countries will need, at least in part, to look to the outside world for solutions to the problems caused by the pandemic.

Regional Security Implications of the SARS Pandemic

In just the first few short months of 2020, the world has witnessed a fundamental transformation in the global order, in social, economic, and even geopolitical respects. As David Ignatius summarized, COVID-19 challenges defense analysts to begin assessing how the global spread of this deadly disease is a catalyst in changing the ways we think about peace, prosperity, and warfare.²⁷ To a certain extent, any crisis with the severity of this pandemic is a test of the state's mettle. States and political leaders will be judged by their responses. The Central Asian response to the first stage of the pandemic will be illustrative. Prompt and effective action, as we have seen, deserves credit for protecting public health. But the long-term consequences are more of a challenge. The "top-down," quasi-authoritarian response will be questioned by the proposition that a "free and open society is in fact best positioned to deal with a crisis that demands factual, evidence-based strategic-policy decisions."²⁸ Even if the SARS-CoV-2 virus attenuates, either in waves or suddenly disappearing, enduring consequences of the disruption are inevitable and will have consequences. As Marlene Laruelle and

²⁷ David Ignatius, "The Coronavirus Is Already Reshaping Defense Strategies," *The Washington Post*, April 9, 2020, https://www.washingtonpost.com/opinions/how-the-coronavirus-is-changing-how-we-think-about-warfare/2020/04/09/7756d330-7a9f-11ea-a130-df573469f094_story.html.

²⁸ Haroro J. Ingram, "Pandemic Propaganda and the Global Democracy Crisis," *War on the Rocks*, May 18, 2020, <https://warontherocks.com/2020/05/pandemic-propaganda-and-the-global-democracy-crisis>.

Madeline McCann noted, “the state’s ability to present itself as having effectively managed the crisis could have deep political impacts.”²⁹

The major international financial institutions have lined-up to offer aid to the Central Asian states, but the scale and scope of the assistance are not likely to be sufficient to stabilize the economic consequences in the long-term. Outside emergency help is necessary. But nothing is free, especially money. Altruism is not boundless. Foreign institutions, reflecting interests of their principal stakeholders in Beijing, Moscow, or Washington, will seek to gain influence in the decisions which beneficiaries make. If outside help comes with strings attached, it is important to ask what the conditions will be.

For all the reasons articulated above, the Central Asian region in 2019 was marked by signs of significant progress. Political succession took place in 2019 in Kazakhstan, marred by some criticism of less than fully inclusive democratic participation in the decision-making process, but the economy was growing strongly. Kyrgyzstan was negotiating new forms of trade and borrowing arrangements with its northern “Patron,” Russia. Large numbers of Kyrgyz workers in Russia were widely considered to be a reliable form of mutual interdependence. Tajikistan was economically growing slowly but positively, with expectations of a political succession that would retain rule within the President’s large family. Turkmenistan was investing in greater export potential for its hydrocarbon riches. Uzbekistan was well on the path to the first real economic transformation, price liberalization, and privatization of many state assets. It would be an exaggeration to state that public support for Central Asian governments was unanimous within the societies, but it would not be an exaggeration to say that by far the largest proportion of the population favored continued improvement in what was regarded as the status-quo. COVID-19 changed this abruptly and significantly.

What are the implications with respect to the SARS-Cov-2 attack upon the Central Asian status-quo? The foreign policy of each of the Central Asian states will be influenced by COVID-19, even if the virus soon attenuates or fully disappears. The shifts in relations brought about by the collapse of the world trading order and the intermediary position of the Central Asian states can be expected to permanently affect the relations among states. The states had very different foreign policy postures when the pandemic emerged. Kazakhstan’s foreign policy strategists in the new capital of Nur-Sultan emphasize the country’s multi-vector foreign policy, which enabled them to retain good economic relations with both Moscow and Beijing, without becoming too politically dependent on either. The buoyant hydrocarbon trade was carried forward by Russian, Saudi and other major producers but pulled along Kazakhstan as a beneficiary. Kazakhstan’s formula was successful and would eventually, analysts contended, allow

²⁹ Marlene Laruelle and Madeline McCann, “Post-Soviet State Responses to COVID-19: Making or Breaking Authoritarianism?” *PONARS Eurasia*, Policy memo 641, March 2020, <http://www.ponarseurasia.org/memo/post-soviet-state-responses-covid-19-making-or-breaking-authoritarianism>.

them to bring the country's vast resource riches into play in a diversified economy, fueled as much by digital technologies as by oil.

Uzbekistan's foreign policy strategists threw their hat into the ring starting in 2016 to agree to fundamental structural changes in their economy in order to open up to foreign imports and seek export opportunities. The election of the new president in December 2016 brought a new direction to the development of the "Uzbek Path," a process that grew in momentum through the following years. By 2020, Uzbek foreign policy was increasingly robust and oriented on international partnerships in all directions based on equal standing. For the first time since the disintegration of the USSR, Uzbekistan's foreign policy posture was characterized by good and improving economic, social, and political relations with all states in the Central Asia region and with harmonious relations with Beijing and Moscow.

The foreign policy postures of Kyrgyzstan and Tajikistan were less auspicious. The two countries were similar with respect to a number of constraining features. Each of the countries is mountainous, with limited urban development and agriculture and husbandry limited by the seasons and availability of arable land. Both countries are divided by major mountain ranges into a north and south section, with Kyrgyzstan's capital lying in the northern part of the country and Tajikistan's capital lying in the southern part of the country. Divisions between north and south are magnified by strong regional divisions with different cultural foundations and even languages. Both countries are net energy importers because they have virtually no hydrocarbon reserves, although both countries are rich in hydropower potential. Both countries are situated geographically on the outskirts of established trading corridors. Economic development levels were among the lowest of the post-Soviet states. In the decade before 2020, both Kyrgyzstan and Tajikistan grew increasingly reliant upon Moscow and Beijing for financing and market access.

Kyrgyzstan and Tajikistan could be contrasted with Turkmenistan, possessing none of its advantages but sharing its limitations. Hydrocarbon-rich Turkmenistan developed a foreign policy it called "positive neutrality." This distinctive foreign policy was designed to allow Turkmenistan to develop its vast natural gas resources and, at the same time, remain aloof from diplomatic contretemps. Uniqueness grew to be a defining feature of the country's policy posture on all issues other than foreign gas exports. Diversification of the hydrocarbon economy was never even considered as a government policy objective.

The sudden cessation of the functioning of the global trade system has thrown into question the foreign policy priorities of the Central Asian states. The seriousness of the disruption could thrust states in the direction of greater reliance on common regional objectives and, on the other hand, could also speed up development courses in which they find a common interest with outside patrons, whether Moscow, Beijing, or even New Delhi.

Some analysts look forward to identifying the political implications in the Eurasian space that follow from the disruption caused by the pandemic. Eurasian

“integrationists” see the pandemic as making close economic and political ties in the region more important than ever. Russian Prime Minister Mikhail Mishustin (before he was stricken by the coronavirus himself) argued in a video conference with Central Asian leaders on April 10, 2020, that the “mechanisms of the Eurasian Economic Union have already proven their effectiveness.” Mishustin asserted: “Our countries are working together, clearly and coherently, to jointly confront the common threat.”³⁰ Nikita Mendkovich, an advocate of closer ties between Moscow and the Central Asian capitals, warned that disruption of markets would result in significant food shortages in the Central Asian states unless the Eurasian Economic Union is empowered to restore supply chains throughout the region.³¹

The “Eurasian” northward-oriented institutions are apt to encounter some competition from the “Asian” eastward-oriented institutions. Offers of concessional terms of infrastructure development included in many of the proposals of Beijing’s “Bridge and Road Initiative” (BRI) may attract increasing attention in Central Asian capitals as a result of the trade and supply chain catastrophe. The post-pandemic situation is more complicated, but as Arne Elias Corneliusen observed, “Covid-19 does not change China’s underlying strategic rationale for the BRI.”³²

As the competition between the emerging vectors of foreign assistance and foreign influence is resolved, bureaucratic disputes about priorities and order of operations may increasingly be crowded out by disputes over intrusions impinging on national sovereignty. These differences of view may be not only problems of coordination but may result in competition over jurisdiction. Kyrgyzstan and Tajikistan, in particular, face dire economic circumstances as a result of the pandemic. The borders among the Central Asian countries, particularly in the Fergana Valley region, were very much the product of political choices made long ago by foreign political authorities. The coronavirus pandemic threatens to push the Fergana Valley countries into a situation where only a condominium with neighbors is possible – a condominium that can protect their societies even if not their national sovereignty.

³⁰ “The Mechanisms of the EAEU Demonstrate their Effectiveness—Mishustin on the Struggle with COVID,” *Sputnik*, April 10, 2020, in Russian, <https://ru.sputnik.kg/politics/20200410/1047808934/mishustin-aeahs-mekhanizmy-kachestvo.html>.

³¹ Nikita Mendkovich, “The Pandemic Has Already Unleashed the ‘Hunger Spiral’, Severing the Food Supply Chain,” *Sputnik*, April 8, 2020, in Russian, <https://tj.sputniknews.ru/economy/20200409/1031039737/evraziyskoe-soobschestvo-koronavirus.html>.

³² “International online discussion with IWPR: COVID-19 and the Chinese BRI in Central Asia,” *Central Asia Bureau for Analytical Reporting*, April 24, 2020, <https://cabar.asia/en/international-online-discussion-with-iwpr-covid-19-and-the-chinese-bri-in-central-asia>.

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Implications of the COVID-19 Pandemic on China's Belt and Road Initiative

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Abstract: The article examines the short- and long-term effects of the COVID-19 pandemic on the Belt and Road Initiative (BRI). The temporary shutdown of economies around the world has disrupted global supply chains, which has caused major delays in BRI infrastructure projects and increased the costs. For the time being, China and BRI partner countries will have to divert attention and resources to fighting the spread of the virus and providing relief for their economies. Thus, a serious slowdown for the BRI is inevitable. However, the long-term consequences are still uncertain at this point and will depend, to a large degree, on how long Corona will set back the world economy. China seems determined to carry on with the BRI no matter what, but the question arises if China's economy will recover quickly enough and if Beijing has the financial reserves to keep up the high level of commitment and support for the BRI. If China manages to sustain the BRI throughout the pandemic, Corona can open up opportunities to use "mask diplomacy" and BRI healthcare infrastructure projects to increase Beijing's global standing and the local acceptance for the BRI. Given the changed circumstances, BRI countries are well advised to review their participation in the BRI by giving due consideration to the short-term and possible long-term effects. They should consider if they can still afford these infrastructure projects even if they take longer to finish, are more expensive, and generate a smaller economic impact.

Keywords: Silk Road, COVID-19, economic impact, economic recovery, foreign investment

Introduction

There is widespread agreement among scientists that one of the most devastating pandemics in human history, the plague or black death, originated in China and spread along the old silk road to Europe.¹ It demonstrated a pattern that is as old as human history: when people and goods travel, so do bacteria and viruses. Today, there is some speculation about whether COVID-19 circulated along the “new silk road” – China’s Belt and Road Initiative (BRI),² and it has even been suggested that the BRI contributed to the spread of the virus.³ These kinds of debates are pointless because, even without modern means of transport like planes, cargo ships, and trains, the plague reached the most remote places in the world and killed a large portion of the global population. Interconnectedness might speed up the spread of a pandemic, but being cut off from trade routes and international exchange is no effective protection as the spread of COVID-19 to all parts of the world demonstrates.

However, a real downside of interconnectedness, and its bigger brother globalization, is that a major global disruption, like a pandemic, has ripple effects throughout the world. Inevitably, a global infrastructure development initiative like China’s Belt and Road suffers greatly from the interruption of supply chains and restrictions to international travel caused by the Coronavirus. Under the umbrella of the Belt and Road, China is involved in the construction of ports, railways, highways, pipelines, power plants, factories, and many other types of economic infrastructures. The BRI also encompasses other means to increase China’s global interconnectivity, such as cooperation on digital technologies, education, and public health (digital, education, and health silk roads), but the infrastructure is at the heart of the initiative. Quick progress on infrastructure development is vital to China’s goal to integrate its economy along value chains across Asia, the Middle East, Africa, and Europe. The longer it takes to build the links between China and BRI countries, the longer it will take before China can reap the benefits of its vast investments in the BRI. However, due to the pandemic, BRI infrastructure projects face several serious challenges. Supply lines

¹ Giovanna Morelli *et al.*, “*Yersinia pestis* Genome Sequencing Identifies Patterns of Global Phylogenetic Diversity,” *Nature Genetics* 42, no. 12 (October 2010): 1140-43, <https://doi.org/10.1038/ng.705>; Stephanie Haensch *et al.*, “Distinct Clones of *Yersinia pestis* Caused the Black Death,” *PLoS Pathogens* 6, no. 10 (October 2010), <https://doi.org/10.1371/journal.ppat.1001134>.

² Salvatore Babones, “The ‘Chinese Virus’ Spread Along the New Silk Road,” *Foreign Policy*, April 6, 2020 <https://foreignpolicy.com/2020/04/06/chinese-coronavirus-spread-worldwide-on-new-silk-road>; Parag Khanna, “Covid-19 Is Traveling Along the New Silk Road,” *Wired*, February 28, 2020, <https://www.wired.com/story/covid-19-is-traveling-along-the-new-silk-road>.

³ Andreea Brînză, “Some Say China’s Belt and Road Helped Create This Pandemic. Can It Prevent the Next One?” *The Diplomat*, April 2, 2020, <https://thediplomat.com/2020/04/some-say-chinas-belt-and-road-helped-create-this-pandemic-can-it-prevent-the-next-one>.

for raw materials have been interrupted and the production of construction components has been curbed. Some workers have not shown up for work due to lockdown measures or because they are afraid to get infected; anecdotal reports tell of local staff who have refused to work alongside Chinese colleagues. Engineers and construction planners have not been able to travel or are stuck in quarantine. The pandemic also demonstrates a particular vulnerability of BRI projects: dependence on China. Most projects are financed with Chinese money and executed by Chinese construction companies that often employ a large Chinese workforce. Thus, if China's economy struggles, so does the progress of the BRI. A more diversified approach that relies more on local economies would make it easier to substitute raw materials, construction parts and workers. The pandemic would still have negative effects, but it would be easier to adapt to the new situation.

Chinese Promises Are Contradicted by Harsh Realities

Despite the obvious challenges described above that seriously question the sustainability of the BRI as a whole, a lot of statements of commitment were given by the official Chinese side. China was quick to signal that the BRI would remain a policy priority even amid, and also after, the COVID-19 pandemic. Assurances were given that BRI projects would not be canceled or halted and that there would be no delays. However, given the global ramifications of the pandemic, party officials have had to admit that there would be negative consequences for the BRI. In February 2020, the official account was still that the BRI was "not affected"⁴ by Coronavirus. This position first changed to there being "no serious impact on BRI"⁵ and then, during March, to a "temporary impact on BRI."⁶ In April, after most lockdowns within China had been lifted, the party was quick to announce that Chinese companies were "re-starting most overseas projects."⁷ This phrasing is interesting because the word 're-start' indicates that something has been completely stopped and, while there was talk of a "temporary impact," it was never officially acknowledged that work on BRI projects had come to a halt.

The announcement of a BRI restart is clearly contradicted by reports from around the world, which show that a great number of projects are still halted or

⁴ Zhong Nan, "BRI Projects Not Affected by Coronavirus, Official Says," *China Daily*, February 21, 2020, <https://www.chinadaily.com.cn/a/202002/21/WS5e4f7970a31012821727952f.html>.

⁵ Gao Yang, "No Serious Impact of Virus on BRI Projects," *China Daily*, March 4, 2020, <https://www.chinadaily.com.cn/a/202003/04/WS5e5ee134a31012821727c0d3.html>.

⁶ Zhou Jin, "Virus Having Temporary Impact on BRI Construction, Minister Says," *China Daily*, March 5, 2020, <https://www.chinadaily.com.cn/a/202003/05/WS5e60a0d7a31012821727c9c5.html>.

⁷ Yan Yunming, "Chinese Companies Restarting Most Overseas Projects amid COVID-19 Shows BRI Vitality," *Global Times*, March 23, 2020, <http://www.globaltimes.cn/content/1186577.shtml>.

can only be continued at a much slower pace. Despite official reassurances that the China-Pakistan Economic Corridor (the BRI's flagship project) will "march forward at full speed,"⁸ the Pakistani government eventually had to admit that operations face serious disruptions and delays.⁹ Construction of a high-speed rail financed by China Development Bank (CDB) in Indonesia¹⁰ and another rail project in Nigeria¹¹ has been put on hold. A special economic zone in Cambodia has come to a near standstill¹² and a power plant that is being built by a Chinese construction company could not start operations in May 2020 as planned.¹³ Delays are also reported for power plants in Myanmar and Bangladesh.¹⁴ Given the economic uncertainty, some countries have even started to reconsider BRI projects that have already been initialized or are in the planning phase. A large-scale bridge project in Bangladesh is being questioned by local authorities.¹⁵ The so-called silk-city and five islands project in Kuwait, a megalopolis urban development project, is also under threat¹⁶ and Thailand has announced that it wants to postpone a high-speed train project with China.¹⁷ More announcement of delays, halting operations, and renegotiations can be expected as operations are not quickly returned to normal.

⁸ Wang Bozun, "CPEC to March Forward at Full Speed despite Pandemic: Pakistani FM," *Global Times*, March 19, 2020, <http://www.globaltimes.cn/content/1183171.shtml>.

⁹ Mehtab Haider, "CPEC Projects May Face Delay, Disruption: Report," *The News International*, April 25, 2020, <https://www.thenews.com.pk/print/649536-cpec-projects-may-face-delay-disruption-report>.

¹⁰ George Liao, "'One Belt One Road' Begins to Stall in SE Asia as Chinese Economy Reels," *Taiwan News*, May 6, 2020, <https://www.taiwannews.com.tw/en/news/3929303>.

¹¹ Daniel Russel, Asia Society Policy Institute, "The Coronavirus Will Not Be Fatal for China's Belt and Road Initiative but It Will Strike a Heavy Blow," *South China Morning Post*, March 19, 2020, <https://www.scmp.com/comment/opinion/article/3075624/coronavirus-will-not-be-fatal-chinas-belt-and-road-initiative-it>.

¹² Andre Wheeler, "COVID-19: Can China Offset the Long-Term Socio-Economic Impact on China's Belt Road Initiative?" *Mizzima*, April 15, 2020, <http://mizzima.com/article/covid-19-can-china-offset-long-term-socio-economic-impact-chinas-belt-road-initiative>.

¹³ Yohei Muramatsu and Shunsuke Tabeta, "Southeast Asia Rail Projects Stall as China Focuses on Recovery," *Nikkei Asian Review*, May 5, 2020, <https://asia.nikkei.com/Spotlight/Belt-and-Road/Southeast-Asia-rail-projects-stall-as-China-focuses-on-recovery>.

¹⁴ Tridivesh Singh Maini, "Coronavirus and Its Impact on the Belt and Road," *Modern Diplomacy*, March 24, 2020, <https://modern diplomacy.eu/2020/03/24/coronavirus-and-its-impact-on-the-belt-and-road>.

¹⁵ Russel, "The Coronavirus Will Not Be Fatal for China's Belt."

¹⁶ Mordechai Chazizza, "The Impact of the Coronavirus Pandemic on China's Belt and Road Initiative in the Middle East," *Middle East Institute*, April 28, 2020, <https://www.mei.edu/publications/impact-coronavirus-pandemic-chinas-belt-and-road-initiative-middle-east>.

¹⁷ "Deferral Sought on Signing Rail Contract," *Bangkok Post*, April 14, 2020, <https://www.bangkokpost.com/business/1899110/deferral-sought-on-signing-rail-contract>.

Even when normalization of supply chains and international travel is achieved, it seems unlikely that the BRI can continue as planned. China as well as the countries that signed up to the BRI are faced with serious economic challenges due to the pandemic that could divert attention and resources from the BRI.

The Outlook for China

For the time being, China is so preoccupied with rescuing its domestic economy that foreign investments may have to take a backseat. According to the National Bureau of Statistics of China, the GDP contracted by 6.8% in the first quarter of 2020.¹⁸ Due to the very restrictive lockdown measures across China, most companies have had to shut down and some have never reopened as more than 240,000 bankruptcies were declared in January and February 2020. Probably many more companies went bankrupt during that timeframe but could not declare bankruptcy because most government offices were closed during the first months of the year. The numbers will probably rise even further because 36% of privately-owned companies reported in February that they did not expect to survive another month of the lockdown, which was only lifted in mid-April.¹⁹

Few of those companies that survived the pandemic are back to full capacity. Restarting supply chains takes time and requirements for infection control have reduced productivity and increased costs. Export-oriented industry sectors also face the problem of low global demand. Economic output will be significantly lower throughout 2020 and possibly 2021. As a consequence, unemployment is on the rise and will probably hit levels not seen in a long time. Official unemployment numbers increased by 3 million between December 2019 and March 2020 to a record 5.9%. If the 50 million or so migrant workers, many of whom cannot return to their work in the large cities, were to be included in the statistics, the number of people without a job could easily be twice as many.²⁰ Many Chinese who have lost their jobs will struggle to repay debts. So, loan default will also be an issue for companies that are already hit hard by the ramifications of the pandemic. China's state-owned banking system can probably absorb large sums of defaulted loans, though nobody actually knows how healthy China's state-owned banks are, but a credit crunch at home will restrict the ability to issue new loans for costly BRI projects. This could cast doubt on projects that are still in the

¹⁸ National Bureau of Statistics of China, "Preliminary Accounting Results of GDP for the First Quarter of 2020," April 20, 2020, http://www.stats.gov.cn/english/PressRelease/202004/t20200420_1739811.html.

¹⁹ Jiayan Feng, "More than 240,000 Chinese Companies Declare Bankruptcy in the First Two Months of 2020," *SupChina*, April 9, 2020, <https://supchina.com/2020/04/09/more-than-240000-chinese-companies-declare-bankruptcy-in-the-first-two-months-of-2020>.

²⁰ Sun Yu and Christian Shepherd, "China Struggles with Sharp Rise in Unemployment," *Financial Times*, April 23, 2020, <https://www.ft.com/content/5c172455-e967-45a5-84c8-47efc3788b08>.

planning phase and will at least result in a cost-benefit review. Chinese investors were, in the past, very quick to grant loans even for economically questionable projects. This will probably change and the riskier investments might be called off. Even well advanced BRI projects might run into problems if the refinancing of older loans becomes more difficult.

Due to the exceptional economic downturn, highlighted by the first contraction of GDP in decades, the communist party leadership is under pressure to re-focus attention on domestic investments. Calls for a large stimulus package are growing louder, but the party is still reluctant because it had already introduced several spending programs in the wake of the 2007-2009 global financial crisis. Increased public spending had helped to stabilize the slowing GDP growth in recent years, but returns on investments are shrinking as China becomes more developed. However, there is little alternative to public spending as a means of absorbing the economic shock of the pandemic and, while China has large reserves, they have been dwindling over the last years partly because of BRI financing. This means that China will be forced to spend more carefully and has less financial scope for foreign investments. Already, before the pandemic, posts increased on the Chinese internet calling the BRI a “big spill of money” (in Chinese: da sa bi) which is astonishing as censors try hard to suppress any public criticism of government policies.²¹ The same people are now demanding the prioritization of spending at home and the abandonment of BRI, at least for a while.

The Outlook for BRI Countries

The situation on the receiving end of the Belt and Road Initiative is similar or even worse. China’s partner countries are preoccupied with fighting the pandemic and its economic ramifications. Many countries across Central Asia, the Middle East, and Africa have underfinanced public health systems and are especially vulnerable. For the time being, attention will be devoted to saving lives and stopping the rise of new infections. Countries that are faced with a health emergency are unlikely to have the capacity to push on with their economic development plans.

Unlike China, many BRI countries will not be able to reopen their economies fully for a long time. When they do, economic relief will be required to bolster their economies. Most financial resources will be occupied for that purpose, which limits the funds that can be invested in BRI projects. Many statesmen will come to realize that they cannot afford new highways, railways, pipelines, or ports anymore. Those projects which have already been questioned will become even more under attack from opposition forces and the local public. The China-Pakistan Economic Corridor has become increasingly unpopular among Pakistanis over time and the government was already struggling to defend the initiative from criticism before the pandemic. Since 2017, five terrorist attacks have

²¹ “From the Party, with Love: China Releases a Movie Drama Featuring Its Belt-and-Road Project,” *The Economist*, September 5, 2019, <https://www.economist.com/china/2019/09/05/china-releases-a-movie-drama-featuring-its-belt-and-road-project>.

been directed against the Chinese presence in Pakistan.²² Kuwait has also experienced very strong political criticism about the pros and cons of participating in the Belt and Road.²³ In Central Asia, protests against Chinese economic influence and complaints about their meddling in internal affairs have become more vocal during 2019.²⁴ These tendencies will be reinforced if resentment over China as the starting point of the outbreak and its role in spreading the virus outweighs the effects of China's "mask diplomacy," which comprises the provision of medical equipment and advisers to Corona-stricken countries. Countries that feel resentful over China's handling of the outbreak might re-evaluate any closer involvement with China altogether. The pandemic has highlighted the negative consequences of being part of a supply chain that is highly oriented towards China. This could drastically reduce the enthusiasm for being part of the BRI. As can be seen from the above, there are plenty of financial as well as political reasons that may cause countries to postpone, or even cancel, BRI projects.

Even the countries that want to continue with BRI projects as planned might not be able to. As many as 23 BRI countries were already in debt distress before the pandemic²⁵ and the cost of fighting the virus and rescuing the economy will further increase the risk of loan defaults. Some of the local contractors that are involved in the construction of BRI projects will go bankrupt during the pandemic, which will cause further logistical problems and delays. The delays due to international supply chain cut-offs and national economic woes will also make BRI projects more expensive. In order to be able to sustain BRI, countries like Cambodia, Kyrgyzstan, Sri Lanka, Pakistan, Djibouti, or Montenegro will need debt relief.

However, it is unlikely that China will write off debts on a large scale. The sums are so high that China cannot afford to waive repayments. According to an analysis by the Kiel Institute for the World Economy, China has lent 50% more to developing countries than it has officially reported. These "hidden debts" distort the international surveillance of its lending practices. The analysis concludes that the Chinese government and state-owned creditor agencies have granted loans amounting to \$520 billion to more than 150 countries. Most of these loans were given out in the last years for BRI-related projects. China now accounts for one-

²² Helen Blackwell, "Pakistan Refocuses on Counter-Terrorism to Protect China's Investments," *International Institute for Strategic Studies (IISS)*, September 19, 2019, <https://www.iiss.org/blogs/analysis/2019/09/sasia-pakistan-protects-chinese-investments>.

²³ Sebastian Castelier, "Can Kuwait's Silk City Project Overcome Islamist Opposition in Parliament?," *Al-Monitor*, June 5, 2019, <https://www.al-monitor.com/pulse/originals/2019/06/kuwait-silk-city-bump-unanticipated-obstacles.html>.

²⁴ Aruuke Uran Kyzy, "Why Is Anti-Chinese Sentiment on the Rise in Central Asia?," *The Diplomat*, October 8, 2019, <https://thediplomat.com/2019/10/why-is-anti-chinese-sentiment-on-the-rise-in-central-asia>.

²⁵ John Hurley, Scott Morris, and Gailyn Portelance, "Examining the Debt Implications of the Belt and Road Initiative from a Policy Perspective," *Journal of Infrastructure, Policy and Development* 3, no. 1 (2019): 139-175, <https://doi.org/10.24294/jipd.v3i1.1123>.

quarter of total bank lending to emerging countries and is the largest official creditor, surpassing the World Bank or the IMF.²⁶

The China Development Bank and the Export-Import Bank of China (EXIM) have enough resources and the political backing to sustain current lending levels but, due to Corona, an avalanche of demands for loan renegotiations can be expected. China has renegotiated a large amount of BRI related loans—though often, only in exchange for concessions from recipient countries—and it looks like it wants to continue this practice.²⁷ In April 2020, the Kyrgyz government announced that it is in active talks with the Chinese government and EXIM bank to reschedule \$1.7 billion of debts.²⁸ However, China might face a domestic backlash over offering better loan terms, especially if their unwillingness to write off loans continues. The most likely scenario is that repayment periods will be prolonged, which will not solve the debt problem but will at least make it possible to continue the expansion of the BRI, for the time being. Whether countries will eventually default on loans depends on the returns that they will get from the completed BRI projects. The record of early BRI projects is mixed, so far, which should not only worry BRI partners but also Beijing. Therefore, the Corona pandemic has become a make-or-break moment for the BRI.

The Way Ahead

Part of the reason why China initiated the BRI was to maintain high economic growth rates at home by increasing its stake in global value chains and expanding its export markets. Now that Corona has resulted in a drop of GDP (China's economy contracted by 6.8 in the first quarter of 2020), the BRI could become even more important for Beijing's economic strategy to sustain long term growth. The developing world needs foreign investors and loans now more than ever. And, due to Corona, there will be even fewer commercial, as well as public, investors and lenders. China might turn out to be the only country that still has enough reserves to invest in emerging and developing countries. This opens up opportunities to establish new relations with previously skeptical regimes and might force countries to make deals with China simply because there is no alternative at the moment. Corona also offers other opportunities to increase China's standing in the world. Beijing tries very hard to frame itself as a role model for fighting COVID-19 in order to boost its image and deflect from its own failures in the early stage of the outbreak. China was quick to offer medical aid in the form of face

²⁶ Sebastian Horn, Carmen M. Reinhart, and Christoph Trebesch, "China's Overseas Lending," Working Paper 26050 (Cambridge, MA: National Bureau of Economic Research, 2019), <https://doi.org/10.3386/w26050>.

²⁷ Agatha Kratz, Daniel H. Rosen, and Matthew Mingey, "Booster or Brake? COVID and the Belt and Road Initiative," *Rhodium Group*, April 15, 2020, <https://rhg.com/research/booster-or-brake-covid-and-the-belt-and-road-initiative>.

²⁸ Aida Dzhumashova, "Exim Bank of China to Reschedule Debt of Kyrgyzstan," *24.KG*, April 29, 2020, https://24.kg/english/151447_Exim_Bank_of_China_to_reschedule_debt_of_Kyrgyzstan_.

masks, respirators, and teams of doctors. This “mask diplomacy” has already produced foreign policy gains. When the EU started to run low on medical protective equipment and stopped exports outside the EU, the EU candidate country Serbia declared that European solidarity was dead and turned to China for help. This incident has the potential to become a turning point for Serbia's international alignment.

The Corona crisis could also provide new impulses to the concept of a “health silk road,” which has been mostly overlooked, despite being part of the BRI since 2017. China has a good track record of offering development finance for healthcare infrastructure in Asia and Africa. A stronger focus of the BRI on healthcare could help to increase local acceptance for China's global economic expansion amid growing criticism of its “debt trap diplomacy.” The Chinese president Xi Jinping has already started to use the term “health silk road” more often in official conversations. If China turns out to be a major health benefactor during the pandemic, countries that benefit from Chinese aid will have higher trust and be more likely to engage in BRI cooperation. However, it is too early to tell if China can capitalize on the global health crisis. A lot will depend on how good its domestic crisis management is. The faster China's economy recovers, the earlier Beijing can redirect attention and resources to the BRI. The COVID-19 pandemic will, doubtless, be a setback for the BRI, but the next months will decide whether this will be a fatal blow or whether it can evolve into a long-term booster for the BRI along the lines of “what doesn't kill you only makes you stronger.”

What Does This Mean for BRI Countries?

With the future outcome so uncertain, political decision makers in BRI countries are faced with the difficult decision of whether to stick to the BRI and hope for a quick global recovery or to abandon BRI projects in order to minimize losses. The COVID-19 pandemic has deeply altered the cost-benefit calculations of countries participating in the BRI. Projects whose added value was already uncertain before Corona are probably not worth taking further risks anymore. However, some countries are already so heavily invested in the BRI and so deeply indebted to China that they can no longer quit. Other countries might continue to see the BRI as their only chance for economic development. These countries can only try to mitigate the negative effects of the pandemic as best as possible, which is not an easy thing to do because most disruptions have happened on the Chinese side of the arrangement. Trying to increase resilience by multi-lateralizing BRI projects might be an advisable measure. China has already started to be more open to multi-stakeholder projects as the BRI becomes more and more expensive. Given the backlash created by Corona, chances have increased to convince China to give up part of its control over the BRI. Allowing multilateral institutions and foreign banks to finance BRI projects would not only decrease dependency on China and diversify the risks but also increase transparency and, possibly, even have positive effects on efficiency and sustainability. Renegotiating existing

loans can give additional breathing room and, while it is unlikely that China will make substantial financial concessions, it offers the opportunity to renegotiate more domestic sourcing and to involve local companies, thus increasing the positive economic footprint in BRI countries. The odds of talking China into more favorable terms of cooperation have never been better because the BRI has become both too important in foreign policy terms and too big in economic terms for it to fail.

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The Western Balkan Countries in the Face of the Covid-19 Pandemic: Policy Recommendations

Study Group Regional Stability in South East Europe

Partnership for Peace Consortium of Defense Academies and Security Studies Institutes, <https://pfp-consortium.org/>

Abstract: These policy recommendations reflect the findings of the First Virtual Meeting on “The Western Balkan Countries in the Face of the COVID-19 Pandemic,” convened by the PFP Consortium Study Group “Regional Stability in Southeast Europe,” 28 May 2020. The article includes a number of tangible suggestions for Western Balkan governments, as well as for the EU, EU member states and NATO decision-makers on how to confront the coronavirus and security-related challenges in Southeast Europe.

Keywords: COVID-19, situation analysis, policy recommendations, Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia

Executive Summary of Recommendations ¹:

- *Western Balkan (WB) governments and EU:* Health systems should be supported with funds from the EU’s announced €3.3 billion support package and other Western sources.

¹ These policy recommendations were prepared by Predrag Jureković (Austrian National Defence Academy, Vienna) on the basis of proposals submitted by the webinar participants. Valuable support in proofreading and layouting came from Benedikt Hensellek and Lisa Tagwercher (Austrian National Defence Academy, Vienna). The participants of this webinar were (in alphabetical order): Milena Bešić (Center for Democracy and Human Rights, Podgorica), Alba Cela (Albanian Institute for International Studies, Tirana), Filip Ejduš (University of Belgrade), Benedikt Hensellek, Predrag Jureković, Sandro Knezović (Institute for Development and International Relations, Zagreb), Magdalena Lembovska (Eurothink, Skopje), Lulzim Peci (The Kosovar Institute for Policy Research and Development, Prishtina/Priština), Djordje Popović (Belgrade

- *WB gov.*: Public funds dedicated to the crisis to be used transparently and any opportunities for corruption to be curtailed.
- *WB gov., EU and Regional Cooperation Council (RCC)*: The less nationalistic regional climate should be used as a starting point for structured regional cooperation in the fight against the pandemic, which should also be promoted by the EU Commission and the RCC in Sarajevo.
- *WB gov.*: The clear separation of executive and legislative powers should be restored. Decisions by the constitutional courts relating to COVID-19 measures should be implemented and the monitoring role of ombudspersons and NGOs respected.
- *EU and other international stakeholders*: The independence of the judiciary should be further strengthened, with special attention given to the use of public funds during the crisis. Any misuse of public funds by politicians during the crisis should be publicly condemned, as should any other individuals involved.
- *EU and OSCE*: Election monitoring should be intensified as well as the commitment to free media coverage in light of upcoming parliamentary or local elections.
- *EU Special Representative (EUSR) for the WB*: The EUSR should engage proactively in order to demonstrate a serious interest in the region's democratic development and to contribute to constructive conflict resolution within and between the individual WB countries.
- *EU*: A more accountable and dynamic integration policy vis-à-vis the entire WB should be started. A visa-free regime should be granted to Kosovo without further delay.
- *EU*: Contradictory signals within the EU on important issues of peace consolidation should be avoided (e.g., Josep Borrell and Miroslav Lajčák on Kosovo).
- *EU and US*: A clear common EU-US line on the Belgrade-Prishtina/Priština dialogue and other core topics of regional consolidation should be restated.

Situation Analysis

Despite a moderate course of COVID-19 in the WB to date, the epidemic has revealed blatant weaknesses in the resilience of regional health systems. The crisis showed that there is a severe shortage of medical protective equipment and equipment for intensive care in the region. In both areas, there is a high degree of dependence on foreign actors. There was a lack of preventive plans and measures concerning a pandemic. In view of the low resilience of the healthcare systems, a moderate course of COVID-19 in the WB could only be achieved

Fund for Political Excellence), Denisa Sarajlić (Independent Consultant, Sarajevo) and Marcel Szalai (PfP Consortium Operations Staff, Garmisch-Partenkirchen).

through rigorous curfews. They were based on partly authoritarian and non-transparent decisions of politicians, bypassing parliaments and their constitutional rights.

For example, a state of emergency in Serbia was proclaimed in an unconstitutional way with the false claim that parliament was not able to meet. The rule of law and separation of powers were almost completely abolished in most of the WB countries during the peak of the crisis. According to regional Think Tanks and human rights organizations, this was followed by many examples of human rights violations – such as a disproportional limitation of the freedom of movement, violation of media freedoms, and of the right to a fair trial. Even though the rigorous measures were eased again from May onwards, there is concern that authoritarian structures could remain in force after the end of COVID-19. The pandemic is therefore expected to further lower democratic standards in the parliamentary or local elections planned for this year in Bosnia and Herzegovina (BiH), Montenegro, Serbia, and North Macedonia.

However, similar to what happened during natural disasters, the WB states have shown during the pandemic that they are fundamentally capable of putting aside nationalistic antagonisms during crises. An encouraging sign in this respect was the cooperation between medical institutions from Serbia and Kosovo during the peak of the Corona crisis. The pandemic should not be used as an excuse to further delay the EU enlargement process. Thus, the EU's "green light," received by Albania and North Macedonia at the end of March, concerning a start to negotiations on membership, and the appointment of a special EU envoy for the WB should be utilized to make the integration process more dynamic and to re-strengthen ties between the WB and the EU.

Otherwise, multi-vectoral influences (Russia, and especially China) on the WB with possible negative influences on regional consolidation could increase still further. Against all empirical facts, the Serbian leadership presented China as the main international supporter during the Corona crisis, despite the EU's 3.3 billion euro support package for the WB. Another factor is the absence of a joint EU-US strategy *vis-à-vis* important consolidation issues, such as the normalization of relations between Serbia and Kosovo.

Policy Recommendations

With reference to Albania

- *Albanian gov.*: Investments should be made to keep the medical staff in the country. The measures should go beyond simple pay rises.
- *Albanian gov.*: In the light of a possible new pandemic, the regulations pertaining to the crisis should be made fully coherent and transparent in order to prevent confusion and ensure compliance.
- *Donors*: As Albania is among the five poorest countries in Europe, it should be assisted with medical and personal protective equipment, training, and all other forms of medical assistance.

- *Albanian gov.*: Authoritarian and non-transparent measures should be refrained from, e.g., the illegal demolition of the National Theatre and the disproportionate use of force by parts of the police against protesters.
- *Albanian political parties*: Ways should be found to generate bipartisan consensus for electoral reform, which is the main condition for the intergovernmental conference with the EU (without which the “green light” for negotiations means nothing).
- *Albanian gov. and opposition*: The pandemic and the concomitant measures should not be used as an excuse for the continued absence of a Constitutional Court and a working High Court.

With reference to BiH

- *BiH Council of Ministers*: A more robust role in determining policies during the pandemic should be assumed; there should be coordinating efforts with lower-level authorities and international institutions. Given a possible second pandemic wave, state-level coordination should be provided to harmonize measures in each state entity and the Brčko District.
- *Parliamentary Assembly of BiH*: A subordinate role during the pandemic should not be accepted. There should, therefore, be continuous sessions throughout the crisis and meetings on a regular basis.
- *BiH institutions*: The existing plan on reacting to the pandemic in BiH should be revised and updated, based on the experiences during the current COVID-19 crisis. The plan needs to include specific coordination and communication measures in order to avoid confusion and lack of clarity.
- *BiH institutions*: Mechanisms to fight corruption should be strengthened, especially regarding public procurement. The cases of corruption, which have arisen during the pandemic, should be processed as efficiently and as effectively as possible in order to restore public trust in institutions.
- *BiH institutions*: Measures designed to minimize any danger to public health should be applied consistently and without exceptions, as was the case with some religious institutions during the pandemic.
- *Entity authorities*: Recommendations of the Constitutional Court of BiH (Decision AP 1217/20, 22 April 2020) should be taken into account in determining future measures that limit freedom of movement in case a state of emergency needs to be declared again.²
- *BiH institutions*: An environment conducive to free media in line with basic democratic principles should be created. In this respect, the recommenda-

² The Constitutional Court concluded that there had been a violation of the Freedom of Movement under Article II(3)(m) of the Constitution of Bosnia and Herzegovina and Article 2 of Protocol No. 4 to the European Convention for the Protection of Human Rights and Fundamental Freedoms in relation to the prohibition of movement of persons under 18 years and over 65 of age on the territory of the Federation of BiH.

tions of the Human Rights Ombudsman of BiH on protecting the health of journalists should be considered.

- *BiH institutions*: Clear (written) guidance in cooperation with the Personal Data Protection Agency in BiH on the use of personal data during crises should be provided.
- *BiH institutions*: The measures for the organization of local elections in November 2020 should be adapted and the necessary funding provided. Free election campaigns and equal access to the public as defined by the Electoral Law need to be guaranteed.
- *Civil Society*: Following the pandemic, the economic and financial needs and priorities of the most vulnerable parts of the population should be determined.
- *Civil Society*: A more dynamic watchdog function during crises should be assumed, especially in regard to cases of corruption and also for the purpose of preventing human rights violations.

With reference to Kosovo

- *EU*: Conflicting signals within the Union on the contradictory topic of a territorial exchange between Kosovo and Serbia should be avoided, as these produce political insecurity and increase tensions in the region.
- *EU*: Visa-free regime should be granted to Kosovo without further delay.
- *EU/US*: The clear common EU-US line on the Belgrade-Prishtina/Priština dialogue should be restated.

With reference to Montenegro

- *Montenegrin institutions*: The role of parliament in scrutinizing government action should be re-strengthened and control re-exerted, in particular concerning human rights issues.
- *Montenegrin institutions*: A faster response of the Supreme Court is required regarding the contentious issue whether the governmental decisions made during Covid-19 are constitutional. This, in particular, concerns the detention of persons during the limitation of freedom of movement.
- *Montenegrin institutions*: In accordance with their jurisdiction, the Ombudspersons should use their position more proactively in the pandemic and post-pandemic period for the protection and promotion of human rights and freedoms.
- *Montenegrin institutions*: The primacy of international law over national laws should be respected, including decisions of the European Court of Human Rights, especially in the field of data protection and privacy.
- *Montenegrin institutions*: Participatory and transparent disaster response strategies should be developed. This should include close cooperation with Civil Society Organizations and the development of digital platforms to make

governmental services more accessible. Vulnerable groups, in particular, need proactive information, economic, and social support.

- *EU/OSCE*: Violations of data protection as well as privacy rights and of democratic principles should be monitored more closely.
- *EU*: The implementation of recommendations on improving the health care system in Montenegro as provided by the non-profit organization ECRI and the recommendations made by the EU Commission in its Montenegro report should be supported.

With reference to North Macedonia

- *Parliament of North Macedonia*: Given the fact that a significant percentage of the governmental decrees were not directly linked with the pandemic and that many of them were judged unconstitutional, the government's decrees should be revised.
- *Institutions of North Macedonia*: Parliamentary elections should only be conducted when there is a minimal risk to public health. All political actors should refrain from using the Covid-19 pandemic for political purposes and should seek a constructive role in dealing with the crisis.
- *Institutions of North Macedonia*: An open discussion concerning the limits put on the European Convention on Human Rights during the peak of the Corona crisis in North Macedonia should be conducted.
- *Institutions of North Macedonia*: The experience with Covid-19 should be used to revise the crisis management system in order to establish an efficient and professional system with clear obligations, responsibilities, and information flow between the institutions involved, as well as protocols and standard operating procedures.
- *Institutions of North Macedonia*: Investments should be made in medical supplies, equipment, and medical staff, as well as in digital tools for schools.
- *EU/Gov. of North Macedonia*: The negotiation process with North Macedonia about membership should be started as soon as possible. The government of the candidate country should stay fully committed to European standards, the rule of law and the respect for human rights and freedoms, even in times of crises.

With reference to Serbia

- *Political leadership of Serbia*: The political leadership should clearly restate that the main foreign policy goal is EU membership. Signals, such as emphasizing other power centers (e.g., China and Russia) during the Corona crisis should be avoided. Domestic and external policies should be aligned with this clear EU orientation.
- *EU Commission*: Given that Serbia is defined as an "illiberal democracy" by Freedom House, there should be much greater involvement in questions

pertaining to democracy. Statements should be made vis-à-vis the Serbian leadership that EU membership is not possible for a semi-authoritarian state.

- *EU Commission*: The demand should be made that the separation of powers must be reinstated immediately, that the freedom of the media must be respected, and that crime and corruption should be reduced to socially acceptable levels.
- *EU/OSCE*: Substantial engagement with international observers should be shown during the upcoming parliamentary elections, which, given the Corona crisis and semi-authoritarian conditions, will not be fair.
- *Serbian gov./Kosovar gov.*: The political dialogue should be continued as soon as possible. Unilateral moves which do not contribute to a sustainable agreement should be avoided. All capacities of both societies should be used in these negotiations in order to avoid an agreement that has to be imposed on citizens on both sides.
- *EU/US*: A unified trans-Atlantic voice should be found again, which is crucial to achieving a final agreement on the full normalization of relations between Belgrade and Prishtina/Priština. Furthermore, both sides should be offered a clear path leading to full EU membership as well as help to overcome antagonism.

With reference to all WB countries

- *WB gov., EU, and RCC*: A regional approach towards addressing the Covid-19 pandemics should be adopted, especially in medical cooperation, common rules regarding travel for business, tourism, and other purposes.

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COVID-19 caught most international security academics by surprise. Initial articles featured the role of China and Russia in the pandemic. As of April 2020, Marshall Center faculty members and befriended academics of the Partnership for Peace Consortium started to write how Beijing and Moscow were trolling Europe's public with disinformation, propagandistic aid campaigns, and winkingly promoting authoritarian ways as superior to western models in handling a crisis. However, they also added papers on the virus's impact on specific regions, i.e., the European Union, the Balkans, or Central Asia. Some writers discussed the legitimate use of tools to control the pandemic in the national domain; other works revisited pre-coronavirus topics such as terrorism.

This special edition of Connections illustrates what ten acknowledged experts considered important and worth of observation regarding the impact of the virus on international relations.

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