

PROCEEDINGS

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SECURITY CHALLENGES DURING COVID-19: LESSONS LEARNED AND PERSPECTIVES

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Tallinn 2021

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Submission Contact

- Postal address:* Estonian Academy of Security Sciences
Kase 61, 12012 Tallinn
Estonia
- E-mail:* teadusinfo@sisekaitse.ee

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FOREWORD

Vladimir Sazonov,
editor-in-chief

Triin Piip,
executive editor

It is our great pleasure to introduce the current and twentieth issue of the *Proceedings of the Estonian Academy of Security Sciences*. The Proceedings publish articles and studies which are predominantly focused on modern relevant security issues, questions and challenges with an emphasis on internal security. In this new issue, entitled “Security challenges during COVID-19: lessons learned and perspectives” are published eight articles written by different authors from Estonia, Poland and Hungary, concentrating on several actual aspects of security (threats and challenges among them) in addition to other relevant topics related to internal and international security questions in the context of COVID-19.

In 2020 the global spread of the COVID-19 disease, originating in China in late 2019, became a new reality. In this new reality, all mankind has been faced with many new challenges, issues and threats, which may affect whole spheres of life with the potential to harm the security environment. Therefore, COVID-19 essentially became our biggest challenge since WWII (Business Standard, 2020).

There are several opportunist forces, states and challengers of security who tried to use COVID-19 as a tool for furthering their agendas, China, Russian, and Iran are among others who sees in COVID-19 an opportunity. The era of COVID-19 revealed several vulnerabilities in various crucial spheres of our life: healthcare, economy, security, society, politics, culture etc.

During the crisis it became obvious that the world was ill-prepared to deal with such an unconventional and near-unprecedented security threat like the spread of COVID-19, and it has been proven that open liberal and democratic societies of the Western world are particularly vulnerable, being influenced more by popular opinion that puts pressure on elected politicians who should consider those fear and insecurity-inducing trends in their decision-making process (Mölder, Sazonov, 2020).

One challenger of security architecture (especially in Europe) is, of course, the Russian Federation whose ambitious plan to re-establish Russian hegemony globally and harm or destroy current world order and security architecture. For that reason, the Kremlin is using several tools of influence in Europe (Karlsen, 2019) – among them political influence, blackmail, espionage, disinformation campaigns, bribery, cyber-crimes, several elements of soft power and other elements of hybrid warfare (Tsybulenko, Kajander, 2021). One of the most influential tools of hybrid warfare is, of course, information and cyber warfare in which Russia and China and some other actors have an enormous amount of experience in. Even before the pandemic of COVID-19, the main narratives of Russia in its information activity against Western democracies were the undermining of Western political, social and military institutions (EU, NATO, etc.), and disseminating messages about the economic failure of the Baltic countries, its weakness and dependence on the EU. Also, Russophobia is one of the widespread topics of Russian informational pressure which the Kremlin uses against West and Baltic states in particular (Darczewska, Zochowski, 2015). For decades, Russia has been promoting Russophobia in both domestic and foreign policy with the purpose to create mistrust and tensions in societies in Baltic States and Ukraine and everywhere where significant Russophobe diaspora is presented. This popular propaganda narrative about the oppression of the Russian-speaking community in the Baltic States, in Ukraine and in some other countries argues that as though the local Russian-speaking people are hated, they are deprived

of many rights, and so on. Nevertheless, the topic of Russophobia has received a new development in the context of the COVID-19 pandemic (see e.g., Nikolayev, 2020), among them, narratives about declining and collapsing EU because of COVID-19 (Baltnews.ee, 2020).

Both China and Russia are using COVID-19 as a tool for influence (Latvijas Radio, 2020). Another issue is “vaccine wars” which are exploited and supported by such revisionist powers as China, Russia and some others. For example, pro-Kremlin propaganda spreads messages and stories that Sputnik-V is the most effective vaccine among others, but at the same time it has become the reason for the growth of Russophobia in Western countries. One of the key messages of the pro-Kremlin propaganda is that the Sputnik-V vaccine allegedly helps to fight the coronavirus in many countries in the world (especially in the West) and successfully, and several European countries are already switching to Sputnik-V, purchasing it in large quantities, while the United States of America does not want to share its vaccines with other countries until they complete the vaccination course in their own country.

There were also disseminated rumors and stories in some pro-Russian media channels that many people in Europe were being interviewed about being vaccinated with Sputnik-V in different countries, and many of them were very positive about the Russian vaccine Sputnik-V.

Another dangerous challenger of the security environment is China with its growing ambitions and influence activities not only in the South and Eastern Asia region, but also more globally. China uses espionage, economic and political tools, and massive influence operations oriented on Western and other audiences. Western democracies are targets of Chinese hybrid warfare (Rough, 2020).

In the 21st century, it will prove difficult to be a successful country without knowing what is happening in Asia. There are several technologically developed Asian states that may even be ahead of the development of e-Estonia. For example, South Korea, Taiwan, and Singapore are worth mentioning, but Japan is certainly a phenomenon, which has skipped certain stages of e-development and focused directly on the development of robots. However, it is worth remembering that there are also many poor and underdeveloped countries in the Asia region. Certainly, China

is reassessing its position and role in the context of the global pandemic and the COVID-19 crisis, and the theoretical loss of influence will rather force their hand to take aggressive action. For example, China's reluctance to allow the interference of WHO specialists, international cooperation or agreements with the People's Republic (Koort, Piip, 2021).

The current 20th volume of Proceedings, which consists of different interdisciplinary studies, begins with an article of **risks of corruption in the healthcare and pharmaceutical sector and the impact of a pandemic**. In the publication, written by **Mati Ombler**, the COVID-19 pandemic, the risks of corruption in the healthcare and pharmaceutical sectors, and the opportunities for selfish and criminal behavior triggered by the viral disease are selected as research phenomena. The article seeks answers to the following questions on a global level: will the incentives for dishonesty in the healthcare sector increase during the pandemic period; if so, what kind of consequences will it have; and what measures could mitigate the extent and opportunities of dishonesty. The article seeks to demonstrate, through the nature and extent of corruption, the ability of a pandemic as a value space tester to outperform anti-corruption capabilities. It is concluded that the pandemic will exacerbate the emergence of unfair practices in the healthcare and pharmaceutical sectors and pose major challenges for countries in ensuring the legitimate use of public funds. The proposals made will help societies to be more responsive and effective in combating unfair practices.

Grzegorz Kozłowski discusses in his publication **Poland's defence expenditures in the NATO financial framework**. The objective of his article is to provide an analysis of Poland's policy on defence expenditures in the context of the NATO financial framework. Poland is among only eleven Allies which meet these requirements, having a well-established bipartisan approach to gradually increase domestic defence spending to at least 2.5% by 2030. That policy is not going to change even in the context of economic recession due to COVID-19 or any potential external changes in the security environment. Such an attitude should help maintain Poland's position as one of the NATO beneficiaries, receiving not only security – as can be indicated through burden-sharing analysis – but also economic (military infrastructure projects through NATO Security Investment Programme) benefits.

The third publication of this issue is written by **Zdzislaw Sliwa**, who analyses **Russian private military companies' (PMCs) operations in Syria** in the context of national legislation and as a tool exploited by the state. The article allows distinguishing if those PMCs are used in Syria for the benefit of Russian political and economy reasons, even though they are not acknowledged according to Russian law. The publication utilises qualitative research as case study method, comparative studies, and desk research from existing resources and available online sources.

The following article concerns **the issues on reforming the penitentiary systems in the context of COVID-19**. The author **Peter Ruzsonyi** describes and analyses the typical causes of both the original pre-existing and ongoing crisis of the prison systems and the new health crisis, then proposes measures to improve the situation. The proposals are based on the positive experiences in Hungary.

The current issue of Proceedings is characterised by a variety of sub-topics, and it is exceptional that so many of our female colleagues from the Estonian Academy of Security Sciences have contributed. In the article about **students' perception of content and language integrated learning (CLIL) practice at the Estonian Academy of Security Sciences (EASS)**, **Elen Laanemaa** and **Aida Hatšaturjan** examine how the content and language integrated learning practices are accepted by the students of the EASS. The main findings are based on a qualitative analysis of the questionnaire survey conducted by the authors from 2018 until 2020 at EASS. The study reveals essential aspects necessary to improve the quality of content and integrated lessons. The results of the research are presumably of interest to Internal Security education and other professional higher educational institutions that practice content and language integrated learning.

The sixth article, written by **Oksana Belova-Dalton**, describes **the spread of fake news and conspiracy theories leading to potential radicalisation during COVID-19 pandemic**. Oksana is focusing on the proliferation of fake news and conspiracy theories during the COVID-19 pandemic, leading to the potential radicalisation of (vulnerable) people. Estonia is part of the global information space, and pandemic-related fake news, together with conspiracy theories proliferating around the world, quickly find their way into the Estonian context. One of the channels covering

and supporting them in Estonia is website Telegram.ee. Critical discourse analysis of Telegram texts shows that Telegram constructs the Estonian government as deeply autocratic and as the absolute enemy of the Estonian people and makes indirect calls for the people to defy it. This can contribute to possible radicalisation of people, shifting their loyalty away from the Estonian state.

The penultimate article, written by **Epp Jalakas**, focuses on **changes in police cadets' physical activity and strength abilities during pandemic restrictions**. In this article the focus is on future police officers' regular physical activity and strength abilities during COVID-19 restrictions to monitor gym equipment-based tests results. In addition to periodical police work, COVID-19 caused long periods of distance learning and restrictions in the use of sports facilities. Thus, police cadets had insufficient accessibility to gyms which might have affected their physical activity and reduce strength abilities.

And last, but not least, Ülle Vanaisak brings to readers **the expectations of the inspectors of Tallinn Municipal Police Department to increase their rights in performing state supervision**. The aim of the study was to specify what state supervision measures and means of direct coercion are needed by law enforcement officials of Tallinn Municipal Police Department (*MUPO*). That is also the case in a virus crisis, during which police assistance cannot always be relied on. The analysis of the surveys showed that MUPO inspectors have the capabilities and desire to contribute more effectively to the protection of public order in the most populous city in Estonia.

We hope to offer you both the joy of recognition and new knowledge in the form of the following eight distinctively interesting articles.

REFERENCES AND SOURCES

- Baltnews 2020. “Развал Евросоюза – чьи-то мечты или неизбежное продолжение пандемии коронавируса?,” Baltnews.ee, 15.05.2020, https://baltnews.ee/mir_novosti/20200515/1018553399/Razval-Evrosoyuza--chi-to-mechty-ili-neizbezhnoe-prodolzheniepandemii-koronavirusa.html/ (last visit 28.09.2021)
- Business Standard 2020. Covid pandemic biggest challenge facing the world since WW-II: Modi at G20. Business Standard, 21.11.2020 https://www.business-standard.com/article/economy-policy/covid-pandemic-biggest-challenge-facing-the-world-since-ww-ii-modi-at-g20-120112100932_1.html (last visit 28.09.2021)
- Darczewska, J., Żochowski, P., “Russophobia in the Kremlin’s Strategy. A Weapon of Mass Destruction,” Point of View. Centre of East European Studies, 2015, No. 56.
- Karlsen, G. H. 2019. Divide and rule: ten lessons about Russian political influence activities in Europe, Palgrave Communication 5 (19), 1–14.
- Koort, E., Piip, T. 2020. “Hiina mõju Eesti turvalisusele ja julgeolekule”, https://digiriitl.sisekaitse.ee/bitstream/handle/123456789/2708/2021%2003%20hiina_FIN.PDF?sequence=1&isAllowed=y (last visit 12.10.2021)
- Latvijas Radio 2020. Stratcom Director: China and Russia Top Covid-19 Disinformation Sources”, Latvijas Radio 9.04.2020, https://eng.lsm.lv/article/society/defense/stratcom-director-china-and-russia-top-covid-19-disinformation-sources.a355222/?fbclid=IwAR0D0JzY_6e11aVB1098BGs897O3SQfM16ISmgWoxm8jisKNQVTXWfwpTBU (last visit 28.09.2021)
- Mölder, H.; Sazonov, V. 2020. The Kremlin’s Strategic Narratives on the Baltic States During the COVID-19 Crisis. Bellona Quarterly 4, 35–54.
- Nikolayev 2020 = Николаев, Н., “Коронавирус головного мозга: русофобов Эстонии Оскорбила помощь Москвы,” RadioSputnik, 11.04.2020, <https://radiosputnik.ria.ru/20200411/1569849152.html/> (last visit 28.09.2021)
- Rough, P., 2020 “How China is Exploiting the Coronavirus to Weaken Democracies,” Foreign Policy, 25.03.2020, <https://foreignpolicy.com/2020/03/25/china-coronavirus-propaganda-weakens-western-democracies/> (last visit 28.09.2021)
- Tsybulenko, E.; Kajander, A. 2021. The Hybrid Arsenal of Russia’s War against the Democratic World. In: Mölder, H. et al. (Ed.). The Russian Federation in the Global Knowledge Warfare: Influence Operations in Europe and Its Neighborhood. Cham: Springer, 173–194



RISKS OF CORRUPTION IN THE HEALTHCARE AND PHARMACEUTICAL SECTOR AND THE IMPACT OF A PANDEMIC

Mati Ombler, MA

Estonian Ministry of the Interior

Advisor

*Former Head of Corruption Crime Bureau
of Estonian National Criminal Police (2011-2021)*

Keywords: corruption, healthcare, pharmaceutical, prevention, COVID-19

ABSTRACT

Numerous efforts have been made in recent decades to reduce corruption in the healthcare and pharmaceutical sectors around the world, and despite the resources invested in the fight against corruption, humanity cannot be satisfied with what has been achieved thus far. The ability to prevent dishonesty is tested by various incentives or changes in society that can lead to corrupt behavior. In this article, the COVID-19 pandemic, the risks of corruption in the healthcare and pharmaceutical sectors, and the opportunities for selfish and criminal behavior triggered by the viral disease are selected as research phenomena. The article seeks answers to the following questions on the global level: will the incentives for dishonesty in the healthcare sector increase during the pandemic period; if so, what kind of consequences will it have; and what measures could mitigate the extent and opportunities of dishonesty? The article seeks to demonstrate, through the nature and extent of corruption, the ability of a pandemic as a value space tester to outperform anti-corruption capabilities. It is concluded that the pandemic will exacerbate the emergence of unfair practices in the healthcare and pharmaceutical sectors and pose major challenges for countries in ensuring the legitimate use of public funds. The proposals made will help societies to be more responsive and effective in combating unfair practices. The article suggests further research, where the focus would be on more suitable use of public funds with the effectiveness of national vaccination plans, the relaxation of control measures for procurement and its consequences on an international level and the targeted use of resources to combat a pandemic.

INTRODUCTION

The article provides an overview of the nature of corruption, addresses the drivers of corruption, risks in the healthcare and pharmaceutical sector, the changes and impacts associated with a pandemic, and outlines proposals for more effective mitigation of risks. For an overview of the article, the author has researched the scientific literature on the risks of fraud and corruption in the healthcare and pharmaceutical sectors. Regarding case descriptions and risk mapping, the author has used web searches and information published on the websites of various international organisations. Over the years, various organisations all over the world have made numerous proposals to mitigate the risks of fraud and corruption, but they have often been treated with excessive superficiality or only limited momentary attention, resulting in a problem that requires constant monitoring before reverting to a supranational headache. Therefore, incentives for corruption should be thoroughly analysed and assess what occurs during a pandemic, finding new ways to reduce fraud and corruption on both a domestic and international level. The treatment of data to be analysed, mapped and formulated as proposals is necessary to make changes in the healthcare and pharmaceutical sector and for empowering state activities in future similar cases. The article seeks answers to the following questions on a global scale: will the incentives for dishonesty increase during the pandemic period; if so, what kind of consequences will it have; what measures could alleviate the extent and opportunities for dishonesty? As corruption is essentially being wilfully unaware of the borders, this article seeks to answer questions from a global perspective that relate to dishonesty and furthermore describe the extent of the problem with case examples from across the globe, where there is sometimes a need to tackle corruption with international cooperation from Europol and Interpol.

Corruption has been a problem for humanity for millennia (Barrett, 1990, p. 228; Holmes, 2015, p. 1) and over time, there are those who reap the benefits and enrich themselves at the expense of others (Mungiu-Pippidi, 2017, p. 1). Corruption cannot be entirely eradicated (Hough, 2013, p. 1; Holmes, 2015, p. 89), but it can be controlled to some extent and in order

to better understand corruption, its extent, causes, various forms and consequences should be studied (Majila, et al., 2014, p. 221).

Despite the concept of corruption changing fluidly over the centuries, dishonesty in this context is predominantly associated with inappropriate conduct by an official (Rose-Ackerman & Palifka, 2016, pp. 7-9). Nye (1967, p. 419) defined the nature of corruption as a conduct that deviates from traditional responsibilities in the performance of a public function that favours oneself or members of family and close associations in search of financial or status benefits obtained through bribery, nepotism, or foreign property as a private interest. The European Commission (2014, p. 37) and the World Bank (1997, p. 8) define corrupt practices as “abuse of public office for personal gain”, broadened further by Transparency International (2009, p. 14), which also focuses on developments in the private sector, and considers corruption “abuse of entrusted power for personal gain”.

Corruption has been described by James Wolfensohn (2005a, p. 50; 2005b, p. 140) as the “greatest eroding factor in the earth and a cancer”, Jim Yong Kim as “public enemy No. 1” (Reuters, 2013), David Cameron (WSJ, 2014) as “the main enemy of democracy and development” and Kersti Kaljulaid (Vabariigi President, 2021) emphasised in her speech on the country’s Independence Day that “corruption paralyses development.”

One of the reasons why corruption needs to be curbed is its scale. While in 2014 it was found that corruption costs the European economy around €120 billion a year (European Commission, 2014, p. 3), 2 years later the damage was estimated to have increased to €179-999 billion (European Parliament, 2016, p. 9). Analyses show that EU countries would collect €323 billion per year more in tax collection in Europe if they were able to control corruption at the Danish level (Mungiu-Pippidi & Kukutschka, 2013, p. 19). In 2018, corruption is estimated to have cost the world \$3.6 trillion a year, of which \$1 trillion (Kaufmann, 2005, p. 96; IMF, 2016, p. 5) is paid in bribes and a further \$2.6 trillion is stolen (UN News, 2018). In many countries, 15-30% of GDP is spent on public procurement every year, but the rise in the price of services and goods due to corruption can increase the cost of procurement by 10-25% (UNODC, 2013, p. 1), costing Europe €5 billion (European Parliament, 2016, p. 9).

In 2017, more than 80% of the world's population lived in a country where there are serious problems with corruption (Sartor & Beamish, 2019, p. 1). Corruption exists in all forms and at all levels of government (Caiden, 1988, p. 6) and cripples the income of the poor (Gupta, et al., 1998, p. 29), increases the value of transactions (Lambsdorff, 2000, p. 238), reduces productivity (Lambsdorff, 2003a, p. 459), discourages investment (Mauro, 1997, p. 93; Lambsdorff, 2003b, p. 240) and accelerates environmental pollution (Cole, 2007, p. 637).

The UN Convention against Corruption, ratified by 187 countries (UNODC, 2020a), includes a list of prohibited corrupt practices: bribery of domestic and foreign officials; misappropriation, embezzlement; trading of influence; abuse of office; illicit enrichment; money laundering; bribery and embezzlement of property in the private sector (UN General Assembly, 2003), all of which are criminalised in most countries (Kerusauskaitė, 2018, pp. 19-21).

In countries where corruption is most prevalent, people are reluctant to act honestly because they have no incentive to fight against corruption (Mauro, 2004, p. 1), believing that a change in an individual's behavior will not facilitate a major or lasting change (Persson, et al., 2012, p. 263). With the increase in the spread of dishonesty, a cyclical process is created where corruption promotes inequality, which then promotes corruption ultimately leading to inequality (Kerusauskaitė, 2018, p. 68).

The exact nature, extent and impact of corruption largely depends on the surrounding environment (Sindzingre & Milelli, 2010, p. 11; Li, 2019, p. 5).

As no country or institution is fully protected from unfair practices and the level of protection is related to the measures in place and the capacity to mitigate risks, the problem of corruption can be modeled globally on all countries, organisations and institutions. These subjects only need to analyse the situation in their environment and field of activity and act accordingly. Corruption has not been effectively brought under control and therefore incentives for dishonesty will be further analysed.

1. INCENTIVES FOR CORRUPTION

This chapter discusses the drivers of corruption. Understanding and taking them into account when making changes would lead to better results in reducing corruption.

There are various reasons for corruption. According to Kregar (1994, pp. 47-60), corruption is a set of causes that complement each other and occur simultaneously. Meon & Sekkat (2003, p. 70) characterise corruption using the “grease the wheel” theory, in which bribery can prevent problems and provide service (Persson, et al., 2012, p. 260; Li, 2019, p. 29), the usual receipt of which would have dragged on into ignorance due to poor quality or bureaucracy. Corruption as a trigger can offer a solution to a desired one-time goal by bribing an official (Nye, 1967, pp. 424-427; Leff, 1964, p. 10; Lui, 1985, p. 778), while leaving the general situation of dishonesty unchanged and generating new corruption (Aidt, 2009, p. 4). According to the alternative theory of “sand the wheels”, an official may obstruct or suspend processes in order to obtain a bribe (Meon & Sekkat, 2003, p. 73). Corruption is distinguished by Bauhr (2017, pp. 562-564) from two perspectives, where: (a) greed-driven corruption aims to achieve special advantages or conditions; (b) need-driven corruption stems from the need to obtain fair treatment and access to the public service.

A person can calculate cost-benefit when deciding whether or not to engage in corrupt practices (Groenendijk, 1997, p. 213), whereas it is not only the risk of getting punished, material gain, power and prestige, but also the question of reputation that may be the decisive factor (Laffont & Martimort, 2002, p. 306) and, in addition, decision-making is influenced by culture and traditions (Kubbe, 2014, pp. 16-17). Corruption creates a desire to self-relocate resources and reduce public subsidies for health and primary education (Chetwynd, et al., 2004, pp. 3-4; Li, 2019, p. 9). Higher levels of inequality (Jong-Sung & Khagram, 2005, p. 154) lower people’s trust in the public sector, which in turn encourages corruption (Marquette & Peiffer, 2015, p. 7; Habibov, et al., 2019, p. 1).

Corruption prevails, where: transparency is poor, public sector and financial management capacity is low, public decision-making is guided by

the political interests of those in power (Hussmann, 2011, p. 7), there is a weak organisational culture and frequent use of influence (Klitgaard, 1988, p. 79; European Economic and Social Committee, 2015, p. 8) and fragile rule of law (Mackey, et al., 2017, p. 1; Transparency International, 2021a). Inadequate assessment of bribery risk, lack of responsible management, low awareness of employees, lack of support for whistleblowers and insufficient internal audit capabilities contribute to the occurrence of corrupt manifestations in the organisation (CRI Group, 2018, p. 35). According to Klitgaard's (1988, pp. 74-75) theory, illegal activities occur more often in an organisation when an official has a monopoly decision-making power over people and, due to a lack of accountability, can enjoy unlimited decisive freedom.

Huther & Shah (2000, p. 8) note that officials may engage in corrupt behaviour because they believe that: (a) their careers benefit from corrupt practices; (b) corrupt behaviour functions as a form of insurance in an uncertain and unstable political environment; (c) their corrupt practices and benefits are inconsequential in comparison to the fraud of heads of state. Vian (2008, p. 86) adds that officials are under pressure due to lack of finances or the client and they either rationalise or justify their actions. Officials may also be forced to act dishonestly in certain situations when such a situation is caused by political or social pressure (Hussmann, 2011, p. 9), which is why dishonest officials increase the number of controlled processes to ask for money at every step and stage (Li, 2019, p. 7-8).

In short, the reasons for dishonesty may be due to necessity, greed, securing one's position, selfishness, general practice or ignorance among many other reasons. By better understanding the nature and causes of corruption in a particular environment, it is possible to come up with effective solutions to combat incentives that create dishonesty (Ombler, 2020, p. 19). Incentives for corrupt behavior are summarised in Table 1.

Table 1. Potential incentive of corrupt practices (Bauhr, 2017; CRI Group, 2018; European Economic and Social Committee, 2015; Gupta, et al., 1998; Hough, 2013; Hussmann, 2011; Huther & Shah, 2000; Kerasauskaite, 2018; Klitgaard, 1988; Kubbe, 2014; Lambsdorff, 2000; Li, 2019; Mackey, et al., 2017; Marquette & Peiffer, 2015; Mauro, 1995; Nye, 1967; Vian, 2008; Transparency International, 2021a; compiled by the author)

Incentives for corrupt behavior		
Workplace based	People based	Society based
<ul style="list-style-type: none"> • customer pressure • disagreements among staff • dishonesty or indifference of leadership • frequent use of influence • great discretion • immunity from office • lack of codes of conduct, ethical guidelines • lack of control • lack of supervision • lack of responsibility • low accountability • low salary • monopolised power • opacity in decision-making • persecution of whistle blowers • unjustified inequalities • wage inequality • weak culture of the institution • work culture 	<ul style="list-style-type: none"> • debts • economic situation • education • gaining an advantage • habits • helping a loved one • hobbies • home education • low awareness • position or status • practices • prestige • reputation • the need to receive services or goods • values • wealth and power • working culture 	<ul style="list-style-type: none"> • access to a limited public service • culture • distrust of the public sector • dysfunctional law enforcement • extent of corruption • habits • lack of legislation • lack of public condemnation • legal structure • lenient penalties • limitation of the crime • opacity of public decision-making processes • political order • poor governance • practices • traditions • the influence of hidden networks

Despite decades of anti-corruption movements, the world continues to recognise that corruption exists around us and that it is not easy to identify a universal measure to use for all countries, as what worked in one country may not work in another (Johnston & Fritzen, 2021, pp. 6-8). Various mitigation measures lead corrupt people to find new ways to pursue selfish intentions (Dávid-Barrett & Fazekas, 2020, pp. 3-4).

In a situation where there are many motivators to start an act of misconduct, countries need to be aware of it and face it. By weakening incentives, countries and organisations would send a clear signal of intolerance of unfair practices and prevent their spread. However, proliferation will face a new challenge if extraordinary events occur at the national or international level, creating a new situation, causing chaos and alleviating the concentration of new resources to deal with it. However, new resources at the global level are so large that they again create additional incentives for dishonest people who want to become unjustly rich.

2. RISKS IN THE HEALTHCARE SECTOR

In order to better understand what actions would be needed to reduce corruption in global healthcare, patterns and risks of corrupt behavior should be identified in advance. Despite the disparity between the healthcare of individual countries around the world, there are common obstacles that require attention while, of course, respecting each country's unique resources and healthcare capabilities. The risks that are specific and widely represented to the health sector are discussed below with several case examples from different countries over the world.

The health sector is particularly vulnerable to corruption. Various studies show that between \$260 billion and \$1 trillion is lost each year in healthcare due to corruption or waste (Thomson Reuters, 2009, p. 3; MacIntyre Hudson, 2010, p. 12; Jenkins, et al., 2020, p. 1; Teremetskyi, et al., 2020, p. 25). If such funds were retained, approximately 1,500 new hospitals could be built (MacIntyre Hudson, 2010, p. 12).

While \$3 trillion was spent on global health in 2010 (Hussmann, 2011, p. 5), it was already \$7.5 trillion in 2016 and rose to \$8.3 trillion in 2018, which is about 10% of global GDP (World Health Organization, 2018, p.6; World Health Organization, 2020c, p. 2). At least half of the world's population lacks high-quality primary healthcare, and 800 million people spend 10% of their household budgets on health (World Health Organization, 2017c, p. v). More than 10 million children die each year in situations that could have been avoided if they had access to better healthcare (Black, et al., 2003, p. 2226). 45% of people in the world consider the health sector to be incompetent, corrupt or very corrupt (OECD, 2017).

The World Health Organization (WHO), the United Nations Development Program, the World Bank Group and the Global Fund to Fight Aids, Tuberculosis and Malaria have over the years been working on transparency, accountability and anti-corruption in the health sector (Kohler & Bowra, 2020). Healthcare is vulnerable to corruption due to the multiplicity of actors, where patients, providers, insurers, administrators, distributors, and policy makers may have different desires and interests (Mackey, et al., 2018, p. 635).

In the healthcare sector, several value chains are sensitive to corruption: healthcare governance and regulation, financial and personnel management, procurement, research and development, marketing, distribution and service delivery (Hussmann, 2011, pp. 11-13; Mackey, et al., 2018, p. 635). This part of the article focuses on four of them, the rest are discussed in the next section due to the overlap of topics.

In healthcare **governance**, dishonesty can occur through influencing political decisions (Petkov & Cohen, 2016, p. 6; Mackey, et al., 2018, p. 636). There is a risk of unfair design and financing of health policies and the quality of services, products, facilities and staff. Potential corruption may manifest itself in the political setting of priorities, the regulation of first aid and hospital care, the establishment of pharmaceutical policies and the choice of supplies, and the accreditation of doctors (Vian, 2008, p. 85; Hussmann, 2011, p. 11; Petkov & Cohen, 2016, p. 8; Mackey, et al., 2018, p. 636). Gaining an advantage in this way can usually be linked to gaining profitability and greed. If the society-based incentives for corrupt behaviour are dominant, then people-based incentives may get additional volumes of reality.

In financial **management**, political influence, reallocation of resources for bribery, budget thefts, fraud in transfers, payment of salaries to non-existent employees, and theft of equipment are considered a threat (Vian, 2008, p. 85; Hussmann, 2011, p. 11; Petkov & Cohen, 2016, p. 18; Mackey, et al., 2018, p. 636). In staff management, nepotism, the purchase and sale of positions and promotions, bribery in accrediting employees and issuing licences can occur (Vian, 2008, p. 85; Hussmann, 2011, p. 12).

Procurement is considered to be the threat of overestimating the construction or reconstruction of healthcare facilities, handling of equipment and supplies, where dishonesty may be expressed in bribery to obtain a privileged position in procurement conditions, qualification and supervision, or in an unauthorised agreement between bidders (Vian, 2008, p. 85; Hussmann, 2011, p. 11). For several years, the head of the department of a large Estonian hospital preferred specific companies for repeated bribes when conducting construction procurements, ensuring procurement victories for companies procuring a total of €12 million (Police and Border Guard Board, 2020). In Lithuania, corrupt links between hospitals and medical staff are suspected, with more than 10 hospitals

preferring certain companies to procure medical devices and supplies, for which bribes were repeatedly paid to medical staff (STT, 2021). Dialysis equipment and service provider Fresenius Medical Care & Co. KGaA in 2019, entered into a settlement agreeing to pay \$231 million for violations involving the bribery of doctors and officials in 17 countries (including Angola, Bosnia, China, Mexico, Serbia, Spain, Turkey) for a total of \$30 million to favour the company's equipment when purchasing and using it (Cassin, 2019). Procurement violations related to fraud and corruption may have all three categories of incentives illustrated in chapter 1. Corruption may occur when a workplace cultivates an environment that supports dishonesty or does not pay attention to the problem, or people are greedy, or society-based drivers are supporting actors to behave with dishonesty.

In terms of **service delivery**, there is a considered threat from informal payments from patients, theft of medicines and equipment (Hussmann, 2011, p. 13), the provision of poor quality and non-essential services (Vian, 2008, p. 85), preferable service to acquaintances, service overestimation, data manipulation in research (Petkov & Cohen, 2016, p. 21; Mackey, et al., 2018, p. 636), submission of false invoices and misdiagnoses (Li, et al., 2008, p. 276).

In Latvia, there were suspicions that: (a) a doctor took a bribe from a judge who wanted to declare incapacity for work with false data (KNAB, 2015a) and (b) medical staff took bribes from patients for a specific service (KNAB, 2015b). The head of the Estonian nursing clinic and the head of nursing repeatedly took bribes from patients' relatives so that patients could stay in nursing care as a matter of priority and to stay in care for longer than was allowed. Four Estonian doctors falsified patients' medical certificates for bribery and provided the Commission with materials for the application of incapacity for work (Police and Border Guard Board, 2020). In Germany, many doctors falsified the health status of patients in order to move them up the organ transplant list queue. In India and Nepal, patients have donated their organs for money, which doctors sold on the black market. In the United States, a dermatologist performed more than 3,000 unnecessary procedures, and 91 physicians in seven cities falsified invoices and committed fraud scheme involved \$432 million (CRI Group, 2020b, pp. 9-11).

The key players, who may possess the potential to abuse their position and access to information, as well as system and patient vulnerabilities, are listed in the healthcare value chain (Table 2).

Table 2. Main actors in the healthcare sector value chain who may corruptly exploit a fair environment (Mackey, et al., 2018; Petkov & Cohen, 2016; compiled by the author)

Value chain in the Healthcare sector	Main actors
HC governance & regulations	Political leaders, policy makers, interest groups, manufacturers, lobbyists
Financial & personnel management	Health administrators, bookkeepers, medical professionals
Procurement	Policy makers, procurement managers, medical professionals, service & product providers, interest groups, manufacturers,
Research & development	Representatives of a pharmaceutical company, manufacturers, clinical research organisations, academic institutions; scientists, medical professionals
Marketing	Representatives of a pharmaceutical company, manufacturers, scientists, hospital administrators & healthcare providers; medical professionals, service & product providers, interest groups
Distribution & service delivery	Hospital administrators, service & product providers, medical professionals, policy makers, manufacturers, pharmacies, patients, insurers

No country's healthcare system is immune to exploitation or fraud - uncertainty about health and illness, a multiplicity of actors with different interests, extensive trust in doctors, and public money invested in the sector create opportunities for dishonesty in healthcare (Savedoff & Hussmann, 2006, pp. 5- 6).

3. RISKS IN THE PHARMACEUTICAL SECTOR

The following is a discussion of the risks of fraud and corruption in the pharmaceutical sector worldwide. Having an overview of them strengthens the understanding of the importance of mitigation measures and the need for continuous development. Risks that have arisen in one country may also occur in another, and for this reason it is possible to look at risks in general without distinguishing between countries and to try to find common denominators that can be identified and addressed.

Countries organise the highly-susceptible pharmaceutical sector (European Commission, 2014, p. 17) by regulating the production, procurement, sale and operation of medicines, and where there is remuneration from public funds, the public sector must be responsible for selection, procurement and logistics (Cohen, et al., 2007, p. 31). Pharmaceutical manufacturers, distributors and suppliers operate on the basis of profitability, which is not necessarily negative if it is able to comply with laws and general requirements (Cohen, et al., 2007, p. 33; MDG, 2015, p. 3, 23, 53). While in 2001 the turnover of pharmaceutical sales was \$390 billion, in 2019 the turnover reached \$1.25 trillion (Statista, 2021). In 2009 alone, the pharmaceutical industry made a profit of \$60 billion (Gagnon, 2013, p. 574).

Between 1991 and 2012, U.S. pharmaceutical manufacturers were fined more than \$30 billion for illegal activities related to fraud, bribery, monopolies and research forgery (Gagnon, 2013, p. 574). By 2014, 18 of the world's 20 largest pharmaceutical companies had entered into agreements or been sanctioned for unethical trade, bribery, corrupt practices or unfair competition (Access to Medicine Index, 2014), including large companies: GlaxoSmithKline, Merck & Co., Novartis, Sanofi and AstraZeneca (Transparency International, 2016b). From the world's 20 largest pharmaceutical companies: 17 have disclosed their pharmaceutical strategies, 12 companies do not link salesman bonuses to sales growth, and 8 companies had monitoring capabilities, fraud risk assessment and a country-specific risk assessment system (Access to Medicine Index, 2021).

In order to better understand the risks of corruption in the pharmaceutical sector, the structure and policies of the sector need to be analysed.

The pharmaceutical market is characterised by a value chain that illustrates the movement of a medicine from its development in the laboratory to the prescription of the patient in a healthcare institution. 8 important stages of the value chain are: research & development, manufacturing, registration, selection, marketing, procurement, distribution, service delivery (Cohen, et al., 2007, p. 37; Transparency International, 2016a, p. 7). They will be examined in more detail below with several case examples worldwide.

Research & development includes the early research phase, the preclinical testing phase, clinical trials and patent applications (Transparency International, 2016a, p. 8). Risks can include falsifying medical descriptions, exaggerating positive results or removing negative findings (Lexchin, 2012, pp. 247-248), conflicts of interest for researchers and entrepreneurs, publication of false-proof studies, misuse of research money (Petkov & Cohen, 2016, p. 10; Mackey, et al., 2018, p. 636) and in advertising that exaggerates the efficacy of a medicine (CRI Group, 2020a).

The results of clinical trials are checked, but it is not always possible to exclude a conflict of interest between examiner and verifiable and the temptation to direct the results of the study in favor of the pharmaceutical company. In March 2021, a physician and study coordinator in the United States were convicted of falsifying the results of a clinical trial to obtain a license showing better test results for a new asthma medicine (Department of Justice, 2021b). Reputation is important to medical researchers, but it is exploited as better working conditions and career opportunities are often associated with the recognition of positive research (Brown, 2013, p. 615).

The falsification of the research involves Astra-Zeneca, which entered into an agreement for \$520 million (Gagnon, 2013, p. 575) and Ranbaxy USA Inc. and its subsidiary in India, who agreed to pay a penalty and compensation of \$500 million (Department of Justice, 2013a). Merck & Co. paid \$4.85 billion by agreement for failing to disclose its side effects when advertising the medicine (CRI Group, 2018, p. 18), which is indirectly

similar to the case of Johnson & Johnson, where the company entered into a \$1.2 billion agreement with the state for advertising the medicine unlabelled and hiding the side effects from the public (Gagnon, 2013, p. 575).

Manufacturing of medicinal products is based on the principle and recommendations of good manufacturing practice, which include quality management, appropriate packaging, ensuring the proportion of relevant medicinal components, batch testing, laboratory control and analysis certificates (European Commission, 2003; Kohler & Ovtcharenko, 2013, p. 4).

Unsuitable medicines are substandard, spurious, falsely labelled, falsified and counterfeit medicines that are similar in appearance to the original but are either poorly manufactured, packaged, imbalanced or out of date. However, counterfeit medicines, due to their composition, can be harmful to health, causing aggravation of the disease (World Health Organization, 2017b, p. 5). In 2003, when testing malaria medicines in five Asian countries, the WHO found that a large proportion of the medicines in use were counterfeit or noncompliant (Cohen, et al., 2007, p. 39). The entry of falsified medicines into circulation is made possible by inefficient medicine policies in countries, poor international cooperation and high demand for medicines (Transparency International, 2016a, pp. 13-14).

In 2007, more than 170,000 medicine compliance inspections were conducted in China, as the head of the State Food and Drug Administration took a bribe \$850,000 from eight companies over eight years, allowing more than 150,000 new medicines to enter the market, resulting in the deaths of dozens of people from medicines of poor quality (Jiao, 2007; Wikipedia, 2020). In recent years, pharmaceutical companies have had to pay more than \$11 billion in penalties for concealing safety data and bribing healthcare professionals to increase sales of unlicensed medicines (CRI Group, 2020a).

Registration of medicinal products is generally under the control of a national authority and establishes a standard for compliance with the requirements for licensing, marketing and use in order to ensure the quality, efficacy and safety of the medicinal product when placed on the market (Kohler & Ovtcharenko, 2013, p. 4; Transparency International, 2016a, p. 15).

Weaknesses in the value chain: (i) the legal basis for the registration of medicinal products is weak or incorrect; (ii) the supplier may pay a public official for the registration of the medicinal product, even though information on the performance of the medicinal product is incomplete; (iii) a public official may knowingly postpone the registration of a medicinal product in favour of another supplier; (iv) an official may slow down registration procedures to ask a supplier for a bribe (Kohler & Ovtcharenko, 2013, p. 3). In the event of inadequate supervision, both pharmaceutical companies and regulators may seek unfair practices (Transparency International, 2016a, p. 15) to obtain accelerated approval for use of medicinal product (Vian, 2008, p. 85; Hussmann, 2011, p. 12).

Medicine manufacturers Serono were fined \$704 million (Cohen, et al., 2007, p. 30) and Johnson & Johnson \$2.2 billion (Department of Justice, 2013b) for increasing sales of unlicensed medicine and paying bribes to healthcare professionals.

Medicine selection is a process that requires critical attention in the value chain that includes decisions about which medicines are imported, sold, purchased by the public sector and when the patient can be reimbursed. Countries decide which medicines end up on the state-subsidised list of medicines, and getting on it means a significant increase in the turnover and interest of the pharmaceutical company to achieve it, and therefore can put a lot of pressure on decision-makers (Cohen, et al., 2007, p. 34). The weaker the institution and the public sector, the greater the chances of pharmaceutical companies to persuade dishonest officials to make the desired decisions to ensure that the publicly procured list of medicines is supplemented with certain medicines (Cohen, 2006, p. 80; Kohler & Ovtcharenko, 2013, p. 5).

When **marketing** a medicine, there is a risk of disseminating false information about the medicine's performance, advertising an unlicensed medicine, motivating healthcare professionals with gifts and funds, and conducting trainings within conflicts of interest (Petkov & Cohen, 2016, p. 13; Mackey, et al., 2018, p. 636). The pharmaceutical industry spends twice as much on medicine promotion as on research and development (Gagnon & Lexchin, 2008, p. 32; Olson, 2015). For example, \$1.1 billion was spent on medicine promotion in Italy in 1998 and \$ 15 billion in the United States in 2000 (World Health Organization, 2004, pp. 118, 120).

Eli Lilly & Company paid a fine of \$1.4 billion for advertising the medicine without labeling (Gagnon, 2013, p. 575). GlaxoSmithKline (GSK) signed an agreement to pay \$3 billion to the state for promoting false depressant medicines to people under 18 and disseminating false information about two more medicines over 5 years. To increase the reliability of the dysfunctional medicine, doctors were paid for advertising with lunches and spa services (Department of Justice, 2012). Generic pharmaceutical company Teva Pharmaceuticals USA Inc. entered into an agreement to pay a fine of \$205.7 million (Department of Justice, 2021c) for price-fixing, procurement distortions, and inadmissably finding customers unsuitable for marketing generic medicine (Department of Justice, 2020d).

Procurement is presumably an opportunity for a state or institution to obtain the best price and quantity of medicines (Cohen, 2006, p. 81). Procurement preparation, organisation, tender analysis, resource allocation, payments, quality control of purchased medicines need effective monitoring and transparency (Cohen, et al., 2002, p. 16; Cohen, 2006, p. 81). Corrupt activities can take place at different stages of the procurement: in the preparatory stage of the procurement, it is possible to design the procurement conditions in such a way that, due to technical indications and preconditions, only a specific tenderer qualifies; whereas, at the stage of the tendering procedure announced, it is possible for the contracting authority to give preference to one tenderer among the tenderers submitted; during the period of performance and supervision of work related to the procurement, where it is possible to change the terms of the contract for bribes, submit false invoices and minimise the supervision (European Commission, 2013, p. 68).

Two former UN consultants took bribes of \$1 million from the Danish pharmaceutical company Missionpharma in return for helping the company win a \$66 million tender and mediate life-saving medicine to Africa (The Guardian, 2015). In 2020, the head of the hospital department working in the Antiretroviral Treatment Commission in Estonia was accused of taking bribes and violating the procedural restriction because he gave preferential treatment to pharmaceutical companies he was related with when preparing the procurement of medicines (Allik, 2020).

Distribution of a medicine involves the transportation of a medicine from the manufacturer to the payer, which may include various stages:

receipt and inspection, storage, inventory, management, requisitioning, pickup, transportation and disposal (World Health Organization, 2009, p. 97). Vulnerability to corruption occurs at all stages of medicine delivery, especially where, due to lack of oversight, medicines can be stolen, sold on the black market or replaced with counterfeit product. Between 2005 and 2019, global medicine counterfeiting and theft increased rapidly by 69% (Mackey, et al., 2015, pp. 59-60; PSI, 2021).

While in the 1980s more than half of the medicines sold in Nigeria were counterfeit or noncompliant (Cohen, et al., 2007, p. 44), later the share of low-quality and counterfeit medicines in low- and middle-income countries was 10.5% (World Health Organization, 2017a, p. 7), which is approximately \$30.5 billion (World Health Organization, 2017b, pp. 3, 17). HIV medicines produced by GSK in 2002 and destined for Africa went on sale in Europe due to criminal activities (Cohen, et al., 2007, p. 33). In 2015, a fire broke out in Ghana's Central Medical Stores, burning more than \$80 million worth of stored state medicine stocks, and the ensuing investigation suggested arson as a cover up of fraud involving purchased and stored medicines (Graphic, 2016, Citifmonline, 2017). In 2019, Europol reported an operation in 16 European countries to find and seize counterfeit medicines and supplies worth €168 million and to detain more than 400 suspects (Europol, 2019).

The delivery of a medicine takes place through a doctor after the corresponding diagnosis and the decision to prescribe the appropriate treatment. At this stage, the healthcare professional, with the help of a representative from a pharmaceutical company, is able to order a larger amount of medicines to the hospital than necessary and direct people to use a specific medicine (Cohen, 2006, pp. 82-83). In some countries, it is possible to decide in favour of a specific manufacturer's medicine instead of the active substance when prescribing treatment (Kohler & Ovtcharenko, 2013, pp. 27-28).

The pharmaceutical industry in the United States alone spends approximately \$42 billion a year on physician promotion, which averages out to \$61,000 per physician (Gagnon, 2013, p. 572). Inadequate regulation and supervision can lead to corrupt market manipulations between a pharmaceutical company and physicians, as it may appear difficult to

distinguish between what constitutes unauthorised and authorised cooperation (Transparency International, 2016a, p. 17).

The following companies have been involved in illegal payments or bribes to physicians, healthcare professionals, or officials to increase sales of medicines, followed by sanctions or agreements requiring to pay for violations: TAP Pharmaceutical Products \$875 million (Department of Justice, 2001), Schering-Plow \$0.5 million for illegal activities in Poland (Cohen, 2006, p. 78), Johnson & Johnson \$70 million for illegal activities in Greece, Romania, Poland and Iraq (Securities and Exchange Commission, 2011), Bristol Myers Squibb \$515 million (Gagnon, 2013, p. 575), Pfizer \$45 million for illegal activities in Bulgaria, China, Croatia, the Czech Republic, Italy, Kazakhstan, Russia and Serbia (CRI Group, 2018, pp. 17-18), GSK \$20 million (CRI Group, 2018, p. 16), Alexion Pharmaceuticals for \$21 million for illegal activities in Turkey and Russia (Securities and Exchange Commission, 2020b), SciClone Pharmaceuticals (The FCPA Blog, 2016) \$12.8 million, Novartis AG \$25 million and AstraZeneca \$5.5 million for illegal activities in China (The FCPA Blog, 2017).

Teva Pharmaceutical Industries Ltd. and its subsidiaries in Russia entered into an agreement to pay more than \$283 million in punishment, with company representatives paying bribes to senior officials in Russia, Ukraine and doctors in Mexico over several years to inflate medicine sales (Department of Justice, 2016). Novartis Pharmaceutical Corp. had to pay more than \$1 billion in penalties for the company's involvement in bribes to hospitals and healthcare professionals in Greece, South Korea, Vietnam and the United States (CRI Group, 2018, p. 20; Securities and Exchange Commission, 2020a; Vigdor, 2020). In 2020, two owners of a New York-based pharmaceutical company were charged with \$30 million in fraud and money laundering, fraudulent compensation from the state healthcare system on the basis of counterfeit invoices proving the use of medicines (Department of Justice, 2020b). In 2020, pharmaceutical company Purdue Pharma LP entered into an agreement committing to pay the pharmaceutical industry the largest financial obligation to date, \$8 billion, for providing false information to the state over years about medicine sales and marketing (Department of Justice, 2020c).

These cases highlight the need for and importance of knowing the incentives for corrupt behavior. By mapping the incentives for unfair behavior,

including the international dimension, if the parties' activities cross national borders, it would enable the unjust prevention of employees from causing potential harm more effectively through the mitigation of these risks. The previous overview of cases in the pharmaceutical sector covered the period 2001-2021 and was selective due to their large number. Nevertheless, they show the scale, comprehensiveness, intensity and cross-border nature of the issues. In many cases, companies have entered into negotiations with the state at the time of the infringement and entered into an out-of-court settlement with a very high obligation to pay damages. The aforementioned cases are summarised in Table 2 (Annex 1).

Despite harsh financial penalties and payment obligations amounting to millions and billions of dollars, practice shows that the same companies will once again find themselves conducting unfair practice, and that the measures taken thus far have been unable to completely eradicate dishonesty. Human weaknesses and personal incentives can override implemented measures, and yet they are taken for personal gain in the hope that the course of action will not be detected. It can therefore be said that tackling the risks of fraud and corruption needs to be both consistent and comprehensive, which could provide a better chance of mitigating risks, disincentivising corruption and preventing crime.

4. CORRUPTIVE APPEARANCES DURING THE COVID-19 PANDEMIC

This section addresses the difficulties of dealing with a pandemic and the new challenges posed by COVID-19 in the form of activated fraud and corruption.

Over the last century, the world has repeatedly bore witness to the fatal impact of a pandemic. At the beginning of the 20th century, the world was hit by a major flu wave, which killed 50 million of the 500 million people infected. Between 1957 and 1958, more than 1.1 million people died of the H2N2 virus, which was initially identified in Asia before later spreading around the world. More than 1 million people died as a result of the H3N2 virus, which began to spread in 1968. The H1N1 virus, which spread in 2009, killed more than 0.5 million people and infected more than 60 million the following year (CDC, 2021). From the start of the HIV/AIDS epidemic to the end of 2019, approximately 76 million people have been infected with HIV, 32.7 million of them have died, and in 2019 alone, there was \$18.6 billion spent on AIDS treatment in low- and middle-income countries (UNAIDS, 2021).

A pandemic affects the ability of countries to cope with difficult circumstances, and complex situations create new opportunities for fraud and corruption that evolves and transforms according to conditions (Jenkins, et al., 2020, pp. 2-4). The healthcare system weakened by the pandemic serves as easy prey for the dishonest as a result of insecurity, high demand and supply (Teremetskyi, et al., 2020, p. 26). During a global crisis, the best and worst characteristics of human beings come to the fore, with people denying and sacrificing themselves, as well as those who are dishonestly corrupted at the expense of others (Tassé, 2021). During a pandemic, even small amounts of bribery to obtain a service or resource can be catastrophically harmful and create a cumulative problem (Mrčela, 2020).

While on 30 January 2020 the WHO assessed the SARS-CoV2 (COVID-19) virus as a public health emergency of international concern, then on 11th March the organisation declared it a pandemic and assessed the COVID-19 outbreak as the most urgent challenge to countries' ability to respond to health emergencies over the previous century (World Health Organization, 2020b).

On 13th February 2021, more than 107 million COVID-19 infections had been identified, including 2.37 million deaths (World Health Organization, 2021a). As of May 2, 2021, there were 151.8 million infected worldwide and 3.18 million dead (The New Humanitarian, 2021).

Serious diseases and disasters open up new opportunities for fraud and corruption, as countries spend large sums of money in a short period of time (CIDRAP, 2015; Jenkins, et al., 2020, p. 2) and make regulatory changes that are poorly supervised but should be more than usual (Rose-Ackerman, 2021, pp. 17-18), because without effective control, there will be reoccurrences of what happened in 2014-2016, when \$6 million was lost due to fraud and corruption to prevent the spread of Ebola virus (IFRC, 2017).

In February 2021, there were 1,063 COVID-19 treatment vaccines worldwide in development and 152 billion doses of vaccine had been produced (Statista, 2021). In the most preferable context, this will cost up to \$231 billion, or in the most severe scenarios \$15 trillion will be spent worldwide on alleviating the problems caused by the virus (Dudine, et al., 2020, p. 27). COVID-19 vaccination has an unprecedented scale in terms of production, distribution, transport and use of medicines, which poses a significantly higher risk of corrupt behavior and fraud (UNODC, 2020b). Several organisations have linked the rising activities of organised crime to the spread of the virus, highlighting the potential risks of fraud and corruption: the supply of counterfeit medicines, tests (Europol, 2021), protection supplies, identity theft, e-mail fraud, fraud of national support measures (Ecofel, 2021), corruption in procurement (UNODC, 2020b), bribery of doctors (Transparency International, 2020b), provision of unnecessary and expensive services, collection of apparent costs related to COVID-19 testing, falsifying invoices for services and goods not actually provided or received (FINCEN, 2021) .

The spread of COVID-19 has been so comprehensive that the world's most successful countries (Marquette, 2020), which have been desperate to procure medical supplies, including ventilators and personal protective equipment (Transparency International, 2020c), are also facing various immediate challenges. The following is an inexhaustive list of cases that have occurred during the spread of the virus, grouped in the topic view.

Theft. In countries like Honduras, Chile, Cuba, Peru, Venezuela, the United States, Japan, France, Indonesia, the Netherlands, Ireland, Brazil and Germany, there has been stolen tests and other health devices during the pandemic (Transparency International, 2020b, p. 4).

Fraud. Fraudsters have been activated. For example: €6.64 million was cheated out of France by promising to procure masks for the state (Europol, 2020b), €15 million was cheated out of Germany for the supply of masks that did not take place (Europol, 2020c). In China, 80 people were detained and 3,000 falsified doses of vaccine were seized (Global Times, 2021), and somewhat later, Interpol reported detection of 2,400 falsified doses of COVID-19 vaccine, 3 million falsified masks and the detention of involved persons (Interpol, 2021).

By March 2021, 474 individuals in the United States had been suspected of committing \$569 million in fraud linked to the COVID-19 pandemic (Department of Justice, 2021d). OLAF detected 1,000 operators selling unsuitable medical devices (OLAF, 2021). The president of a California-based medical technology company is accused of bribing market participants and doctors to perform larger allergen and fake COVID-19 tests that cost more than \$69 million (Department of Justice, 2020a). The U.S. company is accused of making false claims under the National Compensation Mechanism for more than \$2.3 million in tax exemptions (Department of Justice, 2021a).

Procurement. Countries reduced oversight of procuring products, paving the way for the unintended consequences of hasty and non-transparent decisions, whereby some of the tests and protective equipment procured were either unusable or noncompliant (Transparency International, 2020c). For example, there was supplied: in Indonesia (Mietzner, 2020, p. 239), for \$5 billion, and in Zambia (Transparency International, 2021d) for \$17 million, in masks, tests and other protective equipment that did not meet expectations when deliveries arrived. The UK procured health-care products for £12bn with 6,900 procurements, of which 1% of the products delivered, or about 196 million items, do not meet the requirements (House of Commons, 2021, pp. 5-9).

The great need to purchase various protective equipment has led to cases around the world where: (a) In Brazil, the United States, Slovenia, Bosnia,

Romania (Transparency International, 2020c and UK (Daily Mail, 2021), companies that have not previously been involved in healthcare have won tenders: \$55 million in the U.S., €56 million in Slovenia (Delic & Zwitter, 2020) and \$53 million in Poland (Koper, 2020); (b) in Ireland and Canada, acquaintances were used for procurement, which brought a profit to decision-makers (Transparency International, 2020c); (c) a former UK minister advised a healthcare company on a fee of more than €5,000 (OpenDemocracy, 2021); (d) a Member of the German Parliament received €660,000 for directing the procurement of medical masks to a specific company (Deutsche Welle, 2021); (e) in favour of specific companies, contracts for protective equipment were awarded worth \$71 million in Kenya (Malalo, 2020) and \$70 million in Brazil (Slattery & Brito, 2020); (f) Zimbabwe's health minister was fired on suspicion of violating procurement rules for \$60 million in the purchase of healthcare equipment (Chingono, 2020); (g) in the United States, \$11 billion of protective equipment and fans was purchased, of which \$500 million was obtained from companies previously sanctioned for violations (Salman & Penzenstadler, 2020); (h) in Romania, a pharmaceutical distributor demanded a bribe of €760,000 for brokering the procurement of 3 million masks (Balkan Insight, 2020); (i) in the UK, 17 contracts were awarded with a total value of £971 million to companies with political ties (Transparency International, 2020a, p. 3).

Joint operations. In 2020, Europol and Interpol conducted three police operations with the participation of different countries, through which the impact of organised crime was reduced on the benefits of the pandemic. Thus, police forces: (a) from 90 countries around the world (Operation Pangea XII) were able to seize counterfeit medical devices, masks, cleaning products worth €12.7 million, and 18 bank accounts in the amount of €660,000 have been seized (Euronews, 2020); (b) from 21 countries in Europe (Operation Aphrodite) were able to capture counterfeit anti-virus tools, including 27 million masks, sold through 123 social media accounts and 36 websites (Europol, 2020d); (c) from 27 countries (Operation Shield) were able to detain more than 667 people, seize 73 million worth of property, 33 million masks and tests (Europol, 2020a).

Unethical practices. Activities that overshadow the sense of justice inherent in opaque and poor governance. In January 2021, the Estonian hospital manager invited acquaintances to register for vaccination outside

of the vaccination plan that was in place (Ulst, 2021). The following vaccinations outside the vaccination plan became public: the Secretary General of the Ministry (Anvelt, 2021), a Russian diplomat (Roonemaa, 2021), people close to the heads of several Swedish healthcare institutions (Teller Report, 2021) and the Lebanese President alongside senior officials (AlarabiyaNews). While the Argentine minister resigned to help friends queue up for vaccination (Delfi, 2021), the Slovak prime minister had to resign because he had coordinated the purchase of 2 million doses of vaccine by a vaccine manufacturer not yet approved by the EU (Kressa, 2021). A WHO scientist who checked the circumstances surrounding the spread of the virus in Wuhan, China in 2020, has been working on Chinese-funded research projects for many years and is affiliated to the Wuhan Virology Center through a related company (The Nationale Pulse, 2021).

At the beginning of 2021, there were greater-than-expected difficulties in the production of vaccines, which ultimately prevent the virus from being blocked (BBC, 2021) and create unrest and confusion in countries following the vaccination plan, allowing fraudsters to carry out their plans.

While Chapters 2 and 3 highlighted the existence of incentives under normal circumstances, the cases described in this chapter concern an extraordinary environment caused by the global impact of the pandemic, its consequent urgency to respond and the large resources involved. The large financial resources used to deal with the situation open the way and the temptation to dishonesty and greedy fraud and corruption. In this context of strong impetus from people-based incentives, particular care must be taken to comply with the necessary regulatory measures and procedures at an international and national level to help maintain control and prevail over fair practices. Thus, many events have taken place during the pandemic, almost all caused or triggered by confusion, tension, competition over time, as well as inadequate controls and poor implementation of risk mitigation measures.

5. RISK REDUCTION PROPOSALS

The article highlighted the nature of corruption and incentives therefor in the healthcare and pharmaceutical sectors. The next part of the article provides an overview of possible solutions and recommendations for reducing corruption, which would provide opportunities to improve the value space and reduce corrupt practices in the healthcare and pharmaceutical sectors. The main need for improvements exist in governance, the pharmaceutical market and dealing with vulnerabilities inherent to a pandemic and procurement.

Despite various conventions, strategy documents, mechanisms for their implementation and monitoring, there is not a systematic downward trend in the level of corruption (Hough, 2013, p. 29). Corruption is a complex phenomenon that must be approached holistically, monitoring large and small scale corruption in all strata of society (Kerusauskaite, 2018, pp. 102-103).

Good governance

Corruption is a problem of governance, therefore states should review the role of governance (Rahman, et al., 2000, pp. 2-17; Trapnell & Recanatini, 2017, pp. 478-479), reduce the potential cost-effectiveness and benefits of corrupt behaviour by increasing its detection and punishment (Rose-Ackerman, 1997, pp. 46-50; Kerusauskaite, 2018, pp. 57-61), ensure that anti-corruption agencies have sufficient resources and independence to carry out their tasks (Transparency International, 2021e), ensure consistent asset tracing and seizure capacity (Kregar, 1994, pp. 113-133) and emphasise transparency and accountability in public procurement (Ugur & Dasgupta, 2011, pp. 30-31; Transparency International, 2021b). Such an international movement would bring about a new era of strategy against corruption, collecting the best practices and helping less developed countries to attain better conditions with more concrete and lasting steps to mitigating the risks of crime. Should the global approach also consist of public and private sector contributions to achieving this common goal, the future will be better for it.

A global plan of action for public and private sectors is needed to tackle corruption in the health system (Koller, et al., 2020). Good governance in the health sector requires uniform standards, the implicit sharing of information regarding activities, and the existence of motivators to incentivise performance (Lewis & Pettersson, 2009, p. 3). The risks of corruption need to be assessed, which would increase awareness of vulnerabilities and provide an opportunity to build a system with health professionals where trust, honesty and responsibility are important (Vian, 2020, pp. 505-506). Qualified staff must be supported through internal regulation of good practice, avoidance of conflicts of interest and consistent awareness-raising (World Health Organization, 2009, pp. 28-30; UNDP, 2011, p. 30). Complex national security action plans, including the use of public budgets, redeployment or the procurement of large quantities of goods and services, should involve an early anti-corruption body or a third sector representative in government decisions to mitigate risks and power of dishonest behaviour incentives. The living environment should be changed in countries so that their daily activities are based on transparency, honesty and respect, after which most people will gradually begin to adjust to behaving in this way independently. As behavioural choices may have different incentives for people, depending on needs, interests, environment, opportunities, anti-corruption measures should also attempt to cover at least the vast majority of the incentives that can lead people to dishonesty.

Political leaders have so far been a major stumbling block, but in the future, heads of agencies and organisations in the public and private sector should be required to take anti-corruption measures. The world, moving towards a thirst for new knowledge, needs to increase its resources for research funding, as understanding the nature, extent and incentives of corruption will enhance the anti-corruption response.

Pharmaceutical market

In tackling the COVID-19 pandemic, donor countries and companies need to pay close attention to messages that clearly express zero tolerance for corruption (Jenkins, et al., 2020, p. 10). In December 2020, the Belgian Secretary of State published the prices at which the state purchased the COVID-19 vaccine, but so far the prices associated with obtaining the vaccine have remained hidden from the public (Transparency International,

2021c). It would be effective for international organisations to take the initiative in disclosing national vaccine purchase prices in crisis situations, which would ensure equal opportunities for all in difficult times.

For years, efforts have been made to make the pharmaceutical sector more transparent and fair, which has been facilitated by the consistent entry and publication of information on trials in WHO-accepted clinical trial registries (World Health Organization, 2021b). An unregulated pharmaceutical market, requirements and oversight, dishonesty on the part of officials, and opportunities to circumvent requirements allow pharmaceutical manufacturers to test profitability temptations, and countries need to step up their efforts to make medicine handling regulation work and the market secure (Cohen, et al., 2007, p. 36; Transparency International, 2016a, p. 13). The pharmaceutical sector needs to contribute to the prevention of corrupt marketing practices so that doctors are not exploited to favour the use of specific medicines (Transparency International, 2016b).

For medicines receiving and procuring state support, the procedures for granting support, pricing policy, purchasing processes and what is happening in medicine commissions need to be made more public. In doing so, the work of the such commissions should be organised in accordance with the applicable guidelines for avoiding conflict of interests and the risks of affiliation of commission members with pharmaceutical companies should be mitigated. The dark, elusive times should end and pharmaceutical manufacturers subsidies or fees for healthcare physicians must be published on websites for the foreseeable future.

Vulnerability in pandemic period and procurement

To better deal with the COVID-19 virus and reduce vulnerability in the healthcare sector, the vaccine should be distributed evenly across countries and according to agreement (Cushing, 2020). One smooth solution to a pandemic (during periods when the vaccine is still in deficit) is a vaccination action plan for every country, coordinated by a steering group of four teams (medicine, logistics, IT and communication), ensuring that the necessary resources are available and that the population is informed (Ross & Veskimeister, 2021). In order to avoid embarrassing cases in the early vaccination period, the so-called “elite vaccinated cases”, countries

should make it clear which posts should be included in the list of vaccinated persons as a matter of priority due to the importance of their functioning. This is needed to prevent the exploitation of positions, to prevent news disturbing society in turbulent times or emergencies, and for countries to be able to deal with vaccinated people in key positions, even in hypothetical situations where a pandemic would involve unrest or national security issues.

To cope more efficiently with the global crisis in the future, public sector and international organisations should start developing a common action plan to deal with global events, through scenarios, vulnerabilities and risk mitigation. This would improve preparedness and response to new threats.

Large projects should immediately involve the anti-corruption body as a monitoring and advisory party, adhere to ethical requirements throughout the project and strengthen transparency throughout the project and the parties' activities (Mackey, et al., 2016, p. 8).

In order to reduce the vulnerability of the pandemic and to ensure transparent healthcare and vaccine distribution, a special committee should be set up in the country to assess the legality of existing procurement, distribution and use of vaccines and healthcare products and the intended use of public funds (UNODC, 2020b).

The use of the integrity agreement between the contracting authority and the companies wishing to participate in the procurement should be much more substantial in order to affirm the prevention of bribery, fraud and other corrupt practices, the taking and enforcement of necessary measures, which is an important part of the winning contract (Transparency International, 2013, p. 8).

Countries should, as soon as possible after returning from the COVID-19 exceptional situation, start using equal and competitive public procurement procedures (Transparency International, 2020a, p. 1). It cannot be overlooked that, throughout the epidemic period, the National Audit Office should constantly examine the lawful use of public funds, the transparency of procurement and the competence of the reasons for quick decisions, making recommendations for more efficient and correct

operation. Preventing corruption and raising awareness, which needs more resources and more attention in both the public and private sectors, could be at the heart of a forward-thinking policy-maker. Publicity of such materials help to raise awareness and avoid at least some part of illegal activity initiatives.

Addressing pandemics is providing new opportunities for a better healthcare and pharmaceutical sector and therefore lessons should be learned and new approaches to problem solving should be developed between countries and organisations (Paschke, et al., 2018, pp. 783-787). There is a growing need for measures to prevent counterfeit medicines from entering the market and trading with them (Council Of Europe, 2020), and monitoring transactions to identify corrupt links in public procurement and pharmaceutical-related activities (Ecofel, 2021). Law enforcement agencies in cooperation with international partners should pay additional attention to this and to prohibit dishonest people from getting rich at the expense of others by using access to falsified medicines.

If the abovementioned proposals could be at least partially implemented at a global level, and the level improved, a major step forward would have already been taken. Unusual and extreme events create opportunities for unfair exploitation, as confirmed by the previous overview of new cases and crimes. States must tackle this crime cooperatively and proactively.

6. CONCLUSIONS

The aim of this article was to examine the nature of corruption, the specifics of incentives and the phenomena associated with a pandemic, which paralyse existing honesty-based beliefs and trigger selfish desires and actions. The aim was to realise that, in the event of large-scale change, the values and beliefs exhibited by the vast majority of people will face extreme challenges. The article noted that during the pandemic period, the incentives for dishonesty in the health sector will intensify, leading to unprecedented attempts to unjustly enrich themselves and at the expense of others, and serious measures must be taken globally and at the state level to prevent this. It emerged that anti-corruption activities should be carried out even more attentively during the pandemic, coordinated and monitored more effectively.

According to vulnerable topics discussed in the article, then the effectiveness of national vaccination plans, the relaxation of control measures for procurement and its consequences on the international level, and the targeted use of resources to combat a pandemic should be investigated further and in more detail.

ANNEX 1. A SELECTION OF CASES OF FRAUD AND CORRUPTION IN THE PHARMACEUTICAL SECTOR

Table 3. Selection of cases of fraud and corruption in the pharmaceutical sector (compiled by the author)

No	Year	Company	Complaint	Amount due (USD)	Source
1	2001	TAP Pharmaceutical Products	Bribing doctors to increase the use and sale of medicines and claiming incorrect compensation	875 million	Department of Justice, 2001
2	2004	Schering-Plough	A representative of a subsidiary in Poland paid a bribe to the head of a hospital to increase sales of medicines	0.5 million	Cohen, 2006, p. 78
3	2004	Merck & Co	Failure to disclose side effects when advertising a medicine	4.85 billion	CRI Group, 2018, p. 18
4	2005	Serono	Bribing doctors and healthcare professionals to increase the marketing of unlicensed medicines	704 million	Cohen, et al., 2007, p. 30
5	2007	Bristol Myers Squibb	Illegal medicine promotion, bribery and fraud	515 million	Gagnon, 2013, p. 575
6	2009	Eli Lilly & Company	Non-labeling advertising of a medicinal product	1.4 billion	Gagnon, 2013, p. 575
7	2009	Astra-Zeneca	Forgery of research, non-labeling of a medicine and payment of a bribe to increase the use of a medicine	520 million	Gagnon, 2013, p. 575
8	2011	Johnson & Johnson	Bribery of doctors in Greece, Romania and Poland, and in Iraq to obtain 19 contracts from a major international program. Doctors in European countries were paid bribes in cash and travelled abroad for prescribed medicines.	70 million	Securities and Exchange Commission, 2011

9	2012	Johnson & Johnson	Non-labeling advertising of a medicinal product and concealment of adverse medicine reactions from the public	1.2 billion	Gagnon, 2013, p. 575
10	2012	Pfizer	Bribery of doctors and healthcare workers in different countries (Bulgaria, China, Croatia, the Czech Republic, Italy, Kazakhstan, Russia and Serbia)	45 million	CRI Group, 2018, pp. 17-18
11	2012	Glaxo-SmithKline	Promoting a false depression medicine to those under 18 years of age for 5 years and disseminating false information about two more medicines. Paying doctors for lunches and spa services to increase the reliability of a non-functioning medicine.	3 billion	Department of Justice, 2012
12	2013	Johnson & Johnson	Marketing of three medicines to a target group for which there was no license and bribery of healthcare professionals and resellers	2.2 billion	Department of Justice, 2013b
13	2013	Ranbaxy USA Inc.	Submission of falsified studies over the years to confirm the suitability of medicinal products	500 million	Department of Justice, 2013a; Transparency International, 2016a, p. 14
14	2016	Glaxo-SmithKline	Bribing doctors in the form of various goods to increase sales of a medicine	20 million	CRI Group, 2018
15	2016	SciClone Pharmaceuticals	Bribery of healthcare workers in China to increase medicine sales in cash, gifts, travel, golf games and luxury hospitality	12.8 million	The FCPA Blog, 2016
16	2016	Novartis AG	In China, giving healthcare workers money and gifts to hospitals to supply specific medicines	285 million	The FCPA Blog, 2017

17	2016	Astra-Zeneca	Making inappropriate payments from a subsidiary representative to employees of a Chinese government to purchase and dispense medicines for a specific company	5.5 million	The FCPA Blog, 2017
18	2016	Teva Pharmaceutical Industries Ltd	Paying bribes to senior officials in Russia, Ukraine, and doctors in Mexico to increase sales of medicines for several years	283 million	Department of Justice, 2016
19	2017	Novartis Pharmaceutical Corp	Bribing more than £1.8 million to South Korean healthcare workers	49 million	CRI Group, 2018, p. 20
20	2020	Novartis Pharmaceutical Corp	Bribes to Greek, South Korean and Vietnamese hospitals for prescribing or using medicines	347 million	Securities and Exchange Commission, 2020a
21	2020	Novartis Pharmaceutical Corp	Paying bribes to US doctors to increase the prescribing of specific medicines	678 million	Vigdor, 2020
22	2020	Alexion Pharmaceuticals	Paying bribes to Turkish and Russian officials to increase sales of the company's medicines	21 million	Securities and Exchange Commission, 2020b
23	2020	Purdue Pharma LP	Submission of false data to the state on the sale and distribution of medicines over the years	8.3 billion	Department of Justice, 2020c
24	2020	Teva Pharmaceuticals USA Inc	Unauthorised price fixing of medicines in the US, distortion of supply and finding unsuitable customers for the marketing of generic medicines	205.7 million	Department of Justice, 2020d; 2021c

ANNEX 2. A SELECTION OF CASES THAT BECAME PUBLIC DURING THE COVID-19 PANDEMIC PERIOD

Table 4. Selection of cases that became public during the COVID-19 pandemic period (compiled by the author)

No.	Year	Complaint	Source
1	2020	In Norway, Zimbabwe, Mexico and Taiwan, customers have paid bribes for healthcare products and virus tests, and in Brazil, Chile, Cuba, Peru, the United States, Japan, France and Germany, tests and other healthcare products were stolen	Transparency International, 2020b
2	2020	In Brazil, the USA, Slovenia, Bosnia and Romania, companies that have never been before active in medical sector have won tenders	Transparency International, 2020c
3	2020	In Indonesia, masks, tests and other protective equipment were procured for \$5 billion, the quality of which did not meet expectations when deliveries arrived	Mietzner, 2020, p. 239
4	2020	In Ireland and Canada, acquaintances were used for procurement, which was benefited decision-makers	Transparency International, 2020c
5	2020	In France, €6.64 million was fraudulent, promising to procure COVID-19 masks for the country	Europol, 2020b
6	2020	In Germany, the government was deceived into procuring masks worth €15 million by seeking a repeat advance payment and promising a fast delivery that has not taken place	Europol, 2020c
7	2020	In Romania, criminal proceedings were initiated for a bribe of €760,000 for brokering the acquisition of 3 million masks	Balkan Insight, 2020
8	2020	In China, 80 people were detained and 3,000 doses of counterfeit vaccine were seized	Global Times, 2021
9	2020	Preference was given to protective equipment contracts worth \$71 million in Kenya and \$70 million in Brazil, favouring specific companies	Malalo, 2020; Slattery & Brito, 2020
10	2020	In the US, \$11 billion was spent on various protective equipment and fans, of which \$500 million was acquired from companies previously sanctioned for violations	Salman & Penzenstadler, 2020

11	2020	In South Africa, \$300 million worth of anti-virus equipment was purchased, including food, which has led to a growing trend of corruption in the procurement of goods and the distribution of food	Sishi & Winning, 2020
12	2020	Zimbabwean Minister of Health was fired on suspicion of \$60 million in procurement (protective equipment) breaches	Chingono, 2020
13	2020	The president of a California-based medical technology company is accused of bribing market participants and doctors to carry out more all-ergen and fake COVID-19 tests, causing more than \$69 million in damages	Department of Justice, 2020a
14	2020	In Zambia, there is a suspicion that healthcare products purchased for \$17 million do not meet the required standard	Transparency International, 2021d
15	2020	In 2020, a former UK minister advised a healthcare company for compensation of more than €5,000	OpenDemocracy, 2021
16	2020	The Slovak Prime Minister resigned after coordinating the purchase of 2 million doses of vaccine by a vaccine manufacturer not yet approved by the Agency in the EU and in the country	Kressa, 2021
17	2020	By spring 2020, police forces from 90 countries around the world had seized counterfeit medical supplies, face masks, hand sanitisers worth €12.7 million and 18 bank accounts frozen for €660,000 during Operation Pangea XII	Euronews, 2020
18	2020	In September 2020, Europol announced a successful pan-European operation, Aphrodite, which brought together 21 countries and captured 123 antiviral tools sold through 123 social media accounts and 36 websites, including 27 million masks	Europol, 2020d
19	2020	In December 2020, Europol announced a successful police operation, Shield, in which more than 667 people were arrested by law enforcement agencies in 27 countries, seizing 73 million assets, including 33 million medical supplies in the form of masks, forged tests	Europol, 2020a
20	2020	The UK used £12bn for procuring in healthcare products in 6,900 procurements, of which 1% of products delivered, or around 196 million items, are noncompliant	House of Commons, 2021, pp. 5-9
21	2020	A German Member of Parliament was suspected of receiving €660,000 for directing the procurement of medical masks to a specific company	Deutsche Welle, 2021

22	2021	2,400 counterfeit doses of COVID-19 and 3 million counterfeit masks were detected and 3 Chinese and Zambian nationals detained	Interpol, 2021
23	2021	US company accused of making false claims for more than \$2.3 million in tax compensation under state compensation mechanism	Department of Justice, 2021a
24	2021	1,000 operators were discovered, who were dealing with selling inappropriate healthcare products during the COVID-19 pandemic	OLAF, 2021
25	2021	In the United States, 474 individuals were suspected of committing fraud involving the COVID-19 pandemic, with estimated damages in excess of \$569 million	Department of Justice, 2021d

REMARK

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Contact:

Mati Ombler, MA

Advisor, Estonian Ministry of the
Interior (Former Head of Corruption
Crime Bureau of Estonian National
Criminal Police (2011-2021))

E-mail: mati.ombler@eesti.ee

REFERENCES AND SOURCES

- Access to Medicine Index, 2014. *Pharmaceutical industry doing more to improve access to medicine in developing countries; performance on some aspects lags*. Available at: <https://accesstomedicinefoundation.org/newsroom/pharmaceutical-industry-doing-more-to-improve-access-to-medicine-in-developing-countries-performance-on-some-aspects-lags> (Accessed: 14.02.2021).
- Access to Medicine Index, 2021. *How do companies prioritise access to medicine?* Available at: <https://accesstomedicinefoundation.org/access-to-medicine-index/results/how-do-companies-prioritise-access-to-medicine> (Accessed: 14.02.2021).
- Aidt, T.S., 2009. *Corruption, Institutions and Economic Development*. Paper prepared for a special issue of the Oxford Review of Economic Policy in collaboration with iiG, pp. 1-28.
- Alarabiya News, 2021. *Lebanon COVID-19 vaccine scandal exposes risk of working with a corrupt government*. 28.02.2021. Available at: <https://english.alarabiya.net/views/news/middle-east/2021/02/28/Lebanon-COVID-19-vaccine-scandal-exposes-risk-of-working-with-a-corrupt-government> (Accessed: 21.03.2021).
- Allik, H.-L., 2020. Prokuratuur esitas TÜ kliinikumi nakkushaiguste osakonna juhile süüdistuse. ERR, 28.02.2020. Available at: <https://www.err.ee/1058167/prokuratuur-esitas-tu-kliinikumi-nakkushaiguste-osakonna-juhile-suudistuse> (Accessed: 16.04.2021).
- Anvelt, K., 2021. Järjekordne eliitvaktsineeritu: sotsiaalministeeriumi kantsler. Eesti Päevaleht, 27.01.2021. Available at: <https://epl.delfi.ee/artikkel/92388867/jarjekordne-eliitvaktsineeritu-sotsiaalministeeriumi-kantsler> (Accessed: 08.04.2021).
- Balkan Insight, 2020. *Romania Investigates Allegations of Bribery in Covid-19 Masks Contract*. 24.06.2020. Available at: <https://balkaninsight.com/2020/06/24/romania-investigates-allegations-of-bribery-in-covid-19-masks-contract/> (Accessed: 21.03.2021).
- Barret, A. A., 1990. *Caligula: The Corruption of Power*. New Haven: Yale University Press.
- Bauhr, M., 2017. Need or Greed? Conditions for Collective Action against Corruption. *Governance*, 30(4), pp. 561-581.
- BBC, 2021. *Coronavirus: Vaccine supply fears grow amid EU export threat*. 26.01.2021. Available at: <https://www.bbc.com/news/world-europe-55805903> (Accessed: 18.03.2021).

- Black, E. R., Morris, S. S. & Bryce, J., 2003. Where and why are 10 million children dying every year? *The Lancet*, Vol 361, pp. 2226-2234.
- Brown, A., 2013. Understanding pharmaceutical research manipulation in the context of accounting manipulation. *The Journal of Law, Medicine & Ethics*, 41(3), pp. 611-619.
- Caiden, G.E., 1988. Toward a general theory of official corruption. *The Asian Journal of Public Administration*, 10(1), pp. 3-36.
- Cassin, L.R., 2019. Fresenius Medical pays \$231 million to settle widespread FCPA offenses. 29.03.2019. The FCPA Blog. Available at: <https://fcpublog.com/2019/03/29/fresenius-medical-pays-231-million-to-settle-widespread-fcpa/> (Accessed: 18.03.2021).
- CDC, 2021. *Influenza*. Available at: <https://www.cdc.gov/flu/index.htm> (Accessed: 21.02.2021).
- Chetwynd, E., Chetwynd, F. & Spector, B.I., 2004. Corruption and Poverty: A Review of Recent Literature. *Management System International*, pp. 1-22. Available at: https://pdfs.semanticscholar.org/1614/ebee8a2931dec5c956bf083683239c98f9f4.pdf?_ga=2.71224468.506658698.1562875482-340633941.1562668794 (Accessed: 18.03.2021).
- Chingono, N., 2021. Zimbabwe health minister facing coronavirus corruption sacked. *The Guardian*. July 9, 2020. Available at: <https://www.theguardian.com/global-development/2020/jul/09/zimbabwehealth-minister-facing-coronavirus-corruption-charge-sacked> (Accessed: 14.03.2021).
- CIDRAP, 2015. Saudi Arabia reports 2 MERS cases, strategy changes. Available at: <https://www.cidrap.umn.edu/news-perspective/2015/01/saudi-arabia-reports-2-mers-cases-strategy-changes> (Accessed: 20.02.2021).
- Citifmonline, 2017. *UK Parliament worried over Central Medical Stores fire – Jon Benjamin*. Available at: <https://citifmonline.com/2017/06/uk-parliament-worried-over-central-medical-stores-fire-jon-benjamin> (Accessed: 20.02.2021).
- Cohen, J.C., Cercone, J.A. & Macaya, R., 2002. *Improving Transparency in Pharmaceutical Systems: Strengthening Critical Decision Points Against Corruption*. World Bank, Washington, DC.
- Cohen, J.C., 2006. Pharmaceuticals and corruption: a risk assessment. *Global Corruption Report 2006*, pp. 77-84.
- Cohen, J.C., Mrazek, M.F. & Hawkins, L., 2007. *Corruption and pharmaceuticals: Strengthening good governance to improve access. The many faces of corruption: tracking vulnerabilities at the sector level*. Washington, DC: The World Bank, pp. 29-62.
- Cole, M., 2007. Corruption, Income and the Environment: An Empirical Analysis. *Ecological Economics*, 62, pp. 637-647.

- Council Of Europe, 2020. *Advice on the application of the medicrime convention in the context of covid-19*. 08.04.2020. Available at: <https://rm.coe.int/cop-medicrime-covid-19-e/16809e1e25> (Accessed: 10.03.2021).
- CRI Group, 2018. *How can life sciences companies prevent bribery & corruption? Is ISO 37001:2016 the answer?* Available at: <https://crigroup.com/insights-media/page/5/> (Accessed: 10.03.2021).
- CRI Group, 2020a. *Common Fraud in the Pharmaceutical Industry reported by whistleblower*. Available at: <https://crigroup.com/pharmaceutical-industry-fraud/> (Accessed: 10.03.2021).
- CRI Group, 2020b. *The catalysts of health care fraud: research study An investigative study into the motivations that contribute to defrauding health systems worldwide*. Available at: <https://crigroup.com/case-study/the-catalysts-of-health-care-fraud/> (Accessed: 10.03.2021).
- Cushing, J., 2020. *The unspoken Covid-19 vaccine challenges: Distribution and corruption*. Transparency International Health Initiative. 16 November 2020. Available at: <https://www.devex.com/news/opinion-the-unspoken-covid-19-vaccine-challenges-distribution-and-corruption-98437> (Accessed: 10.03.2021).
- Dávid-Barrett, E. & Fazekas, M., 2020. Anti-corruption in aid-funded procurement: Is corruption reduced or merely displaced? *World Development*, Available at: http://redflags.govtransparency.eu/wp-content/uploads/2020/09/Displacement-effects-Accepted-full-version_200420.pdf (Accessed: 16.04.2021).
- Daylmail, 2021. *Matt Hancock broke the law by failing to reveal coronavirus PPE contracts worth billions of pounds', High Court rules*. Available at: <https://www-dailymail-co-uk.cdn.ampproject.org/c/s/www.dailymail.co.uk/news/article-9279557/amp/Coronavirus-UK-Matt-Hancock-unlawfully-failed-publish-contract-details.html> (Accessed: 20.03.2021).
- Delfi, 2021. *Argentiina minister astub sõprade eelisevaksineerimise tõttu ametist tagasi*. Available at: <https://www.delfi.ee/news/paevauudised/valismaa/argentiina-minister-astub-soprade-eelisevaksineerimise-tottu-ametist-tagasi?id=92620661> (Accessed: 12.02.2021).
- Delic, A. & Zwitter, M., 2020. *Opaque Coronavirus Procurement Deal Hands Millions to Slovenian Gambling Mogul*. OCCRP. 03.04.2020. Available at: <https://www.occrp.org/en/coronavirus/opaque-coronavirus-procurement-deal-hands-millions-to-slovenian-gambling-mogul> (Accessed: 29.03.2021).
- Department of Justice, 2001. *Tap pharmaceutical products inc. and seven others charged with health care crimes; company agrees to pay \$875 million to settle charges*. Available at: <https://www.justice.gov/archive/opa/pr/2001/October/513civ.htm> (Accessed: 12.02.2021).

- Department of Justice, 2012. *GlaxoSmithKline to Plead Guilty and Pay \$3 Billion to Resolve Fraud Allegations and Failure to Report Safety Data*. Available at: <https://www.justice.gov/opa/pr/glaxosmithkline-plead-guilty-and-pay-3-billion-resolve-fraud-allegations-and-failure-report> (Accessed: 12.02.2021).
- Department of Justice, 2013a. *Generic Drug Manufacturer Ranbaxy Pleads Guilty and Agrees to Pay \$500 Million to Resolve False Claims Allegations, cGMP Violations and False Statements to the FDA*. Available at: <https://www.justice.gov/opa/pr/generic-drug-manufacturer-ranbaxy-pleads-guilty-and-agrees-pay-500-million-resolve-false> (Accessed: 12.02.2021).
- Department of Justice, 2013b. *Johnson & Johnson to Pay More Than \$2.2 Billion to Resolve Criminal and Civil Investigations*. Available at: <https://www.justice.gov/opa/pr/johnson-johnson-pay-more-22-billion-resolve-criminal-and-civil-investigations> (Accessed: 18.02.2021).
- Department of Justice, 2016. *Teva Pharmaceutical Industries Ltd. Agrees to Pay More Than \$283 Million to Resolve Foreign Corrupt Practices Act Charges*. Available at: <https://www.justice.gov/opa/pr/teva-pharmaceutical-industries-ltd-agrees-pay-more-283-million-resolve-foreign-corrupt> (Accessed: 18.03.2021).
- Department of Justice, 2020a. *Medical Technology Company President Charged in Scheme to Defraud Investors and Health Care Benefit Programs in Connection with COVID-19 Testing*. June 9, 2020. Available at: <https://www.justice.gov/opa/pr/medical-technology-company-president-charged-scheme-defraud-investors-and-health-care-benefit#:~:text=The%20president%20of%20a%20California,health%20care%20fraud%20in%20connection> (Accessed: 09.03.2021).
- Department of Justice, 2020b. *Two Owners of New York Pharmacies Charged in a \$30 Million COVID-19 Health Care Fraud and Money Laundering Case*. December 21, 2020. Available at: <https://www.justice.gov/opa/pr/two-owners-new-york-pharmacies-charged-30-million-covid-19-health-care-fraud-and-money> (Accessed: 09.03.2021).
- Department of Justice, 2020c. *Justice Department Announces Global Resolution of Criminal and Civil Investigations with Opioid Manufacturer Purdue Pharma and Civil Settlement with Members of the Sackler Family*. October 21, 2020. Available at: <https://www.justice.gov/opa/pr/justice-department-announces-global-resolution-criminal-and-civil-investigations-opioid> (Accessed: 20.03.2021).
- Department of Justice, 2020d. *Seventh Generic Drug Manufacturer Is Charged In Ongoing Criminal Antitrust Investigation*. August 25, 2020. Available at: <https://www.justice.gov/opa/pr/seventh-generic-drug-manufacturer-charged-ongoing-criminal-antitrust-investigation> (Accessed: 20.03.2021).

- Department of Justice, 2021a. *Tax Preparer Charged with COVID-19 Loan Fraud*. 17.03.2021. Available at: <https://www.justice.gov/opa/pr/tax-preparer-charged-covid-19-loan-fraud> (Accessed: 21.03.2021).
- Department of Justice, 2021b. *Medical Doctor and Study Coordinator Sentenced to Prison in Scheme to Falsify Clinical Trial Data*. 22.03.2021. Available at <https://www.justice.gov/opa/pr/medical-doctor-and-study-coordinator-sentenced-prison-scheme-falsify-clinical-trial-data> (Accessed: 23.03.2021).
- Department of Justice, 2021c. *Division Update: Spring 2021*. Antitrust Division. Available at <https://www.justice.gov/file/1379221/download> (Accessed: 24.03.2021).
- Department of Justice, 2021d. *Justice Department Takes Action Against COVID-19 Fraud*. Antitrust Division. Available at <https://www.justice.gov/opa/pr/justice-department-takes-action-against-covid-19-fraud> (Accessed: 07.04.2021).
- Deutsche Welle, 2021. *German MP faces bribery allegations over COVID masks deal*. February 25, 2021. Available at: <https://amp-dw-com.cdn.ampproject.org/c/s/amp.dw.com/en/german-mp-faces-bribery-allegations-over-covid-masks-deal/a-56708300> (Accessed: 20.03.2021).
- Dudine, P., Hellwig, K.-P. & Jahan, S., 2020. A Framework for Estimating Health Spending in Response to Covid-19. *IMF Working Paper*, WP/20/145, pp. 1-43.
- Ecofel, 2021. Covid-19: Emerging risks. Available at: <https://learn.ecofel.org/learn/course/433/play/1330:127/covid-19-emerging-risks> (Accessed: 22.03.2021).
- Euronews, 2020. *COVID-19: Organised crime group 'adapting' with 'new crime trends', Interpol warns*. Available at: <https://www.euronews.com/2020/03/30/covid-19-organised-crime-group-adapting-with-new-crime-trends-interpol-warns> (Accessed: 22.02.2021).
- European Economic and Social Committee, 2015. *Opinion of the European Economic and Social Committee on Fighting corruption in the EU: meeting business and civil society concerns*“. CCMI/132- EESC-2014-06520-00-00-AC-TRA(EN). Brussel.
- European Commission, 2003. *Commission Directive 2003/94/EC of 8 October 2003 laying down the principles and guidelines of good manufacturing practice in respect of medicinal products for human use and investigational medicinal products for human use*. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32003L0094> (Accessed: 17.02.2021).
- European Commission, 2014. *Report From the Commission to the Council and the European Parliament: EU Anti-Corruption Report*. COM(2014) 38 final. Brussels: EC.

- European Parliament, 2016. *The Cost on Non-Europe in the area of Organised Crime and Corruption. Annex II-Corruption*. European Parliamentary Research Service, PE 579.319, March 2016. Brussels: European Union.
- Europol, 2019. *More than €165 million of trafficked medicines seized in Operation MISMED 2*. 08.03.2019. Available at: <https://www.europol.europa.eu/newsroom/news/more-%E2%82%AC165-million-of-trafficked-medicines-seized-in-operation-mismed-2> (Accessed: 21.03.2021).
- Europol, 2020a. *Medicines and doping substances worth €73 million seized in Europe-wide operation*. Press Release. 10.12.2021. Available at: <https://www.europol.europa.eu/newsroom/news/medicines-and-doping-substances-worth-%E2%82%AC73-million-seized-in-europe-wide-operation> (Accessed: 21.03.2021).
- Europol, 2020b. *Corona crimes: Suspect behind €6 million face masks and hand sanitisers scam arrested thanks to international police cooperation*. 06.04.2020. Available at: <https://www.europol.europa.eu/newsroom/news/corona-crimes-suspect-behind-%E2%82%AC6-million-face-masks-and-hand-sanitisers-scam-arrested-thanks-to-international-police-cooperation> (Accessed: 21.03.2021).
- Europol, 2020c. *Corona crimes: multi-million face mask scam foiled by police across Europe*. 14.04.2020. Available at: <https://www.europol.europa.eu/newsroom/news/corona-crimes-multi-million-face-mask-scam-foiled-police-across-europe> (Accessed: 21.03.2021).
- Europol, 2020d. *No safe market for fakes: 21 countries target illegal goods in europe-wide sting*. 25.09.2020. Available at: <https://www.europol.europa.eu/newsroom/news/no-safe-market-for-fakes-21-countries-target-illegal-goods-in-europe-wide-sting> (Accessed: 21.03.2021).
- Europol, 2021. *European Union serious and organised crime threat assessment, A corrupting influence: the infiltration and undermining of Europe's economy and society by organised crime*. Publications Office of the European Union, Luxembourg.
- FINCEN, 2021. *Advisory on COVID-19 Health Insurance and Health Care-Related Fraud*. FinCEN Advisory, February 2, 2021. Available at: <https://www.fincen.gov/sites/default/files/advisory/2021-02-02/COVID-19%20Health%20Care%20508%20Final.pdf> (Accessed: 09.03.2021).
- Gagnon, M.A., 2013. Corruption of pharmaceutical markets: addressing the misalignment of financial incentives and public health. *The Journal of Law, Medicine & Ethics*, 41(3), pp. 571-580.
- Gagnon, M.-A. & Lexchin, J., 2008. The Cost of Pushing Pills: A New Estimate of Pharmaceutical Promotion Expenditures in the United States (Policy Forum). *PLoS Medicine*, 5(1).

- Global Times, 2021. *3,000 doses of fake COVID-19 vaccines confiscated, illegal sales began in September*. 01.02.2021. Available at: <https://www.globaltimes.cn/page/202102/1214637.shtml> (Accessed: 21.03.2021).
- Graphic, 2016. *12 Busted for role in Central Medical Stores fire as Arsonist is on the run*. Available at: <https://www.graphic.com.gh/news/general-news/12-busted-for-role-in-central-medical-stores-fire-as-arsonist-is-on-the-run.html>. (Accessed: 20.02.2021).
- Groenendijk, N., 1997. A principal-agent model of corruption. *Crime, Law and Social Change*, 27(3-4), pp. 203-227.
- Gupta, S., Davoodi, H. & Alonso-Terme, R., 1998. Does Corruption Affect Income Inequality and Poverty? *IMF Working Paper*, 98(76), pp. 1-41.
- Habibov, N., Fan, L. & Auchynnikava, A., 2019. The Effects of Corruption on Satisfaction with Local and National Governments. Does Corruption ‘Grease the Wheels’? *Europe-Asia Studies*, DOI: 10.1080/09668136.2018.1562044.
- Holmes, L., 2015. *Corruption: A Very Short Introduction*. Oxford: Oxford University Press.
- Hough, D., 2013. *Corruption, Anti-Corruption and Governance*. Hampshire: Macmillan Palgrave.
- House of Commons, 2021. *COVID-19: Government procurement and supply of Personal Protective Equipment*. Forty-Second Report of Session 2019–21. Public Accounts Committee, HC 928, 10.02.2021. Available at: <https://committees.parliament.uk/publications/4607/documents/46709/default/> (Accessed: 03.03.2021).
- Hussmann, K., 2011. Addressing corruption in the health sector: Securing equitable access to health care for everyone. *U4 Issue*, 2011 January, no 1, pp. 1-38.
- Huther, J. & Shah, A., 2000. *Anti-Corruption Policies and Programmes: A Framework for Evaluation*. Policy Research Working Paper 2501, World Bank.
- Husted, B.W., 1999. Wealth, culture and corruption. *Journal of International Business Studies*, 30, pp. 339-360.
- IFRC, 2017. *IFRC statement on fraud in Ebola operations*. 20.10.2017. Available at: <https://media.ifrc.org/ifrc/ifrc-statement-fraud-ebola-operations/> (Accessed: 11.03.2021).
- IMF, 2016. *Corruption: Costs and Mitigating Strategies*. *IMF Staff Discussion Note*, May 2016, SDN/16/05.
- Interpol, 2021. *Fake COVID vaccine distribution network dismantled after INTERPOL alert*. 03.03.2021. Available at:

- <https://www.interpol.int/en/News-and-Events/News/2021/Fake-COVID-vaccine-distribution-network-dismantled-after-INTERPOL-alert> (Accessed: 17.02.2021).
- Jenkins, M., Khaghaghordyan, A., Rahman, K. & Duri, J., 2020. *Anti-Corruption Strategies for Development Agencies During The COVID-19 Pandemic*. Transparency International.
- Jiao, W., 2007. Drug Review to rid sector of corruption. *ChinaDaily*. Available at: http://www.chinadaily.com.cn/cndy/2007-02/09/content_805232.htm. (Accessed: 17.02.2021).
- Johnston, M. & Fritzen, S.A., 2021. *The Conundrum of Corruption: Reform for Social Justice*. Abingdon: Routledge.
- Jong-Sung, Y. & Khagram, S., 2005. A comparative study of inequality and corruption. *American Sociological Review*, 70(1), pp. 136-157.
- Kaufmann, D., 2005. *Myths and Realities of Governance and Corruption*, Published in: Global Competitiveness Report 2005-06, pp. 81-98.
- Kerusauskaitė, I., 2018. *Anti-Corruption in International Development*. Abingdon: Routledge.
- Klitgaard, R., 1988. *Controlling corruption*. Berkeley: University of California Press. Klitgaard, R. & Light, P. C., 2005. *High - Performance Government: Structure, Leadership, Incentives*. Santa Monica: Rand Corporation.
- Kohler, J.C. & Bowra, A., 2020. Exploring anti-corruption, transparency, and accountability in the World Health Organization, the United Nations Development Programme, the World Bank Group, and the Global Fund to Fight AIDS, Tuberculosis and Malaria. *Global Health* (16) 101.
- Kohler, J.C. & Ovtcharenko, N., 2013. *Good governance for medicines initiatives: exploring lessons learned*. U4 Issue, 2013 May, no 3, p. 4.
- Koller, T., Clarke, D. & Vian, T., 2020. Promoting anti-corruption, transparency and accountability to achieve universal health coverage. *Global Health Action*, 13:sup1, 1700660.
- Koper, A. 2020. *Need a ventilator? Polish arms dealer has plenty*. Reuters. 17.12.2020. Available at: <https://www.reuters.com/article/health-coronavirus-poland-ventilators-in-idUSKBN28R0OI> (Accessed: 29.03.2021).
- KNAB, 2015a. *KNAB asks to initiate a criminal prosecution against three persons*. Available at: https://www.knab.gov.lv/en/knab/news/6279-knab_asks_to_initiate_a_criminal_prosecution_against_three_persons.html (Accessed: 07.04.2021).
- KNAB, 2015b. *KNAB has initiated a criminal proceeding against medical employees for unlawful requesting and receiving of benefits*. Available at: https://www.knab.gov.lv/en/knab/news/5937-knab_has_initiated_a_

- criminal_proceeding_against_medical_employees_for_unlawful_requesting_and_receiving_of_benefits.html (Accessed: 07.04.2021).
- Kregar, J., 1994. Deformation of Organizational principles: Corruption in Post-Socialist Societies. in: Trang, V.D. (ed.) *Corruption and Democracy*. Budapest: Institute for Constitutional and Legislative Policy, pp. 47-60.
- Kressa, K., 2021. Sputniku-avantüür maksis Slovakkia peaministrile koha, ostetud vaktsiini pole seni käiku lastud. *Eesti Päevaleht*, 29.03.2021. Available at: <https://epl.delfi.ee/artikkel/92981831/sputniku-avantuur-maksis-slovakkia-peaministrile-koha-ostetud-vaktsiini-pole-seni-kaiku-lastud> (Accessed: 08.04.2021).
- Kubbe, I., 2014. The Bigger Picture of Corruption: Europe in Comparative Perspective. *CSD Working Papers*, UC Irvine: Center for the Study of Democracy. Available at: <https://escholarship.org/uc/item/8361x62b> (Accessed: 18.03.2021).
- Laffont, J.J. & Martimort, D., 2002. *The Theory of Incentives: the principal-agent model*. New Jersey: Princeton University Press.
- Lambsdorff, J.G., 2000. Making corrupt deals: contracting in the shadow of the law. *Journal of Economic Behavior & Organization*, 48(2002), pp. 221-241.
- Lambsdorff, J.G., 2003a. How Corruption Affects Productivity. *Kyklos*, 56(4), pp. 457-474.
- Lambsdorff, J.G., 2003b. How corruption affects persistent capital flows. *Economics of Governance*, 4, pp. 229-243.
- Leff, N.H., 1964. Economic Development Through Bureaucratic Corruption. *American Behavioral Scientist*, 8(3), pp. 8-14.
- Lewis, M. & Pettersson, G., 2009. *Governance in health care delivery: raising performance*. Policy Research Working Paper 5074. The World Bank.
- Lexchin, J., 2012. Those who have the gold make the evidence: how the pharmaceutical industry biases the outcomes of clinical trials of medications. *Science and engineering ethics*, 18(2), pp. 247-261.
- Li, S., 2019. *Bribery and Corruption in Weak Institutional Environments: Connecting the Dots from a Comparative Perspective*. Cambridge: Cambridge University Press.
- Lui, F.T., 1985. An Equilibrium Queuing Model of Bribery Games. *Journal of Political Economy*, 93(4), pp. 760-781.
- MacIntyre Hudson, 2010. *The financial cost of healthcare fraud*. Available at: [http://www.ehfcn.org/media/documents/The-Financial-Cost-of-Healthcare-Fraud---Final-\(2\).pdf](http://www.ehfcn.org/media/documents/The-Financial-Cost-of-Healthcare-Fraud---Final-(2).pdf), accessed 2 July 2010 (Accessed: 12.02.2021).
- Mackey, T.K., Liang, B.A., York, P. & Kubic, T., 2015. Counterfeit drug penetration into global legitimate medicine supply chains: a global

- assessment. *The American Journal of Tropical Medicine and Hygiene*, 92 (6), pp. 59-67.
- Mackey, T.K., Kohler, J.C., Savedoff, W.D., Vogl, F., Lewis, M., Sale, J., Michaud, J. & Vian, T., 2016. The disease of corruption: views on how to fight corruption to advance 21st century global health goals. *BMC medicine*, 14(1), pp. 1-16.
- Mackey, T.K., Kohler, J., Lewis, M. & Vian, T., 2017. Combating corruption in global health. *Science translational medicine*, 9(402).
- Mackey, T.K., Vian, T. & Kohler, J., 2018. The sustainable development goals as a framework to combat health-sector corruption. *Bulletin of the World Health Organization*, 96(9), pp. 634-640.
- Majila, T., Taylor, T.D. & Raga, K., 2014. A comparative analysis of the implementation of anti-corruption legislation by anti-corruption agencies in the provinces of the Eastern and Northern Cape. *The Journal for Transdisciplinary Research in Southern Africa*, 10(1), pp. 219-240.
- Malalo, H., 2020. *Kenya Anti-Graft Agency Slams Procurement of COVID-19 Equipment*. Reuters. 24.09.2020. Available at: <https://www.reuters.com/article/us-kenya-corruption/kenya-anti-graft-agency-slams-procurement-of-covid-19-equipmentidUSKCN26F3CC> (Accessed: 29.03.2021).
- Marquette, H. & Peiffer, C., 2015. *Collective Action and Systemic Corruption*. Paper presented at the ECPR Joint Sessions of Workshops, University of Warsaw 29 March-2 April 2015. Available at: <https://ecpr.eu/Filestore/PaperProposal/b5944a31-85b6-4547-82b3-0d4a74910b07.pdf> (Accessed: 18.03.2021).
- Marquette, H., 2020. *Fighting corruption during the coronavirus*. Available at: <https://globalinitiative.net/analysis/corruption-coronavirus> (Accessed: 22.02.2021).
- Mauro, P., 1997. The effects of corruption on growth, investment, and government expenditure: A Cross-Country Analysis. in: K. A. Elliott (ed.) *Corruption and the Global Economy*. Washington DC: Institute for International Economics, pp. 83-108.
- Mauro, P., 2004. The Persistence of Corruption and Slow Economic Growth. *IMF Working Paper*, 51(1), pp. 1-18.
- Meon, P.-G. & Sekkat, K., 2003. Does corruption grease or sand the wheels of growth? *Public Choice*, 122, pp. 69-97.
- MDG, 2015. *Millennium Development Goal 8: Taking stock of the global partnership for development*. MDG Gap Task Force report 2015. New York: United Nations.
- Mietzner, M., 2020. Populist anti-scientism, religious polarisation, and institutionalised corruption: How Indonesia's democratic decline shaped its

- COVID-19 response. *Journal of Current Southeast Asian Affairs*, 39(2), pp. 227-249.
- Mrčela, M., 2020. *Corruption Risks and Useful Legal References in the context of COVID-19*. Issued by Mr Marin Mrčela, GRECO President. 15.04.2020. Greco(2020)4.
- Mungiu-Pippidi, A., 2017. Introduction: identifying and explaining governance virtuous circles. in: A. Mungiu-Pippidi & M. Johnston (ed.) *Transitions to good governance: Creating Virtuous Circles of Anti-Corruption*. Cheltenham: Edward Elgar, pp. 1-30.
- Mungiu-Pippidi, A. & Kukutschka, R.M.B., 2013. European Union Member States. in A. Mungiu-Pippidi (ed) “*Controlling Corruption in Europe*”. The Anticorruption Report, Vol. 1, Barbara Budrich Publishers, pp. 14-47.
- Nye, J.S., 1976. Corruption and Political Development: A Cost-Benefit Analysis. *The American Political Science Review*, 61(2), pp. 417-427.
- OECD, 2017. *Tackling Wasteful Spending on Health*. Available at: www.oecd.org/els/health-systems/Tackling-Wasteful-Spending-on-Health-Highlights-revised.pdf (Accessed: 12.03.2021).
- OLAF, 2021. *Olaf warns against fraudsters offering COVID-19 vaccines*. Press Release, 7/2021, 15.02.2021.
- Olson, R., 2015. *Design critique: Putting Big Pharma spending in perspective*. Available at: <http://www.randalolson.com/2015/03/01/design-critique-putting-big-pharma-spending-in-perspective> (Accessed: 12.02.2021).
- Ombler, M., 2020. *Eesti korruptsioonivastase tegevuse võimekuse tõstmise võimalused peamiste korruptsioonivastaste astutuste näitel*. Available at: <https://digiriul.sisekaitse.ee/handle/123456789/2492> (Accessed: 12.02.2021).
- OpenDemocracy, 2021. *Tory MP broke ministerial code over paid consulting for COVID-19 tech firm*. Available at: <https://www.opendemocracy.net/en/dark-money-investigations/tory-mp-broke-ministerial-code-over-paid-consulting-covid-19-tech-firm> (Accessed: 21.02.2021).
- Paschke, A., Dimancesco, D., Vian, T., Kohler, J. & Forte, G., 2018. Increasing transparency and accountability in national pharmaceutical systems. *Bulletin of the World Health Organization*, 96(11), pp. 782-791.
- Persson, A., Rothstein, B. & Teorell, J., 2012. Rethinking the nature of the grabbing hand. in: S. Holmberg & B. Rothstein (ed.) *Good Government: The Relevance of Political Science*. Edward Elgar Publishing, pp. 251-276.
- Petkov, M. & Cohen, D., 2016. *Diagnosing corruption in health care*. Transparency International UK.
- Politsei-ja Piirivalveamet, 2020. *Korruptsiooniga seotud kohtulahendid*. Available at: <https://www.politsei.ee/et/korruptsiooniga-seotud-kohtulahendid> (Accessed: 23.03.2021).

- PSI, 2021. *Incident Trends*. Available at: <https://www.psi-inc.org/incident-trends> (Accessed: 20.02.2021).
- Rahman, A., Kisunko, G. & Kapoor, K., 2000. Estimating the effects of corruption - implications for Bangladesh (English). *Policy, Research working paper*, WPS 2479. Washington, DC: World Bank.
- Reuters, 2013. *World Bank president calls corruption „Public Enemy No. 1“*. Available at: <https://www.reuters.com/article/idUSBRE9B111P20131219> (Accessed: 08.02.2021).
- Roonemaa, H., 2021. Teolt tabatud: kõrge Vene diplomaat sai salaja juba teise COVID-i vaktsiini. Haigla alustas siseuurimist. *Eesti Päevaleht*, 28.01.2021. Available at: <https://epl.delfi.ee/artikkel/92397395/teolt-tabatud-korge-vene-diplomaat-sai-salaja-juba-teise-covid-i-vaktsiini-haigla-alustas-siseuurimist> (Accessed: 20.02.2021).
- Rose-Ackerman, S., 1997. The political economy of corruption. *Corruption and the global economy*, 31, pp. 31-60.
- Rose-Ackerman, S. & Palifka, B.J., 2016. *Corruption and Government: Causes, Consequences, and Reform*. 2nd edition. Cambridge: Cambridge University Press.
- Rose-Ackerman, S., 2021. Corruption and Covid-19. *Eunomia. Revista en Cultura de la Legalidad*, 20, pp. 16-36. doi: <https://doi.org/10.20318/eunomia.2021.6061>.
- Ross, P. & Veskimeister, A., 2021. *Peeter Ross ja Andre Veskimeister: vaktsineerimise lahendamise on logistiline juhtimisülesanne, mitte teaduslik või poliitiline probleem*. *Eesti Päevaleht*, 24.02.2021.
- Salman, J. & Penzenstadler, N., 2020. *Hundreds of Millions of Dollars Goes to COVID-19 Contractors Accused of Prior Fraud*. USA Today. 07.07.2020. Available at: <https://eu.usatoday.com/in-depth/news/investigations/2020/07/07/covid-19-contracts-overlook-fraud-claims-masks-sanitizer-and-ppe/5352886002/> (Accessed: 13.02.2021).
- Sartor, M. & Beamish, P., 2019. Private Sector Corruption, Public Sector Corruption and the Organizational Structure of Foreign Subsidiaries. *Journal of Business Ethics*. 10.1007/s10551-019-04148-1.
- Savedoff, W.D. & Hussmann, K., 2006. Why are health systems prone to corruption? in: Transparency International (ed.) *Global Corruption Report 2006*, pp. 3-16.
- Securities and Exchange Commission, 2011. *SEC charges Johnson & Johnson with foreign bribery*. Available at: <https://www.sec.gov/news/press/2011/2011-87.htm> (Accessed: 13.02.2021).
- Securities and Exchange Commission, 2020a. *SEC Charges Novartis AG with FCPA Violations*. Available at: <https://www.sec.gov/news/press-release/2020-144> (Accessed: 06.03.2021).

- Securities and Exchange Commission, 2020b. *SEC Charges Alexion Pharmaceuticals With FCPA Violations*. Available at: <https://www.sec.gov/news/press-release/2020-149> (Accessed: 06.03.2021).
- Sindzingre, A.N. & Milelli, C., 2010. The Uncertain Relationship between Corruption and Growth in Developing Countries: Threshold Effects and State Effectiveness. *EconomiX Working Papers 2010-10*, University of Paris Nanterre, EconomiX.
- Sishi, S. & Winning, A., 2020. *COVID-19 Graft Scandals Fuel South Africans' Anger with Ruling ANC*. Reuters. 16.09.2020. Available at: <https://www.reuters.com/article/health-coronavirus-safrica-corruption/covid-19-graft-scandals-fuel-south-africans-anger-with-ruling-anc-idINKBN2671ES> (Accessed: 29.03.2021).
- Slattery, G. & Brito, R., 2020. *The Ventilators Never Came: How Graft Hampered Brazil's COVID-19 Response*. Reuters. 25.09.2021. Available at: <https://www.reuters.com/article/us-health-coronavirus-brazil-corruption-idUKKCN26G1EW> (Accessed: 29.03.2021).
- Statista, 2021. *Revenue of the worldwide pharmaceutical market from 2001 to 2019*. Available at: <https://www.statista.com/statistics/263102/pharmaceutical-market-worldwide-revenue-since-2001> (Accessed: 13.02.2021).
- STT, 2021. *Large-scale investigation is conducted regarding the suspected corruption in participation in public procurement in the healthcare sector*. Available at: <https://www.stt.lt/en/news/7481/large-scale-investigation-is-conducted-regarding-the-suspected-corruption-in-participation-in-public-procurement-in-the-healthcare-sector:3076> (Accessed: 23.03.2021).
- Tassé, M., 2021. *Corruption and Covid 19*. 25.01.2021. Available at: <http://anticorruptionexperts.com/corruption-and-covid-19/> (Accessed: 12.02.2021).
- Teller Report, 2021. *Eskilstuna municipality: Several managers have had their relatives vaccinated*. Available at: <https://www.tellerreport.com/news/2021-01-27-%0A--eskilstuna-municipality--several-managers-have-had-their-relatives-vaccinated%0A--By9Kd7nAku.html> (Accessed: 12.02.2021).
- Teremetskyi, V., Duliba, Y., Kroitor, V., Korchak, N. & Makarenko, O., 2020. Corruption and strengthening anti-corruption efforts in healthcare during the pandemic of Covid-19. *Medico-Legal Journal*, 89(1), pp. 25–28.
- The FCPA Blog, 2016. *SciClone pays SEC \$12.8 million to settle China FCPA offenses*. Available at: <https://fcpablog.com/2016/2/4/sciclone-pays-sec-128-million-to-settle-china-fcpa-offenses> (Accessed: 12.02.2021).
- The FCPA Blog, 2017. *Pharmas and the repeated failure of anti-bribery compliance*. Available at: <https://fcpablog.com/2017/04/20/elizabeth-david-barrett-pharmas-and-the-repeated-failure-of> (Accessed: 12.02.2021).

- The Guardian, 2015. Ex-UN consultants jailed for bribes over drugs supplied to ‘starving Africans’. Available at: <https://www.theguardian.com/uk-news/2015/sep/23/un-guido-bakker-sijbrandus-scheffer-jailed-contracts-drugs-congo> (Accessed: 12.02.2021).
- The Nationale Pulse, 2021. *Conflict of interest: who’s covid investigator is recipient of chinese communist cash, worked with wuhan lab for 18 years*. Available at: <https://thenationalpulse.com/exclusive/who-investigators-ccp-covid-ties/> (Accessed: 20.03.2021).
- The New Humanitarian, 2021. *Tracking the coronavirus pandemic and vaccine rollouts*. Available at: <https://www.thenewhumanitarian.org/maps-and-graphics/2021/coronavirus-humanitarian-update-map-data-vaccine-aid-response> (Accessed: 03.05.2021).
- Thomson Reuters, 2009. *Where can \$700 billion in waste be cut annually from the US healthcare system?* Available at: <http://www.factsforhealthcare.com/whitepaper/HealthcareWaste.pdf> (Accessed: 12.02.2021).
- Transparency International, 2013. *Integrity Pacts in Public Procurement An implementation guide*. Transparency International.
- Transparency International, 2016a. *Corruption in the Pharmaceutical Sector: Diagnosing the challenges*. Transparency International.
- Transparency International, 2016b. *Healthcare companies claim second place on the current FCPA investigation list*. Available at: <https://www.transparency.org.uk/healthcare-companies-claim-second-place-current-fcpa-investigation-list> (Accessed: 17.02.2021).
- Transparency International, 2020a. *Written evidence submitted by Transparency International UK’s*. CGP0018. Available at: <https://committees.parliament.uk/writtenevidence/18733/pdf> (Accessed: 03.03.2021).
- Transparency International, 2020b. *The Ignore Pandemic behind Covid-19: The impact of corruption on healthcare service delivery*. Available at: <http://ti-health.org/wp-content/uploads/2020/12/The-Ignored-Pandemic-Behind-COVID-19-the-impact-of-corruption-on-healthcare.pdf> (Accessed: 14.03.2021).
- Transparency International, 2020c. *Corruption & Covid-19 – The story so far*. Available at: <https://www.transparency.org.uk/corruption-coronavirus-covid-19-latest> (Accessed: 18.03.2021).
- Transparency International, 2021a. *Combating Global Corruption: A Bipartisan Plan. 21 commitments for 2021*. Available at: <https://us.transparency.org/resource/combating-global-corruption> (Accessed: 23.02.2021).
- Transparency International, 2021b. *Why fighting corruption matters in times of COVID-19*. Available at: <https://www.transparency.org/en/news/cpi-2020-research-analysis-why-fighting-corruption-matters-in-times-of-covid->

- 19?utm_medium=social&utm_source=linkedin&utm_campaign=cpi2020-secretariat (Accessed: 09.03.2021).
- Transparency International, 2021c. *Will Covid-19 be the shot in the arm that improves pharmaceutical pricing transparency?* Available at: <https://www.transparency.org/en/blog/will-covid-19-be-the-shot-in-the-arm-that-improves-pharmaceutical-pricing-transparency> (Accessed: 29.01.2021).
- Transparency International, 2021d. *Zambia's medical supply scandal makes anti-corruption a key electoral issue this year.* 28.01.2021. Available at: <https://www.transparency.org/en/blog/cpi-2020-zambia-medical-supply-scandal-anti-corruption-key-electoral-issue> (Accessed: 29.01.2021).
- Transparency International, 2021e. *2020 corruption perceptions index reveals widespread corruption is weakening covid-19 response, threatening global recovery: Corruption and COVID-19 worsening democratic backsliding.* 28.01.2021. Available at: <https://www.transparency.org/en/press/2020-corruption-perceptions-index-reveals-widespread-corruption-is-weakening-covid-19-response-threatening-global-recovery> (Accessed: 29.01.2021).
- Trapnell, S. & Recanatini, F., 2017. Evidence, corruption, and reform: the importance of context-sensitivity. *Crime, Law & Social Change*, 68(4), pp. 477-491.
- Ugur, M. & Dasgupta, N., 2011. Corruption and economic growth: A meta-analysis of the evidence on low-income countries and beyond. *MPRA Paper 31226*, University Library of Munich, Germany, revised 31 May 2011.
- Ulst, M., 2021. Valga haigla juht pakkus väljaspool järjekorda oma prominentsetele Rotary klubivendadele koroonavaktsiini. *Delfi*, 19.01.2021. Available at: <https://m.delfi.ee/eesti/article.php?id=92304373> (Accessed: 13.02.2021).
- UNAIDS, 2021. *Global HIV & AIDS statistics - 2020 fact sheet*. Available at: <https://www.unaids.org/en/resources/fact-sheet> (Accessed: 13.02.2021).
- UNDP, 2011. *Fighting Corruption in the Health Sector: Methods, Tools and Good Practices*. Available at: https://www.transparency.org.uk/sites/default/files/pdf/publications/29-06-2016-Corruption_In_The_Pharmaceutical_Sector_Web-2.pdf (Accessed: 17.02.2021).
- UN News, 2018. *The costs of corruption: values, economic development under assault, trillions lost, says Guterres.* 9.12.2018. Available at: <https://news.un.org/en/story/2018/12/1027971> (Accessed: 13.04.2021).
- UN General Assembly, 2003. *United Nations Convention Against Corruption*, 31 October 2003, A/58/422.
- UNODC, 2013. *Guidebook on anti-corruption in public procurement and the management of public finances: Good practices in ensuring compliance with article 9 of the United Nations Convention against Corruption*. Available at: <https://www.unodc.org/documents/corruption/Publications/2013/>

- Guidebook_on_anti-corruption_in_public_procurement_and_the_management_of_public_finances.pdf (Accessed: 20.02.2021).
- UNODC, 2020a. *Signature and Ratification Status as of 6 February 2020*. Available at: <https://www.unodc.org/unodc/en/corruption/ratification-status.html> (Accessed: 22.03.2021).
- UNODC, 2020b. *Covid-19 vaccines and corruption risks: preventing corruption in the manufacture, allocation and distribution of vaccines*. Available at: https://www.unodc.org/documents/corruption/COVID-19/Policy_paper_on_COVID-19_vaccines_and_corruption_risks.pdf (Accessed: 12.03.2021).
- Vabariigi President, 2021. Kõned: Eesti Vabariigi aastapäeval Paide Muusikaja Teatrimajas. 24.02.2021. Available at: <https://www.president.ee/et/ametitegevus/koned/16450-eesti-vabariigi-aastapaeval-paide-muusika-ja-teatrimajas/index.html> (Accessed: 24.02.2021).
- Vian, T., 2008. Review of corruption in the health sector: theory, methods and interventions. *Health policy and planning*, 23(2), pp. 83-94.
- Vian, T., 2020. Anti-corruption, transparency and accountability in health: concepts, frameworks, and approaches. *Global health action*, 13(sup1), 1694744.
- Vigdor, N., 2020. It paid doctors kickbacks. Now, Novartis will pay a \$678 million settlement. *The New York Times*. Available at: <https://www.nytimes.com/2020/07/01/business/Novartiskickbacks-diabetes-heart-drugs.html> (Accessed: 18.03.2021).
- Wikipedia, 2020. Zheng Xiaoyu. Available at: https://en.wikipedia.org/wiki/Zheng_Xiaoyu (Accessed: 17.02.2021).
- Wolfensohn, J. D., 2005a. People and Development. Address to the Board of Governors at the Annual Meetings of the World Bank and the International Monetary Fund, Washington, D.C./ October 1, 1996. in: *The World Bank. Voice for the World's Poor: Selected Speeches and Writings of World Bank President James D. Wolfensohn, 1995-2005*. Washington, DC: World Bank, pp. 45-54.
- Wolfensohn, J. D., 2005b. The Right Wheel: An Agenda For Comprehensive Development. Remarks at the International Conference on Democracy, Market Economy, and Development, Seoul/February 26, 1999. In: *The World Bank. Voice For The World's Poor. Selected Speeches and writings of The World Bank President James D. Woldensohn, 1995-2005*. Washington, DC: World Bank, pp. 138-144.
- World Bank, 1997. Helping Countries Combat Corruption: The Role of the World Bank. *World Bank Publications*. Available at: <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/corrptn.pdf> (Accessed: 04.09.2019).

- World Health Organization, 2004. *WHO Medicines Strategy: Countries at the Core 2004-2007* Available at: https://apps.who.int/iris/bitstream/handle/10665/84307/WHO_EDM_2004.5_eng.pdf (Accessed: 13.02.2021).
- World Health Organization, 2009. *Measuring transparency in the public pharmaceutical sector: assessment instrument* Available at: <https://apps.who.int/iris/handle/10665/112681> (Accessed: 13.02.2021).
- World Health Organization, 2017a. *A Study on the Public Health and Socioeconomic Impact of substandard and falsified medicinal products*. Available at: https://www.who.int/medicines/regulation/ssffc/publications/SE-Study_EN_web.pdf?ua=1c (Accessed: 13.02.2021).
- World Health Organization, 2017b. *Global Surveillance and Monitoring System for Substandards and Falsified Medical Products*. Available at: <https://apps.who.int/iris/bitstream/handle/10665/326708/9789241513425-eng.pdf?ua=1> (Accessed: 13.02.2021).
- World Health Organization, 2017c. *Tracking universal health coverage: 2017 Global Monitoring Report*. Geneva and Washington, DC: World Health Organization and The World Bank.
- World Health Organization, 2018. *Public spending on health: a closer look at global trends*. Available at: <https://apps.who.int/iris/bitstream/handle/10665/276728/WHO-HIS-HGF-HF-WorkingPaper-18.3-eng.pdf> (Accessed: 12.02.2021).
- World Health Organization, 2020b. *World health statistics 2020: A visual summary*. Available at: <https://www.who.int/data/gho/whs-2020-visual-summary> (Accessed: 16.02.2021).
- World Health Organization, 2020c. *Potential corruption risks in health financing arrangements: report of a rapid review of the literature*. Available at: <https://www.who.int/publications/i/item/potential-corruption-risks-in-health-financing-arrangements-report-of-a-rapid-review-of-the-literature> (Accessed: 11.04.2021).
- World Health Organization, 2021a. *WHO Coronavirus Disease (COVID-19) Dashboard*. Available at: <https://covid19.who.int> (Accessed: 03.05.2021).
- World Health Organization, 2021b. *International Clinical Trials Registry Platform (ICTRP)/ICRTP Registry Network*. Available at: <https://www.who.int/clinical-trials-registry-platform/network/primary-registries> (Accessed: 13.02.2021).
- WSJ, 2014. *The Corruption Cure: Transparency, Taxes, Trade. G-7 leaders should address the crony capitalism eating away at economic and political systems*. 4. June. 2014. Available at: <https://www.wsj.com/articles/david-cameron-the-corruption-curetransparency-taxes-trade-1401913005> (Accessed: 08.03.2021).



POLAND'S DEFENCE EXPENDITURES IN THE NATO FINANCIAL FRAMEWORK

Grzegorz Kozłowski, PhD
*Embassy of the Republic of Poland
to the Republic of Estonia
Ambassador*

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ABSTRACT

The objective of this article is to provide an analysis of Poland's policy on defence expenditures in the context of the NATO financial framework. The publication reviews political, legal and financial aspects of Warsaw's position in that regard since 2000, placing particular emphasis on the period after 2014, when the 2/20% rule was introduced into the Alliance's system, according to which NATO Member States should pay annually at least 2% of their Gross Domestic Product on defence, including 20% on major equipment.

Poland is among only eleven Allies which meet these requirements, having a well-established bipartisan approach to gradually increase domestic defence spending to at least 2.5% by 2030. That policy is not going to change even in the context of an economic recession due to the COVID-19 pandemic or any potential external changes in the security environment. Such an attitude should only serve to help maintain Poland's position as one of the NATO beneficiaries, receiving not only security – as can be indicated through burden-sharing analysis - but also economic (military infrastructure projects through NATO Security Investment Programme) benefits.

INTRODUCTION

Defence Expenditures remain one of the most important elements of political and military discourse in NATO. Uneven burden sharing, the necessity of modernising defence capabilities and a dynamic security environment have been determining intense debate in the Alliance in that regard, especially during the presidency of Donald Trump (Kozłowski, 2019). While NATO took many initiatives in the past to introduce financial guidelines for their member states, it was only successful in 2014, when the Allies agreed to spend at least 2% of their GDP on defence, including 20% on major equipment. Despite applicable guidelines, only eleven NATO countries met these guidelines in 2020.

Poland has a longstanding and bipartisan policy to allocate spending on defence in accordance with the Alliance's expectations. Given the security environment close to the eastern flank of NATO as well as its importance of burden sharing for the United States, Warsaw is determined not only to fulfil applicable regulations, but even to increase its defence expenditures up to 2.5% by 2030. The current economic crisis due to the COVID-19 should not be a substantial obstacle in meeting these plans since Poland is already apidly returning to the path of dynamic economic growth.

The aim of the article is to assess the policy of Poland in terms of defence spending, thereby verifying its political, legal and financial aspects. The scope of research in that regard encompasses the period between 2000 and today. The publication analyses the position of Poland vis-à-vis NATO financial guidelines in comparison to other Allies. It also discusses the broader perception of burden sharing in the Alliance and explores costs and benefits stemming from the participation in the NATO common funded budgets. Finally, it addresses current and prospective challenges that may determine the size of defence spending.

During the work on the article several questions were formulated: Does Poland have a stable and predictable policy on defence spending? Does Poland meet the NATO requirements regarding the level and structure of defence expenditures? How can we evaluate defence expenditures in the context of NATO burden sharing and common funded budgets? Should

we expect any changes in the Poland's defence spending policy on the mid- and long-term horizon?

The article uses methods of comparative scientific literature and analysis of source materials. The latter encompasses research of Poland's legal acts, government documents and public policy speeches since 2000 (1999 was the year of accession of Poland to the North Atlantic Alliance) as well as analytical studies by think tanks and academic research. In addition, I have used a method of participant observation being employed at the Permanent Delegation of the Republic of Poland to NATO (until 2004) and at the other Polish government agencies (until today).

1. POLAND'S POLICY ON THE LEVEL OF DEFENCE EXPENDITURES

Poland presents a stable and continuous position of spending at least 2% of their GDP on defence, including 20% on major equipment. The policy of adequate (meaning meeting NATO financial guidelines – see below) financing of defence has been uncontentious in Poland since the beginning of the membership in NATO, being effectively and deeply anchored in the political, legal and financial system.

There is a bipartisan understanding among all major political parties in Warsaw that an appropriate level of defence expenditure is one of the most important criteria of Poland's membership in the Alliance and the essential condition of further modernisation of the Armed Forces in the current and prospective security environment, as well as strengthening strategic ties with the United States. Warsaw wants to be perceived not only as the recipient of NATO security, but also as one of its providers, exposing the position of the biggest member state on the eastern flank of the North Atlantic Treaty area. Hence it is determined to actively engage in NATO military activities, including deployment of forces according to the Alliance's needs (e.g., Poland participation in the NATO enhanced Forward Presence Battle Group in Latvia).

Simultaneously, while Poland has prepared some analysis concerning the costs of enlargement and accession to NATO, this issue has never been perceived as a primary one; in fact, Poland has not actively scrutinised the membership cost, understanding that the alternative option of not being a member of the Alliance would cost considerably more (a similar position was taken by other mid- and small-sized countries, see e.g., Rudzite-Stejskala, 2013, 181). Nevertheless, Warsaw is well aware that a preparedness to spend more on defence would directly contribute towards strengthening transatlantic relations. Gradual replacement of obsolete post-Soviet military equipment with modern American armaments has been reinforcing strategic political-military ties between Warsaw and Washington. Regardless of the government coalition, pro-US policy continued in Poland during the last twenty years; the acquisition of 48 F16 aircrafts (2003; PL - Left Wing Alliance government; US – Republican

Party administration), pursuing further expansion of US troops and deployment of US Missile Defence elements in Poland (2005 onwards; PL – Law and Justice / Civic Platform governments; US – Republican and Democratic Party administrations) could be the convincing examples of this approach.

The bipartisan stance on the level of defence expenditures was reflected in the exposés of the Prime Ministers.

TABLE 1: Polish Prime Ministers on Defence Expenditures. Excerpts of exposés (2007-2019)

Year	Prime Minister	Statement on Defence Expenditures.
2019	Mateusz Morawiecki	“Voices of some leaders challenging Art. 5 of the Washington Treaty or failure to fulfil allied obligations to spend 2% of GDP on defence undermine our security, threaten the future of the European Union and NATO. We will counteract them”.
2017	Mateusz Morawiecki	“In the last two years we have significantly strengthened Poland’s security. Implementation of the decisions made during the NATO summit in Warsaw, presence of allied soldiers and American troops in Poland, and the expansion of the military infrastructure became a clear signal that Poland can count on the support of its allies”.
2015	Beata Szydło	“As for military security, we are planning an introduction of two types of parallel and complementary activities. On the one hand – strengthening and developing our Armed Forces. There are already significant investments planned in armaments should (...) serve the development of the Polish economy. On the other hand – actions aimed at strengthening the eastern flank of NATO”.
2014	Ewa Kopacz	“My government will ensure the security of Poland and Poles. By implementing this objective, we will increase defence spending – as of 2016 – up to 2% of GDP”.
2007	Donald Tusk	“We will remain a strong link in the North Atlantic Alliance. We will strive to spread the costs and risks of NATO activities among Allies more fairly”.

Source: J. Marszałek-Kawa, P. Siemiątkowski (2020).

The data in table 1 present the excerpts dedicated to NATO and/or defence expenditures from five of the last six exposés of Poland's Prime Ministers (exposé of Prime Minister Donald Tusk in 2011 did not refer to Alliance and defence spending). They all, either implicitly or explicitly (Ewa Kopacz and Mateusz Morawiecki), confirmed the necessity for adequate spending on defence. The exposés in 2014 and 2019 reflected external developments; the former resulted from NATO's decision to include financial guidelines in the Wales Summit Declaration, the latter came due to the strong US administration's position on the Alliance's burden sharing (see point 2 of this text).

The appropriate level of defence expenditures is formally well secured. Poland already introduced stringent rules with regard to the financing of armed forces in 2001, when the Act on Reconstruction and Technical Modernization and Financing of the Armed Forces of the Republic of Poland and Act on Public Finance (hereinafter referred to as "the Act") was adopted. Art. 7.1 of the Act stipulated that expenditures financing the program are included in the state budget on the level of at least 1.95% of GDP. At the same time, property expenses were set on the level of at least 19% and the budget for acquisition of the multipurpose aircrafts was not included in this amount (Polska, 2001). The Act explained such a position by two main factors: adaptation of Poland's defence planning to NATO requirements as well as the creation of conditions to stable financing of the Armed Forces.

After the amendment of the Act in 2015, the new art. 7.1 stipulated that annual defence expenditures of Poland cannot be lower than 2% of GDP. Simultaneously, art. 7.2a and 7.3 stated that property as well as technical modernisation expenses should reach the level of at least 20% of the total defence expenditures (Polska, 2015). The next changes to the Act had already been introduced in 2017, when Parliament decided to gradually increase defence expenditures from 2.0% of GDP in the years 2018 and 2019 to: 2.1% in 2020; 2.2% in the years 2021-2023; 2.3% in the years 2024 and 2025; 2.4% in the years 2026-2029 and at least 2.5% from 2030 onwards (Polska, 2017). According to the authors of this amendment, an increase of defence expenditures was necessary not only due to the NATO guidelines, but the further technical modernisation of the Polish Armed Forces as well as to increase the number of Allied troops in Poland.

The support for a high level of defence spending was also included in the 2012 Strategic Review of National Security of Poland, which recommended in par. 5.2b that “defence budget on the level of 1.95% of GDP needs to be maintained in the long-time budgetary horizon” (Biuro Bezpieczeństwa Narodowego, 2012). The 2017 Strategy for Responsible Development of Poland confirmed that the level of defence expenditures would amount to 2% of GDP in 2020 and to 2.5% of GDP in 2030, while GDP would refer to the same year as defence spending as NATO’s methodology suggested (Ministerstwo Funduszy i Polityki Regionalnej, 2017). The 2020 Strategy for National Security specified in par. 3.1 that there is a need “to make an effort to accelerate the development of the operational capabilities of the Republic of Poland’s Armed Forces by increasing the dynamics of growth in defence spending, reaching the level of 2.5 % of GDP in 2024” (Biuro Bezpieczeństwa Narodowego, 2020).

Political and legal arrangements on the level of defence expenditures were reflected in the budgetary realities (see table 2).

TABLE 2: Poland’s Defence Expenditure in the years 2000-2019 (% of GDP, including spending on major equipment)

Year	% GDP	Major Equipment	Year	% GDP	Major Equipment
2000	1.9	8.8	2001	1.9	8.8
2002	1.9	11.1	2003	1.9	12.4
2004	1.8	14.6	2005	1.8	14.6
2006	1.8	18.2	2007	1.8	18.6
2008	1.6	13.9	2009	1.7	15.9
2010	1.8	18.1	2011	1.7	16.1
2012	1.8	15.2	2013	1.7	13.9
2014	1.8	18.8	2015	2.2	33.2
2016	2.0	21.6	2017	1.9	22.0
2018	2.0	27.5	2019	2.0	23.2

Source: NATO HQ (2005, 2009, 2011, 2015, 2018a, 2021a)

In the years 2000-2014, Poland spent annually close to 2% of their GDP on defence, and from 9 to 19% on major equipment. Why was there a difference with the rules stemming from the Act? The main reason resulted from methods of calculations that differed from NATO's one. Until 2017 Poland used the GDP data of the previous year, not the current one, which (in most of the cases the GDP of Poland was higher than projected in the budgetary acts) eventually led to the lower than expected level of defence spending (Dmitruk, 2019). This method of calculation has since been repealed.

2. NATO GUIDELINES

Art. 3 of the North Atlantic Treaty states that "in order to more effectively achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack". The scope and character of these obligations are defined in art. 19 of the NATO Strategic Concept as the full range of capabilities necessary to deter and defend against any threat to the safety and security of NATO members' populations. Concurrently, the Concept stipulates that member states "will sustain the necessary levels of defence spending, so that our armed forces are sufficiently resourced" (NATO HQ, 2010). The "necessary level of defence spending in NATO" was regulated only in 2014 during NATO Summit in Newport. Art. 14 of the Wales Summit Declaration stipulates that:

- "Allies currently meeting the NATO guideline to spend a minimum of 2% of their Gross Domestic Product (GDP) on defence will aim to continue to do so. Likewise, Allies spending more than 20% of their defence budgets on major equipment, including related Research and Development, will continue to do so;
- Allies whose current proportion of GDP spent on defence is below this level will halt any decline in defence expenditures; aim to increase defence expenditure in real terms as GDP grows; aim to move towards the 2% guideline within a decade with a view to meeting their NATO Capability targets and filling NATO's capability shortfalls" (NATO HQ, 2014).

Despite the reference to an allegedly existing "NATO Guideline", the rule of 2/20% was mentioned in a summit document for the first time in Newport. It did appear once before in the 2006 Ministerial Guidance of the NATO Defence Planning Committee, but it was not included in neither the declaration of the 2006 NATO summit in Riga, nor in any other declarations of summit before Wales (Kamp, 2019).

The decision to formally introduce financial guidelines to the Wales Summit declaration was predominantly determined by two factors. First, it reflected the constant pressure of the US administration, represented *inter alia* by secretary of defence Robert Gates, who emphasised that “defence budgets – in absolute terms, as a share of economic output – have been chronically starved for adequate funding for a long time, with the shortfalls compounding on themselves each year” (Fontaine, 2017). Secondly, in 2014 the threat to the North Atlantic Treaty area significantly increased after Russia’s illegal annexation of Crimea. The violation of territorial integrity of Ukraine radically altered the Allies’ perception of threat, mostly from the Eastern flank, including Poland, who – together with Baltic states – had been since 2008 (Russia’s invasion on Georgia) continuously voicing concern about the aggressive policies of Moscow.

It has to be underlined that the debate on burden sharing and the necessity to establish a form of rigid requirement on defence expenditures among member states were practically run since the beginning of the Alliance, however it was successful for the first time in only 1977. Then NATO allies agreed in the Ministerial Guidance that “against the background of adverse trends in the NATO-Warsaw Pact military balance and in order to avoid a continued deterioration in the relative force capabilities, an annual increase in real terms in defence budgets should be aimed at by all member countries (...) annual increase should be in the region of 3 % (...)” (NATO HQ, 1977). This objective has never been met and was eventually dropped by the Alliance in the middle of 80s.

Today, the 2/20% rule seems to be deeply rooted in the NATO regulations being repeatedly included in Alliance summits’ declarations (see table below).

TABLE 3: Statements on defence expenditures of member states included in NATO Summits’ declarations (2016-2019)

Summit	Excerpts
Warsaw, 2016.	Par. 34. "Since Wales, we have turned a corner. Collectively, Allies' defence expenditures have increased in 2016 for the first time since 2009. In just two years, a majority of Allies have halted or reversed declines in defence spending in real terms. Today, five Allies meet the NATO guideline to spend a minimum of 2% of their Gross Domestic Product on defence. Ten Allies meet the NATO guideline to spend more than 20% of their defence budgets on major equipment, including related Research & Development."
Brussels, 2018.	Par. 3. "Fair burden sharing underpins the Alliance’s cohesion, solidarity, credibility, and ability to fulfil our Article 3 and Article 5 commitments. We welcome the considerable progress made since the Wales Summit with four consecutive years of real growth in non-US defence expenditure. All Allies have started to increase the amount they spend on defence in real terms and some two-thirds of Allies have national plans in place to spend 2% of their Gross Domestic Product on defence by 2024. More than half of Allies are spending more than 20% of their defence expenditures on major equipment, including related research and development, and, according to their national plans, 24 Allies will meet the 20% guideline by 2024."
London, 2019.	Par. 2. "We are determined to share the costs and responsibilities of our indivisible security. Through our Defence Investment Pledge, we are increasing our defence investment in line with its 2% and 20% guidelines, investing in new capabilities, and contributing more forces to missions and operations. Non-US defence expenditure has grown for five consecutive years; over 130 billion US dollars more is being invested in defence."

Source: NATO HQ (2016, 2018b, 2019a)

Recently, allies have not only agreed to the necessity of spending at least 2% on defence (including 20% on major equipment) but have also listed the topic among key NATO objectives. While typically an issue of defence expenditures was introduced into the summit communique later in the text (such as, for example, in 2016), it became of primary importance in 2018 and 2019 (see table above). That change was determined mostly by the constant pressure from US President Donald Trump, who perceived burden sharing as one of his top priorities in policy vis-à-vis allies (Kozłowski, 2019). The special criticism from the US came during the 2018 NATO Summit in Brussels where President Trump stated that “United States was paying for anywhere from 70 to 90 percent of it, depending

on the way you calculate” and expecting that NATO Allies should be paying even up to 4% (*ibidem*).

Poland actively supported the US in prioritising defence expenditures, with Warsaw's position based mainly on two elements. On the one hand, there was an understanding that in the current and prospective security environment, pursuing further defence capabilities modernisation as well as an increase of troops was needed and that required an adequate level of financing. On the other hand, US highlighted readiness to continue defence investments in Poland and in the Central and Eastern European region. It was endorsed by Washington's decision to: (a) take over the position of a framework nation of NATO enhanced Forward Presence in Poland; (b) continue the construction of the Aegis Ashore ballistic missile defence base in Redzikowo (northern part of Poland) and (c) expand military presence in Poland. The latter decision was not only politically and militarily anticipated by the Polish government, but it was also stimulated economically. Warsaw was ready to contribute “1.5 – 2 billion USD to cover the cost of facilitating the stationing of one US armored division or equivalent force in Poland” (Ministry of the National Defence of the Republic of Poland, 2018).

Pressure from the US administration on increasing defence expenditures among European allies was only a partial success. In the years 2014-2019, NATO countries increased their defence spending by 130 billion USD (see table 3), but most of the countries are still behind the existing guidelines.

TABLE 4: Level of defence spending & their share in the GDP of NATO Allies (2015-2020)

	Country	Share of defence spending in GDP (%)		Share of military expenditure spent on military equipment (%)	
		2020e	2019	2020e	2019
1.	USA	3.73	3.51	29.25	27.51
2.	Greece	2.68	2.36	12.06	12.51
3.	Estonia	2.33	2.03	25.36	15.50
4.	United Kingdom	2.32	2.10	23.00	22.85
5.	Poland	2.31	1.98	29.04	23.24
6.	Latvia	2.27	2.03	26.03	21.65
7.	Lithuania	2.13	2.00	26.19	37.57
8.	Romania	2.07	1.84	23.08	25.59
9.	France	2.04	1.83	26.50	24.50
10-	Norway	2.00	1.86	28.44	28.76
11	Slovakia	2.00	1.71	31.84	40.07
12.	Turkey	1.86	1.85	34.20	34.32
13.	Hungary	1.85	1.25	34.73	23.81
14.	Croatia	1.83	1.65	10.27	6.55
15.	Montenegro	1.72	1.33	20.76	14.78
16.	Bulgaria	1.60	3.15	19.20	62.12
17.	Portugal	1.59	1.38	16.60	16.61
18.	Germany	1.56	1.36	16.87	14.69
19.	The Netherlands	1.49	1.35	26.10	23.90
20.	Denmark	1.43	1.30	22.35	18.06
21.	Canada	1.42	1.29	17.36	14.80
22.	Italy	1.39	1.18	24.59	17.00
23.	Czech Rep.	1.34	1.16	17.00	14.42
24.	Albania	1.29	1.31	14.50	16.80
25.	North Macedonia	1.27	1.16	11.41	13.82
26.	Spain	1.17	0.91	23.25	21.02
27.	Slovenia	1.10	1.06	4.56	7.10
28.	Belgium	1.07	0.89	10.36	11.06
29.	Luxembourg	0.54	0.54	52.53	51.99
30.	Iceland	n. a.	n. a.	n. a.	n. a.

Source: NATO HQ (2021a), e-estimates.

The biggest deficiencies in terms of meeting NATO financial guidelines lie with Germany, Canada and Italy (members of G7), which are not even close to the 2% level (the percentage of defence expenditures amounted to, respectively: 1.56, 1.42 and 1.39). Poland is among eleven Allies who meet both requirements stemming from the 2/20% rule. Warsaw spent 2.31 % of their GDP in 2020 on defence, including 29.04% on major equipment. While exact numbers can be misleading due to the post-COVID economic recession (see par. 4), the trend of defence expenditures in Poland is gradually on the rise and is expected to reach 2.5% by 2030 as it is reflected in the Act.

3. SELECTED COMMENTS ON DEFENCE EXPENDITURES IN THE CONTEXT OF NATO BURDEN SHARING AND THE COMMON FUNDED BUDGETS

The 2/20% rule remains an important indicator of the political resolve of individual Allies devoting to defence. However, it provides no guarantee that money will be spent in the most efficient ways to acquire and deploy modern capabilities (NATO HQ, 2021b). Thus, defence expenditures of NATO member states have to be perceived in the wider perspective of economic, financial and military aspects of NATO functioning, including burden sharing and the common funded budgets.

NATO's cornerstone is that the burden of defending the North Atlantic Treaty area should be shared fairly among its member states, stemming directly from art. 5 of the Washington Treaty and the idea of collective defence (NATO HQ, 1949). While there is no commonly accepted definition of the term 'burden sharing', one can derive their interpretation from former US Secretary of Defense Caspar Weinberger, that alliances remain acceptable as long as risks and responsibilities are equitably shared (Weinberger, 1987, 1).

The NATO burden sharing debate was dominated in literature through economic theory of alliances, which suggests that the collective defence can be interpreted either as pure public good (Olson, Zeckhauser, 1966) or impure public good (i.e. Rinsgmoose, 2009). In the first case (pure public) a nation's consumption of defence does not affect the amount available for consumption by other nations (non-rivalry) and, once these goods are provided, they are available to everyone (non-excludability). That could have potential consequences by providing an incentive for a nation to 'free-ride' when it knows that another nation will provide sufficient alliance defence for its own needs (Kozlowski, 2019). In the second case, defence can have a feature of both public and private good (where non-rivalry and non-excludability factors do not occur). While the nuclear umbrella provided by the United States can be used only externally and may be seen as a public good, conventional forces of member states can be interpreted as a public good when they defend external borders of the North Atlantic Treaty area, and as

a private good when they serve individual ally benefits (e.g. counteracting terrorism inside the country or suppressing internal unrest).

Most of the experts agree that today (de facto after 1967, when the Mutual Assured Destruction doctrine was no longer valid) NATO collective defence can be interpreted as public-private good, where the US, whose biggest military capabilities far surpass any other – including atomic weapons - in the Alliance, remains the most important provider of deterrence and defence and where small and medium-sized countries, including Poland, are major beneficiaries of the Alliance. It has to be noted however that these allies “tend to contribute less than their proportionate share of the defence burden to avoid entrapment, but they will increase their contribution when the dominant power applies enough pressure (...)” (Rinsgrose, 2009).

While the burden sharing issue should provide a strategic analysis of the costs and benefits of individual members of the Alliance, NATO common funded budgets constitute a financially small, but politically and militarily important piece of the Alliance activities. The costs of running NATO are covered through member states' direct and indirect contributions. The former (indirect or national) come in the form of Allies' participation in NATO-led operations and missions. The latter are borne collectively through common funding, with all Allies contributing according to an agreed upon cost-share formula. Common-funding arrangements finance NATO's budgets: the Civil Budget, covering the costs related to the running the NATO International Staff and Headquarters, the Military Budget, funding the costs of the Integrated Command Structure, and the NATO Security Investment Programme (NSIP), dedicated to military capabilities. These three budgets are worth annually around 2.5 billion euros (in 2020 – 2.46 billion) and represents 0.3% of the total Allied defence spending. Projects can also be jointly funded by two or more member states, given that participating countries identify the requirements, priorities and funding arrangements for the project, and NATO provides political and financial oversight (NATO HQ, 2020).

The NATO common funded cost-sharing formula is based on GNI (Gross National Income) data, representing an average of figures using current prices and data measuring purchasing power parity (taken from the World Bank's World Development Indicators). The formula uses a

two-year rolling average of each country's GNI with an exception for the US, which negotiated a ceiling for its cost share percentages (Ek, 2012).

TABLE 5: Cost sharing formulae in NATO common funded budgets (excluding North Macedonia)

Country	Real GDP in 2020 in billion USD	Share of GDP in total NATO states GDP	Cost sharing formula
Albania	13	0.0332	0.0908
Belgium	493	1.2600	2.1059
Bulgaria	58	0.1482	0.3660
Canada	1,682	4.2987	6.8840
Croatia	56	0.1431	0.2997
Czech Rep.	214	0.5469	1.0567
Denmark	338	0.8638	1.3125
Estonia	27	0.0690	0.1249
France	2,608	6.6653	10.4986
Germany	3,393	8.6715	16.3572
Greece	204	0.5214	1.0581
Hungary	147	0.3757	3.4532
Iceland	21	0.0537	0.0645
Italy	1,915	4.8942	8.7881
Latvia	31	0.0792	0.1596
Lithuania	48	0.1227	0.2568
Luxembourg	65	0.1661	0.1694
Montenegro	5	0.0128	0.0292
Netherlands	838	2.1417	3.4532
Norway	407	1.0402	1.7784
Poland	569	1.4542	2.9887
Portugal	221	0.5648	1.0499
Romania	217	0.5546	1.2290
Slovakia	99	0.2530	0.5165
Slovenia	50	0.1278	0.2277
Spain	1,325	3.3863	5.9956
Turkey	997	2.5480	4.7308
United Kingdom	3,112	7.9534	11.2908
United States	19,975	51.0504	16.3572
Total	39,128	100.0000	100.0000

Source: NATO HQ (2021a) and NATO HQ (2021b).

Given the macroeconomic data, the US would pay 51% of the total common-funded budgets. However, it was agreed that the American share will reach a maximum level of 16.3572%¹, which is equal to Germany's contribution. Hence, contributions from all other member states are increased on a pro rata basis (Poland's share amounts to 2.9887).

The Allies are not only contributing to the common funded budgets, but they can also receive benefits in the form of investments. NSIP covers major construction and technology investments that are beyond the national defence requirements of individual member states. The Allies' cumulative contributions to the NSIP (received/paid) are shown in the table below.

¹ Limited US cost share was introduced in NATO (as well as other international organization) just after creation of common funded budgets. At the beginning it did not exceed 1/3 of total costs.

TABLE 6: Cumulative Contributions by Host Nations (in KEUR) by 2019

Country	Received	Paid	Net Rec./ (Paid)
Albania	493	2,426	(1,933)
Belgium	843,258	1,523,020	(679,762)
Bulgaria	60,570	26,154	34,415
Canada	79,939	1,966,618	(1,886,679)
Croatia	9,521	8,666	855
Czech Rep.	134,469	105,278	29,191
Denmark	711,764	1,108,566	(396,803)
Estonia	63,367	8,351	55,016
France	1,006,697	1,832,430	(825,733)
Germany	5,857,395	7,688,380	(1,830,985)
Greece	1,868,685	310,457	1,558,228
Hungary	182,511	77,085	105,426
Iceland	27,313	1,532	25,781
Italy	2,334,619	2,786,306	(451,687)
Latvia	44,387	10,990	33,397
Lithuania	45,908	16,576	29,331
Luxembourg	59,204	66,970	(7,760)
Montenegro	0	80	(80)
Netherlands	963,064	1,605,796	(642,732)
Norway	2,166,187	933,869	1,232,318
Poland	474,874	288,365	186,509
Portugal	610,802	124,395	486,408
Romania	62,452	85,229	(22,777)
Slovakia	39,132	35,289	3,843
Slovenia	40,102	19,378	20,724
Spain	238,588	473,626	(235,038)
Turkey	4,515,928	470,126	4,045,802
United Kingdom	2,653,978	4,318,249	(1,664,271)
United States	1,491,388	9,521,869	(8,030,481)
Total	35,416,078	35,416,078	0

Source: NATO HQ (2019b).

The data in table 6 shows that the countries situated on the borders of the North Atlantic Treaty area are the largest recipients of investments. Germany (eastern flank of NATO between 1955 and 1999) and Turkey (southern flank of NATO since 1952) received, approximately, 5.9 and 4.5 billion euros; concurrently, Ankara was by far the biggest beneficiary of NSIP (received 4 billion euro more than it paid). Poland is one of the NSIP beneficiaries, receiving 474 million euros since the beginning of the membership, while contributing to the Programme 288 million.

4. DEFENCE EXPENDITURE TRENDS. CURRENT AND PROSPECTIVE CHALLENGES

The economic recession induced by the COVID-19 pandemic presents a significant obstacle to the recently observed trend in many NATO countries to increase defence expenditures. The Allies might be inclined to reconsider their positions on defence spending, especially if the dynamic security would create favourable conditions for it. This is made even more probable under the current US administration, which is emphasising a much more multilateral approach than the previous government and lessening the pressure on defence spending. The new circumstances should not change the policy of Poland.

First, as the World Bank projects, while the global economy is emerging from the collapse triggered by the pandemic and the world-wide output will expand by 4% in 2021, it will still remain more than 5% below its pre-pandemic trend (World Bank, 2021). The deep recession of 2020 and relatively slow process of economic recovery would probably imply consequences for defence expenditures.

TABLE 7: Annual Percent Change of Real GDP in selected NATO member states/regions (2019-2022)

Country/Area	2019	2020	2021	2022
Euro area	1.3	-7.4	3.6	4.0
Poland	4.5	-3.4	3.5	4.3
Romania	4.1	-5.0	3.5	4.1
United States	2.2	-3.6	3.5	3.3
World	2.3	-4.3	4.0	3.8

Source: World Bank (2021).

Poland is hit by an economic recession on a relatively limited scale. Concomitantly, Euro area countries, including major NATO allies, are being faced with far greater economic challenges. According to the International Monetary Fund (IMF), the GDP of France, Italy, Spain and

UK decreased by more than 8% and the return to pre-COVID levels in these countries would be improbable before 2023 (IMF, 2021).

Given the fact that the governments will prioritise combating the health emergency and neutralising the economic crisis, any cuts, or slower-than-expected increase of defence expenditures, could occur. Such processes cannot be excluded since many NATO member states reacted in that way to the previous economic crises in 2008 and 2009. Defence expenditures in Europe fell by 3 percent in 2009 and continued to decline steadily throughout the ensuing 2010-2013 period. This tendency was especially discernible in smaller European states such as Latvia and Lithuania, where defence expenditures were reduced by over 30% (Morcos, 2020). Poland, conversely, had already returned to the pre-crisis level of defence spending in 2010.

Second, new US President Joe Biden and the Democratic administration run foreign and security policies differently than the previous Republican government. The 'America First' doctrine of President Donald Trump was replaced by reorientation towards multilateralism and a much broader perception of international relations, where diplomacy, development and other soft power policy instruments might play a role as important as defence. As former Secretary of State Hillary Clinton emphasised, "the overmilitarisation of US foreign policy is a bad habit that goes all the way back to the days when President Dwight Eisenhower warned of the military-industrial complex" and recalled what general James Mattis told US Congress when he led the US Central Command: "if you don't fund the State Department fully, then I need to buy more ammunition ultimately" (Clinton, 2020). Consequently, one can assume, that the White House will, on the one hand, retain its expectations towards European Allies to spend at least 2% of GDP on defence, including 20% on major equipment, but on the other, it will lessen the pressure in that regard on Germany and other large member states (i.e. Canada and Italy), expecting their deeper engagement in development and humanitarian assistance or in other strategic, non-military areas. The history of the last 50 years prove that Democratic governments expenditure on defence was relatively less (as a percentage of GDP) than that of Republican governments (US Military Spending/Defense Budget 1960-2020, 2020).

Third, the security environment close to NATO borders and globally will remain dynamic. Russia continues armed conflict with Ukraine and its aggressive and confrontational policy vis-à-vis many allies (i.e. Czech Republic and Bulgaria). One cannot exclude that despite the current policy, Moscow might tactically seek rapprochement with the West, however the strategic interests of Russia's European security seem to remain unchanged: (a) strategic control over the post-Soviet area; (b) the existence of a security buffer zone in Central and Eastern Europe; (c) transformation of the existing security architecture in Europe in a way that would maximise Russian influence and minimise the sway of the US (Menkiszak, 2019). In these circumstances we can expect that Poland and several other NATO eastern flank countries (including Baltic States) would keep increasing defence spending regardless of potential temporary alterations in NATO's policy against Russia, while some of the Western European Allies could have an alternative approach. Different NATO member states defence expenditures' reaction to Russia's invasion on Georgia in 2008 could be a lesson here.

CONCLUSIONS

The aim of this paper was to analyse Poland's policy on defence expenditures in the context of the NATO financial framework. The conducted research led to four main conclusions.

Firstly, Poland has a stable and long-held position of spending at least 2% of GDP on defence, including 20% on major equipment. This policy is deeply grounded in the national legal and financial system representing a bipartisan approach of all major political parties. There is a common understanding that the current and prospective security environment on the eastern flank of NATO will require strength and a modernised Polish Armed Forces as well as effective cooperation within the Alliance, especially with the United States.

Secondly, Poland remains one of the eleven Allies which meet NATO financial guidelines (rule 2/20%). Only the US, UK, France, Greece, Norway and six of the Alliance's eastern flank countries are in this group. The biggest financial deficiencies in NATO stems from the policy of Germany, Canada and Italy (members of G7), all of whom are not even close to the 2% threshold.

Thirdly, Warsaw is not only a well-established contributor to the Alliance, but primarily a recipient of its benefits, both from the perspective of burden sharing and infrastructure projects financed through common funded budgets. According to the analysis of inflows and outflows of the investments, Poland remains one of the beneficiaries of the NSIP, receiving 474 million euros since the beginning of the membership, while paying into the Programme 288 million. The countries situated on the borders of North Atlantic Treaty, including Germany (eastern flank of NATO between 1955 and 1999) and Turkey (southern flank of NATO since 1952), are the biggest beneficiaries of NSIP.

Finally, despite the current and prospective challenges for the Alliance resulting from economic recession as a follow up to COVID-19, Poland – unlike some of the NATO member states - will continue to raise its

defence expenditures gradually to 2.5% of its GDP by 2030. That should keep the position of Warsaw as one of the NATO leaders in that regard.

Contact:

Grzegorz Kozłowski, PhD

Embassy of the

Republic of Poland to Estonia

E-mail: grzegorz.kozlowski@msz.gov.pl

REFERENCES AND SOURCES

- Biuro Bezpieczeństwa Narodowego., (2012). *Strategiczny Przegląd Bezpieczeństwa Narodowego. Główne wnioski i rekomendacje dla Polski*. [Viewed 19 May 2021]. Available from: <https://www.bbn.gov.pl/ftp/dok/WNIOSKISPBN.pdf>
- Biuro Bezpieczeństwa Narodowego., (2020). *Strategia Bezpieczeństwa Narodowego Rzeczypospolitej Polskiej*. [Viewed 19 May 2021]. Available from: https://www.bbn.gov.pl/ftp/dokumenty/Strategia_Bezpieczenstwa_Narodowego_RP_2020.pdf
- Clinton H., (2020). A National Security Reckoning. How Washington Should Think About Power. [Viewed 24 May 2021]. Available from: <https://www.foreignaffairs.com/articles/united-states/2020-10-09/hillary-clinton-national-security-reckoning>
- Dmitruk T., (2019). *Wydatki obronne Polski w latach 2000-2019*, Nowa Technika Wojskowa 1/2019.
- Ek C., (2012). *NATO Common Funds Burdensharing: Background and Current Issues*. [Viewed 22 May 2021]. Available from: <https://fas.org/sgp/crs/row/RL30150.pdf>
- Fontaine R., (2017). *2 Percent Is No Magic Number*. [Viewed 20 May 2021]. Available from: <https://foreignpolicy.com/2017/05/24/2-percent-is-no-magic-number/>
- International Monetary Fund (2021). World Economic Outlook [Viewed 23 May 2021]. Available from: <https://www.imf.org/external/datamapper/datasets/WEO>
- Kamp K-H., (2019). *Myths Surrounding the Two Percent Debate – on NATO defence spending*. [Viewed 19 May 2021]. Available from: https://www.baks.bund.de/sites/baks010/files/working_paper_2019_9.pdf
- Kozłowski G., (2019). *The Position of Burden Sharing in Current US Security Policy Vis-à-vis European Allies*, Baltic Journal of European Studies, Vol. 9, No 4 (29), 41-51.
- Marszałek-Kawa J., Siemiątkowski P., (2020). *Exposé Prezesów Rady Ministrów 1989-2019*, Adam Marszałek, Toruń.
- Menkiszak M., (2019). *Strategiczna Kontynuacja, Taktyczna Zmiana. Polityka Bezpieczeństwa Europejskiego Rosji* [Viewed 25 May 2021]. Available from: https://www.osw.waw.pl/sites/default/files/PW_76_PL_Strategiczna-kontynuacja_net_0.pdf
- Morcos, P. (2020). Toward a New “Lost Decade”? Covid-19 and Defense Spending in Europe, Center for Strategic and International Studies. [Viewed

- 24 May 2021]. Available from: <https://www.csis.org/analysis/toward-new-lost-decade-covid-19-and-defense-spending-europe>.
- Ministerstwo Funduszy i Polityki Regionalnej., (2017). *Strategia na rzecz odpowiedzialnego rozwoju do roku 2020 (z perspektywą do 2030)*. [Viewed 23 May 2021]. Available from: <https://www.gov.pl/web/fundusze-regiony/informacje-o-strategii-na-rzecz-odpowiedzialnego-rozwoju>
- Ministry of National Defence of the Republic of Poland (2018). *Proposal for a US Permanent Presence in Poland*. [Viewed 20 May 2021]. Available from: <https://www.politico.eu/wp-content/uploads/2018/05/Proposal-for-a-U.S.-Permanent-Presence-in-Poland-2018.pdf>
- NATO HQ., (1949). *The North Atlantic Treaty*. [Viewed 19 May 2021]. Available from: https://www.nato.int/cps/en/natohq/official_texts_17120.htm
- NATO HQ., (1977). Annex – Ministerial Guidance – 1977. [Viewed 19 May 2021]. Available from: https://www.nato.int/cps/en/natohq/official_texts_26984.htm?selectedLocale=en
- NATO HQ., (2005). *NATO-Russia Compendium of Financial and Economic Data Relating to Defence*. [Viewed 23 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2005_06/20090902_p050609.pdf
- NATO HQ., (2009). *Financial and Economic Data Relating to NATO Defence*. [Viewed 23 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2009_02/2009_03_D34F22C9AE854B7FAA0BB409A21C90D3.pdf
- NATO HQ., (2010). *Strategic Concept for the Defence and Security of the Members of the North Atlantic Treaty Organization*. [Viewed 19 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_publications/20120214_strategic-concept-2010-eng.pdf
- NATO HQ., (2011). *Financial and Economic Data Relating to NATO Defence*. [Viewed 23 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2011_03/20110309_PR_CP_2011_027.pdf
- NATO HQ (2014). Wales Summit Declaration issued by the Heads of State and Government participating in the meeting of the North Atlantic Council. [Viewed 19 May 2021]. Available from: https://www.nato.int/cps/en/natohq/official_texts_112964.htm
- NATO HQ., (2015). *Financial and Economic Data Relating to NATO Defence*. [Viewed 23 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2015_06/20150622_PR_CP_2015_093-v2.pdf
- NATO HQ (2016), Warsaw Summit Communiqué issued by the Heads of State and Government participating in the meeting of the North Atlantic

- Council. [Viewed 16 November 2020]. Available from: https://www.nato.int/cps/en/natohq/official_texts_133169.htm
- NATO HQ., (2018a). *Defence Expenditure of NATO Countries (2011-2018)*. [Viewed 23 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2018_07/20180709_180710-pr2018-91-en.pdf
- NATO HQ (2018b). *Brussels Summit Declaration*. [Viewed 18 May 2021]. Available from: https://www.nato.int/cps/en/natohq/official_texts_156624.htm
- NATO HQ., (2019a). *London Declaration*. [Viewed 18 May 2021]. Available from: https://www.nato.int/cps/en/natohq/official_texts_171584.htm
- NATO HQ., (2019b). *NATO Security Investment Programme Financial Activity As At 31 December 2019* [Viewed 17 May 2021] Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/2020/9/pdf/2009-NSIP-2019-financial-activi.pdf
- NATO HQ., (2020). *The Secretary General's Annual Report*. [Viewed 22 May 2020]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/2021/3/pdf/sgar20-en.pdf#page=50
- NATO HQ., (2021a). *Defence Expenditure of NATO Countries (2013-2020)*. [Viewed 23 May 2021]. Available from: https://www.nato.int/nato_static_fl2014/assets/pdf/2021/3/pdf/210316-pr-2020-30-en.pdf
- NATO HQ., (2021b). *Funding NATO*. [Viewed 22 May 2021]. Available from: https://www.nato.int/cps/en/natohq/topics_67655.htm
- Olson M., Zeckhauser R., (1966). *An Economic Theory of Alliances*, Review of Economics and Statistics, no 48, p. 266-279.
- Polska., (2001). *Ustawa z dnia 25 maja 2001 o przebudowie i modernizacji technicznej raz finansowaniu Sił Zbrojnych Rzeczypospolitej Polskiej w latach 2001-2006*. [Viewed 22 May 2021]. Available from: <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20010760804/O/D20010804.pdf>
- Polska., (2015). *Ustawa z dnia 10 lipca 2015 o zmianie ustawy o przebudowie i modernizacji technicznej oraz finansowaniu Sił Zbrojnych Rzeczypospolitej Polskiej oraz ustawy o finansach publicznych*. [Viewed 22 May 2021]. Available from: <http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20150001117/T/D20151117L.pdf>
- Polska., (2017). *Ustawa z dnia 29 września 2017 o zmianie ustawy o przebudowie i modernizacji technicznej oraz finansowaniu Sił Zbrojnych Rzeczypospolitej oraz ustawy o finansach publicznych*. [Viewed 22 May 2021]. Available from: [http://orka.sejm.gov.pl/opinie8.nsf/nazwa/1688_u/\\$file/1688_u.pdf](http://orka.sejm.gov.pl/opinie8.nsf/nazwa/1688_u/$file/1688_u.pdf)

- Ringsmose J., (2009). *NATO Burden-Sharing Redux: Continuity and Change after the Cold War*. [Viewed 1 October 2019]. Available from: <https://ecpr.eu/Filestore/PaperProposal/95a4009e-4a32-4706-9e74-d973f2d03be9.pdf>
- Rudzite-Stejskala K., (2013). Financing Defence. In: Lawrence T., Jermalavicius T., *Apprenticeship, Partnership, Membership: Twenty Years of Defence Development in the Baltic States*, International Centre for Defence Studies, Tallinn.
- US Military Spending/Defense Budget 1960-2020* (2020). [Viewed 18 November 2020]. Available from: <https://www.macrotrends.net/countries/USA/united-states/military-spending-defense-budget>
- Weinberger C., (1987). *Report on Allied Contributions to the Common Defense. A Report to the United States Congress*, Department of Defense, Washington.
- World Bank., (2021). *A World Bank Group Flagship Report, Global Economic Prospects*. [Viewed 24 May 2021]. Available from: <https://www.worldbank.org/en/publication/global-economic-prospects>



RUSSIAN AFFILIATED PRIVATE MILITARY COMPANIES IN THE SYRIAN CIVIL WAR

Zdzislaw Sliwa, PhD
Baltic Defence College
Dean

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ABSTRACT

Contemporary conflicts often involve private military companies (PMCs) in addition to national or local armed forces. These groups are used by nations to forward national political or economic interests without direct contribution. The PMCs that have been present during the Syrian Civil War include those that have connections with Russia, represented by the Slavonic Corps and PMC 'Wagner'. The purpose of the paper is to analyse Russian PMCs operations in Syria in the context of national legislation and as tools exploited by the state. It allows distinguishing if those PMCs are used in Syria for the benefit of Russian political and economy reasons, even though they are not acknowledged according to Russian law. The paper utilises qualitative research as a case study method, comparative studies, and desk research from existing resources and available online sources. It is supported by an analysis of available official documents from official websites. The limited use of quantitative data allows for the validation of the collected information.

INTRODUCTION

There is a historical basis for political leaders, oligarchs and governments to hire private militia, armies and mercenaries, and are by no means a recent phenomenon (Kinsey, 2006; Alexandra & Baker, 2006; Varin, 2006; Singh, 2017). A recent example is the case of the Blackwater operations in Iraq that caught the attention of governments, international organisations, and ordinary citizens regarding the role and use of Private Military Companies (PMCs) in regional conflicts. These and other cases of their kind have been further investigated, recognising that such a practice is common for a few nations, often providing a reason to criticise them for their direct involvement in local affairs for reasons of national security or economy. Among them, Russia has used PMCs covertly in the past on the territories of Ukraine, Libya, the Central African Republic, Venezuela, Sudan, Mozambique, and Syria, looking to forward political and economic benefits (Rabin, 2019; Kuczyński, 2018). It is especially interesting as there are no national legal regulations in respect to PMCs (Rus.: Частные военные компании). Nevertheless, such companies have been used due to their flexibility for quick deployment.

Next, there is a formal lack of connection with the government and no necessity to deploy armed forces, which provides plausible deniability for a nation in its actions, which could be externally perceived as either brutal or against international law. A well-known example is the ‘Wagner’ company, founded by Dmitry Utkin in 2014, which has only operated abroad and is connected with the Russian security services through personal relations, most likely supported with training and equipment. It is not the only company but is among the most apparent, others, which are less known, include: Anti-Terror Eagle, Redut-Anti-Terror, Cossacks, ENOT Corp., MAR, Ferax, and Sarmat. Information regarding these groups is limited because their operations are not essential and the publicity regarding ‘Wagner’ acts as a ‘smokescreen’ to cover other PMCs (РЫЖОВ, 2020). It presents a challenge to have the full data of the PMC involvement in Syria and elsewhere, especially due to the unreliability of many sources and there are different data regarding some organisations and their operations, supported by purposely prepared fake news, obfuscate a clearer picture. An example is the Russian PMC ‘Turan’ or “Muslim

battalion,” as reports found that it was a piece of fabricated information repeated by many sources to obscure the overall situation (Kimberly, 2019, p. 189) of using ‘information laundry’ methods.

The purpose of the paper is to analyse Russian PMCs operations in Syria in the context of national legislation and as a tool exploited by the nation. The research question is: are PMCs used in Syria to the benefit of Russia’s politics and economy, despite not being legally recognised? In respect to this research, there is a factor related to the terminology and division of legally recognised entities and those which are acknowledged as illegal. From this perspective, private military and security companies are legally recognised in many countries, and their focus is on a specific type of mission, like “logistical support, mine clearance, protection and training, not shooting dictators or their enemies” (Eremenko, 2014). The range of tasks and capabilities is evolving, as PMCs were granted access to heavy weapon systems during recent regional conflicts, enabling them to fight effectively at a tactical level. They could be supported by armed forces capabilities, e.g., air force, tactical lifts, artillery support from contracting nations, or governments employing them for specific missions. It contrasts with mercenaries defined in the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. Those are “specially recruited locally or abroad in order to fight in an armed conflict”, not belonging to “the armed forces of a party to the conflict” and they are “specially recruited locally or abroad to participate in a concerted act of violence” (United Nations, 1989, p. Article 1). The mercenaries’ recruitment, deployment, financing, and training are seen as an offence “for the purposes of the Convention” (United Nations, 1989, p. Article 2) and are illegal or prohibited in most countries.

The use of mercenaries is by no means a recent development, as they have been supporting predominantly authoritarian regimes and insurgencies as well-trained foreign professionals contracted to defeat opposition or change legal governments through force. This has resulted in such a label merging with PMCs in various contexts, e.g., supporting Syria’s government system. There is still a role for all of them, for instance Frank Hoffman sees future conflicts as fought by “states, state-sponsored groups, or self-funded actors” (Hoffman, 2009) using modern armed forces combat systems, with a particular role in this concept for PMCs. Aleksandr Ageev sees their utilisation to achieve “geopolitical (including regime

change) and geo-economic ('power economy'— силовая экономика) objectives in the interest of state or state-related structures/actors but, crucially, without the state's direct participation" (Sukhankin, 2019), and Kimberly Marten recognises the Wagner Group as a "lethal expeditionary conflict entrepreneur" and a "military provider firm", which are often performing PSCs functions (Kimberly, 2019, p. 183).

The paper utilises qualitative research and case study methods for comparative studies of the PMC origins and operations in Syria. The desk research of academic sources developed by academics, think tanks, and available online sources is supported by the analysis of available official documents from the official websites. It involves the utilisation of quantitative data based on existing data and sources, allowing for the validation of collected information. The paper is comprised of three basic parts. The first covers the PMCs situation in Russia in respect to its legal status, discussion about their status, and the possible role of their utilisation abroad. The second covers PMCs operations in Syria with the focus on the Slavonic Corps Ltd. and 'Wagner Group' operations in respective periods of their presence there. Finally, conclusions related to the logic of PMCs presence and their future are elaborated.

1. THE PMCS STATUS AND ROLE IN RUSSIA

In contrast with the United States and other nations, military companies are not legal according to the existing law in Russia. It is related to the Russian Constitution, which states “The creation and activities of public associations whose aims and actions are aimed at a forced change of the fundamental principles of the constitutional system and at violating the integrity of the Russian Federation, at undermining its security, at setting up armed units, and at instigating social, racial, national and religious strife shall be prohibited.” (The Russian Federation, 1993, p. Article 13 para 5). The 2014 Russian Military Doctrine posited the existence of international PMCs as a major external military risk, whilst also recognising them as a characteristic of contemporary military conflict (The Office of the President of the Russian Federation, 2014, pp. Chapter II para 12k, 15h). Therefore, it could be assessed that there is a suspicion among the leadership that such companies could be used against the country’s internal stabilisation or government. According to Dara Massicot, the new military doctrine will include the growing role of PMCs as it has been recognised by General Gerasimov. He stated, “The number of actors participating in armed combat is increasing. Along with armed forces of sovereign states, various rebel groups, private military companies, and self-proclaimed “quasi-states” are combatants on the battlefield.” (Massicot, 2019).

However, they are directly involved in combat operations abroad, possessing trained and organised units, skills and equipment being the “heroes of our time” as stated by Sergey Minaev, the editor-in-chief of ‘Esquire’ (IA Regnum, 2020). In the future, PMCs could be legalised as claimed by Alexei Mitrofanov from ‘A Just Russia’ party. He stated “I believe that such companies are a way of implementing national interests without the direct involvement of the state.” (Sputnik News, 2012). To such a suggestion, President Putin replied, “Yes, I think we could consider this option” (Sputnik News, 2012). The issue could be in preserving control over such the companies and their legal status related to their areas of responsibilities. The lack of legal status provides an excuse as stated by President Putin; “If this Wagner group violates something, then the Prosecutor General’s Office should give a legal assessment. Now, about their presence somewhere abroad. If, I repeat, they do not violate Russian law, they have the right to work, to sell their business interests anywhere in

the world.” (РЫЖОВ, 2020) Therefore, the Russian government continuously distances itself from PMCs, as expressed by Peskov, who stated “And what is PMC ‘Wagner’? In Russia, legally, de jure, there is no such thing as PMC. What is a PMC?” (Delfi, 2020). Formally, he was right concerning Russian law, as those do not exist in the country, although there were attempts to make them legal already in 2012 and 2014, but the last project from 2018 has not been yet approved (Ovcharov, 2018). There are some arguments for their suitability for Russia to use PMCs based on the principle “they are not there” (Рус. Их там нет) (Муртазин, 2020, p. 5), explaining that they are not national entities and are purely private organisations. At the same time, there is a growing need to preserve national corporations’ interests domestically and abroad. For instance, in 2013, ‘Gazprom’ and ‘Transneft’ received legal permission to organise internal security bodies or ‘private armies’ (Полит.ру, 2013) to protect installations and pipelines using small arms and special equipment. It was broadly seen as being a “good way to offer retired servicemen new employment opportunities when Russia’s Defence and Interior Ministries are planning to reduce their workforces” (Sputnik News, 2012A). There are also suspicions that the law is impacted by the domestic power struggle between the Ministry of Defense (MoD) and the FSB, as both organisations would like to control PMCs fully (Østensen & Bukkvoll, 2018, p. 32). The leaders of those organisations are very influential members of the President’s inner circle, and looking into future, they want to keep control of the security domain.

The control of legally recognised law enforcement entities is critical, and the Russian National Guard (NG) has a role in this regard. The main tasks of the NG include (Государственная система правовой информации, 2016, p. para 6) the contribution in cooperation with internal security forces for the protection of public order and security and state of emergency regime, and to combat organised crime, fight terrorism and ensure a legal regime of counter-terrorist operations, as well as the supervision of private security companies. In general, the tasks listed above are related to internal security, but they are likewise linked with external threats, which could be eliminated before ever entering Russia. It is related to Private Security Companies (PSCs; Rus.: Частная охранная организация), legal in Russia from 1992, which could be a source of manpower for PMCs. Next, some of the existing PSCs could potentially shield PMCs, allowing them to exist undercover, as the former are legal according to existing

laws. As National Guard competencies include distribution of licences for operations and firearms, those are effective means to control PSCs by giving or cancelling such certificates. In Russia, PSCs are responsible for the armed security of infrastructure, people, civilian companies, various businesses and transport, proving to be a powerful force in the country, with many tasks being discernibly similar to those executed by PMCs abroad. According to the Interior Ministry in 2015, “there are currently over 60,000 such companies in the country with about 700,000 employees” (Kryazhev, 2015); the number could be even bigger counting unregistered employees and is growing every year. The PSCs are organised and controlled by local authorities, and those are controlling access to weapons giving them a constant overview of status, staffing, and operations. In the case of an emergency, those are available assets to face a crisis within the legal framework. In theory, PMCs could receive recruits with military training to be deployed in operations in a relatively short time staffing those positions, and without requiring special training. It is also linked with the assumption that many retired soldiers and officers, along with former personnel of law enforcement organisations, are employed by PSCs.

The combination of PSCs and PMCs’ capabilities and human resources should be considered when discussing possible human resources reserves that can be mobilised and deployed in a relatively short time. The well-trained PMCs manpower, tested in combat operations abroad, is invaluable for the National Guard, as those leaving previous employer duties could immediately join as guardsmen. Therefore, the control of PSCs is of great importance as it influences them during peacetime, due to their extensive knowledge about their human resources, capabilities, and tasks, enabling the division of local security-related tasks and releasing the NG for more critical duties. The coordination is continuously achieved at a local level between NG and PSC leadership, which supports the coordination and mutual support during crisis response operations and war. It supports another critical aspect of sharing information between NG and PSC, which is especially important at the local level giving updated orientation about any opposing endeavours.

2. PMCS OPERATIONS IN SYRIA

Formally, Russia decided to support the Syrian government based on request for assistance, and it was also accepted on the same day by the Russian government and the Federation Council. It was followed by the deployment of units of armed forces, reaching a peak presence of up to 10,000 troops. However, the presence of PMCs, run by former Russian military and comprised of Russian citizens, started much earlier. PMCs involvement in Syria had already begun in 2013 with the deployment of the Slavic Corps formed by the Moran Security Group and registered in Hong Kong in 2012. The Russian motivation behind using the company was to solidify infrastructure through a favourable contract with the Syrian Ministry of Oil and Mineral Resources without official military involvement. Additionally, an important factor was to preserve President Assad in power as he had supported Russian interests, and without Russian support his government could collapse. The threat of another colour revolution in Syria was a factor taken into consideration by Russia as similar 'revolutions' happened in the vicinity of Russian borders, which were ultimately not in Moscow's favour. Another factor was the presence of radical organisations in Syria, including those from the Caucasus and former Soviet republics, which act as a real threat toward the Russian Federation's domestic stability. The numbers differ, as the former could reach some 2000 and the latter even some 7000 (Asymmetric Warfare Group & TRADOC G2, April 2020, p. 62). Therefore, fighting radicals on another nation's territory and annihilating radicals physically is recognised as worth the investment, especially by denying their return to the country. National interest is supported by the assumption that radical fighters could be back in, for example, Chechnya, causing security problems and posing a future threat. Finally, Syria has geostrategic importance as it is facilitating the preservation of military bases with direct access to the Middle East and the Mediterranean Sea. It has been explicitly linked to a naval facility in Tartus and airbases Khmeimim in Latakia and Shayrat in Homs among others (see Figure 1). As such, this option is essential, as Turkey controls the Bosphorus Strait and alone or as a NATO member, it could close it, denying the Russian Fleet an important access point between the Black Sea and the Mediterranean Sea and vice versa. The relations between Moscow and Ankara have sporadically evolved due to historical conditions, and in the future could go in a variety of directions, preserving an array of options for the former.

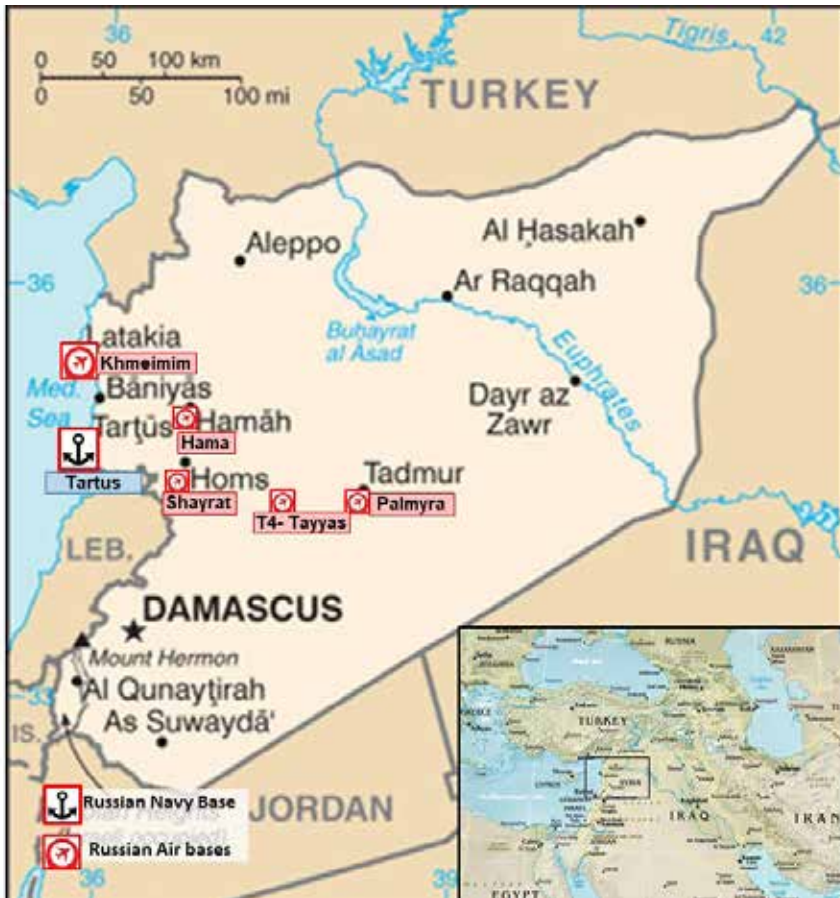


Figure 1. Russian military bases in Syria.

Source: Developed by the Author based on (Algora, 2018). The map - Courtesy of the University of Texas Libraries, The University of Texas at Austin https://legacy.lib.utexas.edu/maps/cia16/syria_sm_2016.gif

Algora, 2018. Russia builds four new air bases in Syria, deploys another 6,000 troops. [Online] Available at: https://www.algora.com/Algora_blog/2018/02/02/russia-builds-four-new-air-bases-in-syria-deploys-another-6000-troops [Accessed 5 January 2021].

The Slavonic Corps Ltd was responsible for recruitment, under the supervision of Vyacheslav Kalasznikow, president of Moran Security Group, which is headquartered in Moscow (Moran Security Group, 2021). An important figure is Dmitry Utkin, the commander of the ‘Wagner’ group, who commanded a separate special unit of a GRU Spetsnaz brigade, which

afforded him solid military experience, personal connections, and knowledge of weapon accessibility and funding systems. The forces in Syria were led by his deputy Gusev (АВТОР, 2020). The servicemen were transferred to the country by air and by sea using Sevastopol and Novorossiysk with the so-called ‘Syrian Express’ using the Black Sea and Bosphorus Straits (News.ru, 2018; Маржецкий, 2019). During their employment, the main tasks included security of oil and gas facilities, convoy security or personnel protection, which allowed the deployment of Syrian armed forces to fight the rebels and radical organisations. However, it also conducted typical military combat operations at the tactical level. The Slavonic Corps was composed of two companies: ‘Cossacks’ and ‘Slavic’ equipped with older equipment including small arms, mortars, T-62s tanks, BMPs and also with adopted civilian vehicles. The training was multifaceted, mainly structured around two-months of basic military training and supported by some previous conscription service. The Corps was withdrawn in 2014 after suffering casualties during combat in the Sukhnah village and the disappointment of Syrian authorities. Working in parallel with another company, the Zeitplus Consultancy Services Ltd, registered in Cyprus, operated there to provide humanitarian aid to the government but not to conduct combat operations. Active warfare was considered only in the case of taking Syrian citizenship, as combat would be against Article 359 of the Russian criminal code (Kimberly, 2019, pp. 183, 191). Such an approach excludes Russia from the accusation that its citizens are fighting as mercenaries or that there is a presence of Russian PMCs there.

The Slavonic Corps experiences proved to be useful and fully utilised later by PMC ‘Wagner’. It was recognised that among reasons of failure were insufficient equipment and armament and a lack of proper coordination with Syrian armed forces and tasks, which were outside of the PMC’s capabilities to accomplish. It has been a part of the broader concept and ‘pilot’ deployment, and the estimation was that:

“Russia is trying to combine traditional military and special means with the relevant activities of the PMCs, mercenaries, local collaborators and other paramilitary groups such as the Cossacks. All these units are integrated into the common intelligence and information space and operate under the direct control of the top military leadership of the Russian Federation, according to a single plan. Modern Russian military theory defines this approach as ‘integrated groups of troops (forces)’”. (Короткий, 2020)

It is believed that some experienced and combat-tested ‘Wagner’ members were withdrawn from Ukraine in 2015, but the company was already doing Syrian reconnaissance in 2014 as a precondition for deployment. Initially, the estimated numbers reached 1350 persons in support of President Assad, before the number rose to some 3000 people as a constant contingent (Короткий, 2020). The number of ‘Wagner’ operators was consistently close to 2000 during a rotation, and the estimated number during the overall presence was some 6000 personnel during the entire period in Syria. These PMC numbers are not precise and probably exaggerated, as not every person will meet military requirements, and the law could limit PMCs’ employment. The quantity varied based on the situation, rotation of troops and necessity to deploy them in other geographical regions. The specific characteristics of this PMC have supported it. The ‘Wagner’ structure is similar to regular military units, and those are supported by combat arms, including armour, artillery, snipers, air defence, and others. There were five permanently deployed detachments (est. 300 persons each), an armoured group, an artillery squad, a separate reconnaissance unit, and the required combat service support units. The sustainment was provided to maintain combat capability, and it could be assessed that it was supported by Russian contingent and from the country itself. The point being that this PMC mainly used the same equipment as armed forces and thus supplying them from military stocks. Nevertheless, some weapon systems were not the latest generation equipment or most modern combat platforms. There was also change in supplies after initial support in 2016, as the situation declined in January 2017. Sergey Sukhankin divided ‘Wagner’ deployment into three phases (Sukhankin, 2019, pp. 12-13):

- Ground Reconnaissance (September 2015–early 2016) with limited combat actions;
- A ‘Baptism by Fire; (April/May–December 2016), including the liberation of Palmyra that caused the first casualties, followed by independent operations and an increase in manpower;
- Deep Involvement (January 2017–February 2018) with the transformation from typical military operations (recapture of Palmyra) to more paramilitary-style, such as recapturing oil and gas fields and security provision.

In March 2016 during the battle at Palmyra, the PMC was fighting together with Syrian Armed Forces and Russian troops from their own special forces and supported further by the Russian air force. Both Russian and Syrian media noted the usage of multiple rocket launchers, Mi-24 helicopters, and the successful utilisation thereof. Interestingly, in recognition of the victory, select 'Wagner' commanders received Orders of Courage during an official ceremony in Kremlin, presenting that the Russian government recognised the PMCs, although they were not legally approved (Sukhankin, 2019, p. 11).

The support of the Russian armed force detachment in Syria and supplies of equipment and sustainment changed for the worse at the beginning of 2017, impacting the effectiveness of 'Wagner' during the second battle of Palmyra and battles in the Deir el-Zour province. Disagreements between PMC leadership and Russian MoD and shift of sponsoring it to the Syrian government and private companies were the causes behind the deterioration of the support. In parallel, it caused a shift in command and control arrangements following the new subordination, altogether negatively impacting combat effectiveness and ultimately increased the number of casualties. However, limited coordination persisted, as PMCs were located in the same bases as Russian troops, as a result many of Syria's operations were conducted or supported by private military companies (PMC) in support of Syrian forces. Based on different levels of training, various roles were carried out, starting from leading attacks, fire coordination, forward air control, or military advisers being sent to Syrian units.

In some cases, it caused disappointment, as successful operations were mentioned as the outcome of local armed forces assaults despite the fact that PMCs were often the initial casualties of the first wave of advance. The PMC was directly involved in no less than four major engagements: the liberation of Palmyra from ISIS in March 2016, the second liberation of Palmyra in spring 2017 again from ISIS, the fall 2017 offensive to capture Deir el-Zour province, and finally in the battle of Khasham in Deir el-Zour province in February 2018 (Asymmetric Warfare Group & TRADOC G2, April 2020, p. 65). The last battle was connected with the establishment of 'de-escalation zones' based on a US and Russian agreement. As it left oil deposits out of the Assad government's control, the decision was to retake them to ensure funds to continue the war and reconstruction. For this reason, PMCs were a handy tool, as they did

not undermine any agreement between the two originators of the zones. Therefore, coordination with Russian leadership in Syria was restricted, causing limited support during combat; moreover, there was also a political component. According to the US Secretary of Defense, “the Russian high command in Syria assured us it was not their people,” (Kimberly, 2019, pp. 183,194) and it was related to Russia denying any violation of ‘de-escalation zones’, using communication channels that allowed them to avoid direct fighting between the two armed forces. It also appears to be valid in regard to Syrian units supported by ‘Wagner’ during the fight against the US-backed Syrian Democratic Forces and Kurds near Deir el-Zour in eastern Syria. The defending troops were supported by US Special Forces, air force, and artillery (Roblin, 2018) that caused the PMC to suffer casualties; it is estimated that some 100 mercenaries were killed and 200 wounded (Roblin, 2018; Żochowski, et al., 2018). It is important to note that neither the Russian air defence nor the air force responded to protect them, compared to direct support to anti-Assad forces by US F-15s, UAVs, and AH-64 helicopters. It left the attacking Syrian and PMC troops exposed in desert terrain with no capabilities to face it. It allowed the Russian government to mention within official statements the deaths of only five Russian citizens (unconnected to the armed forces) and no involvement of Russian troops. President Press Secretary Peskov denied it, and spokesperson of Ministry of Foreign Affairs Zakharova deemed it fake news; both claimed that there were no Russian citizens in Syria and no Russian soldiers were killed (Interfakc, 2018; TASS News Agency, 2018). What is interesting is the wounded service members were evacuated to Russia using military planes. There was an information blockade, as the operations in Syria were presented as a success, and the failure was not in line with propaganda. It was a particularly tenuous and undesired topic, as Russia was in the midst of presidential elections in March 2018, and this propaganda campaign represented a significant element in favour of President Putin. Moreover, if the death of Russian citizens at the hands of US armed forces would be officially confirmed, it would present a risk for the deterioration of bilateral relations. Thereafter, there would be expectations to enact revenge against the United States, with a decisive political reaction at the very minimum.

The case above confirms PMCs ‘value’ as those losses are not counted within official government reports, taking pressure off the government and avoiding accusation toward the state. It is in line with the official

narrative regarding PMCs, as “Russia is using large numbers of contractors in Syria because that allows Moscow to put more boots on the ground without risking regular soldiers whose deaths have to be accounted for” (Tsvetkova, 2018). The point is that such topics are sensitive both for the internal and international audience as a source of criticism toward the government. Next, there was a limited exchange of information and intelligence between PMCs and Russian armed forces in Syria, although it probably occurred. The assumption is that the Russian contingent commander was aware of employing PMC members, but could not actively support them as it would be against official political statements. Of further interest is the fact that Russian entities did not order the advance on the Deirez-Zor oil facilities; according to Kommersant correspondent, those were fighting for those who paid; in this case, “so-called Syrian businessmen, who needed to gain a foothold and get an oil refinery.” (Алексеев, 2018). The battle exposed limitations in ‘Wagner’ operations, with more passive support for Syrian armed forces, but had not fully ceased its presence there.

Alongside this, the PMC Vegatsy Strategic Services LTD continued the presence in Syria from the beginning of 2019 to provide military and security-related training along with protection of critical infrastructure but not direct combat operations. There were updates that the Russian Energy Minister Aleksandr Novak facilitated a Memorandum of Understanding (MOU) in December 2016 between his Syrian counterpart and a Russian PSC firm ‘Evro Polis’ to “liberate oil and gas fields, plants, and other infrastructure captured by enemies of the regime, and then guard them.” (Kimberly, 2019, pp. 184, 194) The profit for Russia would be a quarter of the fields’ output as compensation for military expenditures during a five-year term. Along with such tasks, ‘Evro Polis’ provided trainers to a Syrian special unit, ‘ISIS Hunters,’ to “free, secure, and defend the oil fields around Palmyra, then held by the Islamic State” (Коротков, 2017). It was an area in which ‘Wagner’ was fighting battles. Another PMC ‘Schit’ protected the oil field in the vicinity of Palmyra, which has been owned by the Moscow-based ‘Stroitransgaz’. It is comprised of airborne unit veterans, deploying some 25-30 people in each of five locations for 3 months rotations with an estimated payment of 120,000 roubles monthly (Asymmetric Warfare Group & TRADOC G2, April 2020, pp. 66-67). The payment policy is flexible among PMCs based on tasks and subordination to national authorities or private companies. It is

estimated that it could reach some 200,000 roubles in military operations and up to 300,000 roubles during military campaigns involving major engagements (Бушуев & Барановская, 2020). The compensations for families were predicted: for those killed in combat (5 million roubles) and in other non-combat missions (3 million roubles) (Sukhankin, 2019, p. 7). The situation worsened when the Syrian government paid for services, causing disappointment and resulting in a lower quality of recruits. The financing of the PMCs is not clear, but as they represent national interests in Syria, there must be a channel to pay for the service in a combat zone and those wounded or hospitalised and consider compensations for families of those killed in action. The presence will be continued, and the PMCs' role and deployment will differ with respect to the evolving situation in Syria and other regions. Lately, President Putin confirmed their presence in Syria during a conference in June 2019, but a lack of connection with the Russian government and armed forces was mentioned (INTERFAX.RU, 2019). It was clarified that those fighting terrorism on another nation's territory are only doing so in support of domestic economic interests there, however.

3. PMCS IN RUSSIA – DISCUSSION

The PMCs mercenaries “have been fighting major battles in Ukraine and Syria, including Palmyra’s battles” (Miller, 2016; ФОНТАНКА.ру, 2016) enhancing and developing their combat experience. According to military analyst Pavel Felgenhauer, “the deployment of military contractors is consistent with the Russian take on ‘hybrid-war’” (Sparks, 2016; Gusarov, 2016). Thus, it could be surmised that Russia is putting the theory of ‘new generation warfare’ in Syria into practice, using military and non-military assets to acquire more experience on how to deal with any threat coming from inside and outside of the country. Such threats could be related to terrorist organisations inside Russia and the threat of internal ‘colour revolutions’, not to mention conflicts in the Middle East. The link between PMCs and armed forces will be preserved, as according to Mark Galeotti, Moran “is run by FSB veterans, and FSB officers were involved in recruiting for the corps” (Galeotti, 2016). He also claims “the Donbas has been a testing ground for new state-controlled but notionally private initiatives, ranging from the Vostok Battalion, deployed in 2014, to a variety of other groups drawn from Cossacks, veterans, and adventurers, largely mustered by the Federal Security Service (FSB) - or more usually, military intelligence, the GRU” (Galeotti, 2016).

As suggested, there are links with national security organisations like MoD, FSB, GRU and Special Forces, as all the aforementioned provide training, contracts, money, and weapons. It does in a broader sense relate to national security. PMCs could serve as an element that underpins armed forces in the case of war against the Russian Federation, as a form of combat or reserve forces. Their peacetime activities provide constant training and ability to fight arm-in-arm with military structures or could be used to support military operations and regular units for specific tasks. The key advantages are PMC’s readiness to be operational on short notice, experienced and well-connected leadership and service members, familiarisation with weapon systems, and constant military establishment links. Compared to conscript armies, the PMCs members are well trained and motivated more by money than by ideology, causing them to adhere to a customer’s expectations. However according to Alexander Golts, there is an internal obstacle in Russia as “military service in Russia is widely seen as a civic duty rather than a well-paying job, which discourages for-profit military work” (Eremenko, 2014); with the open market

and general economic situation leaving space for changing attitudes. An encouraging factor is the anonymity of lower ranks, as usually data are limited only to leaders. Moreover, power is in numbers, as according to the Moscow Times, “Russia is ripe for entering the PMSC market, given the surplus of retired military professionals from its 760,000-strong army, not counting the other 300,000 young men who complete obligatory national service every year” and “we probably have more people who know how to handle a Kalashnikov than the US does” (Galeotti, 2016). In respect to overwatching PMCs in the future, there is the option to “give control over them to the Defence Ministry, which would use them as an immediate response to various threats” (Kryazhev, 2015). The competition for ‘ownership’ will continue and the failure in Deir el-Zour could be exploited by FSB and other players to weaken the position of MoD in years to come.

The case of PMCs is an example of using, or rather not implementing, specific legal regulations to achieve specific national tactical or strategic objectives. As of not passing domestic legislation, it is allowing flexibility in denying any national involvement in a conflict or case or connection with a PMC, which is simultaneously directly or indirectly serving national aims. It is also causing the risk “that the rule of law and the integrity of the legal system, both domestic and international, could be thereby subordinated to operational imperatives”; it could be seen as use of “law as a weapon of war.” (Craig, 2019). The issue is that there is differing perception of law in democratic nations vs other nations, and it is leading to the instrumental utilisation of law for specific purposes. Professor Craig paraphrased Clausewitz, stating that “law is but a continuation of politics by other means” (Craig, 2019) causing a “weaponisation” of law. Zarko Perovic made a comparative study of PMC-related law in selected nations (e.g. Ukraine, Libya, Syria, Mozambique and Azerbaijan). It was leading to conclusions, in respect to Wagner PMC, that although its “activities are nominally regulated by both international law and the domestic laws of the countries where the group is present, these laws put relatively few constraints on Wagner’s operations” (Perovic, 2021). It is allowing them to be used when required to fulfil national aims without promoting formal accusation of a country that is deploying them for their own purposes. Deployments of PMCs are particularly possible within nations with weak governments and insubstantial legal systems that allow a rather pliable use of the law. The interesting question is whether PMCs will be legalised

as such in Russia. The lack of official status along with the fact that their expanding presence in selected nations and conflict areas continues to be profitable for Russia. However, it would not be an option for a democratic rule of law-based country. The reality that PMCs such as Wagner can exist and operate without clearly defined legal status could be argued to be an advantage of such undemocratic regimes.

CONCLUSIONS

The PMCs should not be seen as ‘companies’ if only as they possess real capabilities as proven by their involvement in Syria and their ability to engage a variety of opposing forces. In this sense, they can be compared with the armed forces of small nations. There are, according to the United Nations, some 3,000 active PMCs in the world, present in more than 60 countries. In the past, they were able to influence or support governments and dictators. In 2018, the market for PMCs was estimated to be between USD 250 – 300 billion, with all signs pointing toward increases in the future (Тодоровски, 2020). The most successfully employed are US companies, but Russian ones are growing in power and importance, and the experiences coming from regional wars, including Syria, will make them stronger and more desirable for covert deployment by the government and other nations’ regimes. An essential factor in Russia is the close control or relations between PMCs, law enforcement structures, security, and special forces. The lack of legal background is utilised flexibly, as in some cases, as in Syria, PMCs are operating in close cooperation with armed forces. However, when it is not desired, or could be seen as a risk for Russia, the nation is distancing themselves from them, as was the case in the Deir ez-Zor battle.

The Slavonic Corps Limited deployment was the first test in the utilisation of such PMCs in combat and auxiliary tasks; the experiences were later introduced in ‘Wagner’ preparations and operations. Russia remembers its painful experiences from Afghanistan, but using non-governmental assets allows it to avoid domestic and international rumours as well as to ensure Assad rule. What is significant is that the connection between PMC and armed forces with the full range of modern armament, e.g., an air force, proved to be important. It was visible during battles in the Deir ez-Zor province when PMC troops faced technologically superior US Special Forces supported by airstrikes. It was an example of the PMCs limitations as they were more effective fighting rebels and terrorist as these groups represented weaker opponents. The other tasks as intelligence, protection of infrastructure or training of local armed forces were performed effectively, and it is linked with the background of members. Many are retired military or former law enforcement personnel, allowing them to share real experiences.

Presumably the role of PMCs will not diminish, especially in the regions and countries which are not democratic, allowing their leadership to use them in place of regular armed forces to preserve a regime rule. It was recognised that such international-based companies could be very effective tools in implementing political will or preserving economic interests with limited risk to their own government. The battle of Khasham illustrated another factor whereby the United States and Russia supported different sides of a conflict in Syria. Denying direct involvement of Russian citizens and forces by PMC involvement proved that Moscow was trying to avoid any distinct collision or incident, which could escalate relations with the United States. Next, the Syrian deployment of PMCs was an important factor that, although not officially recognised, avoided any domestic rumours and denied any accusations on the international level. The case indicated that Russian authorities will tolerate the casualties of Russian citizens, which differs greatly from the perspectives of many other nations, which could consider broader consequences for such actions. The relations between military and oligarchs and governments were a factor, but also within differing stages, when cooperation was very closely coordinated or diminished as a result of diverging interests. The Syrian case presents a doctrinal study regarding mixing traditional armed forces with mercenaries, local troops, and paramilitary organisations worthy of attention and continuity. Such is the ad-hoc organisation or 'integrated groups of troops (forces)' that was used in Ukraine and Syria and could be used against any other nation.

The concept is also a part of military exercises. Russia, led by growing global ambitions and the desire to use other tools than official instruments of power, will use PMCs covertly, which suits their purposes particularly well. It is a tactic driven by globalisation, economic interests, and a need to deploy 'troops on the ground'. PMCs' involvement enables Russia to deny their immediate presence on a territory whilst sanctioning, enforcing or ensuring their national interests.

REMARK

The views presented by the author are his own opinions and do not represent the official position of the Baltic Defence College.

Contact:

Zdzisław Śliwa, PhD

Baltic Defence College

E-mail: Zdzislaw.sliwa@baltdefcol.org

REFERENCES AND SOURCES

- Alexandra, A. & Baker, D.-P. C. M., 2006. *Private Military and Security Companies. Ethics, Policies and Civil-Military Relations*. London: Routledge.
- Asymmetric Warfare Group & TRADOC G2, April 2020. *Russian Private Military Companies. Their use and how to consider them in operations, competition, and conflict*, Laurel: Johns Hopkins University Applied Physics Laboratory.
- Delfi, 2020. "А что такое ЧВК „Вагнер“?" Дмитрий Песков ответил на вопросы российских СМИ о ситуации с задержанными. [Online] Available at: <https://rus.delfi.ee/daily/russia/a-что-такое-чвк-вагнер-dmitrij-peskov-otvetil-na-voprosy-rossijskih-smi-o-situacii-s-zaderzhannymi?id=90602313> [Accessed 20 January 2021].
- Eremenko, A., 2014. Blackwater.ru: The Future of Russian Private Military Companies. *Moscow Times*, 12 November.
- Gusarov, V., 2016. *Russian Private Military Companies As Licensed Tool of Terror*. [Online] Available at: <https://informnapalm.org/en/russian-private-military-companies-as-licensed-tool-of-terror/> [Accessed 20 November 2020].
- Hoffman, F., 2009. Hybrid Threats: Reconceptualizing the Evolving Character of Modern Conflict. *Strategic Forum No 240*, April, p. 5.
- Интерфакс, 2018. Песков не исключил присутствия в Сирии граждан не из Вооруженных сил РФ. [Online] Available at: <https://www.interfax.ru/world/599909> [Accessed 21 January 2021].
- INTERFAX.RU, 2019. Путин подтвердил присутствие частных охранных компаний в Сирии. [Online] Available at: <https://www.interfax.ru/russia/666012> [Accessed 8 January 2021].
- Kimberly, M., 2019. Russia's Use of Semi-State Security Forces: The Case of the Wagner Group. *Post-Soviet Affairs*, 35(3), p. 189.
- Kinsey, C., 2006. *Corporate Soldiers and International Security: The Rise of Private Military Companies*. London: Routledge.
- Kryazhev, A., 2015. *Government rejects bill to introduce private military contractors in Russia – report*. [Online] Available at: <https://www.rt.com/russia/316276-government-rejects-bill-to-introduce/> [Accessed 12 November 2020].
- Kuczyński, G., 2018. *Putin's Invisible Army*. [Online] Available at: <https://warsawinstitute.org/putins-invisible-army/> [Accessed 10 November 2020].
- Massicot, D., 2019. *Anticipating a New Russian Military Doctrine in 2020: What it Might Contain and why it Matters*. [Online] Available at: <https://>

- warontherocks.com/2019/09/anticipating-a-new-russian-military-doctrine-in-2020-what-it-might-contain-and-why-it-matters/ [Accessed 12 March 2021].
- Miller, J., 2016. *Putin's Attack Helicopters and Mercenaries Are Winning the War for Assad*. [Online] Available at: <http://foreignpolicy.com/2016/03/30/putins-attack-helicopters-and-mercenaries-are-winning-the-war-for-assad/> [Accessed 14 November 2020].
- Moran Security Group, 2021. *Moran Security Group*. [Online] Available at: <http://moran-group.org/en/about/index> [Accessed 25 December 2020].
- News.ru, 2018. *Как изменился «Сирийский экспресс» за три года*. [Online] Available at: <https://news.rambler.ru/army/40978500-kak-izmenilsya-siriyskiy-ekspress-za-tri-goda/> [Accessed 6 December 2020].
- Østensen, Å. G. & Bukkvoll, T., 2018. *Russian Use of Private Military and Security Companies – the implications for European and Norwegian Security*. Bergen: Norwegian Defence Research Establishment (FFI) .
- Ovcharov, A. V., 2018. Частные Военные Компании В России. *Вестник Восточно-Сибирского Института МВД России*, 86(3), pp. 84-93.
- Rabin, A., 2019. *Diplomacy and Dividends: Who Really Controls the Wagner Group?*. [Online] Available at: <https://www.fpri.org/article/2019/10/diplomacy-and-dividends-who-really-controls-the-wagner-group/>; [Accessed 10 November 2020].
- Roblin, S., 2018. *Did Russia and America Almost Go to War in Syria?*. [Online] Available at: <https://nationalinterest.org/blog/the-buzz/did-russia-america-almost-go-war-syria-26279> [Accessed 16 November 2020].
- Singh, A., 2017. *Soldiers of Fortune: the Rise of Private Military Companies and their Consequences on America's Wars*. [Online] Available at: <https://bpr.berkeley.edu/2017/10/25/soldiers-of-fortune-the-rise-of-private-military-companies-and-their-consequences-on-americas-wars/> [Accessed 15 December 2020].
- Sparks, J., 2016. *Revealed: Russia's 'Secret Syria Mercenaries'*. [Online] Available at: <http://news.sky.com/story/revealed-russias-secret-syria-mercenaries-10529248> [Accessed 14 November 2020].
- Sputnik News, 2012A. *Russia May Consider Establishing Private Military Companies*. [Online] Available at: <http://sputniknews.com/analysis/20120413/172789099.html> [Accessed 25 November 2020].
- Sputnik News, 2012. *Russia May Consider Establishing Private Military Companies*. [Online] Available at: <http://sputniknews.com/analysis/20120413/172789099.html> [Accessed 12 November 2020].

- Sukhankin, S., 2019. Russian PMCs in the Syrian Civil War: From Slavonic Corps to Wagner Group and Beyond. *The Jamestown Foundation*, 18 December, p. 2.
- TASS News Agency , 2018. *Захарова: в Сирии могли погибнуть пять российских граждан, это не военнослужащие*. [Online] Available at: <https://tass.ru/politika/4962156> [Accessed 21 January 2021].
- The Office of the President of the Russian Federation, 2014. *The Military Doctrine of the Russian Federation*. [Online] Available at: <https://rusemb.org.uk/press/2029> [Accessed 10 March 2021].
- The Russian Federation, 1993. *The Constitution of the Russian Federation Adopted at National Voting on December 12, 1993*. [Online] Available at: <http://www.constitution.ru/en/10003000-01.htm> [Accessed 12 January 2021].
- Тодоровски Дарко, 2020, *Частные военные компании на современном этапе*, <https://russiancouncil.ru/blogs/dtodorovsky/chastnye-voennye-kompanii-na-sovremennom-etape/> [Accessed: 8 December 2020].
- Tsvetkova, M., 2018. *Russian toll in Syria battle was 300 killed and wounded: sources*. [Online] Available at: <https://www.reuters.com/article/us-mideast-crisis-syria-russia-casualtie/russian-toll-in-syria-battle-was-300-killed-and-wounded-sources-idUSKCN1FZ2DZ> [Accessed 16 November 2020].
- United Nations, 1989. *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*. [Online] Available at: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/Mercenaries.aspx> [Accessed 12 December 2020].
- Varin, C., 2006. *Hybrid Armies and National Security. Private Soldiers and the State in the 21st Century*. London: Routledge.
- Żochowski, P., Strachota, K. & Menkiszak, M., 2018. *Russian losses near Deir ez-Zor – a problem for the Kremlin*. [Online] Available at: <https://www.osw.waw.pl/en/publikacje/analyses/2018-02-21/russian-losses-near-deir-ez-zor-a-problem-kremlin> [Accessed 16 November 2020].
- АВТОР, U., 2020. *ЧВК «Славянский Корпус»: История провала ФСБ РФ и западных спецслужб*. [Online] Available at: <https://myrotvorets.news/chvk-slavianskyi-korpus-ystoryia-prov/> [Accessed 6 December 2020].
- Алексеев, А., 2018. *Эксперт: перспективы легализации частных военных компаний в России туманны*. [Online] Available at: <https://rus.err.ee/684439/jekspert-perspektivy-legalizacii-chastnyh-voennyh-kompanij-v-rossii-tumannyy> [Accessed 8 December 2020].
- Бушуев, М. & Барановская, М., 2020. *ЧВК Вагнера: все, что о ней известно*. [Online] Available at: <https://www.dw.com/ru/чвк-вагнера-все-что-ней-известно/a-42596738> [Accessed 8 January 2021].

- Государственная система правовой информации, 2016. Указ Президента Российской Федерации от 05.04.2016 № 157 “Вопросы Федеральной службы войск национальной гвардии Российской Федерации”. [Online] Available at: <http://publication.pravo.gov.ru/Document/View/0001201604050058> [Accessed 26 November 2020].
- ИА Regnum, 2020. *Бойцов ЧВК ‘Вагнер’ назвали ‘героями нашего времени’*, [Online] Available at: <https://regnum.ru/news/polit/2975777.html> [Accessed 12 November 2020].
- Короткий, В., 2020. «Вагнер» и компания. *Наемники тоталитарного режима*. [Online] Available at: <https://www.ukrinform.ru/rubric-world/3048586-vagner-i-kompania-naemniki-totalitarnogo-rezima.html> [Accessed 6 December 2020].
- Коротков, Д., 2017. *Немного бизнеса в сирийской войне*. [Online] Available at: <https://www.fontanka.ru/2017/06/26/084/> [Accessed 8 January 2021].
- Маржецкий, С., 2019. “Сирийский экспресс” под угрозой: США попытаются лишить Сирию снабжения. [Online] Available at: <https://topcor.ru/10112-sirijskij-jekspress-po-ugrozaj-ssha-popytajutsja-lishit-siriju-snabzhenija.html> [Accessed 6 December 2020].
- Муртазин, И., 2020. ЧВК в России — как секс в СССР. *Novaja Gazeta No 84*, 7 August, p. 5.
- Полит.ру, 2013. «Газпрому» и «Транснефти» разрешили создать «частные армии». [Online] Available at: <https://polit.ru/news/2013/06/14/gazprom/> [Accessed 14 November 2020].
- Рыжов, В. А., 2020. *Частные военные компании: солидный бизнес уважаемых джентльменов*. [Online] Available at: <https://topwar.ru/172525-chastnye-voennye-kompanii-solidnyj-biznes-uvazhaemyh-dzhentlmenov.html> [Accessed 10 November 2020].
- Фонтанка.ру, 2016. *Они сражались за Пальмиру*. [Online] Available at: <https://www.fontanka.ru/2016/03/28/171/> [Accessed 14 November 2020].



THE ISSUES ON REFORMING THE PENITENTIARY SYSTEMS IN THE CONTEXT OF COVID-19

Peter Ruzsonyi, PhD

University of Public Service, Budapest, Hungary

Dean of the Faculty of Law Enforcement

Keywords: prison-crisis, COVID-19, international review, reintegration

ABSTRACT

The criminal justice process includes: discovering information about the committing criminal offense; investigation; arrest of the suspect; imposition of a sentence; in many cases the enforcement of imprisonment and finally the reintegration of the former prisoner. The citizens' sense of security depends on the completeness of this process because it is in the common interest of members of societies that released ex-prisoners do not jeopardise the order of peaceful coexistence within communities. Nonetheless, during the analysis of the security challenges of prisons amplified by COVID-19, the law enforcement profession has very little engagement with the imprisonment and the reintegration of detainees. This is a huge mistake, because prison systems are in a global crisis and have been for more than 40 years – and the COVID-19 epidemic has only exacerbated this original ongoing crisis – so the effectiveness of prison systems has never been more questionable than it is at this moment. It can be stated that the COVID-19 infection affected the continents and certain geographical areas to varying degrees, resulting in the unfortunate outcome of prison riots breaking out in some of the most infected countries in Europe due to the uncertainty of the convicts and the restrictive measures taken. This paper will describe and analyse the typical causes of the both the original ongoing crisis of the prison systems and the new health crisis, then propose measures to improve the situation. The proposals are based on the international literature and positive experiences in Hungary.

INTRODUCTION

Due to the emergence and rapid spread of the COVID-19, prisons have become one of the defining contemporary security challenges of the present age in a matter of a few months, almost all over the world. However, it would be erroneous to attribute the current situation in prisons as solely a consequence of the coronavirus. To avoid misconceptions, the study distinguishes between two types of crisis: (1) “general crisis” (the ongoing crisis of the prison systems) and (2) “health crisis” (related to the COVID-19 pandemic). The development of the general crisis has been ongoing for decades, but the average citizen appears to hardly notice, and unfortunately it is more likely that it is preferable to turn a blind eye to the situation than it is to address publicly. A bigger problem is that in some countries, both the criminal justice system and the law enforcement profession pay unjustifiably little attention to the state of prisons and the treatment of prisoners. It is no exaggeration to say that countless prison systems have been in a general crisis over the last decades and the problem is much more complex and significant than the current health emergency caused by the COVID-19 pandemic. We can posit quite confidently that the general crisis that had been smouldering under the surface for decades has now ignited and become much more evident by the health crisis generated by the COVID-19 pandemic.

At the same time, it is important to make it clear that this additive “dual” crisis situation – at least in my interpretation - is an uncertain status from which the situation can turn for the better and for the worse. Ergo, a condition that professionals need to pay attention to and do everything possible to ensure that this “dual” crisis situation doesn’t turn into an extremely critical condition, which can mean a serious disturbance, an emergency and potentially the possible inoperability of the system.

There is a great deal of evidence-based research proving that the vast majority of prisons today are no longer able to perform their basic function: to facilitate the effective reintegration of prisoners. The efficiency of the traditional prison system is low, indicated by the rates of criminal recidivism around the world reported to be as high as 50% and have not declined in recent years (Walmsley, 2018).

Although the archaic prison fits into the course of the accepted criminal justice process, a significant proportion of the released inmates are only able to reintegrate into the “normal” society for a short time before returning to prison for committing further crimes. One of the reasons for this is that the “classical” prison model based on centuries-old traditions are largely located on the periphery of society — both philosophically and physically. We should not be surprised that the re-offending and recidivism among the released whom had been exiled from society is generally very high (Yukhnenko, Sridhar and Fazel, 2019). How could the released prisoners be prepared to be reintegrated into the real world by moving them away from the real world? In my opinion, there is very little chance for successful reintegration in prison systems operating in the “classical” form. Another major obstacle to effective reintegration is that when prisoners leave the prison gate and return to society, they immediately find themselves on the peripheral fringes, without a supportive environment and a financially stable family background, they hardly have a chance to provide themselves with work, accommodation and a normal livelihood. Of course, recidivism is not compulsory in their case either, but its risk is certainly very high (Ruzsonyi, 2009).

In the present study we review the characteristics of both types of prison crises on an international level, the impact of the COVID-19 epidemic on prisons and finally we present the international recommendations and the measures taken in Hungarian prisons for the prevention of the epidemic and the reduction of its negative effects.

1. WORLDWIDE GENERAL CRISIS IN THE FIELD OF IMPRISONMENT¹

This type of crisis started more than 40 years ago and has now grown significantly. Catherine Heard, director of the Institute for Criminal Policy Research's World Prison Research Programme, said: "Prison has a poor track record of reducing reoffending or equipping people for a worthwhile life on release. (...) Data show, many of the countries where the number of prisoners has grown the most in recent years also has some of the worst levels of overcrowding. We shouldn't be surprised when overcrowded, under-resourced prisons produce violence, despair, and more crime" (Walmsley, 2018). Russian prisons are, for example, infamous for their overcrowded conditions. The Kresty penal institution in Saint Petersburg is said to be one of the most overcrowded prisons in world. The capacity is virtually 3000 members, but the real number is never fewer than 10,000. (Ürmösné, 2018).

The experts from Great Britain and the United States of America are more critical and outspoken. Prins's opinion is that "the American criminal justice system is in a state of crisis" (Prins, 1996, p. 493). Generally, the physical conditions of the prisons are outrageous. The government issued with unprecedented warning that inmates are being driven to take their lives as inspectors reveal conditions "worse they've ever seen" (Bulman, 2018).

¹ The development and gradual intensification of the general prison crisis is true for most regions and countries on our planet, although the problems are present in varying degrees. The signs of the crisis are least recognisable in the Scandinavian states. Iceland's prison situation is exceptional, perhaps this country avoided the general crisis: the most: the RECONVICTION RATE of the released is only 27% and only half of the prison's capacity is used. Among the countries with a significant number of detainees, Norway has the best results and the best prison conditions. This is also noteworthy because in the 1990s its reconviction rate was still 60-70%, which has now dropped to 20%. For Norway, the growing number of prisoners may be a problem, although the number of prisoners per 100,000 inhabitants is still considered very low worldwide perspective. In Denmark and Sweden, the RECONVICTION RATE is high (63% and 61% respectively) while in these two countries only 2/3rd of prisons capacities are filled. Finland's situation is exceptional in several aspects. The physical condition of the prisons is good, the situation of the staff is balanced, and one of the central elements of the country's penal policy is to support detainees and facilitate their reintegration. The overcrowding of institutions is AN unknown CONCEPT BECAUSE only half of prison capacity being used. Their only problem may be the increase in the number and proportion of foreign detainees – the number of foreign prisoners increased from a near zero to a figure that corresponds to about 9 % of the Finnish prisoner rates. (Yukhnenko – Sridhar and Fazel, 2019; Eurostat, 2021; World Prison Brief, 2021; Lappi-Seppälä, 2009)

Ricciardelli and his co-authors' statement is: "it must be recognised that prison, in its past or present form, has not been deemed successful for the rehabilitation of prisoners, the deterrence or prevention of future criminal behaviours and providing retribution – serving justice to those who were victimised by crime" (Ricciardelli, Crichton and Adams, 2014, p. 117).

Krason's judgement is that criminal law and criminal justice in the United States can reasonably be deemed to be in a state of crisis. The purpose of imprisonment – and more broadly of punishment – seems to be obscured (Krason, 2013).

The United Nations has the broadest perspective on the modern prison crisis. Its report summarises the recent situation: "a large number of prison systems around the world are at a stage of crisis, the serious effects of which harm prisoners, their families and societies as a whole. The reality in many prisons tends to be not only far from international standards, but also risks undermining the ultimate purpose of a sentence of imprisonment: the protection of society from crime" (United Nations, 2018). Elsner's opinion is to be followed: handling of this challenging situation became more and more difficult, because many experts agree that the penal systems of today are in a worldwide state of crisis (Elsner, 2006).

Cavadino and his co-authors offered the orthodox interpretation for the root causes of prison crisis. According to their opinion the 'crisis' has seven interlinking factors which culminate in grave problems for the prison system. To start, (1) the high prison population leads to both (2) overcrowding and (3) bad conditions (for both staff and inmates). In turn, this leads to (4) understaffing, (5) staff unrest and (6) poor security. The authors suggest that these factors symbolise the end product of the crisis; (7) the toxic mix of prisoners which ultimately lead to (8) riots and disorder (Cavadino, Dignan and Mair, 2013, p. 11).

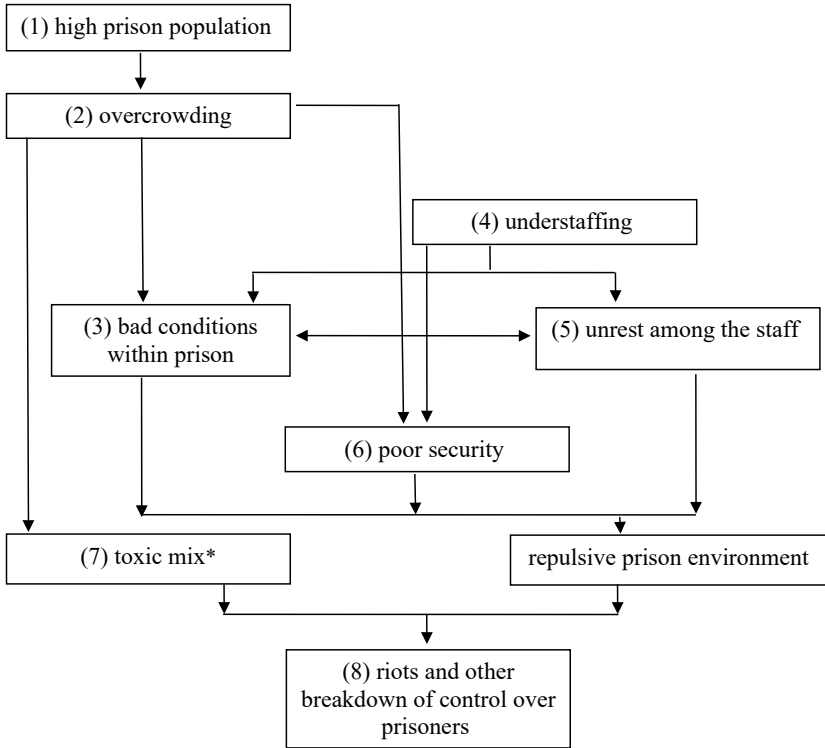


Figure 1: The account of the original ongoing penal crisis

* Toxic mix: a combination of different types of difficult prisoners within a single institution.

Source: Based on Cavadino, Dignan and Mair (2013, p. 11)

The general crisis or near-crisis situation has developed in other fields of prisons. Some authors and institutions and research groups have named additional nodes:

1. The mental health of prisoners has been steadily deteriorating for decades (Kupers, 1999; James and Glaze, 2006; Haney, 2006; Council of State Governments Justice Center, 2015).
2. A relatively recent but significant problem is the drastic increase in the number of elderly detainees (Aday, 2003).

3. Race- and ethnicity-based prison gangs' activity (van der Kolk, 1987; Hunt et al, 1993; Western, 2002; McDonald, 2003; Hill, 2004, 2009; Valdez, 2005; Knox, 2005; Skarbek, 2012).
4. Economic crisis – the VERA Institute of Justice (2010) with a comprehensive analysis pointed out that in the US “the fiscal crisis began in December 2007 has spurred lawmakers to reconsider who is punished and how. High recidivism rates among formerly incarcerated people have also given officials cause to re-evaluate existing policies” (VERA Institute of Justice, 2010, p. 2). The study outlined a bleak picture of the measures expected to alleviate the economic crisis: “the ongoing strategies include reducing personnel costs, downsizing or eliminating programs, and closing facilities. States are also turning toward other administrative efficiencies as a means of cutting costs, including changes in food services, implementing new technology, and exploring strategies to save on energy costs” (VERA Institute of Justice, 2010, p. 10). Despite the difficulties, however, the VERA Institute of Justice in its study takes an optimistic approach. According to their opinion, the only way forward is if “for corrections agencies, this means operating facilities in the most efficient ways possible and reducing costs by identifying offenders who can be safely supervised in the community at less cost than in a prison cell. The fiscal crisis will continue to prompt states and the federal government to re-examine their policies and practices. Through efforts to reduce spending, policy makers are learning about less punitive, more effective ways to treat individuals who commit crimes, especially nonviolent crimes” (VERA Institute of Justice, 2010, p. 19).

The general crisis of imprisonment thus began decades before the coronavirus appeared, however, the emergence of the epidemic compounded the processes, and at the same time highlighted the weaknesses of the penitentiary system.

2. COVID-19 AND THE PENITENTIARY SYSTEM

2.1. THE BARBED WIRE DOES NOT PROTECT ANYONE FROM COVID-19 INFECTION

The coronavirus has caused a health crisis that affected all areas of our lives. The negative health and psychological impacts of the epidemic were multiplied by the fact that the virus reached almost all countries of the Earth in a very short time, so no effective treatment or antidote could be developed. Of course, the prisons were also unprepared for the release of COVID-19 and initially only promises of help were made. It was unfortunate, however, that in the first months the various health organisations' opportunities were mostly limited to emphasising the dangers of the situation and reassuring the detainees and their relatives. A World Health Organization Regional Office for Europe (2020, p. 1) declared that "prison health is part of public health so that nobody is left behind. As part of public health response, WHO worked with partners to develop a set of new materials on preparedness, prevention and control of COVID-19 in prisons and other places of detention."

The detainees, in fear, vulnerability and despair, carried out prison riots in many parts of the world. The situation was most favourable in Europe. Probably due to the swift and decisive action of our continent's penitentiary organisations it was only in Italy that a prison uprising took place in the first period after the outbreak (11 March) which resulted in the deaths of several people when the authorities were still completely unprepared to respond, moreover, Lombardy was then the centre of infection in Europe.

In prisons of the American continent the situation has developed significantly for the worse. Prisons becoming more disorderly and unsafe. Rupert Colville, the spokesperson of the UN High Commissioner for Human Rights announced on 5th May 2020 that "Thousands of inmates and prison officials have already been infected across North and South America. In many countries, the increasing fear of contagion and lack of basic services – such as the regular provision of food due to the prohibition of family visits – have triggered protests and riots. (...) Some of these incidents in detention centres have turned extremely violent. The latest happened on 1 May, in Los Llanos penitentiary in Venezuela, where a revolt by prisoners reportedly resulted in 47 inmates losing their lives. Four days earlier,

on 27 April, a riot broke out in the Miguel Castro Castro prison in Peru leaving nine inmates dead. On 21 March, 23 inmates died after security forces intervened to suppress rioting in La Modelo prison in Colombia. Other incidents, including attempts to escape, have been registered in detention centres in Argentina, Brazil and Colombia, Mexico and the U.S.” (Colville, 2020, p. 1). Infection rates and the risk of infection in the US have reached almost inconceivable proportions. According to calculations by Robert P. Alvarez, employee of the Institute for Policy Studies “in Tennessee, where a person in prison is nearly 5000 percent more likely than someone walking the streets to contract the coronavirus, and 255 percent more likely to die from it. Or Marion Correctional Institution in Ohio, which has a nearly 90 percent infection rate.” Mr. Alvarez stressed that “it isn’t just the incarcerated who are at risk — it’s the people who work in prisons. In Indiana, for example, someone who works at a prison is 1,116 percent more likely than your average Hoosier to be infected” (Alvarez, 2020, p. 1). In Brazil, 1389 of prisoners have escaped from four semi-open prisons in São Paulo state after Easter prison holidays were cancelled and restrictions on visitors tightened because of coronavirus (Jozino and Cruz, 2020, p. 1). In Venezuela, a riot at a prison in Portuguesa state left at least 46 people dead and 60 injured (Reuters, 2020, p. 1).

Extreme conditions have also developed in Australia. According to Kriti Sharma “for the 43,000 people in Australia’s overcrowded prisons, social distancing is impossible. Lockdowns put people with psychosocial or cognitive disabilities – already at risk of being manipulated or abused by others – at heightened risk of violence, especially since independent oversight of facilities is limited” (Sharma, 2020, p. 1). Thalia Anthony, a professor at the University of Technology Sydney, assesses the situation in a similar way: Australia’s overcrowded prisons are unable to guard against the rapid spread of diseases. It is a combined product of the facilities and inadequate sanitation and health services in prisons” (Anthony, 2020, p. 1).

The situation is also tense in Africa. In countries such as Democratic Republic of Congo, prisons are frequently characterised by overcrowding, cramped conditions, malnutrition, poor hygiene, inadequate sanitation and limited access to health care. In addition to human rights and humanitarian concerns, situations such as the COVID-19 pandemic heighten the risk of riots and breakouts, and endangering public health and security (United Nations News, 2020, p. 1).

2.2. CRISIS MANAGEMENT CAUSED BY THE CORONAVIRUS IN PRISONS

In the initial period of the spring onset and spread of the COVID-19 epidemic, hospitals and nursing homes were the focal points for the spread of the disease in almost every country. Prisons were equally potential sources of danger from the first moment, but in the “prison world”, epidemiological control was sought and organised exclusively by the penitentiary organisations of the countries concerned and the prisons themselves. In the field of penitentiary, there was a complete lack of international coordination, no “desirable practice” or guidance, and no scientific analysis, the latter is completely understandable because analysis requires data, which takes time to acquire). Different countries have taken up the fight against the virus using different strategies - and with varying degrees of effectiveness.

2.2.1. International recommendations

Today, with the emergence and amplification of the second wave, international patterns of preventive and protective measures have emerged:

1. Reduce the number of people in prisons. (This is not the moment to make general amnesties because the main goal shall be to protect the general population at large.)
 - 1/a. The simplest way to reduce admissions is to refuse admissions for technical violations of probation and parole rules.
 - 1/b. Early release for:
 - at-risk populations (prisoners who are medically fragile or are older. Prisons house large numbers of people with chronic illnesses and complex medical needs that make them more vulnerable to becoming seriously ill and necessitate more medical care for COVID-19);
 - prisoners for technical violations of probation and parole rules;
 - people nearing the end of their sentence;

- people in minimum security facilities and who are on work-release;
 - anyone whose offense is considered “minor” or anyone who has a “low likelihood” of committing another serious offense.
2. Eliminate unnecessary face-to-face contact for justice-involved people.
 3. Make correctional healthcare humane (and efficient) in a way that protects both health and human dignity.
 4. Don’t make this time more stressful for families than absolutely necessary (Aebi, 2020; Wagner and Widra, 2020).

The above measures are essentially based on a well-thought-out strategy, however, they deal less with inmates who remain inside. Facilitating telephony and using the Internet (possibly making it free) helps a lot, but there is something that is missing: increased engagement with those inside – meaning not just healthcare.

2.2.2. Preventive measures in Hungary

Hungary has taken over some of the international procedures², and has developed its own procedure, from which we highlight the following specialties:

1. Separation rooms have been designated in all prisons, and new detainees arriving at institutions are undergoing an epidemiological investigation in all cases. The staff and detainees are regularly informed about compliance with preventive hygiene rules. The possibility of washing and disinfecting hands several times a day is provided, and all detainees are provided with a washable, disinfectable textile mouth mask.

² In Hungary - as a result of the prison expansion program in recent years - overcrowding in prisons has disappeared. Therefore, further reduction of the prison population was not necessary, so the Hungarian penitentiary organisation did not apply the earlier release of prisoners who were less dangerous to society, the sick, the elderly and those close to release, and also received those convicted of less serious crimes.

2. Skype-based, live and online telephony has been made available to all detainees and the duration of traditional telephone conversations has also been extended to help them keep in touch with their relatives.
3. For inmates who do not have a mobile phone, the organisation provides a three-minute call three times a month at its own expense. A Skype user guide has also been prepared for relatives of detainees. An epidemiological call centre has been launched in all Hungarian prisons and the Prison Newspaper has also published a special issue related to the epidemic.
4. According to the communication, detainees are subjected to a medical examination during their admission to a penitentiary institution, after which, if there are no upper respiratory symptoms, they are placed in the community only after 14 days of segregation in accordance with the rules previously introduced.

(The Hungarian practice was really successful during the first wave, until the last third of September 2020 no detainees and no prison staff caught the infection. Unfortunately, at the current stage of the epidemic the disease could no longer be kept outside the prison walls.)

5. Possibility of vaccination – in Hungary, the administration of vaccinations to the population started on 26 December 2020. The Government established a strict order: first the health workers, then the residents of the nursing homes, later the elderly and the chronically ill got the vaccine. The detainees did not enjoy any priority.
6. Vaccination level - after reaching a relatively high general vaccination level in Hungary, for the first time there was an opportunity for organised vaccination of prisoners. At the very end of April 2021, 70% of the total prison population had access to vaccination. By the date the manuscript was submitted, 92% of this group of inmates had already received the 2nd vaccine.

2.2.3. Recommendations

In summary, it would be accurate to suggest that there are alarming implications regarding the prison system in the current climate, and as an unfortunate consequence the “treatment” factor is being completely overlooked. Undoubtedly, the quality of the daily routine of prisons, the level of the cooperation between the staff and inmates and a sort of comprehensive organising principle of prison life determine (either reducing or extending) the prison ambience and the level of prison crisis. In such a frustrating and shocking situation experts and researchers have to seek new and innovative resolutions.

From our perspective, the management of the crisis caused by the coronavirus can be effectively addressed along four key components: reducing the number of prisoners; introducing health security measures; operating a comprehensive information system and increasing activity within the prison. (See below on Figure 2.)

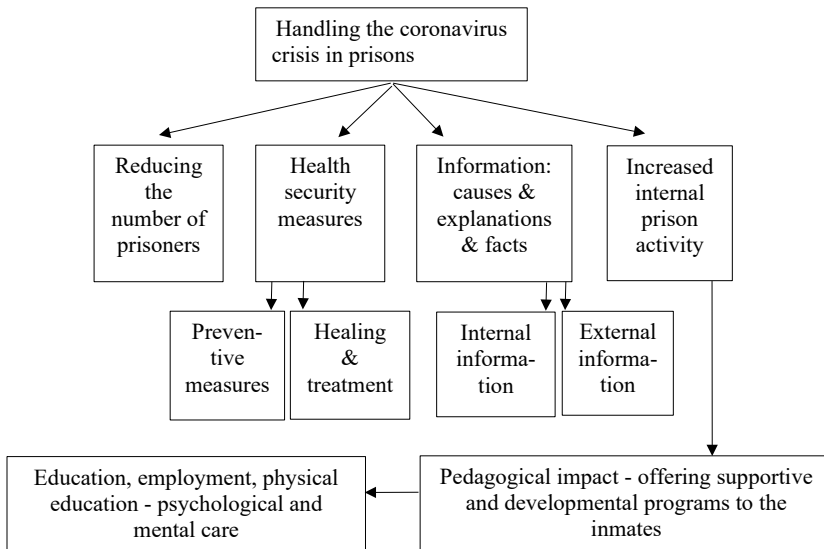


Figure 2: The main components of health crisis management caused by the coronavirus in prisons

Source: Drawn by the author

The importance of eliminating overcrowding in prisons and the importance of health security measures have been discussed in the past, as the virus spreads more among closed communities, and it is even more justified to follow prevention rules in prisons to successfully control the epidemic. In what follows, we emphasise the importance of providing information (operating a comprehensive information system) and increasing the activity of detainees in prisons, (increased internal prison activity) as the importance of dealing with detainees in a crisis situation generated by the COVID-19 epidemic is unfortunately not emphasised and goes unmentioned in any document.

1. Comprehensive information system

1/a. Internal information: It is very important for detainees to understand the reasons and importance of the restrictive measures, because then it will be significantly easier for them to accept them and cooperate during their implementation. The connection must be kept in mind that sudden and exaggerated measures – without the proper justification – can easily generate unjustified tempers and trigger extremist actions. To avoid this, it is advisable to establish a “prison radio or TV” within the institutions which will keep the detainees informed on the latest news about the epidemic and the measures that would be put in place in the given prison.

1/b. External information: It is more important, in this time of crisis, for incarcerated people to know that their loved ones are safe and vice versa. To this end, it is necessary to support the possibility of a cheaper and possibly altogether free telephone calls, as well as keeping informed via the Internet.

2. Increasing internal prison activity

2/a. Increasing activity within prisons is perhaps the most difficult task, but it certainly requires the most caution and organisation. On the one hand, maximum compliance with health and safety regulations must be sought, and on the other hand, meaningful forms of activities must be sought and created.

- 2/b. Maintaining employment is an important task in several aspects: in addition to its economic significance, the formation and development of the knowledge, skills and habits to be acquired is one of the basic conditions for the effective reintegration after liberation. It is advisable to divide workplaces into smaller units wherever possible, even a simplistic measure of outstretched wide tape to minimise physical contact between those working there could prove effective.
- 2/c. Ensuring exercise and being in the open air should be maintained in all circumstances as it contributes to increasing the body's resilience.
- 2/d. The use of the services of the prison library also contributes to spending the free time in a meaningful way. Borrowing can be arranged with a personal presence, but it is safer if detainees can "order" books selected for reading based on a library list which are then delivered to their cells.
- 2/e. In this epidemic situation it is also justified to continue education – even in a smaller group setting. The best solution is distance learning, which in some countries has a decades-long history, when the teacher and student would not physically meet, however, the real time online connection allows for interactive learning.
- 2/f. The best solution to reduce the tension caused by the increased closure ordered due to the epidemic (suspense of liberation and reception of visitors, uncertainty of the future) is to increase the access to individual psychological help and pastoral care.

In organising the various procedures and activities, care must be taken in each case to: "the needs associated with security and the prisoners' personalities have to be harmonised in a goal-oriented manner in order to avoid any damaging overlaps and harmful effects associated with a zero-sum game" (Ruzsonyi, 2018, p. 121).

CONCLUSIONS

In line with the above findings, it can be stated with confidence that this study has proven that the professional renewal of prisons, and thus the response to one of the key security challenges of the present, can only be carried out after studying the development and current state of the crisis situation in penal systems from a scientific perspective. In an absurd way, the COVID-19 worldwide epidemic has helped to accelerate the process in addressing such problems; psychological “prison walls” have become more permeable. The direct impact of the pandemic is of course devastating, the high level of infection within prisons, the large number of deaths of staff members and detainees, and the prison uprisings that also claim human lives are tragic. It is unfortunate that such serious events and, inextricably, a further deterioration of conditions had to take place in order for the existence of prisons and the conditions there to reach the stimulus threshold of society. At the same time, the growing public interest on the matter is encouraging; the public became aware of the current situation and condition of the prisons, and many questions arose as a result. Hopefully this change of attitude will encourage the criminal justice profession in both a narrower and broader sense to be critical of the situation, to find quick solutions to acute problems, and at the same time seek scientific and professional answers to the crisis that has gradually deepened over the decades.

The optimal functioning of the criminal justice system, where the responsibilities of prisons are increased, it cannot function as a “revolving door”. Detainees need to develop a willingness to act and cooperate; they must be made to contribute actively to the development of general and professional knowledge and to the development of skills that will give them a real chance at leading a responsible and law-abiding life after release (Ruzsonyi, 2014). The help of society (housing, job opportunities, health care) is essential in the first period after releasing the prisoners. Fortunately, more and more people today are realising that it is in the interest of all of us to successfully reintegrate the released detainees.

COVID-19 draws attention to the importance of this very cooperation and symbolises this interdependence. In the first phase, i.e. at the time of

the outbreak, prisons would have been completely vulnerable without the rules and measures in place for society as a whole. In the second phase, when the epidemic had already claimed victims in a free society but had not yet reached prisons, the more fortunate penitentiary systems had developed and implemented internal special procedures for prevention that apply to them. In the third phase, once the epidemic has entered prisons, increased protection for non-infected detainees and prison staff is not only in their interest but also in the interest of society as a whole. We must not forget that *the barbed wire does not protect anyone from COVID-19 infection, however, the barbed wire is unable to keep COVID-19 in prisons*. The positive result, the minimisation of human tragedies can only be imagined through the cooperation of prisons and a free society.

Contact:

Peter Ruzsonyi, PhD

University of Public Service, Budapest,
Hungary

Dean of the Faculty of Law Enforcement,
professor

E-mail: Ruzsonyi.Peter@uni-nke.hu


REFERENCES AND SOURCES

- Aday, R. (2003) *Aging prisoners: Crisis in American corrections*. Santa Barbara, CA: Praeger Publishers.
- Aebi, M. (2020) *Coronavirus: Health and Safety in Europe's Prisons*. Council of Europe. Available at: <https://www.coe.int/en/web/portal/covid-19-prisons> (Accessed: 25 February 2021)
- Alvarez, R.P. (2020) A Simple Solution for the Coronavirus Crisis in Prisons. *Institute for Policy Studies*, Available at: <https://ips-dc.org/solution-coronavirus-crisis-prisons> (Accessed: 15 August 2020)
- Anthony, T. (2020) Prisons face coronavirus crisis. Sydney: *University of Technology*, Available at: <https://www.uts.edu.au/news/business-law/prisons-face-coronavirus-crisis> (Accessed: 15 August 2020)
- Bulman, M. 2018. 'Prison crisis laid bare as Government ordered to act over inmate death and „dramatic decline” in conditions', *Independent*, 19 January 2018. Available at: <http://www.independent.co.uk/news/uk/home-news/prison-crisis-laid-bare-as-government-issued-unprecedented-warning-over-dying-inmates-as-inspectors-a8166676.html/> (Accessed: 15 July 2020)
- Cavadino, M., Dignan, J. and Mair, G. (2013). *The Penal System An Introduction*. London: SAGE.
- Colville, R. (2020) COVID-19: Americas / prison conditions. *UN High Commissioner for Human Rights*, Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25864&LangID=E> (Accessed: 2 January 2021)
- COVID-19: *UN teams step up efforts to protect rights in prisons, as revolts intensify worldwide*. United Nations News (5 May 2020), Available at: <https://news.un.org/en/story/2020/05/1063292> (Accessed: 8 August 2020)
- Elsner, A. (2006) *Gates of Injustice: The Crisis in America's Prisons*. Upper Saddle River, New Jersey: Prentice Hall.
- Eurostat (2021) Prison capacity and number of persons held. Available at: https://ec.europa.eu/eurostat/databrowser/view/crim_pris_cap/default/table?lang=en (Accessed 20 March 2021)
- Haney, C. (2006) *Reforming Punishment: Psychological Limits to the Pains of Imprisonment*. Washington, DC: American Psychological Association Books.
- Hill, C. (2004) Gangs. *Corrections Compendium*, 29, 8-23.
- Hill, C. (2009) Gangs/security threat groups. *Corrections Compendium*, 34, 23-37.

- Hunt, G., Riegel, S., Morales, T. and Waldorf, D. (1993) Changes in prison culture: Prison gangs and the case of the “Pepsi Generation.” *Social Problems*, 40(3), 398-409.
- James, D.J. and Glaze, L.E. (2006) *Mental Health Problems of Prison and Jail Inmates*. Washington, DC: U.S Department of Justice, Bureau of Justice Statistics.
- Knox, G.W. (2004) Problem of gangs and security threat groups (STG’s) in American prisons today: A special NGCRC report. *Journal of Gang Research*, 12(1), 1-76. Available at: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/problem-gangs-and-security-threat-groups-stgs-american-prisons> (Accessed: 24 March 2021)
- Krason, M. S. (2013) On Our Dysfunctional Criminal Justice System. *Crisis Magazine*. (1 May 2013). Available at: <http://www.crisismagazine.com/2013/on-our-dysfunctional-criminal-justice-system> (Accessed: 24 March 2021)
- Kupers, T. (1999) *Prison Madness: The Mental Health Crisis Behind Bars and What We Must Do About It*. San Francisco, CA: Jossey-Bass.
- Launch of national initiative offers counties research-based support to address growing mental health crisis in jails*. Council of State Governments Justice Center (28 May 2015), Available at: <https://csgjusticecenter.org/2015/05/28/launch-of-national-initiative-offers-counties-research-based-support-to-address-growing-mental-health-crisis-in-jails/> (Accessed: 24 March 2021)
- Lappi-Seppälä, T. (2009) Imprisonment and Penal Policy in Finland. *Scandinavian Studies In Law*, 54, pp. 333-379.
- McDonald, K. (2003) ‘Marginal youth, personal identity, and the contemporary gang: Reconstructing the social world?’ in Dontos, L., Brotherton, D. and Barrios, L. (eds.), *Gangs and Society: Alternative Perspectives*. New York: Columbia University Press, pp. 62-74.
- Prins, K. (1996) *A State Initiative forward Restorative Justice: The Minnesota Experience*. Monsey, NY.: Restorative Justice Press.
- Jozino, J. and Cruz, P.E. (2020) Prisões de SP promovem maior onda de rebeliões desde 2006. *Ponte* (16 March 2020), Available at: <https://ponte.org/priso-es-de-sp-promovem-maior-onda-de-rebelio-es-desde-2006/> (Accessed: 24 March 2021)
- Kelly, B. and Slattery, G. (2020) 2 Prisoners take guards hostage in Brazil’s coronavirus-hit Manaus. *Reuters* (2 May 2020), Available at: <https://www.reuters.com/article/us-brazil-prison-rebellion/prisoners-take-guards-hostage-in-brazils-coronavirus-hit-manaus-idUSKBN22E0KB> (Accessed 24 March 2021)
- Ricciardelli, R., Crichton, H., and Adams, L. (2014) ‘Stuck: Conditions of Canadian Confinement’ in Deflem M. (ed.) *Punishment and Incarceration*:

- A Global Perspective. *Sociology of Crime, Law and Deviance Series 19*, Bingley, UK: Emerald Group Publishing, pp. 95-120,
- Ruzsonyi, P. (2009) 'Kriminálpedagógia és reintegráció' in Borbíró A., Kiss A., Velez E., and Garami L. (eds.) *A kriminálpolitika és a társadalmi bűnmegelőzés kézikönyve II*. Budapest: IRM, pp. 299-324.
- Ruzsonyi, P. (2014) 'Pönológiai alapvetések' in Ruzsonyi, P. (ed.) *Tendenciák és alapvetések a bűnügyi tudományok köréből*. Budapest: Nemzeti Közzolgálati és Tankönyv Kiadó Zrt, pp. 199-227.
- Ruzsonyi, P. (2018) *Criminal Pedagogy and the Reintegration of Prisoners*. Budapest: Dialog Campus.
- Sharma, K. (2020) Coronavirus is a Ticking Time Bomb for Australia's Prisons. *Human Rights Watch*, (16 April 2020) Available at: <https://www.hrw.org/news/2020/04/16/coronavirus-ticking-time-bomb-australias-prisons> (Accessed: 24 March 2021)
- Skarbek, D. (2012) Prison gangs, norms, and organizations. *Journal of Economic Behavior and Organization*, 82(1), 96-109.
- United Nations Office on Drugs and Crime (2018) *Addressing the global prison crisis STRATEGY 2015-2017*. Available at: https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Strategy_on_Addressing_the_Global_Prison_Crisis.pdf (Accessed 24 March 2021)
- Ürmösné, S.G. (2019) Amazing penal institutions and the dwelling circumstances of inmates. *Internal Security*, 11(2), 179-190.
- Valdez, A. (2005) Mexican American youth and adult prison gangs in a changing heroin market. *Journal of Drug Issues*, 35(4), 843-868.
- van der Kolk, B. (1987) 'The role of the group in the origin and resolution of the trauma response' in van der Kolk, B. (ed.) *Psychological Trauma*. Washington, DC: American Psychiatric Publishing, pp. 153-172.
- Vera Institute of Justice – Center on Sentencing and Corrections (2010) *The Continuing Fiscal Crisis in Corrections Setting a New Course*. New York: Vera Institute of Justice.
- Wagner, P. and Widra, E. (2020) Five ways the criminal justice system could slow the pandemic. *Prison Policy Initiative*, (27 March 2020). Available at: <https://www.prisonpolicy.org/blog/2020/03/27/slowpandemic/> (Accessed 24 March 2021)
- Walmsley, R. (2018) *World Prison Population List, 2018*. The Institute for Criminal Policy Research (ICPR) at Birkbeck: University of London. Available at: https://www.prisonstudies.org/sites/default/files/resources/downloads/wppl_12.pdf (Accessed 24 March 2021)

- Western, B. (2002) The impact of incarceration on wage mobility and inequality. *American Sociological Review*, 67(4), 477-498.
- World Health Organization Regional Office for Europe (2020). *Prevention and control of COVID-19 in prisons and other places of detention*, Available at: <https://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/focus-areas/prevention-and-control-of-covid-19-in-prisons-and-other-places-of-detention> (Accessed 24 March 2021)
- World Population Review (2020) Recidivism Rates by Country, Available at: <https://worldpopulationreview.com/country-rankings/recidivism-rates-by-country> (Accessed 24 March 2021)
- World Prison Brief (2021) World Prison Brief data. London: Birkbeck University of London, Available at: <https://www.prisonstudies.org> (Accessed 24 March 2021)
- Yukhnenko, D., Sridhar, S. and Fazel, S. (2019) A systematic review of criminal recidivism rates worldwide: 3-year update. *Wellcome Open Research*: US National Library of Medicine National, Institutes of Health, Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6743246/> (Accessed 24 March 2021)



STUDENTS' PERCEPTION OF CONTENT AND LANGUAGE INTEGRATED LEARNING (CLIL) PRACTICE AT EASS: ADVANTAGES AND DRAWBACKS

Elen Laanemaa, MA

*Estonian Academy of Security Sciences
The Language Centre*

*Head of the Language Centre, lecturer of the English
language*

Aida Hatšaturjan, PhD

*Estonian Academy of Security Sciences
The Language Centre*

Senior Lecturer of the Russian language

Keywords: Content and Language Integrated Learning (CLIL), Language for Specific Purposes (LSP), students' feedback, vocational and higher education in the field of Internal Security (Police Service, Border Guard, Tax and Customs, Rescue Service, Emergency Dispatchers)

ABSTRACT

The implementation of CLIL (content and language integrated learning) at the Estonian Academy of Security Sciences goes back 10 years and was already accepted then as it is now as an innovative phenomenon and effective way of integrating subject knowledge and foreign language acquisition. CLIL is implemented in order to foster students' language learning effectiveness, whilst also teaching them professional vocabulary. It also helps cut down on learning hours since both a subject and a language are taught simultaneously. Although CLIL was first introduced in educational settings as recently as the 1990s, mostly at primary and secondary school levels, it has in the ensuing years evolved into tertiary education level as well. The teaching staff has a belief in CLIL, but what about students' understanding and beliefs? Thus, this article examines how the content and language integrated learning practices are accepted by the students of the Estonian Academy of Security Sciences. The main findings are made on the basis of a qualitative analysis of the questionnaire survey conducted by the authors in 2018-2020 at EASS. The study reveals essential aspects necessary to improve the quality of content and integrated lessons. The results of the research, relying on the analysis of student feedback, are presumably of interest to Internal Security education and other professional higher educational institutions that practice content and language integrated learning.

INTRODUCTION: IMPLEMENTING CLIL AT EASS

CLIL (Content and Language Integrated Learning), a 'dual-focused teaching and learning approach' when the first language and additional languages are applied for fostering both content and language acquisition to required levels (Coyle et al, 2010; Mehisto 2012, et al), was first introduced at the Estonian Academy of Security Sciences (EASS) about 10 years ago, i.e. the term CLIL was accepted as a common term, although CLIL type activities had already been applied in the educational process even a few years before that. The necessity for an innovative method for more effective language learning (Mehisto, 2008; Mehisto et al, 2008, Dalton-Puffer et al, 2010) was drawn from the need to meet the requirements of the stakeholders, i.e., the EASS students' future employers, respective state institutions. Their expectations are high, the volume of language classes low and CLIL has appeared to be one possible way to ease the situation and meet the relevant parties' needs – to combine subject and language and achieve a higher overall quality and improved results but do so in an integrated manner without adding any extra classes.

It has to be noted that the EASS has implemented a special foreign language system in which students first receive general English (72 academic hours) and general Russian (144 academic hours) language instruction on levels A1-B1. The next level of learning foreign languages at the academy is language for specific purposes (LSP courses) – English (ESP) of 54 hours and Russian (RSP) of 90 hours. When in the academic year 2012/2013 CLIL was included in 9 speciality courses, in the next academic year there were already 15 speciality courses where a CLIL approach was applied. Since 2017/2018, CLIL has been integrated into all curricula of every speciality of the EASS. The volume of CLIL classes depends on the needs of different spheres of Internal Security, therefore, the number of CLIL classes is regulated by the subject and its learning outcomes, at least 36 language- and subject-integrated classes for each speciality. The aim of implementing CLIL was an attempt to take advantage of the benefits of content-based language activities in increasing students' level of foreign language (both English and Russian) proficiency and competencies in the speciality.

In this paper the authors intend to examine how students perceive and evaluate CLIL practices. The necessity for conducting the research is based on two essential considerations. First, the practical value of the CLIL approach is in accordance with the aim and content of the *professional* higher education in the field of Internal Security. Second, when considering the last decades educational strategy of student-centred learning/instruction (See: Weimer 2002; Chung & Chow, 2004; Brown Wright, 2011; Kaput, 2018), students' feedback has become highly valued. Students' feedback is important in order to analyse the effectiveness of the method and create ways to improve it, making the study process more efficient.

In general, CLIL has become one of the most prevalent trends in the educational landscape at all educational stages. There are several studies on the implementation and impact of CLIL conducted at primary and secondary school levels, but it is not yet studied in depth how it has impacted tertiary education or professional higher education, especially in the field of internal security, and how the teaching staff and students perceive it. The next paragraph provides a selection of studies on students' perception of the approach conducted in other higher educational institutions in the world. Though, it has to be noted that in the studies examined, CLIL is referred to as teaching a subject in a foreign language or an LSP (language for specific purposes class) classroom. As for EASS educational context, CLIL means teaching content and language simultaneously with 2-3 teachers in the same classroom at the same time.

Among the research conducted on students' perception of CLIL there is, for instance, a study undertaken among Spanish and Japanese tertiary students (Tsuchiya, Pérez Murillo, 2015). Around half of respondents in the study indicate a positive view of CLIL at the tertiary level. In this study, the respondents note that it improves their language skills, and one can learn more specialised vocabulary related to what one is studying. Their insufficient English skill to understand subjects and the potential risk to lack subject knowledge in L1 (Spanish and Japanese), as well as the lack of trained teachers are considered drawbacks.

Similar results occurred in the study conducted at the Mexican University BA Program (Asomoza, 2015), where students perceive CLIL very positively, recognising the benefits of taking CLIL classes by being able to use the language in a different context and to improve their academic

skills, however they do hold concerns regarding the lack of terminology in L1 and also indicated a degree of inadequate language skill among the trainers. Furthermore, findings from a study conducted among aviation students add to the positive perception of CLIL, while they note that CLIL classes increase motivation, more intense learning environments, meaningful learning situations and a chance to use a foreign language as it is learned in an authentic setting (Karimi & Lofti 2019).

There is a fair amount of research on the topic, which provide similar outcomes to the present survey. Among them is a study by Hery Yufrizal (2021), who points out the positivity of students' perception towards CLIL. He claims students find it more efficient and easier to learn through CLIL, motivating them to learn, it is more enjoyable, and moreover students are more engaged in the learning process. Rubtcova and Kaisarova (2016) describe, among other findings, how Saint Petersburg University Public Administration students perceive CLIL (i.e., courses in English). The findings are optimistic, as they say, but a remarkably high number of students mention low level language proficiency as a negative factor and therefore do not approve of CLIL courses. On the other hand, a high number of students understand the need for CLIL, because it raises language proficiency, as well as broadening their knowledge on an international level, among other beneficial aspects. Nevertheless, the results also show students' concern that they require more knowledge of the specific terminology in Russian rather than in English because of their future working environment, and ultimately do not find CLIL to be sufficiently motivating.

1. CLIL IN THEORY AND CLIL IN PRACTICE: CONCEPTUAL BACKGROUND OF THE STUDY

The theoretical basis of the research is defined by the conceptual framework of CLIL, which distinguishes it as a separate approach among other teaching methods in applied linguistics. The aim of content and language integrated learning in theory is to create a beneficial environment for both speciality and language learning and teaching. The approach combines acquisition of subject knowledge with foreign language learning, simultaneously (Tsuchiya, Pérez Murillo, 2015).

On the one hand, the boundaries of the theoretical rationale of CLIL are quite distinct, although there is still a discussion about substantial CLIL theory (Dalton-Puffer et al, 2010; Cenoz et al, 2014, etc.). As the overview of the implementation of the CLIL approach made in the introduction reveals, CLIL is widely applied in many institutions of tertiary education. CLIL is an umbrella term that covers a variety of educational approaches, i.e., immersion, bilingual, and multilingual education (Mehisto et al, 2008, p 12). However, compared to the conducted research, CLIL in the academy carries specific peculiarities – there is synergy and an effective cooperation between at least two lecturers.

In the practice of CLIL in the EASS as an emphatically profession-oriented institution of higher education, CLIL is represented more precisely like a ‘fusion’ of content and language, that is emphasised by the social discursive and contextually situated nature of learning (Coyle et al 2010, pp 41-45). A subject-based curriculum is implemented, where certain specialities to a certain extent are taught in a foreign (English and Russian) language, at the same time it is assumed that the language goals in CLIL are significant but remain nonetheless implicit (Dalton-Puffer et al 2010, p 2). The CLIL strategy involves the use of a language that is not a student’s native language as a medium of instruction and learning for subjects at different levels of education. However, it also requires content teachers to teach some languages, particularly in cases where students need support in the areas of language knowledge they miss in order to master the content. Thus, these are the teachers who should, alongside traditional language teaching, work to support content teachers. (Mehisto et al, 2008, p 11). In CLIL, content goals support language goals (*Ibid*).

Furthermore, Mehisto, Marsh and Frigols (2008) point out that today's integrated world requires integrated learning. They also refer to the realisation that the mindset of new generations is focused on immediacy 'as learn for now' not 'learn to use later'. Thus, CLIL is an innovative approach that has emerged to cater to the needs of those generations. Poor language skills may also diminish students' opportunities in the labour market. Moreover, based on the noted innovativeness of CLIL, it is possible to assume the flexibility of this approach, which can take different adaptive forms in accordance with the goals and objectives of the educational process. CLIL is flexible and can be adapted to different contexts. CLIL binds together the essence of good practice. It involves a variety of models that can be applied differently with diverse types of learners. Effective CLIL is realised through various methods. To be efficient in CLIL classroom students have to be cognitively engaged while developing their linguistic competence. Good CLIL practice involves a level of speech, interaction, dialogic activity, etc., and when learners are encouraged to articulate their understanding, a deeper learning takes place (Coyle et al, 2010, p 37).

Content and language integrated learning at the EASS represents an integration of speciality subjects and language learning (content + L1/L2/LSP) which is closely related to the professional standards of specialities. Therefore, to spare extra academic hours but meet the requirements of cadets' employers as well as professional standards, CLIL in the EASS is more complex and means even trilingual education as content, mother tongue and two foreign languages – English and Russian and Estonian (for those who are Russian native speakers) are involved. Thus, the specifics of CLIL's implementation at the EASS are that CLIL classes are conducted in both bilingual (Estonia/English, Estonian/Russian) and trilingual (Estonian/English/Russian) formats. The research of the trilingual CLIL requires a separate study, and therefore is not applicable to the framework of this study.

Within the last ten years, there have been fluctuations in CLIL activities, though by now it could be admitted that several actions have been performed, including lobbying, explanation and support of content teachers to understand the essence of the method, at the same time proving that CLIL is effective and suitable for the learning environment of professional higher education.

In 2014/2015 an initial CLIL survey at the academy was conducted, where the same questions were posited and received answers from 123 respondents (See: Laanemaa, 2016). The aim in the aforementioned survey was broader, identifying certain aspects of the learning environment with less specificity, such as student involvement and teaching methods, and a focus on studying students' first impressions of CLIL lessons. Therefore, the responses could be described as rather superficial and less detailed. It was a rapid study where students were allotted approximately 20 minutes for formulating their answers to the provided questionnaire. In the current research, the authors' intent was to receive feedback on essential aspects of designing CLIL classes.

Irrespective of the current situation, it has to be brought forth that the most complicated challenge has been delivering the essence of CLIL to content teachers, i.e., changing their thinking (Laanemaa, 2016). Despite the described difficulties, today CLIL is embedded into all curricula, whether at tertiary or vocational level, and most of the teaching staff have accepted the effectiveness of the approach and collaborate with language teachers.

According to the results of a recent study, conducted at EASS at the end of 2020, CLIL teachers tend to rely on specific individual or group needs and level of language skills, rather than on the methodological tools offered by practicing CLIL teachers and researchers (Linnat & Hatšaturjan 2020). As mentioned above, CLIL in the EASS context is seen as CLIL activities incorporated into professional courses (subject courses) giving additional hours to practice foreign languages in professional simulation classes before stepping into real life work situations. It depends on a speciality and subject, in most cases language for specific purposes (LSP) is integrated into the subject course and sometimes vice versa. The purpose of the training is not only to study both the theoretical and methodological tools of the speciality, but also the professional vocabulary associated with it. Thus, it can be asserted that CLIL experience is somewhat different from the more traditional CLIL practices applied in other universities. CLIL in the institution setting means that there are two teachers in the same classroom at the same time, i.e., a subject teacher and a language teacher(s). This structure for a CLIL classroom might be regarded as rather special and unique but also suitable and necessary for us. In CLIL students do not just learn the language for the sake of learning it for future

use, but they apply recently acquired language to immediate use while adapting any related content to suit the content of their daily lives. CLIL requires a hands-on and participatory approach which can be challenging (Mehisto et al, 2008, p 21). At the EASS various CLIL methods are employed to activate cadets in CLIL classrooms. Interactive methods, e.g., roleplays, simulations, debates, seminars, dialogues, – perceived as active CLIL and student conferences, lectures – ‘passive CLIL’. The division of CLIL methods into ‘active’ and ‘passive’ CLIL are considered newly created terms for EASS.

Therefore in the EASS, CLIL experience embraces bilingual and trilingual lectures, and the focus of the study is the feedback from cadets to such a specific CLIL approach, which is different from the traditional CLIL lecture with only one foreign language and subject. Thus, the kind of peculiar and sufficiently complex CLIL method is used, where one or two foreign languages, language for specific purposes (LSP) and subjects are taught simultaneously.

2. RESEARCH INSTRUMENT AND PROCEDURE

A total of 122 questionnaires were collected within the current small-scale qualitative study during the 2018/2019 and 2019/2020 academic years. Respondents were given the choice to answer the questionnaire in both electronic and paper versions. There were 87 questionnaires filled out by respondents in the paper form and 35 in the electronic form.

The respondents are of the following specialities – Police Service, Border Guard, Tax and Customs, Rescue Service and Emergency Dispatchers, both at vocational and professional higher education level. The study provides possibilities for students, both at vocational and tertiary level to specify, express their perception and understanding of the implementation of CLIL as one innovative and effective way of learning languages in the field of Internal Security. The questionnaire comprises all aspects that are applied within CLIL at the academy, and they also outline the objectives of the study, which are:

- What is the students' attitude towards CLIL as a language and subject teaching and learning approach? How do the students evaluate the learning environment created by CLIL?
- Which learning methods do they prefer in CLIL classes?
- Do students acknowledge the benefit of having the subject and language studied simultaneously? How do they evaluate the benefits of CLIL for more effective language acquisition?

The anonymous questionnaire included seven open-ended questions and one question with suggested sample answers (See: Appendix 1). A qualitative method is appropriate and used for collecting data through questionnaires with open-ended questions, where respondents are expected to provide informative and descriptive answers. Considering the limit of free time in the schedule of cadets of the EASS, they were offered a maximum and optimal number of questions (at least 5, but no more than 10) that could provide an opportunity for a qualitative analysis of the statements about the CLIL experience. When formulating the questions, the authors

assumed that the questions implied a tremendously rich, informative and detailed response from the respondent. Thus, there were seven main open-ended questions and one question with a multiple choice, designed to give a more or less objective picture of how CLIL classes are perceived by the students. Questions on CLIL cover both Russian and English language acquisition and mastering of academic (subject) disciplines. Some of the questions in the questionnaire are imperceptibly duplicated in order to receive further information about the required topics. Planning CLIL classes requires a number of obligatory aspects to be considered (learning environment, language instruction, used teaching methods, student involvement, etc.), therefore, students' comments were expected in particular for the aforementioned.

Based on the data obtained, it is assumed to make recommendations and improvements to the implementation of CLIL at the tertiary and vocational level at the Estonian Academy of Security Sciences.

3. DATA ANALYSIS AND RESULTS OBTAINED

When analysing the data, elements of content analysis were applied, followed by the identification of the system of semantic units (categories), finding their indicators - words, phrases, judgements (units of analysis) and statistical data processing (calculating the percentage). A qualitative analysis of the respondents' statements revealed the following general characteristics, which can be presented through the following categories which will be discussed further.

(I) Estimation of **CLIL as an approach** in general through comparison with regular language and subject classes (Question 1¹).

First, it should be pointed out that 13.9% of respondents did not answer the question, phrasing it differently, 'do not know', 'can't say' or 'do not understand the difference'. Though, informative and lengthy responses were received from 86.1% of the respondents, the content of which generally can be divided into the three following groups of **features** noted by students:

1. *Acquisition of both the foreign language (English, Russian, English and Russian) and language for specific purposes through a subject (78.7%).*

Students perceive CLIL as a combined language learning and professional lesson, where they can practice both English and Russian work-related situations. At the same time, it is noted that CLIL class is more real than an ordinary language lesson and integrated lesson covers more different areas.

2. *Practicing the use of language, communication (69.7%).*

In students' opinion, the knowledge of languages is introduced better than in a regular language class, even LSP class.

3. *More dynamic, intensive pace of the lesson (35.2%):*

¹ Hereafter, the abbreviation Q 1, Q 2, etc. is used.

CLIL provides students with brainstorming-style language and subject learning, which seems to them to be more intensive and more informative.

(II) Estimation of the **positive and negative aspects of CLIL** (Q 2, Q 4, Q 5)

15.6% of respondents did not directly answer the question, phrasing it differently, 'do not know', 'can't say' or 'do not understand the difference'. Accordingly, 84.4% note the **positive** options, among which the following options are highlighted:

- involvement of all students in the process of solving cases (74.6%);
- broad vocabulary (69.7%);
- opportunity for communication (59%);
- feedback (a lot of feedback, immediate feedback, motivating feedback) (52.5%);
- interactive, ideal, different learning environment (discussions, group work, etc.) (48.4%);
- applied teaching methods (23.8%);
- various cases to solve (18%);
- lots of freedom to solve tasks (10.7%);
- multi-sided comments on the solution of situations/cases by several teachers from different points of view and teachers' effective language assistance (9%).

Regarding the **negative** trends noted by the respondents, it is necessary to analyse the Q 4, Q 5, where the two following dimensions are discussed – the factors of acceptance of the CLIL as an approach by students (Q 4) and the factors which inhibit student active participation in CLIL classes (Q 5).

According to the first dimension, only 19.7% of the respondents found there was nothing at CLIL that they didn't like (i.e., accept). The remaining 80.3% of the respondents noted the **ineligible** aspects such as:

- differences in foreign language proficiency among students in the group (26.2%);
- too high professional language (i.e., LSP) level and the lack of initial knowledge to immediately learn professional words and formal speech (17.2%);
- limited time for cases to be resolved, lack of CLIL hours (15.6%);
- too large groups of students in the classroom so not all cadets were able to participate actively in classes (10.7%);
- tense atmosphere, too intense pace of the lessons and other external or psychological factors (4%);
- teaching methods (2.5%);
- inappropriate subjects for teaching it in a foreign language because it won't be useful in the future (2.5%);
- too passive CLIL i.e., regular lecture without any communication activities in the foreign language (1.6%).

In regards to the second dimension (Q 5), there are 73.8% of the respondents highlighted factors which **inhibit** student active participation in CLIL classes and only 26.2% of the respondents state that there are no barriers that inhibit active participation, phrasing it differently (*'there are no inhibiting factors'*, *'everything has been smooth'*, *'it all depends on student himself'*, *'everybody was actively involved'*, etc.). Returning to the negative aspects, the following interfering factors are mentioned by the respondents. However, most of the answers are characterised by generalisations about what generally prevents a student from actively participating in the CLIL. Moreover, some of the following options indicated by students resonate with the previous (Q 4) ones:

- language barrier or fear of speaking a foreign language (noted by 73.8% of the respondents);
- different levels of Russian and English proficiency among students in the partial group (68.9%);
- weak or deficient language skills or vocabulary deficiency (62.3%)
- lack of interest and motivation (16.4%);
- laziness, fatigue, fear of others' opinions and other problems related to the student's own attitudes (8.2%);
- uncomfortable classrooms, adverse weather conditions and other external problems (4.9%).

(III) The **benefits of CLIL for subject and language acquisition** (Q 3, Q 7, Q 8)

It is noteworthy that 9.8% of the respondents could not answer the question ('*don't know*', '*can't say*' was answered). These answers can be interpreted as a manifestation of the respondents' uncertainty about this question rather than a negative aspect. However, it is possible that respondents have difficulties assessing their linguistic and professional progress forthwith. These results are also to some extent correlated with the percentage of negative responses in the case of the Q 2, i.e., '*estimation of the positive aspects of CLIL*', where 15.6% of respondents found it difficult to answer the question. However, current results are also consistent with the abovementioned negative factors according to the analysis of the Q 5.

Despite the negative factors, a prominent percentage (90.2%) of the students considered CLIL classes beneficial. Students have noted the following positive aspects:

- the opportunity to test one's skills in Russian and English, as well as knowledge of the speciality (86%);

- expanding the scope of knowledge, i.e., clarification of the complex terminology, more professional and language knowledge, improving professional and language knowledge (77.9%);
- various types of educational activities to develop one's language skills and professional knowledge synchronously (71.3%);
- extremely practical/hands-on training, using foreign languages in a work-related situation and completing tasks in both languages English and Russian (59.8%);
- gaining confidence in using English and Russian, including overcoming the language barrier (57.4%).

Furthermore, students were asked to answer more specific questions about professional and language skills, what useful factors they learned from CLIL lessons and to what extent did their participation in the CLIL classes affect their professional and language skills (Q 7, Q 8). It seems noteworthy for the present study that the patterns of the answers became more apparent. Only 2.5% of the respondents claimed that CLIL did not improve their **speciality** knowledge at all, 8.2% of the respondents did not know what to answer, stating 'don't know/can't say' and 9.8% of the respondents pointed out the negative features, clarifying why CLIL classes do not improve **language** skills. Amongst the noted negative aspects, poor Russian and English language skills were mentioned as an obstacle to improvement. That refers to the lack of the required language level for learning of LSP.

On the other hand, there is a high number of respondents (82%) who have pointed out positive features of CLIL classes for fostering language skills. The positive aspects identified by the respondents can be grouped according to the following features:

(1) *the learning environment helps to overcome the language barrier (75.4%)*

Students find that the learning environment enhances the opportunity to use the language, as well as raises self-confidence. Furthermore, communication in CLIL classes requires the use of a foreign language without the help of the mother tongue. There are real-life situations, one has to

interact somehow, which in students' opinion definitely improves foreign language skills.

(2) *more new (professional) words, expanding vocabulary is achievable (73%)*

Stressful situations encourage the student to memorise a relatively large amount of the required vocabulary during CLIL classes. Respondents have pointed out that in CLIL classes, it is possible to improve even linguistic competences such as sentence structure, word combinations and collocations and phrases, formation of questions, etc.

(3) *there are more ways to communicate (students rate this aspect of CLIL lessons highly) (71.3%)*:

Respondents stress the ability to practice and improve self-expression skills which promotes language acquisition in general.

(4) *balance of theory and practice (39%)*

Students value integrated lessons where language and theory are embedded, one can use theory in practice, simultaneously increasing one's own professional vocabulary.

(5) *pronunciation improved (28%)*

Respondents have pointed out that pronunciation has become more accurate when learning languages in CLIL classes and real language practice supports to clarify the pronunciation of the initial phrases required to solve professional cases.

Regarding the method preferences, applied in CLIL context (Q 6) students were asked to choose and rank at least three of the methods in order of importance. Respondents placed the options offered to them in the questionnaire in the first three places as follows:

1st place: *pair work (58.2%), roleplays (14.7%), group work (8.2%), simulation (7.4%), dialogue (7.4%), debate (2.4%), seminar (0.8%), independent work (0.8%)*

2nd place: *roleplays (35.2%), group work (27%), dialogue (9.8%), simulation (8.2%), debate (8.2%), independent work (4%), seminar (3.3%), pair work (2.4%), presentation (1.6%)*

3rd place: *dialogue (27%), debate (24.6%), independent work (19.7%), roleplays (9.8%), presentation (7.4%), seminar (5.7%), simulation (2.4%), group work (1.6%), pair work (1.6%)*

The study showed that students have different preferences, but the vast majority prefer a tandem format (i.e., pair work, dialogue), roleplays, debate, so-called simulation classes (when a work-related situation is simulated, involving procedural acts, performance of ordinary duties as a police officer and a border guard, a tax officer or a customs officer), and both group and independent work.

CONCLUSIONS

This qualitative study allowed the authors to analyse EASS students' feedback on CLIL in three main categories, such as (I) estimation of CLIL as an approach through comparison with regular language and subject classes; (II) estimation of positive and negative aspects of CLIL and (III) the benefits of CLIL for the subject and language acquisition, and to draw a particular set of conclusions about the results of implementing CLIL at the EASS. Most of the students (86.1%) find the difference between regular classes and CLIL, emphasising such important features of the latter as the acquisition of both the foreign language and language for specific purposes (LSP) through a subject, practicing the use of language, communication, more dynamic and intensive pace of the CLIL lesson. Thus, students' understanding of CLIL as a language and subject teaching as a learning approach meets the goals and aims of CLIL approach.

Along with highlighting CLIL as a unique teaching method among other approaches, students sufficiently critically assess CLIL practices, pointing out approximately the same ratio of positive and negative trends. Thus, they noted the ineligible aspects of CLIL practice, which interfere with the effective learning process, such as differences in foreign language proficiency among students in the group and too high an expectation of LSP level, limited time for cases to be resolved, the lack of CLIL hours and the lack of opportunity for equal participation for all cadets due to the size of the groups. It should be noted here that since the period of conducting this study (2018/2019 and 2019/2020 academic year) the development and systematic implementation of CLIL in the EASS curriculum as well as increasing the amount of CLIL classes were just beginning to take shape, therefore, the respondents noted the relatively small number (even a lack) of hours allocated for CLIL lessons based on the system that was applied in the period of the survey. Compared to the survey carried out in 2014/2015 (Laanemaa, 2016), similar areas of improvement were mentioned. As a drawback, the biggest weakness of the effectiveness of CLIL indicated in both studies is the differences in foreign language proficiency among students in the group.

As a positive sign, the following features were highlighted as specifically useful: for instance, the involvement of all students in the process of solving cases, an opportunity for communication, immediate and motivating teachers' feedback, an interactive and different learning environment, applied teaching methods, and teachers' effective language assistance. Compared with the results of the previous study of 2014/2015, it should be noted that the students' feedback on CLIL in Laanemaa 2016 showed some similar outcomes concerning advantages conducted in EASS. The supportive role of CLIL application at both tertiary and vocational level was mentioned, 'due to its practicality, true to life simulations and possibility to apply several competences simultaneously including instant feedback' (*Ibid*, pp 311).

According to the abovementioned results of the present survey essential changes have been initiated, for instance, as previously mentioned, the increase of the number of CLIL classes, subjects with CLIL activities have been reviewed and the list of subjects where CLIL is included has been widened. Moreover, the application of CLIL is becoming more in balance with LSP courses and CLIL classes are more relevantly distributed throughout the academic study period and in accordance with LSP training stages (general language courses, introduction to LSP and LSP courses). Therefore, more focus is on student's language acquisition progress and is carried out progressively, due to the expanded variety of content subjects with integrated CLIL.

It is noteworthy that the overwhelming majority (90.2%) of the students consider CLIL classes beneficial for themselves. Thus, they see a CLIL lesson as an opportunity to test one's skills in Russian and English, as well as knowledge of the speciality, to expand the scope of knowledge, i.e., to clarify the complexity of professional terminology and to improve the pronunciation, to gain confidence in using English and Russian, including overcoming the language barrier, as well as an opportunity to develop one's own language skills and professional knowledge synchronously.

The order of students' methodical preferences in CLIL classes meets the CLIL concept of activities being engaging, activating and involving students. Undoubtedly, one of the criteria for choosing any method or technique is its relevance to the goals and topic of the CLIL lesson, but it is also necessary to consider the factors that contribute to the cognitive

involvement of students into the educational process. The CLIL teaching techniques, favoured by the students, provide us with an opportunity to develop and to harmonise and systematise the methodology of CLIL classes at the academy and to create a general methodological platform. As one of the aims of the research was to figure out students' perception (both advantages and drawbacks) of the obligatory aspects when designing CLIL (i.e., learning environment, language instruction, used teaching methods, student involvement, etc.), their feedback will be analysed and taken into account when planning CLIL in cooperation with language and subject teachers.

APPENDIX 1. QUESTIONNAIRE

QUESTIONNAIRE

The Language Centre of the Estonian Academy of Security Sciences is conducting a survey. The survey is anonymous. Your opinion provides us with an opportunity to improve the quality of the content and language integrated learning, used methods and structure.

A little information about your background:

a) Level of education

Vocational education _____

Tertiary education _____

b) What year did you start your studies at the Estonian Academy of Security Sciences?

Question 1. What do you think is the difference between a CLIL lesson and a traditional language and/or content lesson?

Question 2. What did you like the most about integrated (CLIL) lessons (learning environment, phrases, used teaching methods, student involvement, etc.)?

Question 3. How did you benefit from integrated classes (the acquired language, speciality knowledge, etc.)?

Question 4. Was there anything you did not like about integrated (CLIL) classes (learning environment, phases, teaching methods, little involvement in classes, etc.)?

Question 5. Which factors inhibit student active participation in integrated (CLIL) classes?

Question 6. Which methods are the most effective in integrated (CLIL) classes? (Please rank at least 3 of the following methods in order of importance)

Pair work _____

Group work _____

Roleplays _____

Simulation _____

Dialogue _____

Seminar _____

Discussion _____

Presentation _____

Independent work _____

Question 7. Does an integrated (CLIL) class improve your professional/speciality knowledge and how?

Question 8. Does an integrated (CLIL) class improve your language skills and how?

Thank you for taking the time to fill in the questionnaire!

Your opinion is highly important

Contacts:

Elen Laanemaa, MA

Estonian Academy of Security Sciences

E-mail: elen.laanemaa@sisekaitse.ee

Aida Hatšaturjan, PhD


Estonian Academy of Security Sciences

E-mail: aida.hatsaturjan@sisekaitse.ee

REFERENCES AND SOURCES

- Asomoza, A.N. (2015). Students' perceptions of the impact of CLIL in a Mexican BA program. *PROFILE: Issues in Teachers' Professional Development*, 17 (2), 111-124. <https://eric.ed.gov/?id=EJ1067262>.
- Brown Wright, G. (2011). Student-centered learning in higher education. *International Journal of Teaching and Learning in Higher Education*, 23 (3), 92-97.
- Cenoz, J., Genesee, F., & Gorter, D. (2014). Critical analysis of CLIL: Taking stock and looking forward. *Applied Linguistics*, 35 (3), 243–262.
- Chung, J.C.C., Chow, S.M.K. (2004). Promoting student learning through a student-centred problem-based learning subject curriculum. *Innovations in Education & Teaching International*, 41 (2), 157-168.
- Coyle, D., Hood, P., & Marsh, D. (2010). *CLIL: Content and language integrated learning*. Cambridge: Cambridge University Press.
- Dalton-Puffer, C., Nikula, T., & Smit, U. (2010). Charting policies, premises and research on content and language integrated learning. In C. Dalton-Puffer, T. Nikula, & U. Smit (Eds.), *Language use and language learning in CLIL classrooms* (pp. 1-19). John Benjamins. AILA Applied Linguistics Series, 7.
- Kaput, K. (2018). *Evidence for student-centered learning*. Saint Paul, MN: Education Evolving.
- Karimi, P., Lofti, A.R. (2019). Enhancing pilot's aviation English learning, attitude, and motivation through the application of content and language integrated learning. *International Journal of Instruction*, 12 (1), 751-766.
- Laanemaa, E. (2016). The experience of implementing CLIL in the Estonian Academy of Security Sciences. In M.T. Barbaux, D. Tatzi, K. Valtonen, et al. (Eds.), *ICT for language learning: Conference proceedings, 9th edition* (pp. 308-311). Firenze: Libreria Universitaria Edizioni.
- Linnat, K., Hatšaturjan, A. (2020). The possibilities of a common uniform understanding of CLIL within an institution. In D. Tatzi, C. Schneider, D. Kiraly, D. et al. (Eds.), *Innovation in language learning: Conference proceedings*, 13th edition (pp. 48-54). Bologna: Filodiritto Proceedings.
- Mehisto, P. (2008). CLIL counterweights: Recognising and decreasing disjuncture in CLIL. *International CLIL Research Journal*, 1, 93–119.
- Mehisto, P., Marsh, D., & Frigols, M.J. (2008). *Uncovering CLIL. Content and language integrated learning in bilingual and multilingual education*. Oxford: Macmillan Education.

- Mehisto, P. (2012). Criteria for producing CLI learning material. *Encuentro*, 21, 15-33.
- Rubtcova, M. (2016). Implementation of content and language integrated learning (CLIL) programmes in Public Administration: Russian students' and matriculants' opinion about their first CLIL experience. *Teaching Public Administration*, 34 (3) 229–246. <https://sage.sisekaitse.ee/doi/pdf/10.1177/0144739415620950>.
- Tsuchiya, K., Pérez Murillo, M.D. (2015). Comparing the language policies and the students' perceptions of CLIL in tertiary education in Spain and Japan. *Latin American Journal of Content and Language Integrated Learning*, 8 (1), 25-35.
- Weimer, M. (2002). *Learner-centered teaching: Five key changes to practice*. The Jossey-Bass Higher and Adult Education Series, San Francisco: Jossey-Bass.
- Yufrizal, H. (2021). The impact of project-based CLIL on students' English proficiency. *Journal of Education and Learning (EduLearn)*, 15 (1), 11-18.



SPREAD OF FAKE NEWS AND
CONSPIRACY THEORIES
LEADING TO POTENTIAL
RADICALISATION DURING
COVID-19 PANDEMIC:
THE CASE OF TELEGRAM.EE

Oksana Belova-Dalton, PhD

The Estonian Academy of Security Sciences

Junior research fellow

Keywords: COVID-19 pandemic, fake news, conspiracy theories, radicalisation, critical discourse analysis, Telegram.ee

ABSTRACT

This article focuses on the proliferation of fake news and conspiracy theories during the COVID-19 pandemic, leading to potential radicalisation of (vulnerable) people. Upsurge in both fake news and conspiracy theories can lead to a loss of trust in the government and public/governmental institutions, as well as pose a threat to democracy and the fabric of society. Radicalisation can be viewed as the shifting of a citizen's loyalty away from the established governing authorities of their country. This process has escalated globally during the pandemic, as many people, in the state of fear and uncertainty, experience moral outrage due to social isolation and economic grievances, choosing to believe simple solutions and discourses of blame offered by conspiracy theories. Estonia is part of the global information space, and COVID-19-related fake news, together with conspiracy theories proliferating around the world, quickly find their way into the Estonian context. One of the channels covering and supporting them in Estonia is the website Telegram.ee. Critical discourse analysis of Telegram texts indicates that Telegram constructs the Estonian government as deeply autocratic and as the absolute enemy of the Estonian people and makes indirect calls for the people to defy it. This can contribute to the possible radicalisation of people, shifting their loyalty away from the Estonian state.

INTRODUCTION

The aim of this article is to analyse the links between fake news, conspiracy theories, and radicalisation, the spread of fake news and conspiracy theories in Estonia during the COVID-19 pandemic, as well as their influence on the beliefs and behaviour of the people of Estonia, focusing on signs of potential radicalisation (escalated hate speech against public figures, disrespectful treatment of law enforcement officers, damage to property, etc). In this article, radicalisation, or “the process of developing extremist ideologies and beliefs”, is viewed in Powers’s (2014, p. 234) terms as a “struggle between strategic actors to radicalise communities against the established bodies and apparatuses of a given society”. In the empirical part, texts from the *Telegram.ee* website¹ (hereinafter the *Telegram*), which disseminates fake news and conspiracy theories in Estonia, is analysed using Fairclough’s three-dimensional model of critical discourse analysis (Fairclough, 2015), showcasing their extreme anti-government propaganda and (in)direct calls to act against the government. The objective of the empirical analysis is to examine how texts on Telegram seek to shift the loyalty of the Estonian people away from the government and other authorities established in the Estonian society, such as law enforcement, the Health Board, or the Scientific Advisory Board formed at the Government Committee.

According to the United Nations Department of Global Communications (hereinafter *the UNDGC*), together with the COVID-19 pandemic perpetuated an **infodemic**, in which **fake news** about the coronavirus spread faster than the virus itself. The rise of the infodemic can be seen as a consequence of the fact that the digital space and social media of the modern era constitute the most efficient global communication tool. Additionally, during the outbreak of the pandemic, the lack of public data on the new virus caused instability and uncertainty, which led to an acute vulnerability and extraordinary increase in information consumption. This situation also gave unprecedented rise to multiple conspiracy theories on the virus, which influenced people’s beliefs and behaviour. For instance, according to the European Commission (2021), a survey in 28

¹ *Telegram.ee* website is distinct from the Telegram app widely used for encrypted messaging.

countries showed that, in March 2020, more than 3 in 10 people believed that a foreign power or some other force were intentionally causing the spread of coronavirus. Proliferation of infodemics can be (and proved to be) a hindrance to an effective public health response and result in confusion and distrust among people (the UNDG, 2020). This distrust of public authorities, confusion, isolation due to the requirements of social distancing, more time spent in the digital environment, as well as economic problems due to the pandemic have created a fertile breeding ground for radicalisation.

An infodemic can be defined as an overabundance of health information, misinformation, and disinformation online and offline which hampers the implementation of best public health policies amid a public health crisis, such as COVID-19 (Pool, *et al.*, 2021). Misinformation is defined as false information created without the intention of causing harm, while disinformation is defined as false information that is intentionally created to harm a person, social group, organisation, or country (Gradoń, 2020, p. 136). According to Giusti and Piras (2020, p. 3), misinformation is an “incomplete, vague, misleading, or ambiguous piece of information”, while fake news can be understood as an advanced and technological type of misinformation, or purposefully manipulated information which appears on the Internet and especially on the social media. This definition of fake news does not deem it to be intentionally harmful. In contrast, Elisa Pieri (2021, p. 63) defines an infodemic as “the uncontrollable spread of huge amounts of information and misinformation about an ongoing infection, and the transmission of dangerous myths about measures that citizens can take”. In Pieri’s terms, while disinformation may be unintended, misinformation means intentional dissemination of false content, which is presented as being truthful. Pieri views fake news as “hoaxes of and malicious attempts at circulating and diffusing false unverifiable information, which is passed as truthful, authoritative and verified”. (Pieri, 2021, p. 65) The latter definition of fake news considers it to be intentionally harmful. As a result, it can be argued that an infodemic entails abundant mis- and disinformation, while fake news can be viewed as a mixture of both.

According to the WHO (2020), “disinformation is polarising public debate on topics related to COVID-19; amplifying hate speech; heightening the risk of conflict, violence and human rights violations; and

threatening long-term prospects for advancing democracy, human rights and social cohesion.” Notably, according to Europol, an increase in hate speech and threats, for instance, against public figures, as well as fake news on social media, may cause “people who are mentally unstable or easily influenced to commit acts of ideologically motivated violence that could be characterised as terrorism” (Europol TE-SAT, 2020, p. 36). During the pandemic, hate speech and threats, together with fake news about healthcare professionals and supposedly empty corona wards in hospitals, proliferated worldwide, resulting in incursions into hospitals; for instance, in the UK (Quinn & Campbell, 2021).

The World Economic Forum named major digital misinformation as one of the most serious threats to the current society (Olaru & Ştefan, 2018, p. 393). Other consequences of spread of misinformation and fake news entail “undermining trust in the government and, at the same time, reinforcing non-state actors’ extremist narratives and recruitment strategies” (UNICRI, 2021, p. 10). Protests against governmental measures to contain the pandemic have taken place worldwide, where the people blame governments for being oppressive (e.g., BBC Euronews, 2020; BBC News, 2020; Dettmer, 2021). Anti-government sentiments are also actively propagated through abundant conspiracy theories, ranging from anti-mask, anti-vaccine, and anti-establishment to anti-minority and anti-Semitism. Some of these theories are constructed and spread online by known violent extremists and terrorist groups, while others have no link to existing extremist ideologies. Still, the far-right, far-left, and Islamists are quick to incorporate these conspiracy theories into their ideological discourses and target new recruits, dissatisfied with the status quo. (EU Counter-Terrorism Coordinator, 2020, p. 11; Commission for Countering Extremism, hereafter *the CCE*, 2020, p. 6).

Spread of fake news and conspiracy theories is also regarded as a frequent tool in hybrid warfare, which largely relies on non-military armed force and instruments, including the use of information and disinformation (Renz, 2016). According to Gradoń (2020, p. 134),

one of the impacts the COVID-19 fallout has on the society, is the rise in cyber-enabled crime, terrorism, and information warfare including – but not limited to – disinformation campaigns and fake news propagation, that are undermining social fabric, causing civil

unrest, and increasing the emotional consequences: fear, anxiety, and uncertainty. This translates directly to the increased challenges for the law-enforcement agencies and institutions responsible for public security and safety.

There can be various actors behind disinformation campaigns: nation-states aiming to influence the situation abroad; rogue governments seeking to destabilise foreign populations; a group or entity seeking economic or political gain; non-state actors who organise online trolling campaigns with the aim of spreading chaos and confusion. For example, there is evidence that Russia initiated an extensive disinformation campaign about the coronavirus “to cause panic and worsen the impact of the outbreak on European countries.” (Gradoń, 2020, p. 137)

1. LINKS BETWEEN FAKE NEWS, CONSPIRACY THEORIES, AND RADICALISATION

Since technology and social media form an inseparable part of the life of a modern person, the age in which we are living today is often called the era of Digimodernism, meaning the interactive relationships that people have with communication technology, becoming “simultaneously authors, consumers, and gatekeepers of information” (Sam, 2019, p. 333). Digimodernism empowers individual narratives that can affect public policy more than empirical research does; for instance, “fake news shared on social media sites influenced the decisions of many people, and evidence to the contrary failed to disrupt their commitment to the false narrative” (Sam, 2019, p. 334). In Digimodernism, the structure of metanarratives (or unifying grand narratives that incorporate events in order to allow people to make sense of history and society) has weakened; so, stories within the metanarrative are competing with each other in order to be the most *true* by being the most exciting and sharable (ibid.). This has led to the abundance of fake news on social media and elsewhere, attracting their audience with sensational and sharable content, at the same time competing with other information on the same topic for being considered the truest.

Fake news is one of the main themes on public agenda in recent years. In this article, fake news is defined as “false or biased narratives and omissions of parts of truth, deliberately created and targeting the sensational and extreme components which generate emotional involvement or the strengthening of prejudices”. (Olaru & Ştefan, 2018, p. 391) The increasing use of fake content and alternative facts, coupled with the dynamics of social networks, has a high potential for affecting social systems and democracy as a whole (ibid.). For instance, the extremely extensive reach of social media can potentially turn any message ‘viral’. Also, social media platforms and instant messaging apps went far beyond their initial functions as platforms for recreation and socialisation, and acquired a strategic political role by greatly amplifying fake news (Giusti & Piras, 2020, p. 3). The objectives of fake news can be different, ranging from the political (e.g., propaganda) and business, to being part of hybrid warfare. Studies notably show that people are open to fake news, especially if they

are based on prejudices in which people are strongly invested (Olaru & Ștefan, 2018, p. 393). Notably, according to Giusti and Piras (2020, p. 4),

the combination of fake news and social media is particularly fit for producing subliminal effects that can reach the deepest and most emotional strata of people's minds, with higher chances of persistence and persuasion compared to disinformation spread through other means.

Fake news is often based on conspiracy theories (Kelland, 2020). In this article, **conspiracy theories** are defined as “the belief that certain events or situations are secretly manipulated behind the scenes by powerful forces with negative intent” (European Commission, 2021). In the age of Digimodernism, owing to the plurality of information, weakening of metanarratives, and devaluation of truth, search for conspiracist connections between events and stories has increased (Uibu, 2016). Part of the appeal of conspiracy theories lies within their ability to offer simple explanations for complex issues and control in a chaotic world (Dulaney, 2020). Conspiracist thinking allows people to sense their capacity to think critically and make connections between different phenomena (Sobak, 2020). However, the conspiracy culture is characterised by radicalisation of independent critical thinking, as it is believed that, instead of specific individuals being deceitful, all politicians, journalists, public space professionals, etc. are jointly complicit in lying to the people (Uibu, 2016).

During the COVID-19 pandemic, numerous conspiracy theories sprouted about the virus being invented by the Jews, the Chinese, the U.S., and so on for economic, social, political, and other purposes. ISIS and Al Qaeda constructed the virus as the Soldier of Allah, who punishes crusader nations (Meek, 2020). Additionally, in Europe, the uncertainty and anxiety caused by the coronavirus pandemic has the potential to cause “the emergence of new forms of violent activism or even terrorism, linked to conspiracy theories, apprehension about perceived governmental overreach, and technophobia. These forms of violence are often encouraged by right-wing and left-wing extremists” (EU Counter-Terrorism Coordinator, 2020, p. 2). Currently, messages are posted on the Internet in the context of general conspiracy theories, which are predominantly anti-government rather than typical slogans specific to the far-right or the far-left (Cepol, 2020). “While extremist discourse already relies heavily on conspiracy theories, the uncertainty associated with the corona crisis

will be easy to incorporate in existing narratives” (EU Counter-Terrorism Coordinator, 2020, p. 1).

Supporters of conspiracy theories can also conduct attacks; for instance, the vandalising of 17 mobile telephone towers in New Zealand based on a 5G conspiracy theory (Pasley, 2020), which can be viewed in the terms of technophobia mentioned above. Apart from other acts resulting in violence, a striking example is the QAnon conspiracy theory in the U.S., which contributed significantly to the U.S. Capitol attacks. QAnon followers believe that Donald Trump is in a fight against a cabal of criminals led by Democratic party representatives like Hillary Clinton as well as the Hollywood elite who are believed to be engaged in Satanic child sex trafficking and blood sacrifice (Zadrozny & Collins, 2018; Collins, 2018). QAnon followers had been waiting for “The Storm”, a day on which these elites would be exposed and punished (Collins, 2018). 6 January 2021, when the U.S. Capitol riot took place, was deemed by QAnon supporters as the day of the Storm, galvanising many of them to advocate participation in and took part in the attack (Beckett & Ho, 2021; Orleans, 2021). The pandemic increased the number of QAnon supporters (and other conspiracy theorists), as the conspiracy theory provided a sense of belonging that people sought in isolation. Moreover, creators of QAnon were skilful in pushing the theory into bigger platforms, which served as the key to QAnon’s spread (Zadrozny & Collins, 2018).

Conspiracy theories urge people to do their own research and distrust experts and facts. People who believe in conspiracy theories may be exploited, or they may come together to carry out anti-state activities. In general, “throughout the pandemic, we’ve seen how easily and quickly an online conspiracy can result in acts, sometimes violent, in the real world” (Mollie Saltskog, cited in Hay, 2021). The above examples showcase the possibility that both fake news and conspiracy theories have the potential to fuel **radicalisation**. A striking example is hospital incursions in the UK by conspiracy theorists and their supporters who believed that COVID-19 did not exist: “It is incredibly worrying that individuals radicalised on social media using misinformation and conspiracy theories are now being mobilised to take actions that directly put lives at risk and target medical professionals” (Imran Ahmed, CEO of the Center for Countering Digital Hate, cited in Quinn & Campbell, 2021). This can serve as an instance of conspiracy theory extremism (Romm, *et al*, 2021). The term

conspiracy theory extremists was introduced recently and presupposes that conspiracy theorists and their supporters cannot be dismissed simply as people who believe in something irrational.

It can be argued that fake news and conspiracy theories constitute the unsanctioned (often foreign) information flows that make it possible, in Powers's (2014, p. 234) terms, to shift a citizen's loyalty away from the established governing authorities of their home country. Given the above-described sensational nature of fake news and conspiracy theories, their significant impact on people's emotions, as well as high resilience to official denouncements in the era of Digimodernism, it can be said that such information flows, amounting to an uncontrollable infodemic, have a great potential to profoundly influence people's loyalty, especially in the situation of uncertainty and instability, or even panic, caused by the pandemic. According to Powers (2014), individuals who distrust the government and the police, experience a conflict between their ethnic and national identity, or have been victims of discrimination or harassment are particularly vulnerable to radicalisation. Additionally, grievance is typically central to the radicalisation process (Powers, 2014, p. 234). For instance, to increase the number of supporters, violent extremists use people's insecurities, vulnerabilities, and grievances, producing a simple narrative to explain problems by blaming outsiders. (EU Counter-Terrorism Coordinator, 2020, p. 4). The Internet also features in almost all routes of radicalisation (Powers, 2014, p. 234). The process during which ideologies and beliefs in complete opposition to those of one's country are developed and activated is often referred to as "homegrown radicalisation" (Powers, 2014, p. 235).

There are also other definitions of radicalisation, including the one by Feddes *et al.* (2020, p. 20):

radicalisation is a non-linear process in which people adopt an increasingly extreme set of ideas, often accompanied by an increased support for the use of violence by others and/or intention to use violent means themselves against perceived threatening out-groups in order to achieve political and/or societal changes.

Based on the analysis of the existing models of radicalisation, Feddes *et al.* (2020) propose their model of radicalisation, consisting of three

stages: vulnerability phase (an individual has one dominating need (e.g., for justice, identity, significance, or sensation), which is exacerbated by traumatic events, like death of a loved one or discrimination); group phase (joining a group that can satisfy a vulnerable person's dominant need and obtaining emotional rewards while cutting ties with those outside the radical group); and action phase (committing violent acts on behalf of the group) (Feddes, *et al.*, 2020, pp. 60–62). It can be said that fake news and conspiracy theories contribute to the vulnerability phase of the described model, since their discussion on open web-based platforms can offer people, seeking significance, identity, or justice, alternative forums where their viewpoints can resonate with those of others. Notably, many people lost their loved ones because of COVID-19, while conspiracy theories escalated the discrimination of people and groups constructed as the carriers of the virus. In contrast, if we consider radicalisation in terms of Marc Sageman's (2008) four-stage process model – moral outrage (stage 1), specific interpretation of the world (stage 2), resonance with personal experience (stage 3), and mobilisation through networks (stage 4) – then fake news and conspiracy theories can contribute to people's moral outrage towards the status quo and to the development of a specific interpretation of the world.

2. SPREAD OF FAKE NEWS AND CONSPIRACY THEORIES IN ESTONIA DURING COVID-19

In spring 2020, misinformation began to spread on social media that Tallinn was about to be locked down and its borders were to be guarded by the Estonian Defence Forces. This misinformation campaign was so extensive that its message reached thousands or even tens of thousands of Estonians and the government needed to rebut it officially on social media (Laine, *et al.*, 2020b). Additionally, when hospital incursions occurred in the UK, false information about empty corona wards in Estonian hospitals started to appear in various sources (e.g., Proos, 2021), culminating in the corresponding title in a major Estonian newspaper *Postimees*, which needed to be further refuted by the management of the West Tallinn Central Hospital (Delfi, 2021).

Furthermore, according to Expert R of the Estonian Police and Border Guard Board (hereafter *the PBGB*), conspiracy theorists who had been active in Estonia for decades, emerged during the pandemic as new actors, who began to unite (propagating anti-vax, anti-mask, anti-5G, COVID denial, etc. agenda) and mobilise their followers, increasing their numbers remarkably (to about 19,000 in total). Expert R maintains that:

What is interesting about these conspiracy theorists is that they are apolitical, that is, they do not fit into traditional political currents. These people are, in principle, deniers of the state structure, but they are not anarchists. We are talking about people who are deniers of the democratic world order, which is closely linked to global economy, for example. However, they do not adhere to any political agenda or any party.

Notably, these conspiracy theorists received support from a lawyer who initiated a pro bono plan to defend anti-maskers. COVID-19 accelerated the activity of the sovereign citizen movement in Estonia. Sovereign citizens obey common law (in their own interpretation) and believe that they need not obey law enforcement, judges, elected officials or pay taxes; in extreme cases, sovereign citizens recur to deadly violence against government officials (Southern Poverty Law Center, s. a.). One of the movement propagators in Estonia called upon people in her group on Facebook to

register on the site of the Common Law Court as sovereign citizens, so that the Estonian state and legislation would lose all rights whatsoever in relation to these people, including the right to ask them and their families to vaccinate. Additionally, there were calls to destroy 5G masts (absent in Estonia at that time) and organise meetings despite COVID-related restrictions (Laine, *et al.*, 2020a). While Estonian conspiracy theorists otherwise cite their foreign colleagues, there are some local conspiracy theories; for example, that Irja Lutsar, professor of virology at the University of Tartu and head of the Scientific Advisory Board formed at the Government Committee, participates in an international conspiracy led by China and is affiliated with the Chinese Communist Party (Kalev, 2020). On 27 January 2021, lawyer Andrei Vesterinen uploaded a telephone conversation with Irja Lutsar on the Facebook page of his law firm. In the conversation, Vesterinen was aggressively asking questions about the virus and ultimately called Lutsar a liar. As a result, Lutsar was insulted and bullied via her social media account and telephone, admitting that “it is really crazy what has happened in the Estonian society” (Raudsik & Lind, 2021). Vesterinen, in turn, published a self-justifying comment on the Telegram website, explaining why he was allowed to refer to Irja Lutsar in this way and why it was neither an insult nor bullying (Vesterinen, 2021).

There were also protests against governmental pandemic response measures in Estonia on 3 February 2021 (with 300 attendees) and also during April 2021, beginning on 31 March 2021 (with between 70 to 200 attendees). Daily protests were organised against amendments to the Communicable Diseases Prevention and Control Act (hereinafter *the NETS*), according to which the police now have the right to fine people for violating the restrictions set to prevent the spread of infectious diseases, which was formerly done only by the Health Board (Nael, 2021). People interpreted the content of this amendment as an infringement of their rights and expansion of police powers. At the protests, people had slogans that compared the Estonian police with OMON and Gestapo, which target their own people. Apart from protests and the bullying of Irja Lutsar, Expert R admits that, in Estonia, the statue of Bill Gates was also vandalised (which is apparently connected with the conspiracy theory that Bill Gates funded and planned the virus to eventually sell vaccines (Reuters, 2021)), damage to property was committed by sovereign citizens, and the overall number of videos mocking the police on

social media and extremist online materials translated into Estonian has increased unprecedentedly. According to Expert L of the Health Board, crisis situations like the COVID pandemic create different opportunities for those seeking to exploit them:

Unfortunately, my experience shows that conspirators of all kinds often find themselves in the midst of reactions where the leaders are in fact extremists. The examples of the Netherlands, the United States, and other countries suggest that extremists take advantage of the situation where conspirators express themselves and are used for political reasons by extremists, and this violent side is caused by extremists. Radicalisation and the exploitation of conspiracy theorists may intensify in Estonia in the near future.

Although there has been no evidence of any violence in Estonia that could be directly linked with the hate towards the government, law enforcement, and healthcare professionals that escalated during the pandemic, the attack against the chief physician of the North Estonia Medical Centre on 3 February 2021 (where urine was thrown in his face and a tyre of his car was punctured) occurred, which made the prime minister of Estonian consider establishing better protection for members of the Scientific Advisory Board (Mäekivi, 2021).

3. TELEGRAM

One of the main channels supporting and disseminating conspiracy theories and fake news in Estonia is Telegram. Telegram began its operations on 29 January 2013, publishing news “primarily on socially critical, conspiracy theoretical, and (new) spiritual topics” (Uibu, 2016).

The authors on Telegram position themselves in opposition to the mainstream media, accusing the latter of lies, insufficient reporting of events, and manipulation (Joonas, 2021b; Martinson, 2021; Telegram, 2021b). When the pandemic began, Telegram operators applied for participation in governmental press conferences; however, they were not granted access, and Telegram filed a lawsuit against the State Chancellery (Tõnumaa, 2021). On Telegram, there is a section called “Banned!”, which consist of a collection of videos and articles that have been removed from YouTube or Facebook due to censorship. This section contains 41 texts. Furthermore, Telegram in Russian (RusTelegram) is declared to have been reopened after seven years on hiatus (Joonas, 2021a). Publications include Telegram’s new magazine *Corona Crisis 2: Is Asking Questions Allowed in a Free Society?*, which only contains questions about the pandemic that, in the opinion of the authors, the mainstream media attending press conferences have failed to ask (Tõnumaa, 2021).

Professor of virology Irja Lutsar accepted Telegram’s invitation to answer those questions, and the first part of that interview (40 minutes) is available on Telegram for free while the second half is only for subscribers. Hence, there is a clear profit motive behind Telegram inviting a professional to participate in what they call public debate on a crucial issue and then selling the answers to their subscribers. According to the Estonian mainstream news outlet *Eesti Ekspress*, the advertisements found on Telegram are sponsored by the German gold millionaire Herbert Heinz Jungwirth, who is called the “gray cardinal of conspiracy theorists” and the “super-distributor of false information in Estonia” (Laine, *et al.*, 2020). The Telegram team wrote the preface to Jungwirth’s sponsored Reval Buch’s book *Corona, False Alarm*. According to *Eesti Ekspress*, Estonian bookshops sell several books published by Reval Buch that discuss, for example, alternative approaches to Adolf Hitler and the crimes of Nazi

Germany; a book stating that all journalists are, in fact, part of a special CIA operation; a book about the evil of the philanthropist George Soros. Two books by the former journalist Udo Ulfkotte have appeared in Estonia, *Bought Journalists* and *Mass Immigration and Sex Crime*, which presents refugees as rapists (Laine, *et al.*, 2020). Currently, Reval Buch's *Health Dictatorship* is being promoted. Among other things, this can be regarded as an example of foreign information flows attempting to shift popular loyalties.

4. METHODOLOGY

The aim of the empirical analysis in this article is to see how texts on Telegram seek to shift the loyalty of the Estonian people from the government and other established bodies and apparatuses of the society, like law enforcement, Health Board, or the Scientific Advisory Board formed at the Government Committee. For this purpose, critical discourse analysis is employed, which follows Fairclough's (2015) three-dimensional model: firstly, the social context is described in which articles are produced (social practices; in the case of the present article, the above-described processes of discursive struggling for the loyalty of the Estonian people during the pandemic); secondly, reception and interpretation of texts (discursive practices); thirdly, analysis of textual properties of Telegram's texts. It is this interconnection between the three levels of analysis that makes Fairclough's three-dimensional approach to critical discourse analysis especially fruitful in retrieving a full picture of the influence of Telegram in the Estonian society in the context of COVID-19 pandemic.

One essential tenet of critical discourse analysis is that text and social reality are mutually constitutive: language does not only reflect reality, but is also the means of (re)producing the world as we experience it (Fairclough, 2003; Vaara, 2015). CDA detects tacit assumptions, which often pass unnoticed on social, societal, political, and economic issues and phenomena and analyses power relations between different discourses and actors. Importantly, in CDA, discourses and texts are seen as inherently ideological, lacking neutrality in terms of their content (Fairclough, 2003, 2015; Vaara, 2015).

One way to analyse the reception of Telegram in the Estonian society is to look at website traffic statistics. One effective resource for this is Similarweb ([similarweb.com](https://www.similarweb.com)), where it is possible to see, among other things, the number of total visits to the site being analysed, average visit duration, bounce rate (the statistics of very short visits, made also by social bots to boost the traffic statistics), and major social media platforms that are sending traffic to the site. To better showcase the results, Telegram is analysed along with the prominent Estonian news outlets ERR (Estonian

Public Broadcasting) and *Postimees*. As of 17 June 2021, the results of comparison on Similarweb are as follows (provided for May 2021):

	ERR	<i>Postimees</i>	Telegram
Total visits	9,430,000	18,650,000	290,040
Average visit duration	00:05:29	00:05:35	00:04:24
Bounce rate	46.68%	39.41%	54.61%
Major social media platforms sending traffic to the website	Facebook (83.88%)	Facebook (93.95%)	Facebook (95.83%)

As evident from the above table, although Telegram has a very modest number of visitors when compared to ERR and *Postimees*, both Telegram's average visit duration and bounce rate do not differ significantly from that of ERR and *Postimees*. The latter has the best bounce rate, meaning that the number of short-term visits is smaller than in the case of ERR and Telegram. Telegram's bounce rate is merely 7.93% bigger than that of ERR. Therefore, it can be concluded that Telegram has its own readership in the Estonian society, even if it is much smaller than that of ERR and *Postimees*. It should be noted that, since spring 2020, Telegram subscription has introduced a fee and costs €5.99 per month, €50 per year, while the premium package costs €100 per month.

Sobak (2020, p. 89) has conducted a survey of Telegram readers in her MA thesis and concluded that Telegram readers criticise mainstream news media for covering events rather superficially based on similar sources. Some Telegram readers believe that mainstream media is biased and serves the purposes of specific interest groups. Some interviewees indicated displeasure after reading mainstream media – its tone is considered didactic, and it is overly negative and intentionally frightening in times of the corona crisis. Telegram, on the other hand, is considered as an alternative to traditional journalism, an eye-opening and independent news outlet (Sobak, 2020, p. 89–90):

The diversity was considered far more important than thorough fact-checking. /.../ Respondents also considered Telegram to be objective, as they are free to believe as little or as much of its content as they see fit. /.../ The interviewees stated that they read and trust Telegram, as they

get confirmation to their previous understandings. Many interviewees consider themselves more media critical and insightful than people who avoid alternative media.

Thus, although the interviewees still reference to mainstream news media for quick, up-to-date information, they welcome the fact that conspiracy theories and alternative information are given voice on Telegram. They like the fact Telegram is more reassuring than the mainstream media in times of the corona crisis, offering different accounts on the causes, treatment, and prevention of the virus (Sobak, 2021, p. 90).

5. TEXTUAL ANALYSIS OF TELEGRAM ARTICLES

This article conducts an empirical analysis of the properties of Telegram's texts, using the tool called *assumptions*. The specific value of this approach lies in its capacity to uncover the slightest nuances of meaning-making that largely go unnoticed and are taken for granted. In Fairclough's (2003) methodology, the term *assumptions* refers to the implicit processes of meaning-making in texts. Fairclough distinguishes between existential (assumptions about what exists), propositional (assumptions about what is or can be the case), and value assumptions (about what is good or desirable). Most assumptions are implicit, but some are also triggered or made visible by linguistic features in a text. Assumptions are a tool for an interpreter to detect the value systems on which a text is based. The focus of the analysis in this article was on the anti-establishment, with searched keywords being *government*, *police*, and members of the Scientific Advisory Board formed at the Government Committee. Close reading of Telegram's texts was conducted between December 2020 and July 2021. Representative extracts were selected for detailed empirical analysis. The extracts were translated into English by the author while the original texts in Estonian are provided in the footnotes.

On 15 May, a global protest took place on Freedom Square in Tallinn regarding the COVID restrictions that contradicted scientific research. All speakers were balanced and thorough, and the greatest emphasis was put on the fact that we have lost our freedom. Looking at the immediate plans of the government, everyone should be frustrated: it is clear that a return to normalcy was never even planned, but the desire of those in power is to create a new normalcy where obedience to power is paramount. (Martinson, 2021)²

“COVID restrictions that contradicted scientific research” triggers the propositional assumption that COVID restrictions have been imposed without any scientific basis and that scientific research supports the absence of such restrictions. “Global protest” triggers the propositional

² 15. mail toimus Tallinnas Vabaduse väljakul ülemaailmne protest teaduslike uuringutega vastuolus olevate koroonapiirangute osas. Kõik sõnavõtjad olid tasakaalukad ja põhjalikud ja kõige jõulisemalt jäi kõlama asjaolu, et me oleme kaotanud vabaduse. Vaadates valitsuse lähiaja plaane, peaks igauks olema nõrdinud: selge on see, et tagasiminekut normaalsusesse ei ole kunagi plaanitudki, vaid võimulolijate soov on luua uut normaalsust, kus võimule kuuletumine on esmatähtis. (Martinson, 2021)

assumption that it is not only in Estonia where it is believed that COVID restrictions contradict scientific research. The fact that it is emphasised that “all speakers were balanced and thorough” triggers the propositional assumption that protesters otherwise lack self-control, cannot thoroughly explain what they stand for, and are not taken seriously. COVID protest is thus constructed as a serious event through such an implicit comparison. “The greatest emphasis” triggers the propositional assumption that there were also other concerns (possibly including scientific research), but the loss of freedom is constructed as the primary concern of the protesters. “We” is inclusive of all people of Estonia and even those in other countries. Freedom and normalcy are constructed in relation to COVID restrictions: existence of COVID restrictions means absence of people’s freedom and also absence of normalcy. “Immediate plans of the government” are constructed as frustrating for everybody, the value assumption being that such plans are undesirable. “It is clear that a return to normalcy was never even planned” triggers the propositional assumption that a return to normalcy is a crucial step of the plan while the government continues with restrictions. Another propositional assumption is that the reason for such governmental plans only and most importantly (triggered by “paramount”) lies in the government’s desire to permanently (triggered by “a new normalcy”) increase people’s subordination to power. No other reasons are considered. Notably, “immediate plans” triggers the propositional assumption that such plans do not reflect any long-term strategy, based on which one could judge upon the appearance of a new normalcy.

For me, there is one very interesting conflict in Estonia that is constantly being dragged into political games: Estonians versus Russians. /... / At present, the media and politicians are very cunningly directing us to disparage each other to ensure a gap in communication. The emphasis is on pro-Kremlin views whenever Russian-speakers are encountered among the protesters. (Martinson, 2021)³

³ Eestis on üks minu jaoks väga huvitav vastandumine, mida kogu aeg poliitilistesse mängudesse sisse tõmmatakse: eestlased versus venelased. /.../ Praegu suunavad meedia ja poliitikud meid väga kavalalt üksteist halvustama, et kindlustada suhtlemises lõhe. Rõhutakse Kremli-meelsusele, kui kohatakse vene keelt kõnelevaid isikuid meelevaldajate seas. (Martinson, 2021)

Here, the existential assumption is that, in Estonia, the conflict exists between Estonians and Russians. “Constantly /.../ dragged into political games” triggers the propositional assumption that the conflict is significant, since it is constantly on the political agenda, and the value assumption that such a situation is undesirable, since “dragged into political games” implies that, as a result of such exploitation, the conflict either remains unsettled or is escalating. In “the media and politicians are very cunningly directing us to disparage each other to ensure a gap in communication”, the propositional assumptions are that media and politicians are pursuing the same goal of polarising the Estonian society; there is no gap in communication between Estonians and Russians in Estonia, and both are constructed as “we”; a gap in communication appears as a result of reproach between the two ethnic groups; in order for Estonians and Russians to disparage each other, a very cunning provocation by the politicians and media is needed. Hence, the conflict between Russians and Estonians is constructed as an internal Estonian issue. Notably, in this utterance, the unity and smooth communication between Russians and Estonians is constructed through their joint participation in the protests against COVID restrictions and against the amendments to the NETS. Here, the Russians v. Estonians issue is used for the promotion of a specific agenda. Additionally, in “the emphasis is on pro-Kremlin views whenever Russian-speakers are encountered among the protesters”, the propositional assumptions are that the authorities should ask things from Russian-speaking protesters other than pro-Kremlin views; there should be no emphasis on pro-Kremlin views or the Kremlin; Estonian-speaking protesters are not suspected of pro-Kremlin views; the authorities differentiate between Russian- and Estonian-speaking protesters based on pro-Kremlin views. However, the propositional assumptions here are also that Russian-speaking protesters may not have pro-Kremlin views; the authorities suspect the Kremlin of having links in the protests. Accordingly, what the authorities are assumed to be concerned with is not the internal issue of the ethnic conflict between Estonians and Russians in Estonia, but the potential meddling of the Kremlin in the Estonian internal affairs through Russian-speakers with pro-Kremlin views.

I gave an interview to Maaleht several years ago and to Postimees in 2018, where I said that orders and guidelines are again coming from somewhere

else. This time it is not the hand of the Kremlin, but that of Brussels. (Joonas, 2021b)⁴

This excerpt cites an interview with the famous Estonian musician and actor Tõnis Mägi. The propositional assumptions in the cited utterance are that Estonia does not make independent decisions and merely follows the orders given to it. The existential assumption here is that the hand of the Kremlin exists, in addition to the hand of Brussels existing, while the propositional assumptions are that these are two mutually exclusive hands giving Estonia their orders and guidelines: it is either the Kremlin or Brussels. Furthermore, the value assumption is that both hands are equally undesirable for Estonia and do not benefit the country. The propositional assumption is that Tõnis Mägi expressed this in his interviews with Estonian media outlets and he now wants to express this to Telegram, thus equating it with *Maaleht* and *Postimees*. “Again coming from somewhere else” triggers the propositional assumption that, at some point in time before 2018, the Kremlin’s control over Estonia has ended and exactly the same control over Estonia began on behalf of Brussels. Both the Kremlin and Brussels are implicitly constructed as depriving Estonia of its freedom. Notably, Brussels (and the EU in general) is implicitly constructed as guilty for the present situation in Estonia, while the Kremlin is constructed as neutral and not influencing Estonia for as long as three or more years. Hence, this utterance contains a strong anti-EU sentiment.

Telegram has repeatedly stated that all political parties ultimately represent exactly the same worldview. When the attention of gullible people is diverted to such pseudo-problems as racism, family laws, etc., then, by the end of the day, all coalition and theatrical opposition parties still go along with the plan of the New World Order (NWO), which, today, is to collapse

⁴ Andsin mitmed aastad tagasi intervjuu Maalehele ja 2018. a. Postimehele, kus rääkis, et taaskord tulevad käsud ja suunised mujalt. Seekord pole tegemist Kremli käega, vaid Brüsseliga. (Joonas, 2021b)

the world economy, restrict human rights, compulsory vaccination, complete surveillance of the people, etc. (Tõnumaa, 2021a)⁵

In “has repeatedly stated”, the propositional assumption is that Telegram’s claims were not heard or taken seriously, and the public believes that Estonian parties represent different worldviews. Further propositional assumptions here are that the issues of racism, family laws, and the like should not be dealt with (“pseudo-problems” triggers the value assumption that it is undesirable to deal with them) and they are inferior to the issues of economy, restrictions of human rights, compulsory vaccination, complete surveillance of people, and the like. It is therefore assumed that racism and current family laws do not entail any restrictions on human rights. Additionally, it is only stances on racism and family laws that make the worldviews of Estonian political parties differ. “Pseudo” also triggers the propositional assumption that these issues are imaginary or non-existent in Estonia and people are made to discuss these issues only because they are gullible. However, the implication here is that people are not as gullible as to believe the New World Order and its consequences that Telegram needs to repeatedly explain. “Still go along with the plan of the New World Order” triggers the propositional assumption that all political parties in Estonia (“theatrical opposition” implying that the opposition does not exist in Estonia) have been jointly following the course of the NWO for some time already. “The attention of gullible people is diverted to” triggers the propositional assumption that people can actually stop the government from turning them into slaves (with restricted human rights, compulsory vaccination, and complete surveillance); so, their attention is necessary to be diverted. Here, indirect calls against the actions of all parties of the government are present. The government is constructed as the enemy of the people.

⁵ Telegram on korduvalt kajastanud, et kõik erakonnad esindavad lõppkokkuvõttes täpselt ühesugust maailmavaadet. Kui kergemeelsete inimeste tähelepanu suunatakse kõrvale pseudoprobleemidega nagu rassism, perekonnaseadused jne, siis päeva lõpuks lähevad ikkagi kõik koalitsiooni ja teatraalse opositsiooni parteid kaasa uue maailma korra (New World Order, NWO) kavaga, milleks täna on maailma majanduse kokku kukutamine, inimõiguste piiramine, kohustuslik vaksineerimine, rahva täielik jälgimine jne. (Tõnumaa, 2021a)

COVID terrorism and virocracy have been cultivated for more than a year, and the people have been very patient, hoping that this nonsense would end. /.../

Unconstitutional human experimentation by Big Pharma is under way to impose the requirement to wear a mask that is harmful to health and so-called vaccines that are still in development, in the course of which all people (both healthy and sick) have been labelled as dangerous, some even as potential murderers. This is dictatorship: COVID terrorism and medical tyranny, the local agents of which are virocrats Irja Lutsar, Üllar Lanno, Jüri Ratas, Kaja Kallas, Arkadi Popov, Tanel Kiik, Martin Kadai, etc., who must be subjected to criminal investigation together with the Health Board. (Tõnumaa, 2021c)⁶

Here, the existential assumption is made that COVID terrorism and virocracy exist in Estonia, and the value assumption is that COVID terrorism and virocracy are undesirable. “Virocracy” is assumed to be the power of the virus, meaning that, in Estonia, the virus is in power, not the people (as in the case of democracy). “Have been cultivated for more than a year” triggers the propositional assumption that COVID terrorism and virocracy have been intentionally created by the government. In “the people have been very patient, hoping that this nonsense would end”, the propositional assumption is that people regard the situation as nonsense and are very patient with the government creating the nonsensical situation without any valid reason. The implicit assumption here is that there is no democracy in Estonia where the people would express their concerns to the government. Another implicit assumption here is that people should stop being patient and defy the government.

Here, COVID terrorism and virocracy are equated to nonsense and people are constructed as waiting for this to end rather than being afraid and devastated. In “unconstitutional human experimentation by Big Pharma

⁶ Koroonaterrorismi ja virokraatiat on viljeletud enam kui aasta, rahvas on olnud väga kannatlik, lootuses, et see jama lõppeb. /.../ Käimas on Big Pharma põhiseadusevastased inimkatsed tervist kahjustavate maskikandmisnõude ja alles arendusetapis olevate “vaktsiinide” pealesurumisega, mille käigus on kõik inimesed (nii terved kui ka haiged) ristitud ohtlikeks, mõned lausa potentsiaalseteks mõrvariteks. See on diktatuur – koroonaterrorism ja meditsiinitürannia, mille kohalikud agendid, virokraadid Irja Lutsar, Üllar Lanno, Jüri Ratas, Kaja Kallas, Arkadi Popov, Tanel Kiik, Martin Kadai jt tuleb koos Terviseametiga saata kriminaaluurimise alla. (Tõnumaa, 2021c)

is under way”, the existential assumption is that such experimentation actually exists (in the form of COVID vaccination), and the propositional assumption is that the global pharmaceutical industry (Big Pharma) is performing unconstitutional actions in Estonia against the public good. These actions are to “impose the requirement to wear a mask that is harmful to health and so-called vaccines that are still in development” – the propositional assumptions here are that wearing a mask cannot be voluntary and needs to be imposed, it cannot help in staying healthy, while vaccines which are in development cannot be effective. In “in the course of which all people (both healthy and sick) have been labelled as dangerous, some even as potential murderers”, the propositional assumption is that the requirement to wear a mask and vaccinate is predicated on the danger to catch the virus from either a sick or a healthy person, while people not fulfilling the requirements can kill others by infecting them. The implicit assumption here is that COVID prevention measures are, in fact, helping to stop the virus. “This is dictatorship: COVID terrorism and medical tyranny”, implies that COVID prevention measures that are constructed as imposed and health-damaging and, therefore, as a dictatorship and medical tyranny, are instead effective, while COVID terrorism, constructed as intentionally labelling people as dangerous, appears to be a matter of common sense, since the fear of infection is commonplace even if nobody is talking about it. In this utterance, Estonian people are constructed as having no fear of the virus. Furthermore, in “the local agents of which are virocrats Irja Lutsar, Üllar Lanno, Jüri Ratas, Kaja Kallas, Arkadi Popov, Tanel Kiik, Martin Kadai”, the specified representatives of the government, members of the Scientific Advisory Board formed at the Government Committee, and the Health Board are constructed as dictators, tyrants, and terrorists who “must be subjected to criminal investigation together with the Health Board”, while, at the level of implied assumptions, there are no grounds to accuse them, since they provide effective measures for people who are afraid of infection. So many accusations and use of ideologically loaded words like *terrorists*, *dictators*, and *tyrants* may imply that it is hard to convince the public of this stance.

In order for us all to obediently do some kind of actions that those who are currently forcing us to wear masks are waiting from us. What kind of actions? So that we all obediently start vaccinating. You see, if such a system of fear of being infected with a coronavirus infection is being created now,

then violent forcing of people to wear masks is an act of terrorism. It is directly about spreading this fear. This is an act of terrorism (Tõnumaa, 2021e)⁷

The propositional assumptions here are that “we all” (people of Estonia) are not wearing masks voluntarily and do it only because “they” (the government) force “us” to do so; forcing people to do something gives the government the basis to expect further obedience from the people. The underlying assumption here is that the government treats people inhumanely, and there is an acute polarisation between “us” and “them”. “So that we all obediently start vaccinating” triggers the propositional assumption that vaccination is an act of obedience on behalf of all Estonian people, not an act of choice. However, it is further assumed that what people are afraid of is, in actuality, being infected with a coronavirus, not the oppressive government: “if such a system of fear of being infected with a coronavirus infection is being created now”. The propositional assumption here is that, by making people wear masks and providing vaccination, the government intentionally creates in people the fear of being infected with coronavirus, while “being infected” triggers the value assumption that this is strongly undesirable, and people are in general afraid of being infected. “Then violent forcing of people to wear masks is an act of terrorism” triggers the propositional assumption that violent forcing of people to wear masks actually occurs; such violent forcing implies that the police, for instance, puts a mask on somebody’s face, which is highly improbable. It is through this element of violence (rather questionable) and fear (considered as imposed by the government and excluding the possibility that people are naturally afraid of being infected) that the actions of the government are defined as an act of terrorism. The constructed “act of terrorism” is emphasised two times in a row, which may be regarded as an indirect call for the people to defy the government, since the value assumption in “terrorism” is that it should be stopped.

Corona terrorism is not limited to testing fraud. In Spain, for example, a new order has been adopted that requires to wear a mask even on the beach.

⁷ Selleks, et hiljem kõik me kuulekalt teeksime mingeid tegusid, mida meilt ootavad need, kes praegu meid maske kandma sunnivad. Milliseid tegusid? Et me kõik kuulekalt hakkaksime vaksineerima. Vaadake, kui praegu luuakse selline hirmu süsteem koroonaviiruse infektsiooniga nakatumise suhtes, siis inimeste vägivaldne sundimine maskide kandmiseks on terroriakt. Tegemist on otsesõnu selle hirmu levitamisega. See on terroriakt. (Tõnumaa, 2021e)

While, in the past, masks were mandatory only in public indoor areas, the system has now turned up the heat, never mind that wearing a mask has basically no effect on preventing the spread of the virus. This nonsense can only last as long as the people go along with it. (Tõnumaa, 2021f)⁸

“Corona terrorism” is constructed in relation to “testing fraud”. “Fraud” triggers the propositional assumption that corona testing is an intentional crime of cheating. Additionally, “corona terrorism” is constructed in relation to the tightening of COVID restrictions (wearing a mask on the beach in Spain). Constructing a mask as unable to prevent the virus, “a new order” adopted in Spain is thereby constructed as baseless and merely the desire of the system to turn up the heat. The propositional assumption is that “corona terrorism” boils down to the intent of the government to cheat people with corona testing and restrict their freedom without any basis in order to achieve more subordination. In “this nonsense can only last as long as the people go along with it”, the propositional assumption is that people do not oppose the measures taken by the government and even agree with these measures. It appears that the author is using precisely such loaded words as “terrorism” because it is hard to otherwise convince people that the government is acting wrongfully (in the author’s terms, nonsensically). Still, the author is doing this and even indirectly calling people to take action, making the propositional assumption that it is the people who can stop the government from doing what they are doing (triggered by “this nonsense can only last as long as /.../”).

I have not attended these protests because I do not live in Tallinn, but I might not take part in them even if I lived there, because the prospect of being bossed (by threats to otherwise take me by force) into a police bus for some absurd reason, where one is ordered (under the pretext of a search) to peel off their clothes, does not have a captivating effect. I try to avoid such situations. However, I would definitely recommend such an experience to all those very, very witty, well-civilized, and intelligent

⁸ Koroonaterrorism ei piirdu kõigest testimispettusega. Näiteks Hispaanias on vastu võetud uus kord, mis kohustab kandma maski isegi rannas. Kui varem olid maskid kohustuslikud ainult üldkasutatavates siseruumides, siis nüüd on süsteem vinti juurde keeranud, mis sest, et maskide kandmisel pole põhimõtteliselt mitte mingit mõju viiruse leviku takistamiseks. See jama saab kesta ainult senikaua, kuni rahvas sellega kaasa läheb. (Tõnumaa, 2021f)

people who have been ironic about those who are afraid of Estonia becoming a police state. You really deserve it. (Laiapea, 2021)⁹

In “I have not attended these protests because I do not live in Tallinn”, the propositional assumption is that protests against the amendments to the NETS in Estonia only take place in Tallinn. In Tallinn, protests are constructed as a free reign for the police, where, for an “absurd reason” (which nevertheless triggers the propositional assumption that the police explain to people the grounds for their actions), people are “bossed into a police bus” (“by threats to otherwise take me by force” triggers the propositional assumption that the police warn people about the use of force and do not rely on force immediately), where they are “ordered to peel off their clothes” (“under the pretext of a search” triggers the propositional assumption that the police explains their actions and do not act violently). Although the aim here seems to be to construct the police as violent and disrespectful of people and their rights, at the level of propositional assumptions, it turns out that the police do their work professionally and follow the rules. Notably, “does not have a captivating effect” triggers the propositional assumption that the author is not actually afraid of the police: if the police were indeed unreasonably cruel, then he might have been more fearful and concerned. “I try to avoid such situations” triggers the propositional assumption that the police have not mistreated him. Still, the author considers himself to belong among those “who are afraid of Estonia becoming a police state”, whereas, to those sceptical about this, he would “definitely recommend such an experience”, which, at the level of propositional assumptions, means that the police is explaining each of their actions to every person with whom they are dealing.

⁹ Mina ei ole nendel meeleavaldustel käinud, sest ma ei ela Tallinnas, aga ei võtaks neist osa võib-olla isegi siis, kui seal elaksin, sest väljaade saada kamandatud (ähvardades viia mind vastasel korral vägisi) mingil absurdsel põhjusel politseibussi, kus kästakse (tuues ettekäändeks läbiotsimise) riided seljast koorida, ei mõju kütkestavalt. Üritan selliseid olukordi vältida. Kindlasti soovitan sellist kogemust aga kõigile neile väga-väga vaimukatele, hästi tsiviliseeritud ja intelligentsetele inimestele, kes on ironiseerinud nüüd nende üle, kes kardavad Eesti muutumist politseiiriigiks. Te ju tõesti väarite seda! (Laiapea, 2021)

DISCUSSION AND CONCLUSION

This article focused on the situation in which the spread of COVID-19-related fake news and conspiracy theories escalated the uncertainty, fear, and distrust of the government and public bodies and apparatuses (e.g., the police and the Health Board) in the Estonian society, thereby leading to potential radicalisation. Apart from the propaganda on social media against the governmental measures to stop the pandemic, on several occasions, acts were committed that had indications of radicalisation, such as the bullying of Irja Lutsar, disrespectful treatment of police officers, vandalising the statue of Bill Gates, and instances of damage to property by the adherents of sovereign citizens' movement. Fake news and conspiracy theories proliferating around the world find an easy way to take root in the Estonian context, and one of the channels of their dissemination and reproduction in the Estonian context is Telegram.

Critical discourse analysis of Telegram's texts showed that they often contain both fake news and conspiracy theories; for instance, the participation of all Estonian political parties in the New World Order conspiracy or the Estonian people being victims of the Big Pharma conspiracy, which is supposedly conducting unconstitutional human experimentation here in the form of vaccination. In Telegram's texts, the government is constructed as absolutely authoritarian (also totalitarian and tyrannical), while democracy is assumed to be absent in Estonia. The government is constructed as an absolute and irreconcilable enemy of the people, treating them inhumanely, seeking to turn them into slaves and increase their subordination to power with each consequent measure directed at the containment of the pandemic. The government is constructed as not planning to return to the pre-pandemic state and restore what freedom there was before COVID-related restrictions, intentionally mongering COVID terrorism and virocracy through deceitful corona testing and allowing the police to act violently for absurd reasons. Additionally, media and politicians are pursuing the same goal of polarising the Estonian society, which is otherwise united. Hence, deep polarisation between the people and the government is constructed at the level of assumptions, which has the potential to radicalise the people against the government.

Furthermore, Estonia is constructed as dependent on, and politically controlled by, either the Kremlin or Brussels. Notably, Brussels (and the EU in

general) is implicitly constructed as responsible for the present situation in Estonia, while the Kremlin is constructed as neutral and not exerting influence over Estonia in the turmoil of the pandemic. It is also assumed that racism and current family laws do not entail any restrictions on human rights and should not be dealt with, as these problems are either non-existent in Estonia or are less important than the ones related to the economic crisis and the deepening oppressiveness of the government. Notably, in Telegram's texts, the Estonian people are constructed as unafraid of the virus and not willing to wear a mask or vaccinate voluntarily, and the fear is constructed as mongered by the government alone, which is thus committing terrorism. The Estonian people are consistently constructed as gullible, very patient, and obedient, lacking any initiative and not expressing their opinions and concerns to the government while being dissatisfied with all of its actions. Telegram thus indirectly calls people to act. At the level of assumptions, it is emphasised that people can actually stop the government from turning them into slaves and that people should stop being patient with the government's nonsense. The constructed "acts of terrorism" on behalf of the government are steadily emphasised, which may be regarded as an indirect call for the people to resist the government, as the value assumption in "terrorism" is that it should be stopped.

Nevertheless, at the level of assumptions, it also implicitly shows that governmental measures against the pandemic actually work, and that people are not afraid of the government and its supposed "terrorism" (which is equated to nonsense at the level of assumptions). Numerous accusations and use of ideologically loaded words like *terrorists*, *dictators*, and *tyrants* may imply that it is hard to convince the public of this perspective on the government and its representatives. At the level of assumptions, it is evident that the Estonian people are not gullible and do not believe everything that they are told. What is more, at the level of assumptions, it turns out that the police do their work professionally and follow the rules and people are not afraid of the police. Proceeding from the analysis of assumptions, Telegram appears to have a strong anarchist inclination, constructing the Estonian government (all current political parties) as deeply authoritarian, and seeks to oppose the government. Telegram also appears to have a far-right stance, calling for dismissal of the issues of racism and family laws in the Estonian society or not seeing human rights violations in these issues. Telegram also has clearly anti-EU sentiments and a neutral attitude towards the Kremlin.

As of 16 June 2021, Telegram has a considerable number of readers, and the website's bounce rate is comparable to that of prominent mainstream media outlets in Estonia, indicating that Telegram readers are not social bots that are merely boosting the site's traffic statistics. This indicates that Telegram has a certain impact on the Estonian society. People can read Telegram texts directly on the website or on social media and share them. Although Telegram does not appear to be as dangerous in terms of radicalisation as social media, it nevertheless contributes to the escalated situation in Estonia during the pandemic through its toxic anti-government language. It can be said that Telegram makes an attempt at the radicalisation of the Estonian people, persuading them to shift their loyalty away from the established bodies and apparatuses of the Estonian society. It has also been established that Telegram channels foreign information flows coming from its Germany-based sponsor. It is also possible that Telegram spreads disinformation and is intentionally or unintentionally party to disinformation campaigns (including those organised by Russia).

Contact:

Oksana Belova-Dalton, PhD

The Estonian Academy of

Security Sciences

E-mail: oksana.belova-dalton@sisekaitse.ee

REFERENCES AND SOURCES

- BBC News, 2020. *Berlin Covid protest broken up near Brandenburg Gate*. 18 November 2020. Available at <https://www.bbc.com/news/world-europe-54985622>, accessed 30 June 2021.
- Beckett, L. & Ho, V., 2021. 'She was deep into it': Ashli Babbitt, killed in Capitol riot, was devoted conspiracy theorist. *The Guardian*, 9 January 2021. Available at <https://www.theguardian.com/us-news/2021/jan/09/ashli-babbitt-capitol-mob-trump-qanon-conspiracy-theory>, accessed 6 October 2021.
- Cepol, 2020. *Webinar "55/2020 Impact of COVID-19 to counterterrorism & serious and organised crime"*.
- Collins, B., 2018. What is Qanon? A guide to the conspiracy theory taking hold among Trump supporters. *NBC News*, 3 August 2018. Available at <https://www.nbcnews.com/tech/tech-news/what-qanon-guide-conspiracy-theory-taking-hold-among-trump-supporters-n897271?cid=related>, accessed 6 October 2021.
- Commission for Countering Extremism, 2020. *COVID-19: How hateful extremists are exploiting the pandemic*. Available at <https://www.gov.uk/government/publications/covid-19-how-hateful-extremists-are-exploiting-the-pandemic>, accessed 15 June 2021.
- Delfi, 2021. *FOTOD Lääne-Tallinna keskhaigla lukkab ümber video tühjast koroonaosakonnast: tegemist on kellegi pahatahtliku sooviga levitada moonutatud infot*. [PHOTOS: West Tallinn Central Hospital refutes the video about an empty corona ward: it is someone's malicious desire to spread distorted information]. Available at <https://www.delfi.ee/artikkel/92768855/fotod-laane-tallinna-keskhaigla-lukkab-umber-video-tuhjast-koroonaosakonnast-tegemist-on-kellegi-pahatahtliku-sooviga-levitada-moonutatud-infot>, accessed 30 June 2021.
- Dettmer, J., 2021. Lockdown Protests Snowball as Europe's Libertarians Fret About Freedom. *VOA News*, 9 April 2020. Available at <https://www.voanews.com/covid-19-pandemic/lockdown-protests-snowball-europes-libertarians-fret-about-freedom>, accessed 30 June 2021.
- Dulaney, M., 2020. It can be hard to hear your mum thinks the Earth is flat. But saving a loved one from conspiracy theories is possible. *ABC News*, 5 December 2020. Available at https://www.abc.net.au/news/2020-12-06/mum-thinks-the-earth-is-flat-saving-family-conspiracy-theories/12935984?utm_source=abc_news_web&utm_medium=content_shared&utm_content=link&utm_campaign=abc_news_web, accessed 30 June 2021.

- EU Counter-Terrorism Coordinator, 2020. *Terrorism in Times of Corona: The development of the terrorist threat as a result of the Covid-19 crisis*. Available at <https://data.consilium.europa.eu/doc/document/ST-7838-2020-REV-1/en/pdf>, accessed 30 June 2021.
- Euronews, 2020. *Coronavirus: Hundreds protest against 'fake pandemic' in Madrid*. 9 November 2020. Available at <https://www.euronews.com/2020/11/09/coronavirus-hundreds-attend-anti-mask-protest-against-fake-pandemic-in-madrid>, accessed 30 June 2021.
- Europol, 2020. *European Union Terrorism Situation and Trend Report (TE-SAT) 2020*. Available at <https://www.europol.europa.eu/activities-services/main-reports/european-union-terrorism-situation-and-trend-report-te-sat-2020>, accessed 30 June 2021.
- European Commission, 2018. *A multi-dimensional approach to disinformation: Report of the independent High level Group on fake news and online disinformation*. Available at <https://digital-strategy.ec.europa.eu/en/library/final-report-high-level-expert-group-fake-news-and-online-disinformation>, accessed 15 June 2021.
- European Commission, 2021. *What are conspiracy theories? Why do they flourish?* Available at https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/fighting-disinformation/identifying-conspiracy-theories_en, accessed 29 June 2021.
- Fairclough, N., 2003. *Analysing Discourse: Textual Analysis for Social Research*. New York: Routledge.
- Fairclough, N., 2015. *Language and power*. (3rd ed.). London and New York: Routledge.
- Feddes, A. R., Nickolson, L., Mann, L. & Doosje, B., 2020. *Psychological Perspectives on Radicalization*. New York: Routledge.
- Giusti, S. & Piras, E. *Democracy and Fake News. Information Manipulation and Post-Truth Politics*. London: Routledge.
- Gradoń, K., 2020. Crime in the time of the plague: fake news pandemic and the challenges to law-enforcement and intelligence community. *Society Register* 2020 / 4 (2), pp. 133–148.
- Hay, M., 2021. The 'Terrorgram' Plot by Neo-Nazis to Seduce Anti-Vaxxers. *Daily Beast*, 26 January 2021. Available at <https://www.thedailybeast.com/anti-vaxxer-panic-about-the-pfizer-coronavirus-vaccine-meets-neo-nazi-fantasies-in-corona-chan>, accessed 30 June 2021.
- Joonas, M., 2021. Kontrollühiskonna seaduste valguses: EKRE on eeskujulik tuulelipp? [In the light of the laws of the control society: is EKRE an exemplary weather vane?] *Telegram*, 11 June 2021. Available at <https://www.telegram.ee/eesti/kontrolluhiskonna-eelnou-valguses-ekre-on-eeskujulik-tuulelipp>, accessed 13 June 2021.

- Joonas, M., 2021a. После семилетней паузы Rus.Telegram возвращается!!! [After a seven-year pause, Rus.Telegram returns]. *Telegram*, 6 June 2021. Available at <https://rus.telegram.ee/eesti/posle-semiletnej-pauzy-rus-telegram-vozvraashaetsya>, accessed 13 June 2021.
- Joonas, M., 2021b. Tõnis Mägi: kuidas on võimalik, et olulised kultuuri- ja muusikainimesed on pigem praeguse olukorraga nõus? [Tõnis Mägi: how is it possible that important people in culture and music would rather agree with the current situation?] *Telegram*, 17 May 2021. Available at <https://www.telegram.ee/arvamus/tonis-magi-kuidas-on-voimalik-et-olulised-kultuuri-ja-muusikainimesed-on-pigem-praeguse-olukorraga-nous>, accessed 13 June 2021.
- Kalev, M., 2020. Covid-19 tõi kaasa ka ennenägematu vandenõuteooriate uputuse. [Covid-19 also led to an unprecedented deluge of conspiracy theories.] *Eesti Ekspress*, 15 April 2020. Available at <https://ekspress.delfi.ee/artikkel/89543001/Covid-19-toi-kaasa-ka-ennenagematu-vandenouteooriate-uputuse>, accessed 30 June 2021.
- Kelland, K., 2020. Fake news makes disease outbreaks worse, study finds. *Reuters*, 14 February 2020. Available at <https://www.reuters.com/article/uk-health-fake-idINKBN208019>, accessed 7 October 2021.
- Laiapea, A., 2021. Andres Laiapea: Käes on maskide langemise aeg. [Andres Laiapea: It's time for masks to fall.] *Telegram*, 12 April 2021. Available at <https://www.telegram.ee/arvamus/andres-laiapea-kaes-on-maskide-langemise-aeg>, accessed 16 June 2021.
- Laine, M. & Raudsik, H., 2020. Vandenõuteoretikute hall kardinal: valeinfo superlevitaja Eestis on saksa kullamiljonär [The gray cardinal of conspiracy theorists: the German gold millionaire is the superdistributor of false information in Estonia]. *Eesti Ekspress*, 25 November 2011. Available at <https://ekspress.delfi.ee/artikkel/91732259/vandenouteoretikute-hall-kardinal-valeinfo-superlevitaja-eestis-on-saksa-kullamiljonar>, accessed 30 June 2021.
- Laine, M., Roonemaa, H. & Kund, O. 2020a. Plahvatuslikult kasvav Facebooki leht külvab lausvaledega koroonapaanikat [The explosively expanding Facebook page is sowing the corona panic through outright lies]. *Eesti Päevaleht*, 20 March 2020. Available at <https://epl.delfi.ee/artikkel/89297749/plahvatuslikult-kasvav-facebooki-leht-kulvab-lausvaledega-koroonapaanikat>, accessed 30 June 2021.
- Laine, Roonemaa, H. & Kund, O. 2020b. Tallinn lukku. Kuidas täielik jamps sai iga sammuga usutavust juurde [‘Tallinn will be locked down’. How complete nonsense gained credibility with each subsequent step]. *Eesti Päevaleht*, 18 March 2020. Available at <https://epl.delfi.ee/artikkel/89265401/>

- tallinn-lukku-kuidas-taielik-jamps-sai-iga-sammuga-usutavust-juurde, accessed 5 October 2021.
- Mäekivi, M., 2021. PERH-i ülemarst Talving langes töölt lahkudes füüsilise rünnaku ohvriks. [Talving, the chief physician of PERH, fell victim to a physical attack when he exited the hospital after work] *ERR*, 4 February 2021. Available at <https://www.err.ee/1608097171/perh-i-ulemarst-talving-langes-toolt-lahkudes-fuusilise-runnaku-ohvriks>, accessed 30 June 2021.
- Martinson, M., 2021. Merle Martinson: Parandame ise ära vastandumise lõhe Eesti ühiskonnas. Hakkame koos võimumängudele vastu! [Merle Martinson: Let us close the fissure of opposition in the Estonian society ourselves. Let us fight against the power games together]. *Telegram*, 7. June 2021. Available at <https://www.telegram.ee/arvamus/merle-martinson-parandame-ise-ara-vastandumise-lohe-eesi-uhiskonnas-hakkame-koos-voimumangudele-vastu>, accessed 13 June 2021.
- Meek, J. G., 2020. Terrorist groups spin COVID-19 as God's 'smallest soldier' attacking West. *ABC News*, 2 April 2020. Available at <https://abcnews.go.com/International/terrorist-groups-spin-covid-19-gods-smallest-soldier/story?id=69930563>, accessed 30 June 2021.
- Nael, M., 2021. Koroonapiirangute vastased avaldasid Toompeal meelt seaduse muutmise vastu [Opponents of the corona restrictions protested on Toompea against amending the law]. *ERR*, 1 April 2021. Available at <https://www.err.ee/1608162913/koroonapiirangute-vastased-avaldasid-toompeal-meelt-seaduse-muutmise-vastu>, accessed 30 June 2021.
- Olaru, G. & Ştefan, T., 2018. Fake news – a challenge for OSINT. International Conference RCIC'18: *Redefining Community in Intercultural Context*. Bucharest, 17–19 May 2018.
- Orleans, V., 2021. White Supremacists, QAnon: What Was Their Involvement in the Capitol Riots? And What Does This Mean for the Future? *CALIFORNIA STATE UNIVERSITY, FULLERTON*, 3 March 2021. Available at <http://news.fullerton.edu/2021/03/white-supremacy-qanon-and-the-capitol-riots/>, accessed 6 October 2021.
- Pool, J., Fatehi, F. & Akhlaghpour, S., 2021. Infodemic, Misinformation and Disinformation in Pandemics: Scientific Landscape and the Road Ahead for Public Health Informatics Research. *Studies in Health Technology and Informatics*, 281, pp. 764–768.
- Pasley, J., 2020. 17 cell phone towers in New Zealand have been vandalized since the lockdown, coinciding with a boom in 5G conspiracy theories. *Business Insider*, 19 May 2020. Available at <https://www.businessinsider.com/17-cell-towers-have-been-vandalized-in-new-zealand-since-lockdown-began-2020-5>, accessed 30 June 2021.
- Pieri, E., 2021. *Pandemics. The Basics*. London: Routledge.

- Powers, S. M., 2014. Conceptualizing radicalization in a market for loyalties. *Media, War & Conflict*, 7 (2), pp. 233–249.
- Proos, P., 2021. SKANDAALNE PALJASTUS Eesti haiglates hävitatakse koroonakriisi kattevarjus inimeste elusid [SCANDALOUS DISCLOSURE: In Estonian hospitals, people's lives are being ruined under the guise of the corona crisis]. *Vanglplaneet*, 10 February 2021. Available at <https://vanglplaneet.ee/blog/2021/02/10/skandaalne-paljastus-eesti-haiglates-havitatakse-koroonakriisi-kattevarjus-inimeste-elusid/>, accessed 30 June 2021.
- Quinn, B. & Campbell, D., 2021. Hospital incursions by Covid deniers putting lives at risk, say health leaders. *The Guardian*, 27 January 2021. Available at <https://www.theguardian.com/world/2021/jan/27/hospital-incursions-by-covid-deniers-putting-lives-at-risk-say-leaders>, accessed 30 June 2021.
- Raudsik, H. & Lind, M. A., 2021. Irja Lutsar langes vaktsiinivastaste lausrünnaku alla: arvatakse, et ma ei olegi inimene [Irja Lutsar fell under the attack of anti-vaxxers: it is believed that I am not a human being]. *Delfi*, 30 January 2021. Available at <https://www.delfi.ee/news/paevauudised/eesti/irja-lutsar-langes-vaktsiinivastaste-lausrunnaku-alla-arvatakse-et-ma-ei-olegi-inimene?id=92414813>, accessed 30 June 2021.
- Renz, B., 2016. Russia and 'hybrid warfare'. *Contemporary Politics*, 22 (3), pp. 283–300.
- Reuters, 2021. *Fact Check-List of claims about Bill Gates includes falsities*. 26 March 2021. Available at <https://www.reuters.com/article/factcheck-gates-list-idUSL1N2LO230>, accessed 30 June 2021.
- Romm, M., Braniff, W. & Barnett, K. 2021. *Violent Extremist Exploitation of COVID-19*. Available at https://start.umd.edu/pubs/START_COVIDFirstResponders_COVID19andCompoundingCrises_Oct2020.pdf, accessed 30 June 2021.
- Sageman, M., 2008. A Strategy for Fighting International Islamist Terrorists. *The Annals of the American Academy of Political and Social Science*, 618(1).
- Sam, C. H., 2019. Shaping Discourse Through Social Media: Using Foucauldian Discourse Analysis to Explore the Narratives That Influence Educational Policy. *American Behavioral Scientist*, 63(3), pp. 333–350.
- Sobak, K., 2020. *Telegram.ee lugejauuring: alternatiivmeedia väärtus ja uudisteajakirjanduse kriitika* [Telegram.ee Readership Survey: Value of Alternative Media and Criticism of News Media]. Master Thesis. Available at <http://dspace.ut.ee/handle/10062/67863?show=full&locale-attribute=et>, accessed 30 June 2021.
- Southern Poverty Law Center, sine anno. *SOVEREIGN CITIZENS MOVEMENT*. Available at <https://www.splcenter.org/fighting-hate/>

- extremist-files/ideology/sovereign-citizens-movement, accessed 6 October 2021.
- Telegram, 2021. Telegrami Podcast #50: maski- ja piirangutevaba tulevik (külas prof Irja Lutsar) [Telegram Podcast #50: A Future Without Masks and Restrictions (guest Prof. Irja Lutsar)]. *Telegram*, 8 June 2021. Available at <https://www.telegram.ee/eesti/telegrami-podcast-50-maski-ja-piirangutevaba-tulevik-kulas-prof-irja-lutsar>, accessed 13 June 2021.
- Telegram, 2021a. Saksa medõde haiglatöötajate meelsusest: õed ei toeta enam pimesi koroonameetmeid [German nurse on the attitudes of hospital staff: nurses no longer blindly support corona measures]. *Telegram*, 11 June 2021. Available at <https://www.telegram.ee/arvamus/saksa-medode-haiglatootajate-meelsusest-oed-ei-toeta-enam-pimesi-koroonameetmeid>, accessed 13 June 2021.
- Telegram, 2021b. “Viirus pääses lahti laborist” on libauudis! [“The virus got out of the lab” is fake news]. *Telegram*, 9 June 2021. Available at <https://www.telegram.ee/arvamus/viirus-paases-lahti-laborist-on-libauudis>, accessed 13 June 2021.
- Tõnumaa, H., 2020. Ajatu. Hando Tõnumaa: Kas EKRE on kõige kahepalgelisem erakond Eestis? [Timeless. Hando Tõnumaa: Is EKRE the most two-faced party in Estonia?] *Telegram*, 4 May 2020. Available at <https://www.telegram.ee/arvamus/hando-tonumaa-kas-ekre-on-koige-kahepalgelisem-erakond-eestis>, accessed 13 June 2021.
- Tõnumaa, H., 2021. Delfi tõeminister, seltsimees Kelomees ei saa aru Telegrami ajakirja mõttest [Delfi Minister of Truth, Comrade Kelomees does not understand the meaning of Telegram magazine]. *Telegram*, 31 May 2021. Available at <https://www.telegram.ee/arvamus/delfi-toeminister-seltsimees-kelomees-ei-saa-arutelegrami-ajakirja-mottest>, accessed 13 June 2021.
- Tõnumaa, H., 2021a. Sahinad! Valitsuse salajane plaan: kas Eesti läheb 12. märtsist taas lukku? [Susurrus! The government’s secret plan: Will Estonia be locked down again from March 12?] *Telegram*, 18 February 2021. Available at <https://www.telegram.ee/nwo/sahinad-valitsuse-salajane-plaan-kas-eesti-laheb-12-martsist-taas-lukku>, accessed 13 June 2021.
- Tõnumaa, H., 2021b. Lutsar lükkab endalt vastutuse ära? Peeglike, peeglike seinä peal, kes on kõige süütum koroonamaal? [Lutsar rejects responsibility? Mirror, mirror on the wall, who is the most innocent in the land of the corona?] *Telegram*, 28 May 2021. Available at <https://www.telegram.ee/arvamus/lutsar-lukkab-endalt-vastutuse-ara-peglike-peglike-seina-peal-kes-on-koige-suutum-koroonamaal>, accessed 14 June 2021.
- Tõnumaa, H., 2021c. Pimedus pärast vaktsineerimist? Kes võetakse selle kriminaalse jama eest vastutusele? [Blindness after vaccination? Who

- will be held accountable for this criminal crap?] *Telegram*, 25 May 2021. Available at <https://www.telegram.ee/arvamus/pimedus-parast-vaktsineerimist-kes-voetakse-selle-kriminaalse-jama-eest-vastutusele>, accessed 14 June 2021.
- Tõnumaa, H., 2021d. Irja Lutsar, Eesti majanduse hauakaevaja: teie peske käsi, meie peseme teie ajusid [Irja Lutsar, the grave digger of the Estonian economy: you wash your hands, we wash your brains]. *Telegram*, 26 April 2021. Available at <https://www.telegram.ee/eesti/irja-lutsar-eesti-majanduse-hauakaevaja-teie-peske-kasi-meie-peseme-teie-ajusid>, accessed 14 June 2021.
- Tõnumaa, H., 2021e. Video! Dr Borovskih: sundkorras maskide kandmine on terroriakt! [Video: Dr. Borovskih: being forced to wear masks is an act of terrorism]. *Telegram*, 19 December 2021. Available at <https://www.telegram.ee/arvamus/video-dr-borovskih-sundkorras-maskide-kandmine-on-terroriakt>, accessed 14 June 2021.
- Tõnumaa, H., 2021f. Koroonaterrorism ja diskrimineerimine: koroonat põdenud inimestel pole praktiliselt mingit võimalust välismaale reisida [Corona terrorism and discrimination: people who have had the corona have virtually no opportunity to travel abroad]. *Telegram*, 3 April 2021. Available at <https://www.telegram.ee/arvamus/koroonaterrorism-ja-diskrimineerimine-koroonat-podenud-inimestel-pole-praktiliselt-mingit-voimalust-valismaale-reisida>, accessed 14 June 2021.
- Uibu, M., 2016. Telegram.ee – konspirituaalsuse maaletooja. [Telegram.ee, the importer of spirituality]. *ERR.ee*, 6 August 2016. Available at <https://kultuur.err.ee/313228/telegram-ee-konspirituaalsuse-maaletooja>, accessed 30 June 2021.
- United Nations Department of Global Communications (UNDGC), 2020. *UN tackles 'infodemic' of misinformation and cybercrime in COVID-19 crisis*. Available at <https://www.un.org/en/un-coronavirus-communications-team/un-tackling-%E2%80%98infodemic%E2%80%99-misinformation-and-cybercrime-covid-19>, accessed 4 October 2021.
- United Nations Interregional Crime and Justice Research Institute (UNICRI), 2021. *Stop the Virus of Disinformation*. Available at https://issuu.com/unicri/docs/misuse_sm_web, accessed 30 June 2021.
- Vaara, E., 2015. Critical discourse analysis as methodology in strategy-as-practice research. In Golsorkhi, D., Rouleau L., Seidl, D., and Vaara, E. (eds.) *Cambridge Handbook of Strategy as Practice*. Cambridge: Cambridge University Press, pp. 491–505.
- Vesterinen, A., 2021. Andrei Vesterinen: Ebamugavad küsimused vajavad vastuseid [Andrei Vesterinen: uncomfortable questions need answers]. *Telegram*, 2 February 2021. Available at <https://www.telegram.ee/arvamus/>

andrei-vesterinen-ebamugavad-kusimused-vajavad-vastuseid, accessed 30 June 2021.

WHO, 2020. *Managing the COVID-19 infodemic: Promoting healthy behaviours and mitigating the harm from misinformation and disinformation. Joint statement by WHO, UN, UNICEF, UNDP, UNESCO, UNAIDS, ITU, UN Global Pulse, and IFRC.* Available at <https://www.who.int/news/item/23-09-2020-managing-the-covid-19-infodemic-promoting-healthy-behaviours-and-mitigating-the-harm-from-misinformation-and-disinformation>, accessed 5 October 2020.

Zadrozny, B. & Collins, B., 2018. How three conspiracy theorists took 'Q' and sparked Qanon. *NBC News*, 14 August 2018. Available at <https://www.nbcnews.com/tech/tech-news/how-three-conspiracy-theorists-took-q-sparked-qanon-n900531>, accessed 6 October 2021.



CHANGES IN POLICE CADETS' PHYSICAL ACTIVITY AND STRENGTH ABILITIES DURING COVID-19 RESTRICTIONS

Epp Jalakas, MA

Estonian Academy of Security Sciences

Head of sport-lecturer

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ABSTRACT

The COVID-19 situation changed police cadets' training process and prohibited their access to gyms during virus restrictions.

The Estonian Academy of Security Services (EASS) 161 police cadets' strength tests results in January 2021 with self-evaluated physical activity (PA) levels were examined. 1st course students' strength tests (front lat pulldowns (PD) with 75% of body weight (BW), bench press (BP) with 50% of BW and leg press (LP) with 200% of BW) average repetitions were in the lowest level at the beginning of studies in September 2020 (male cadets: PD=14 (St. D 7.6); BP=20 (St. D 6.6); LP=18 (St. D 8.5), female cadets: PD=3 (St. D 3.4), BP= 6 (St. D 6.7), LP=13 (St. D 7.7)) in comparison with 2nd and 3rd course cadets in 2020 and the same sample in 2021. Average results increased in all 1st course strength tests by January 2021 while some older courses results, especially among male cadets, had declined.

Altogether from 2 questionnaires, (47 and 50 participants) 48-70% of police cadets reported decreases in PA during COVID-19 restriction periods, 44-46% experienced the negative influence of restrictions on their mental health or stress level. The decline in self-esteem from reduced strength capabilities was higher than it was according to physical tests results. 61% of cadets improved their strength tests scores despite fewer opportunities to exercise.

Regular PA is necessary to improve physical and mental health, thus the knowledge on how influential the restrictions were on police cadets' preparation and their strength abilities can be used in future recommendations. Abbreviations are listed at the end of article.

INTRODUCTION

The policing profession can be very physically demanding and there are different tests in place to measure a police officer's (hereafter PO) physical abilities (Lonsway, 2003). Since psychologically stressful moments are inherent in a PO's duties, a large amount of physical preparation is recommended to be included in the curriculum of police cadets to reduce mental health problems (Goodwin, 2003) in addition to serving as motivation for extra PA. As the physical fitness of middle-aged POs seems to be predicted strongly by PA level in early adulthood (Sørensen, et al 2000) and this level may drop after some years of PO work (Lagestad, et al 2014b), regular exercise for building stronger bodies during police training is essential.

The COVID-19 crisis increased the need for frontline workers. The Estonian Police and Border Guard Board called upon the Estonian Academy of Security Sciences (EASS) police cadets, who had to cope with stress in disaster risk mitigation supportive tasks instead of continuing with their regular studies and training during the State of Emergency (SOE). These changes could affect their habits, including PA level.

Surveys have been conducted in many countries about changes in lifestyle during COVID-19. Decrease in leisure time, sport and exercise was found for example in Germany, where 31% of respondents reduced their PA at the beginning of the pandemic and the most important factor for reduced PA was the lockdown of sports infrastructure (Mutz and Gerke, 2021). Decrease in PA during COVID-19 restrictions was also mentioned in Middle East and North Africa (Abouzid, et al. 2021) and the U.S. (Duncan, et al. 2020), but a slight PA increase, especially in bodyweight exercises, was found in Italy (Di Renzo, et al. 2020) and maintenance or increase in PA during the lockdown period was reported in the UK (Spence, et al. 2021).

Police cadets' physical capabilities vary individually, and some studies show that these abilities improve constantly during the years in police academy (Cvorovic, Maamari, 2017), whereas other studies show that

cadets' physical abilities improved during the semester and worsened during the semester breaks (Kukić, F. et al., 2019). There has been a tendency to prioritise maximum strength training among police cadets (Lagestad, et al 2014a) and studies show a high correlation between PA and performance during physical tests (Jalakas, Järvelaid 2005).

The focus of this article is on future PO's regular PA and strength abilities during COVID-19 restrictions to monitor gym equipment-based tests results. In addition to periodical police work, the COVID-19 pandemic caused long periods of distance learning and restrictions in the use of sports facilities. Thus, police cadets had insufficient accessibility to gyms which may have consequently affected their PA and reduced strength capabilities. The decline of entrance tests and first months' physical abilities test averages in EASS in past years (Ülevaade... 2021) require more precise monitoring of their PA and physical abilities.

This survey was conducted to identify police cadets PA during COVID-19 restrictions period and their physical abilities after training restrictions.

1. METHODOLOGY AND DATA

To see if there were changes in police cadets' PA during COVID-19 related restrictions' periods, and how the changed situation influenced their strength capabilities, the empirical data of the survey is based on 3 methods.

First, a comparison of changes in Police and Border Guard College higher education studies cadets' regular strength tests scores during the COVID-19 period with cadet's strength test score changes before COVID-19.

Second, focus group interviews (Krueger, Casey 2009) held during January 2021, when all sports clubs and gyms were closed in 2 districts of Estonia. These interviews were held in groups of 8-13 persons, and notes were taken to register every person's answers.

Third, anonymous voluntary questionnaires among police cadets during the state of emergency (SOE) in May 2020 and during restrictions in April 2021.

Regular strength testing with gym equipment is included in the EASS police cadets' curriculum at least once a semester, and the tests for male and female cadets are: lat front pulldown with 75% of the participant's BW, bench press with 50% of BW and leg press with 200% of BW (the physical tests complex also contains sit-ups during 2 min and 3000 m run, but these tests results were not recorded in January 2021). Before testing, cadets' bodyweights were measured by the body composition monitor Tanita UM-072, after which weights for tests were calculated for each participant.

Male cadets' maximum points level in each strength test was 25 repetitions, except leg press for the 3rd course, where the maximum points level was 30 repetitions. Female cadets' maximum points level was 20 repetitions in every test.

The test results of January 2021 were compared with previous strength tests results of the same cadet. In some calculations the participants who

got maximum points from all previous strength tests were not included because it was not possible to determine that their effort level was maximal in those tests.

EASS buildings including sports facilities were closed prior to the strength tests and interviews.

Strength tests were followed by focus group interviews. The interviewer explained that answering was voluntary and neither this nor the next exams' results would be influenced by cadets' answers which were collected to better understand how cadets kept up their PA levels during the restrictions' period.

A total of 161 cadets participated in physical tests and the focus group interviews, which was 90.7% of the total number of cadets in the January 2021 study. Participants were 69 female police cadets and 92 male police cadets, whose average age was 21.6 years (St. D 2.6). Anthropometric data (Table 1) shows that average BMI varied slightly.

Table 1. Anthropometric data of male (M) and female (F) police cadets in January 2021.

	Average bodymass (kg), (St. D)	Average height (cm), (St. D)	Average BMI (kg/m ²), (St. D)
1st course M (n=29)	86.8 (12.2)	183.9 (6.5)	25.7 (4.0)
2nd course M (n=33)	84.0 (12.3)	183.8 (6.7)	24.8 (3.2)
3rd course M (n=30)	86.0 (13.4)	182.3 (7.1)	25.9 (3.8)
1st course F (n=22)	63.0 (9.0)	168.9 (7.1)	22.1 (2.6)
2nd course F (n=33)	64.8 (8.8)	166.6 (6.5)	22.0 (5.0)
3rd course F (n=14)	66.2 (8.7)	168.4 (3.9)	23.3 (2.9)

The police cadets regular physical test results of 2018 and 2019 (before COVID-19) were used as the control group.

Table 2. Before COVID-19 measured and tested control groups' anthropometric data during 1st test.

	Average bodymass (kg), (St. D)	Average height (cm), (St. D)	Average BMI (kg/m ²), (St. D)
M group 2018 (n=21)	80.0 (11.3)	181.9 (7.8)	24.2 (3.1)
M group 2019 (n=34)	84.0 (12.2)	183.6 (6.6)	24.9 (3.1)
F group 2018 (n=13)	61.8 (6.0)	168.0 (3.9)	21.9 (1.8)
F group 2019 (n=34)	64.8 (8.6)	166.6 (6.5)	22.7 (4.9)

Police cadet's answers from anonymous voluntary electronical questionnaires in LimeSurvey from May 2020 (n=47) and April 2021 (n=50) were used to collect information about their PA and self-esteem evaluation in regard to their strength abilities and mental health during these periods.

Answers and tests' results were analysed with the help of IBM SPSS Statistics 20 program. The Pearson correlation and T-test were used as statistical methods.

2. RESULTS

2.1. POLICE CADETS' STRENGTH ABILITIES AT THE END OF FALL SEMESTER IN JANUARY 2021

Based on the answers of 47 of EASS police cadets during SOE in May 2020, when all sports clubs and EASS sports facilities were closed and it was only possible to exercise at home or outside, 43% maintained their PA frequency, 38% were more active before the SOE situation and 19% augmented PA frequency during SOE. These results show that preparation for physical tests at the beginning of the COVID-19 period was interrupted.

During fall semester 2021, Police and Border Guard College cadets and lecturers had to repeatedly self-isolate which necessitated distance learning and frequent postponement of some practical activities. In addition, distance learning for weeks or months was common for all universities during the fall semester. The exact figure of distance learning and isolation days was not counted since they varied greatly with contact courses.

Physical tests were conducted for all higher education studies police cadets in the middle of January 2021, immediately after the academy was closed for winter break and because of virus spread. Moreover, all gyms were closed in Harju and Viru districts which complicated the preparation for the tests.

For 1st and 2nd course participants, the tests graded their abilities in the middle of the physical education course; for the 3rd course the test was final in their curricula and grades were given according to tests results.

Table 3. Strength exercises average repetitions and St. D of male and female police cadets in January 2021 and during previous tests in 2020.

	2020 PD (75% of BW)	2021 PD (75% of BW)	2020 BP (50% of BW)	2021 BP (50% of BW)	2020 LP (200% of BW)	2021 LP (200% of BW)
1st course M (n=29)	14 (7.6)	18 (7.2)	20 (6.6)	23 (6.6)	18 (8.5)	20 (7.5)
2nd course M (n=33)	21 (7.6)	20 (6.3)	25 (6.7)	25 (6.8)	21 (5.8)	23 (3.9)
3rd course M (n=30)	21 (5.9)	20 (6.5)	26 (9.4)	25 (7.1)	28 (4.7)	27 (6.1)
1st course F (n=22)	3 (3.4)	6 (5.2)	6 (6.7)	10 (7.6)	13 (7.7)	19 (2.6)
2nd course F (n=33)	8 (3.4)	10 (5.1)	12 (5.2)	12 (5.6)	15 (6.6)	18 (4.2)
3rd course F (n=14)	14 (5.7)	13 (5.4)	14 (6.5)	15 (5.1)	20 (0.0)	20 (0.5)

Police cadets' strength tests results after restrictions period compared to previous tests results are shown in Table 3.

To compare the strength improvement in normal situations, the first semester results of 2nd and 3rd course cadets were examined and used as the control group (Table 4).

Before the COVID-19 period, the groups' average repetitions increased in 83%, maintained in 8% and decreased in 8% of cases. During the COVID-19 period the groups' average repetitions increased in 55% of cases, maintained in 17% and decreased in 28% of cases.

Table 4. Control groups’ male and female cadets’ strength tests average repetitions (and St. D) during first semester of pre-COVID-19 period.

	1st test PD (75% of BW)	2nd test PD (75% of BW)	1st test BP (50% of BW)	2nd test BP (50% of BW)	1st test LP (200% of BW)	2nd test LP (200% of BW)
M group 2018 (n=21)	17 (6.9)	20 (5.3)	23 (9.4)	28 (11.1)	17 (9.9)	22 (9.0)
M group 2019 (n=34)	16 (6.1)	18 (5.8)	22 (5.6)	24 (5.4)	17 (7.9)	22 (5.8)
F group 2018 (n=13)	7 (5.1)	6 (4.8)	7 (5.8)	9 (6.8)	15 (7.2)	15 (7.4)
F group 2019 (n=34)	2 (2.2)	7 (4.8)	4 (4.3)	9 (5.0)	13 (8.2)	19 (3.4)

Three tests’ repetitions were summarised and the change in average repetitions of strength tests’ sum was examined by T-test, with a significant difference ($p < 0.05$) found between the September and January average score changes of men (Mean=1.9; St. D 5.4) and women (Mean=3.9, St. D 6.7).

There was a significant difference between 1st course men 3 tests’ repetitions average in 2020 (52.3 repetitions) and 3rd course same result (74.6; $p < 0.001$), as well as between 1st and 2nd course men’s results (52.3 vs 67.2; $p < 0.005$). Significant differences maintained between 1st and 3rd course men’s 3 tests’ repetitions in January 2021 (60.4 vs 73.3; $p < 0.005$).

The male and female control groups’ test repetitions didn’t differ significantly between groups, but the repetitions difference from the 1st to 2nd test across the whole sample was significant for both sexes ($p < 0.001$).

To specify how strong the influence of temporary restrictions was on the strength capabilities of police cadets, January strength tests results in total repetitions were compared to previous tests scores. 1st and 3rd year cadets performed previous tests in September 2020 and 2nd year cadets in June 2020.

The majority (85%) of first year cadets raised their score of strength tests repetitions in January compared to September, 10% had fewer repetitions, while others maintained the previous level.

Second course scores had increased in 51% of cases and decreased in 39% of them. Among final year students, the percentage of score improvement was 43% and decline was 34%. In total, 67% of female and 54% of male cadets improved the gym-based physical tests results despite all obstacles.

A total of 61% of the whole sample and 69% of those who failed to obtain maximum points in 2020 tests improved their strength tests scores in January 2021. The strength tests scores decreased for 28% of all higher education police cadets compared to previous tests.

Repetitions from 3 exercises to achieve maximum points were 75 for most male (80 for male cadets of the 3rd course in January 2021) and 60 for female cadets. Cadets were encouraged to achieve their maximum repetitions, but some didn't perform more repetitions than needed for maximum points, with the explanation that they had to reserve strength for the following exercises. Test results in 3 tests' repetitions sums during the COVID-19 period are shown in Figure 1. Some female participants didn't achieve any repetitions in strength tests.

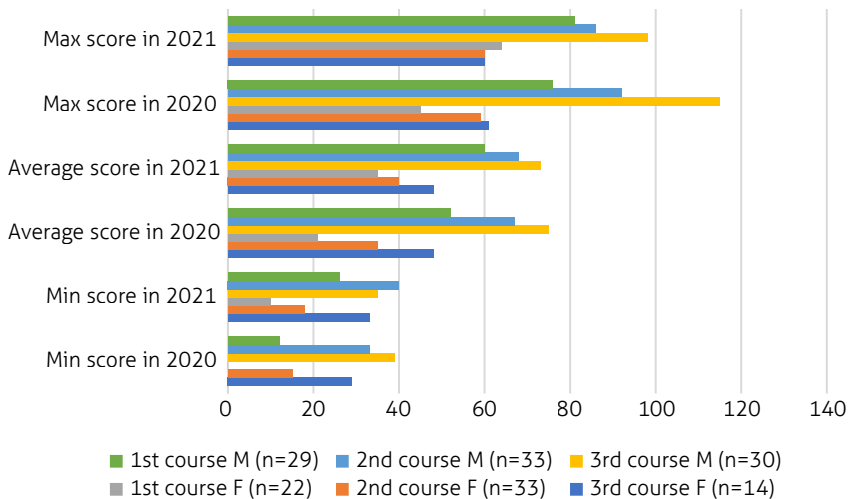


Figure 1. Strength tests' min, average and max scores in points during COVID-19 restrictions

To compare the results changes pre-COVID-19 and during, control groups' minimum, average and maximum results are presented at Figure 2.

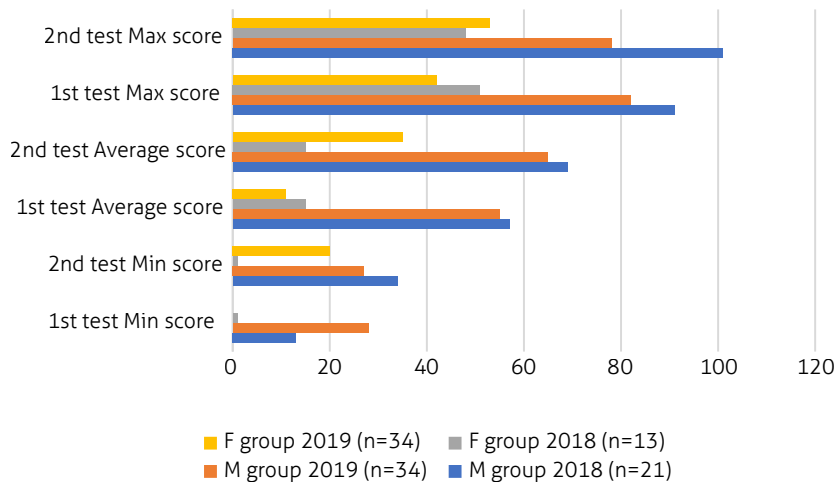


Figure 2. Strength tests' min, average and max scores before COVID-19 restrictions

The connections between upper body strength remained stronger while the upper and lower body strength correlations tended to decrease in 2021 compared to 2020 physical tests results (Table 5).

Table 5. Police cadets' strength tests correlations

	BP for same sex and year	LP for same sex and year
PD 2020 M	0.72**	0.46**
PD 2021 M	0.78**	0.26*
PD 2020 F	0.75**	0.33**
PD 2021 F	0.70**	0.26*

** p<0,01, * p<0,05

2.2. POLICE CADETS' PA ACCORDING TO FOCUS GROUP INTERVIEWS AT THE END OF FALL SEMESTER IN JANUARY 2021

Focus group interviews results showed that average exercise hours were 4.5 for male and 4.7 for female cadets. PA was reduced before physical abilities tests among 64% of first year female and 72% of male cadets; 67% of second year female and 73% of male cadets, 79% of third year female and 67% male cadets. Only a few cadets (5%) reported that they exercised more during restrictions than before.

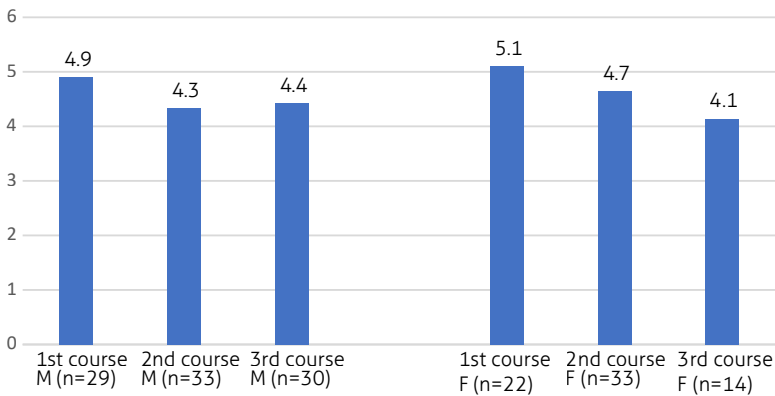


Figure 3. Police cadets' PA average hours per week in January 2021

The mean values of 1st course male and female police cadets exceeded 2nd and 3rd course means in PA repetitiveness and volume, but no significant differences were found according to the T-test.

Cadets attributed the decrease in PA to closed gyms and sports clubs, lack of strength training equipment, too cold a temperature to train outside and low motivation during distance learning and school-break. Even some usually very active athletes (members of the academy's team) reported zero training hours during previous weeks before tests. Altogether, 16% of police cadets didn't exercise at all for the 2-3 weeks before physical tests, 60% exercised at least 3 times and 19% 5 or more times per week, 68% had at least 3 hours of PA per week.

According to the focus group interviews, 30% maintained or augmented their PA level during restrictions but even 70% recognised the loss of regular PA hours.

61% of those 112 police cadets (47 women and 65 men) who compiled less PA before tests because of restrictions increased their strength test scores compared to previous tests. The average training hours per week was 3.7 for those who reported a decrease of PA but still improved their tests results versus a 2.6 hours average for those whose PA level was reduced and who didn't manage to improve their test score. 94% of cadets, who reported that their training was not limited by any obstacles, usually exercised 5 hours or more per week, the average PA hours per week for that group was 7.6. In all samples, the average PA hours per week exceeded 1 hour for 83% and 5 hours for 47% of cadets.

There was no correlation found between January 2021 tests score and PA decrease or maintenance and augmentation for the restrictions period. More impact to tests results gave self-reported PA level.

Pearson correlation coefficient between tests scores and changes in PA level before tests was not significantly important across the whole sample. Correlation between tests scores and course was 0.43 in 2020 and 0.30 in January 2021 and between difference of tests scores and course -0.44 ($p < 0.01$), which indicates that first course cadets have relatively poor results in tests compared to cadets at the 3rd course, but first course results increased more compared to previous tests.

When eliminating those who got maximum points in every strength test in 2020 and comparing the remaining 66 female and 63 male cadets, the correlations between change in PA and PA hours during restrictions was 0.40 for men and 0.38 for women, which means that those who reported maintenance or augmentation of PA tended to train more hours per week.

The results of pulldowns were statistically associated to PA hours more during restrictions among male cadets ($r = 0.43$, $p < 0.01$) than female ($r = 0.34$, $p < 0.01$), in that group and the results of bench press more among female ($r = 0.42$, $p < 0.01$) than male ($r = 0.28$, $p < 0.05$). The leg press results had no correlation with reported PA hours.

2.3. POLICE CADETS' PA AND HEALTH ACCORDING TO ANONYMOUS QUESTIONNAIRES DURING SOE IN 2020 AND RESTRICTIONS PERIOD IN APRIL 2021

Police cadets answered two anonymous voluntary electronic questionnaires made in LimeSurvey – the first during state of emergency (SOE) in May 2020 (n=47), when all sports clubs and EASS sports facilities were closed and it was only possible to exercise at home or outside, and the second during the restrictions period in April 2021 (n=50), when most of the EASS cadets were on distance learning and they came to the academy only for practical exams and tests and while it was possible to use facilities during that period, it was limited to 10 attendees. Cadets who worked partially as POs had access to police stations gyms.

As the percentage of responses was approximately 13% of all EASS police cadets in both surveys, the results are not very representative, but as this was the only possibility to get more personal information about both physical and mental health during COVID-19 the data were still analysed.

Table 6. Police cadets' PA before and during SOE and during restrictions

	Before SOE	During SOE	During April 2021 restrictions
Exercised at least twice a week	96%	93%	98%
Exercised every day or almost every day	68%	57%	46%
Exercised (sweating and breathing intensively) at least 1 hr per week	81%	75%	88%
Exercised (sweating and breathing intensively) at least 3 hrs per week	70%	60%	66%
Exercised (sweating and breathing intensively) at least 5 hrs per week	53%	32%	36%

During April 2021, 80% of police cadets exercised 3 or more times per week, the other data are shown in Table 6.

Most prevalent sports disciplines among EASS police cadets' who answered anonymous questionnaires were running (82% (2020), 78% (2021)) and strength training (62% (2020), 68% (2021)).

The most frequently mentioned moving activities during SOE in 2020 and restrictions in 2021 were running and walking near home (77% (2020), 78% (2021)). During SOE, it was impossible to train in public gyms, but in 2021 EASS gym and police stations, gyms were open and the second most popular PA among police cadets was exercising in gyms (58%).

Cadets responded that the best help from EASS for their mental and physical health were movement campaigns, physical education, self-defense, shooting and swimming classes, lectures about mental health, common training and competitions.

44% of police cadets mentioned that restrictions had a rather negative impact to their mental health. The prevalent affecting factors according to survey were lack of socialising, closed gyms and distance learning. The stress level had not increased during the restriction period for 64% of respondents.

34% of police cadets had maintained endurance abilities and 30% strength capabilities in April 2021, 18% answered that their endurance and 22% that their strength increased during the restriction period, thus the strength and endurance decrease was reported in 48% of answers. 29 police cadets from this survey had possibility to use gym, but strength decrease was still reported by 28% of them.

3. DISCUSSION

Isolation alters PA behaviours in a health compromising fashion (Ammar, et al 2020). Regarding the EASS survey, 40% of police cadets maintained the previous intensive PA hours level during SOE lockdown, 43% reduced and 17% augmented their intensive PA hours. In January 2021, while gyms in EASS were closed and there were local restrictions and suggestions to avoid contacts and training indoors, PA level decreased for 70% of cadets and only 5% were motivated to increase PA compared to the non-isolation period before strength tests.

The difference in those percentages can be influenced by the fact that a voluntary questionnaire might be preferable to those who were more interested in sport and less active cadets didn't share their data in it. To get more accurate information, the questionnaires should involve fewer active cadets' responses. Although the motivation to regularly exercise could decrease during a break in the academic year like Kukić, et al (2019) found in their study.

47% respondents in May 2020 and 48% respondents in April 2021 answered that their strength abilities decreased during restrictions period. According to the January 2021 strength tests results, total score had decreased for 29% of higher education police cadets compared to 2020 previous strength test scores, which is not as a high percentage than in the questionnaires. The evaluation of strength is wider and with described tests only some strength indicators were controlled, so the decrease of strength abilities among a bigger percentage of cadets might be possible.

The significant difference between 1st course 2 tests total average scores in the female group, which was tested before COVID-19, and the group which started in fall 2020 might be explained by lower physical entrance test demands for female candidates in 2020 compared to previous years.

Female cadets recorded lower repetitions' scores from strength tests than male cadets, but their results improvement was significantly higher. The tests results were correlated with less importance between upper body

and lower body tests. PA level before January tests was correlated with bench press and pulldowns tests results but didn't affect leg press results.

The average physical tests results were lowest among first course cadets, but they also had the highest average PA hours and the largest increase in strength tests scores. Despite the restrictions of COVID-19 during study and training processes, there was a noticeable improvement in 61% of police cadets strength abilities in January 2021 compared to previous tests results. The control group tests results before the COVID-19 period augmented more often than in groups during virus restrictions.

The change in PA forms was noted – during April 2021 over half of the respondents trained in the gym, which was impossible during the 2020 lockdown. Small increases in training with own body exercises and a decrease in riding a bike, as the most popular PA remained running and walking near home during both surveys.

The number of respondents who felt increased stress levels during restrictions was higher in spring 2021 vs SOE in 2020. Nevertheless, more than half of police cadets didn't feel restrictions' influence on their mental health.

A study of the German population during the COVID-19 pandemic demonstrated a significant decline of emotional well-being compared to the period before the pandemic for those individuals who either stopped or considerably reduced their sport and exercise activities during the pandemic (Mutz, 2021). Large observational studies suggest that exercise can reduce the risk of all cause and disease-specific mortality, which has been found to be significantly higher in the sedentary COVID-19 patients' group (Salgado-Aranda, et al 2021). Thus, regular PA of adequate intensity is essential to keep boosting the immune system which has been found to be especially important during the COVID-19 period (Khoramipour et al, 2021, da Silveira, et al 2021).

According to the Government Office of Estonia report, 45% of Estonian residents felt increased stress levels in May 2020 than before COVID-19 period (Makarova, 2020). In ensuing questionnaires, stress level was reported and in April 2021, 29% of Estonian 1252 respondents felt high or vey high stress and 48% smaller stress or pressure, 28% had suffered from

mood disorder and 24% from anxiety disorder, 45% reported signs of mental exhaustion. Stress level was higher among younger adults (Turuuringute AS, 2021). EASS surveys were not too specific regarding mental health but the percentage of police cadets who reported higher stress levels and disrupted mental health because of COVID-19 restrictions was broadly similar to the Estonian average.

Police cadets' PA per week was at least 3 hours for 60-66% of respondents in different surveys during the COVID-19 period. Cadets who answered that they had no obstacles to keep PA regularly to the same degree as they had previously in January 2021 exercised mainly 5 or more hours per week during restrictions which is good level to maintain or improve the health according to WHO suggestions (WHO Guidelines...2020). The average of PA hours per week in January 2021 was 4.5 for male and 4.7 for female police cadets, which is a good result in the context of self-reported PA decrease for 70% of them.

SUMMARY

Based on statistical analyses of EASS police cadets' strength tests results it was found that cadets' average strength capabilities were mostly improved during the fall semester of the COVID-19 period in 2020-2021. Female cadets collected lower repetition scores from strength tests than male cadets, but their result improvement during the fall semester was significantly higher.

The average 3 gym-based strength tests repetitions was significantly higher at the end of the fall semester compared to previous tests results for both male and female cadets, despite the matter that according to focus group interviews, PA level decreased for 70% of cadets in a short period before the second test. PA level before the January 2021 tests was correlated with bench press and pulldowns test results.

Before the pandemic, the groups' average repetitions increased in more cases than during the COVID-19 period, furthermore, the strength tests scores decreased in 28% of cases during the COVID-19 period compared to a 8% decrease in pre-COVID-19 cases, thus the PA and the improvement of strength capabilities was disturbed by COVID-19 influences.

The self-reported PA average levels during restrictions (M 4.5 and F 4.7 hours per week) support improvement of physical abilities, but more attention needs to be given to the tendency of loss PA hours during restrictions period compared to pre-COVID-19 period for those who tended to exercise very often, which emerged from the questionnaires.

Future studies need to be carried out for improved explanations of the PA suggested level in POs preparation and maintenance of health throughout a career.

LIMITATIONS

The weakness of this study was the low interest of police cadets to answer voluntary and anonymous questionnaires during SOE when they worked frontline and during restrictions period in April 2021. Another weakness was usage of annual tests as evaluation of cadets' strength capabilities because there was a standardisation of marks and the motivation to achieve more repetitions than necessary for maximum points was low, so it caused the elimination of those who got maximum results in 2020 tests and focus only on those who didn't get maximum repetitions during their previous tests to chase the changes in results.

The participants in described 3 surveys were partially the same, but personal changes in PA, strength capabilities and mental health were not traceable.

Contact:

Epp Jalakas, MA

Estonian Academy of Security Sciences

E-mail: epp.jalakas@sisekaitse.ee

ABBREVIATIONS

BMI – body mass index, the body mass divided by the square of the body height (kg/m^2)

BP – bench press – exercise where participant lies with back on bench, feet on floor, grips the bar with hands as wide that at the bottom of move hands are directly above the elbows; the bar has to be lowered slowly down to the chest and then pressed up to the starting position.

BW – body weight

F - female

LP – leg press – exercise on machine in sitting position, feet hip to shoulder width apart on the platform; participant lowers the platform until knees are at 90° and extends knees and hips to press the platform until legs are straight, but not locked out.

M - male

PA – physical activity

PD – front lat pulldown – exercise on machine in sitting position, knees under stabilization pads; participant needs to hold from overhead bar with arms, elbows fully extended and pull the bar down in the front of the head until it reaches under chin, the torso is maintained at a 70- to 90-degree angle with the vertical and remains motionless throughout the entire bar movement

PO – police officer

SOE – state of emergency


St. D – standard deviation

REFERENCES AND SOURCES

- Abouزيد, M. et al. (2021) 'Influence of COVID-19 on lifestyle behaviors in the Middle East and North Africa Region: a survey of 5896 individuals', *Journal of Translational Medicine*, 19(1), pp. 1–11. doi: 10.1186/s12967-021-02767-9.
- Ammar A., et al. (2020) 'On Behalf of the ECLB-COVID19 Consortium. Effects of COVID-19 Home Confinement on Eating Behaviour and Physical Activity: Results of the ECLB-COVID19 International Online Survey' *Nutrients* 12(6):1583. <https://doi.org/10.3390/nu12061583>
- Cvorovic, A, et al (2017). 'Differences in key performance indicators between police college cadets in different semesters of their education', *International Scientific Conference "Archibald ...," Thematic Conference Proceedings of International Significance. TOM III, Vol 3* file:///C:/Users/47002165213/Downloads/DIFFERENCES_IN_KEY_PERFORMANCE_INDICATORS_BETWEEN_.pdf
- da Silveira, M. P. et al. (2021) 'Physical exercise as a tool to help the immune system against COVID-19: an integrative review of the current literature', *Clinical & Experimental Medicine*, 21(1), pp. 15–28. doi: 10.1007/s10238-020-00650-3.
- Di Renzo, L. et al. (2020) 'Eating habits and lifestyle changes during COVID-19 lockdown: an Italian survey', *Journal of Translational Medicine*, 18(1), pp. 1–15. doi: 10.1186/s12967-020-02399-5.
- Duncan, G. E. et al. (2020) 'Perceived change in physical activity levels and mental health during COVID-19: Findings among adult twin pairs', *PLoS ONE*, 15(8), pp. 1–11. doi: 10.1371/journal.pone.0237695.
- Goodwin, R. D. (2003) 'Association between physical activity and mental disorders among adults in the United States', *Preventive Medicine*, 36(6), p. 698. doi: 10.1016/S0091-7435(03)00042-2.
- Jalakas, E., Järvelaid, M. (2005) 'Relationship between Practicing Sports and Performing Physical Tests at the Estonian Public Service Academy', *Papers on Anthropology*, 14, pp. 112–116. Available at: <http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,cookie,url,uid&db=a9h&AN=18569394&site=ehost-live> (Accessed: 22 May 2021).
- Khoramipour, K. et al. (2021) 'Physical activity and nutrition guidelines to help with the fight against COVID-19', *Journal of Sports Sciences*, 39:1, 101-107, DOI: 10.1080/02640414.2020.1807089
- Krueger, R.A., Casey, M. A. (2009). *Focus Groups. A Practical Guide for Applied Research*. Newbury Park: Sage.

- Kukić, F. et al. (2019) 'Effects of Training and a Semester Break on Physical Fitness of Police Trainees', *Kinesiology*, 51(2), pp. 161–169. doi:10.26582/k.51.2.2.
- Lagestad, P., et al (2014a) 'Comparison of Training and Physical Performance of Police Students at the Start and the End of Three-Year Police Education', *Journal of Strength and Conditioning Research*. Volume 28 - Issue 5 - p 1394-1400 doi: 10.1519/JSC.0000000000000273
- Lagestad, P., et al (2014b) 'Longitudinal Changes in the Physical Activity Patterns of Police Officers', *International Journal of Police Science & Management*, 16(1), pp. 76–86. doi: 10.1350/ijps.2014.16.1.329
- Lonsway, K. A. (2003) 'Tearing Down the Wall: Problems with Consistency, Validity, and Adverse Impact of Physical Agility Testing in Police Selection', *Police Quarterly*, 6(3), p. 237. doi: 10.1177/1098611103254314.
- Makarova, M. (2020) 'COVID-19 teemaline küsitlus 9. voor (12.-13.05.2020) üldraport' file:///C:/Users/47002165213/Downloads/2020.05_covid19_9.%20kysitlus_yldraport.pdf
- Mutz, M. (2021) 'Forced adaptations of sporting behaviours during the Covid-19 pandemic and their effects on subjective well-being', *European Societies*, 23, pp. S184–S198. doi: 10.1080/14616696.2020.1821077.
- Mutz, M., Gerke, M. (2021) 'Sport and exercise in times of self-quarantine: How Germans changed their behaviour at the beginning of the Covid-19 pandemic', *International Review for the Sociology of Sport*, 56(3), pp. 305–316. doi: 10.1177/1012690220934335.
- Salgado-Aranda, R. et al. (2021) 'Influence of Baseline Physical Activity as a Modifying Factor on COVID-19 Mortality: A Single-Center, Retrospective Study', *Infectious Diseases & Therapy*, 10(2), pp. 801–814. doi: 10.1007/s40121-021-00418-6.
- Spence, J. C. et al. (2021) 'Determinants of physical activity among adults in the United Kingdom during the COVID-19 pandemic: The DUK-COVID study', *British Journal of Health Psychology*, 26(2), pp. 588–605. doi: 10.1111/bjhp.12497.
- Sörensen, L., et al. (2000) 'Physical Activity, Fitness and Body Composition of Finnish Police Officers: A 15-year Follow-up Study', *Occupational Medicine*, Volume 50, Issue 1, pp 3–10, <https://doi.org/10.1093/occmed/50.1.3>
- Turu-uuringute AS (2021) 'COVID-19 teemaline küsitlus 28. küsitluslaine Küsitlus 15a. ja vanema elanikkonna seas 21.-26. aprill 2021' file:///C:/Users/47002165213/Downloads/2021.04_covid19_28.%20kysitlus_yldraport.pdf
- World Health Organization (2020) 'Guidelines on physical activity and sedentary behaviour' Geneva: World Health Organization

„Ülevaade „Eesti spordipoliitika põhialuste aastani 2030“ elluviimisest 2020. aastal“ (2021) Kultuuriministeerium. Tallinn p. 22-24
<https://www.spordiregister.ee/aruanne/>



EXPECTATIONS OF THE
INSPECTORS OF TALLINN
MUNICIPAL POLICE
DEPARTMENT TO INCREASE
THEIR RIGHTS IN PERFORMING
STATE SUPERVISION

Ülle Vanaisak, MA

Estonian Academy of Security Sciences

Police and Border Guard College

Senior Lecturer

Keywords: state supervision, specific measure, direct coercion, self-defence,
municipal law enforcement official

ABSTRACT

The Ministry of the Interior has twice proposed to amend the laws that allow city and rural municipality (local government) law enforcement officials to apply additional measures and use direct coercion. The aim of the study was to specify what state supervision measures and means of direct coercion are necessary for law enforcement officials of the Tallinn Municipal Police Department (hereinafter referred to as MUPO). That is also the case in a health crisis, during which police assistance cannot always be relied upon. Officials from different MUPO services were surveyed, and the heads of their departments were interviewed. The analysis of the surveys showed that MUPO inspectors have the capabilities and motivation to contribute more effectively to the protection of public order in the most populous city in Estonia. What became evident was the expectation of amending the laws, both with the need to add specific measures to the Law Enforcement Act, the Liquid Fuel Act, the Public Transport Act, and the Traffic Act and, if necessary, by granting the right to use direct coercion to local government law enforcement officials. The right of self-defence of local government law enforcement officials needs to be regulated.

INTRODUCTION

Law enforcement officials of city and rural municipality governments (hereinafter referred to as *local governments*) have the right to exercise state supervision pursuant to 19 specific laws, but the legislator has not provided them with sufficient opportunities and resources to perform their work. There are inconsistencies in the laws regarding the furnishing of the task of state supervision, an exhaustive list of specific measures of state supervision has not always been provided for the performance of tasks, and the use of direct coercion is not permitted (Vanaisak, 2018). The Ministry of the Interior has prepared motions to amend the laws to solve the problem, but they have not been implemented so far (Anvelt, 2014). In the opinion of the author, the problem was exacerbated during the COVID crisis because the police, who have a legal obligation to provide professional assistance to other law enforcement agencies in enforcing administrative acts if the enforcement consists of direct coercion (Law Enforcement Act of 2011 (hereinafter referred to as *the KorS*)), cannot always provide it to other law enforcement agencies due to the increased workload. Moreover, the right to self-defence of local government law enforcement officials remains unregulated, which should be similar to that which is provided for, for example, assistant police officers.

The study is based on two contradictory principles formulated by the legislator. The explanatory memorandum to the draft Law Enforcement Act states that the right to use direct coercion should not be granted to many law enforcement agencies. That is related to the unwillingness to share the so-called power monopoly of the state, the right of the police to use direct coercion in particular. On the other hand, it is pointed out that, if a law enforcement agency has the right to apply such a measure that also provides for the (emergency) use of direct coercion, then the law enforcement agency should also exercise the right to use direct coercion (explanatory memorandum of draft act 49, pp. 101, 105).

The analysis of legislation shows that local government law enforcement officials should have the right to use direct coercion pursuant to, for example, the Liquid Fuel Act, the Law Enforcement Act, the Public Transport Act, and other laws (Vanaisak, 2018). The same study also

points out the problem of legal ambiguity; i.e., the performance of tasks arising from law is not regulated with sufficient legal clarity for law enforcement officials – thus the task of state supervision is insufficiently formulated or it is not possible to use appropriate measures to perform such a task. For example, a local government law enforcement official does not have the right to apply a transaction for the purpose of supervising compliance over the compliance with the requirements related to the retail sale of alcoholic beverages (Liquid Fuel Act, 2003, § 49 (4) and § 52¹), and there is no competence pursuant to the Law Enforcement Act to supervise the causing of noise or light effects that disturb other people and on pollution (KorS, 2011, § 56, § 57¹, § 57²).

Tallinn Municipal Police Department, the largest law enforcement unit in Estonia, operates in Tallinn. State supervision proceedings are handled daily by inspectors from the proceedings and regional work department and the patrol and guard department. Until now, the need to supplement laws has been determined mainly from the points of view of legal scholars/theorists. The opinions of inspectors working in the street daily about the nature of the problems and the need to address them add value to the research done so far: practitioners can say what, if anything, needs to be changed to better supervise public order in the administrative territory of the local government.

1. RESEARCH METHODS AND CONDUCT OF RESEARCH

The area of research of this article is law enforcement legislation, and the original topic is the exercise of state supervision by city and rural municipality governments. The expectations of the inspectors of Tallinn Municipal Police Department to increase their rights in this area are examined in more detail.

The research problem is formulated as the question: Whether, and what kind of, means of direct coercion and additional specific measures are needed by MUPO inspectors for state supervision? The aim of the study is to find out what are the expectations of MUPO inspectors to amend the laws.

The research questions are as follows:

1. What additional specific measures do MUPO inspectors need for state supervision pursuant to the Law Enforcement Act, the Traffic Act, Liquid Fuel Act, the Building Code, and the Public Transport Act?
2. Whether and what kind of means of direct coercion are needed by MUPO inspectors for doing their work?
3. Has the life and health of MUPO inspectors been endangered in the performance of their duties?
4. Whether the right of self-defence of MUPO inspectors need to be regulated and how?

Research tasks

1. To give a brief overview of the organisation of the work of Estonian, Latvian, German, and Swiss municipal police officers.
2. The inspectors of the proceedings and regional work department and the patrol and guard department of the MUPO are to be surveyed

and the heads of their departments are to be interviewed to get an overview of which of the aforementioned laws should allow practitioners to apply additional specific measures and to use means of direct coercion if necessary.

3. The inspectors of the proceedings and regional work department and the patrol and guard department of the MUPO are to be surveyed and the heads of their departments are to be interviewed to find out whether the lives and health of the inspectors have been endangered in the performance of their duties and whether the right of self-defence should be regulated at the level of law.
4. To analyse and compare the organisation of work in Estonia and other countries with the results of the study and propose solutions to solve the problem.

A mixed research methodology was used to find the answer to the research problem. Numerical data are used to confirm verbal answers. Qualitative research proceeds from describing real life situations and aims to discover and highlight facts that coincide with the goal of the author to identify possible bottlenecks (Hirsjärvi *et al.*, 2007, p. 152). Written sources, interviews, and a survey were used as data collection methods.

The survey consists of three parts, and a total of 28 questions. The questions in the first part concern length of employment, level of education, possession of the level 5 qualification of a law enforcement official, and which legislation is being supervised. The questions in the second part concern supervision over the Law Enforcement Act (KorS), the Building Code (EhS), the Liquid Fuel Act (AS), the Traffic Act (LS), and the Public Transport Act (ÜTS); more specifically, the right to apply which specific measures is additionally needed and whether the use of direct coercion has been necessary. A Likert scale is used, in which the question contains positive or negative attitudes towards the object (Fishbein & Ajzen, 2015, p. 87). The answers were multiple-choice “yes/no” or on a five-point scale from “I do not consider it necessary at all” to “I consider it very necessary”. It was possible to give an essay answer or choose the option “I cannot answer it”. Essay answers allowed one to substantiate their opinion and provide examples of situations in which it would have been necessary to

apply additional specific measures or to use direct coercion. In the third part, questions were asked about the need to legitimise the right of self-defence and the performance of the duties added by the COVID crisis. The last question provided an opportunity to add further clarifications and observations.

The survey was conducted in the *LimeSurvey* environment of the Estonian Academy of Security Sciences between 16 and 26 May 2021.

A semi-structured interview was used as the second research method. That provides an opportunity to ask the interviewees additional questions about the topic if their statements contain any new information (Hirsjärvi *et al.*, 2007, pp. 192–200; Öunapuu, 2014, pp. 171–172). Interviewees were sent questions in advance, but the opportunity to add additional comments remained open. Both interviewees were asked 12 similar questions. The article reflects the answers that supplement the results of the survey of inspectors or add new information.

The written sources used were primarily the valid legislation and their explanatory memoranda and reference was made to relevant scientific sources. An overview was given of the bases of the employment of *law enforcement officials* operating in the capitals of different countries to compare them with those established for law enforcement officials of the Estonian city and rural municipality governments.

It is a homogeneous case study that deals with the phenomenon as a whole and uses a variety of sources. The case study allows for analytical generalisation: the results can be compared with the results of previous studies. The case confirms, refutes, or complements the existing one (Öunapuu 2014, p. 59).

When conducting a qualitative study, the main question in defining the sample is what should be the selectable research objects. In order to learn some kind of definite opinion, experience, or attitude, people who come into contact with those who cause them need to be included in the study. Therefore, a sample was formed of inspectors from the proceedings and regional work department and the patrol and guard department of Tallinn Municipal Police Department and the heads of their departments.

It is a convenience sample. The data of inspectors were obtained from the website of Tallinn Municipal Police Department. The heads of the departments excluded from the list officials who are not engaged in state supervision and who are not currently actively working (for example, who are on holiday). The survey was sent to a total of 63 people on 19 May 2021. The time for answering was until 28 May, with 61 inspectors answering the survey. The survey was anonymous to ensure objectivity.

The interviews were conducted based on a brief analysis of the survey results. The interviewees were Roland Sikk, head of the patrol department of Tallinn Municipal Police Department, and Toomas Rebane, deputy head of the proceedings and regional work department. The interviews took place in the Teams environment, with video and audio. The interviewees agreed to disclose their names. Both interviews lasted approximately 60 minutes.

2. OVERVIEW OF THE WORK ORGANISATION OF ESTONIAN, GERMAN, SWISS, AND LATVIAN MUNICIPAL POLICE

This chapter provides a brief overview of the bases of the employment of Estonian, Latvian, Swiss, and German municipal police, the right to use direct coercion, and whether and how their right of self-defence is regulated.

The term *municipal police* has existed in police history books for centuries. Their work has been patrolling and crime prevention in the territories of local government units. They have been employed by local governments and are controlled by them. Today, the so-called municipal police have different rights and obligations in different countries. They are mainly involved in patrolling and preventive work, or have the same rights as police officers to deal with more serious offences, including, for example, to detain persons as well as to carry and, if necessary, use a firearm (Donnelly, 2013, p 4). Similar to Tallinn, the name of the municipal police is used in Spain, Greece, France, and Portugal. In Austria, they are called Community Security Corps; in Germany, city police; in Belgium, the local police; etc. Regardless of their name, there is an ever-increasing need for such law enforcement units: regular police are unable to meet the ever-increasing demands of the community for security and confidence. On the one hand, voluntary organisations are increasingly more involved in making society safer, and, on the other, the state police want to share part of their burden with local law enforcement units.

Pursuant to subsection 53¹ (1) of the Local Government Organisation Act valid in Estonia, a local government may form a law enforcement unit of a rural municipality or city or appoint an official who engages in law enforcement into office, whose main function is to participate in ensuring the public order and to exercise supervision over compliance with the rules adopted by the rural municipality or city council in the jurisdiction determined by the local government. A law enforcement unit is formed and terminated, and the position of a law enforcement official is established and made redundant, by a decision of the municipal council.

The work of the law enforcement unit is regulated by the statutes, and the work of a law enforcement official is regulated by the job description. The job description sets out the requirements for the education, professional experience, knowledge, and skills, including language skills, of the official. The inspector general must have secondary or secondary specialised education – indicatively, higher education – and at least two years' professional experience. The senior inspector must have secondary or secondary specialised education – indicatively, higher education – and knowledge of state supervision proceedings and misdemeanour proceedings. The inspector has the same qualification requirements, but no higher education recommendation (MUPO website, 2021).

A municipal council must ensure the implementation of an internal audit system in the local government. The activities of a local government unit are supervised by the Ministry of Justice, the National Audit Office, and the Chancellor of Justice (KOKS, § 66 (1–3); § 48¹).

Tallinn Municipal Police Department was created on 16 October 2003 and employed 12 officials whose duty was to check tickets on public transport and supervise parking. As of 15 January 2021, 141 officials are employed at MUPO, the number of duties has increased, and the duties have become more diverse: the buildings of the city government and council are guarded, and the calls of those in need are answered around the clock. The patrol employs 68 officers, and up to five patrol teams are patrolling and solving events at the same time around the clock. 22 officials respond to the concerns of residents in the operational centres of eight different districts of the city, and separate units work on conducting proceedings with the youth, ticket and parking controls, and taxi service rules. In 2021, a rapid response team was formed, and its duties are to prepare residents for crises, advise vital service providers, develop a risk analysis and emergency plan for the city of Tallinn, assist in conducting large-scale evacuations, store and distribute personal protective equipment, provide training and exercises, provide a lifeguard service, and prepare crisis support rooms (Udeväli, 2021).

MUPO receives more than 15,000 different complaints per year; for example, 40,526 calls have been made to the hotline in nine months. In nine months, 23,487 misdemeanour cases have been initiated, and there is an average of 20,000–25,000 parking violations per year (Udeväli, 2021).

While the requirements of local government rules (e.g., the rules of keeping cats and dogs and the rules of public order) are covered by the area of protection of public order, they are subject to state supervision within the meaning of the Law Enforcement Act, and the law enforcement unit or official exercising state supervision has competence to apply general measures in such a case (Laaring *et al.*, p. 30; KorS, § 28 (1)).¹ If a specific law gives a city or rural municipality government the competence to exercise supervision in a specific area, then they are also authorised to apply specific measures. In 2021, a city or rural municipality government, in addition to the rules provided for in the KOKS, has the right to supervise 18 specific laws or rules established based thereon. The aforementioned study conducted in 2018 pointed out that a city or rural municipality law enforcement officer should have the right to apply additional measures, primarily based on the Liquid Fuel Act and the Law Enforcement Act, to perform acts against a person suspected of intoxication in particular. It was also pointed out that city and rural municipality governments should have the competence to exercise supervision over the provisions of section 56 of the KorS, pointing out that they should have the right to use physical force, gas weapons, and cut-and-thrust weapons (Vanaisak, 2018).

The work of the Latvian so-called local government police is regulated by the general police law, and they have similar rights to the state police. A local government may form a municipal police department, which operates in the territory of the local government or several local governments. Legally, MUPO is part of the police organisation, but the costs, including salary, technical equipment, and vehicles, are covered by the budget of the local government (Law of the republic of Latvia on Police, 1991, section 2¹, 15, 19, 37).

They have the right to detain persons, inspect documents of persons, apply arrest, establish identity by special identification measures, inspect alcohol

¹ Clarification: the Local Government Organisation Act (KOKS) does not have a separate chapter concerning state supervision. Ordinarily, such a chapter provides for the content of supervision by a law enforcement body and lists the specific measures that may be applied in the exercise of supervision. Pursuant to subsection 53¹ (1) of the KOKS, the main function of a law enforcement unit is to exercise supervision over compliance with the rules adopted by the city or rural municipality council in the jurisdiction determined by the local government; therefore, thus, as the competent law enforcement body, they have the right to apply only general measures, which are notification and precepts within the meaning of sections 26 and 28 of the KorS.

or drug intoxication of persons, and perform traffic supervision. They have the right to use different means of direct coercion, such as handcuffs, gas, and firearms (Law of the Republic of Latvia on Police, 1991, section 12, 19).

A person who is an adult Latvian citizen and has not been punished for committing a crime can be admitted to MUPO. MUPO inspectors must have at least secondary education, heads of departments must have higher education, and they are recruited with the consent of the Minister of the Interior (Law of the Republic of Latvia on Police, 1991, section 21).

The right of self-defence of MUPO officials is regulated by the Criminal Law (*Krimināllikums* in Latvian). Criminal liability for the commission of an unlawful act is excluded if the act has been committed for the protection of the state or the public interest (section 29 – necessary self-defence, Criminal Law, 2000).

In Switzerland, municipal police units are managed by the local governments. In most cases, the municipal police are responsible for general order and parking, but, in larger cities, they provide a full police service and have the right to arrest people.

The municipal police of the city of Geneva, for example, is mainly involved in crime prevention, but also applies different fines and penalties if necessary, depending on the type of offence. The number of municipal police officers has increased significantly in recent years. Tasks are shared with the state police, for which a cooperation agreement is entered into. The content of the agreement is based on the analysis of offences, and working time is also divided; for example, municipal police officers work in a public place to handle noise complaints until 3:00 at night on weekends. Since 2013, they also have the right to perform searches and arrest people – these relate to more serious offences such as theft, vandalism, and offences related to the possession or use of drugs. Municipal police officers also have an important role in dealing with minors, ensuring order at major events, and dealing with dog owners. The training of municipal police officers includes criminal law and proceedings, basics of community policing, ethics, business culture, psychological intervention, and traffic law. The eight-month training is theoretical and practical. Admission requirements are similar to those of police officers, include a background check, a French language examination, and physical tests,

and health requirements have been established. The training provider is the Swiss Police Institute. The final decision on hiring is taken by the mayor or the administrative board. Specific trainings are conducted, for example, to manage conflicts, deal with street harassers, deal with violence against LGB people, etc (Annon, 2021).

The federated states of Germany have their own municipal police, funded by the Ordnungsamt, or the Order Enforcement Office, which reports to the mayor (Donnelly, 2013, p. 65). Tasks vary from one federated state to another, the tasks may be similar to the powers and responsibilities of the state police, including the use of force and the detention of persons. It depends on the size and population of the local government and the approval of the cantonal government. The main focus is on minor infringements: supervising parking, motorcycle and bicycle, and market and street trading requirements (Donnelly, 2013, p. 65). Service groups similar to those in Tallinn work in Berlin, such as the proceedings and patrol group (Donnelly, 2013, p. 65).

Section 17 of the General Safety and Order Act (*Allgemeines Sicherheits- und Ordnungsgesetz* (ASOG) in German) confers the right to act as a law enforcement body. It takes three years to be trained as a city police officer. Prerequisites for admission are upper-secondary education, good language skills, and logical thinking, in addition to a strong sense of justice, an interest in justice and the law, and diplomatic negotiation skills (Die univerzichtbaren, 2021).

Municipal police officers increase the security of the residents of their area, thereby improving the quality of life of the people. In many European countries, the work of municipal police officers is becoming increasingly similar to that of state police officers, including the conduct of proceedings for offences and the detention of criminals.

Researchers from the Czech Republic and Slovakia conducted a risk analysis based on data from 2004–2019, examining the probability of municipal police officers being assaulted or injured. The results showed that, in the performance of their duties, a municipal police officer may find themselves in conflict situations, which may be physically dangerous but also psychologically traumatic; therefore, they have a high-risk job (Soltes *et al.*, 2021 p. 16).

In 2014, Chancellor of Justice Indrek Teder indicates that, from the point of view of both internal and external peace of the state, it is important that the state, especially law enforcement structures, function effectively and do not appear powerless to the public (Teder, 2014, p. 1). That also applies today with respect to local government law enforcement officials, to whom the legislator has entrusted the tasks of state supervision pursuant to specific laws but has not always authorised them to take state supervision measures necessary for their work and has completely deprived them of the right to use direct coercion to enforce the measure (Vanaisak, 2018). It is important that the local government law enforcement agency can also resolve each event to the end. Otherwise, the public will receive a signal of their powerlessness, and the general feeling of impunity will deepen.

The chancellor of justice analysed the regulation of self-defence of police officers in 2014, whether the valid law provides sufficient and legally clear bases for exercising the right to self-defence in a situation where the life and health of an officer are endangered with regard to the performance of their duties (Teder, 2014, p. 1). The same applies to other law enforcement officials. In principle, the right to self-defence under criminal law applies to everyone, including every local government law enforcement official who is performing their duties. Sootak explains that the circle of persons protected by emergency assistance is not limited (Sootak, 2021, p. 145), and representatives of state authority must enjoy full protection under criminal law to protect themselves (Sootak, 2018, p. 303; Sootak, 2007, p. 85).

The right of self-defence of local government law enforcement officials is not regulated separately by law. For example, the Rescue Act was amended in 2020, in which deminers were given the right to carry a firearm while performing their functions and to use it in self-defence, without exceeding the limits of self-defence (Rescue Act, 2010, § 26¹). The rights of, for example, assistant police officers (Assistant Police Officer Act, 2010, § 35), security police officers (Security Authorities Act, 2000, § 35), prison officers (Imprisonment Act, 2001, § 71 and § 71¹), and environmental supervision inspectors (Environmental Supervision Act, 2001, § 15) are also regulated in a similar way. Some of the aforementioned regulations have received criticism; for example, deminers are allowed to use a firearm for self-defence in the performance of their duties, but not in a situation of serious danger that may arise (Vanaisak, 2020). Soo and Tarros point

out the problem of legal ambiguity with the state of self-defence that may arise in the performance of their functions – more specifically, with the right to apply direct coercion – and indicate that the corresponding provision should be contained in the general law, or the Law Enforcement Act (Soo and Tarros, 2015, p. 710; Government of the Republic, p. 105 jj). The same applies to environmental supervision inspectors as well. The Environmental Supervision Act does provide for a self-defence norm, but does it also apply, for example, when supervising an act where the right to use any means of direct coercion is not prescribed (Vanaisak, 2019).

It is important to emphasise that everyone has the right to the protection of the state and of the law (Constitution, 1992, § 13, sentence 1). That right also extends to officials of the executive power, and the state has an obligation not only to the so-called ordinary person, but also to protect the lives of police officers and other officials (Constitution, 1992, § 16; Teder, 2014, pp. 4, 16.). The right of self-defence of MUPO inspectors should be regulated at the level of law. It should be written what service weapons are allowed and what are the rules for carrying and using them. At the same time, it is important to remember that self-defence is not the basis for the application of direct coercion and does not create additional authorised powers for the official to apply direct coercion, but only excludes the illegality of an act in criminal proceedings (explanatory memorandum of draft act 49, pp. 104–105).

3. RESEARCH RESULTS

3.1. BACKGROUND AND PROFESSIONAL EXPERIENCE OF RESPONDENTS

The subchapter provides an overview of the duties, seniority, and education of the surveyed and interviewed MUPO officials.

The survey was forwarded to 63 inspectors. There were a total of 61 respondents; i.e., 96.8% of the total sample. One respondent sent an e-mail and stated that they could not answer because their duties and knowledge mainly concerned the work of the control centre (answering calls to the helpline). Not all respondents answered all the questions (they used the answer option “I cannot answer it”). That could have been due to the specifics of the work of the respondent, in which area and under which laws they work, and it could also have depended on the comprehensibility of the question.

The length of employment of respondents varies from one month to 17 years. There were a total of seven respondents with one or fewer years of experience, 23 inspectors with more than five years of professional experience, and half of respondents had from one to five years of experience; see figure 1.

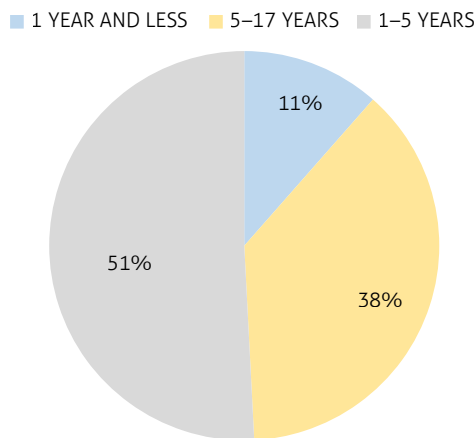


Figure 1. Respondents' length of employment

36 respondents have previous professional experience in the area of internal security. 13 employees have secondary education, and 27 respondents have vocational secondary education, including 12 with police training and one with legal training. A total of 21 employees have higher education, including five with higher police education and four with higher education in law. 18 respondents have completed level 5 training as a law enforcement official; see figure 2.

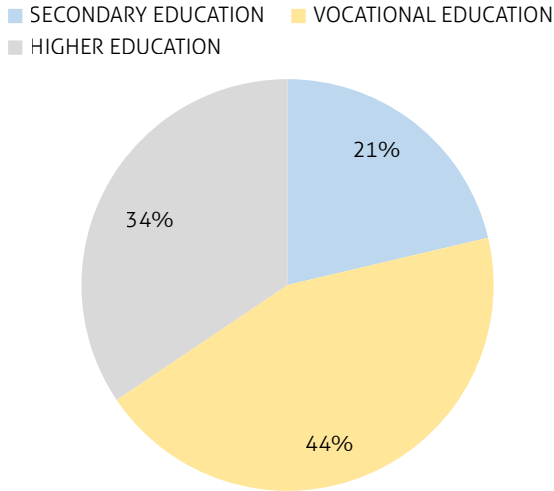


Figure 2. Respondents' education

Respondents have the most supervision over the Traffic Act (55 respondents deal with it daily or often), the Law Enforcement Act (53 respondents deal with it daily or often), the Liquid Fuel Act (46 respondents deal with it occasionally, often, or daily), and the Waste Act (34 respondents deal with it daily or often), as well as over the rules of public order and the rules of keeping dogs and cats in Tallinn (respectively, 28 and 21 respondents deal with it daily or often).

Supervision is exercised seldom over the Public Water Supply and Sewerage Act (40 respondents do not exercise it at all, and only 21 respondents have exposure), the Packaging Act (32 respondents have no exposure at all), the Building Code (24 respondents do not exercise it at all, and only 37 respondents have exposure), and the rules for the use of Tallinn

cemeteries (46 respondents do not exercise it at all, only 12 respondents have exposure, and 3 respondents cannot answer it).

Supervision above the average rate is exercised over the Trading Act, the Public Transport Act, the Nature Conservation Act, and the rules for Tallinn taxi transport requirements waste management.

Background of the interviewees

Roland Sikk has been working at Tallinn Municipal Police Department for 10 years. He has worked as the head of the internal security as well as the ticket control units. For the last six years, he has been working as the head of the patrol and guard department. There are approximately 70 people working as his subordinates: four (4) field leaders on patrol with eight-member crews, a 10-member ticket control unit, an eight-member so-called control centre, as well as an internal security unit responsible for 24/7 guarding of the council and city government, deputy head of department, and inspector general.

Toomas Rebane works at Tallinn Municipal Police Department as the deputy head of the proceedings and regional work department and has a total of 35 subordinates. Their task is to organise the lawful and timely resolution of complaints, petitions, and notices by citizens. In misdemeanour proceedings, they represent the city government. His subordinates perform various proceedings. Regional work inspectors work in different city districts, including by receiving people.

The number of respondents, their length of employment, and the content of their work, as well as their level of education, confirm that they are practitioners whose professional experience and the answers provided could be taken into account when substantiating the need to amend the law.

3.2. EXPECTATIONS OF RESPONDENTS TO AMEND THE LAW

The subchapter provides an overview of whether and what kind of specific measures are needed by MUPO inspectors in addition under the Law Enforcement Act, the Building Code, the Liquid Fuel Act, the Road Traffic Act, and the Public Transport Act.

The second part of the survey focused on the list of specific measures needed to perform the state supervision task provided for in the Law Enforcement Act, the Building Code, the Liquid Fuel Act, the Traffic Act, and the Public Transport Act (questions 7, 11, 14, 17, and 20). They were asked to indicate on a five-point scale (very necessary; rather necessary; moderately necessary; rather unnecessary; not considered necessary at all) the right to apply which specific measures is additionally needed. For each law, it was possible to point out whether, in the opinion of the respondent, it is necessary to use direct coercion pursuant to that law in particular and to substantiate their views. In order to ensure objectivity, the question listed all the specific measures that MUPO inspectors do not currently have the right to apply. The article provides an overview of those specific measures that the inspectors consider to be most important as a result of the survey.

Pursuant to the Law Enforcement Act, what is considered to be the most necessary is the right to establish and check the state of intoxication of a person and checking and establishment on site pursuant to sections 37 and 38 of the KorS is – in both cases, with 49 respondents in favour and 12 against; the taking of a person to an office and health care provider for the establishment of alcohol intoxication pursuant to section 39 of the KorS and taking of a person in a state of intoxication to recover from intoxication pursuant to section 42 of the KorS – in both cases, with 50 respondents in favour and 11 against. It is also considered necessary to detain a person pursuant to section 46 of the KorS – 55 in favour and 6 against; to examine a person and perform a security check on them pursuant to sections 48 and 47 of the KorS – supported by 51 and 55, respectively, with 10 and 6 against; see figure 3.

The eighth (8th) question concerned the competence of inspectors to exercise state supervision over section 56 of the KorS. Currently, only the police have that right as a law enforcement agency. 52 respondents, or 85% of respondents, considered it necessary to exercise that right. Therefore, section 57² of the Law Enforcement Act needs to be amended.

The inspectors did not indicate that additional measures would be necessary under the Building Code. That is also understandable because a separate unit has been called to work in the city government, and the inspectors have had no contact with this area as of late (Rebane, 2021).

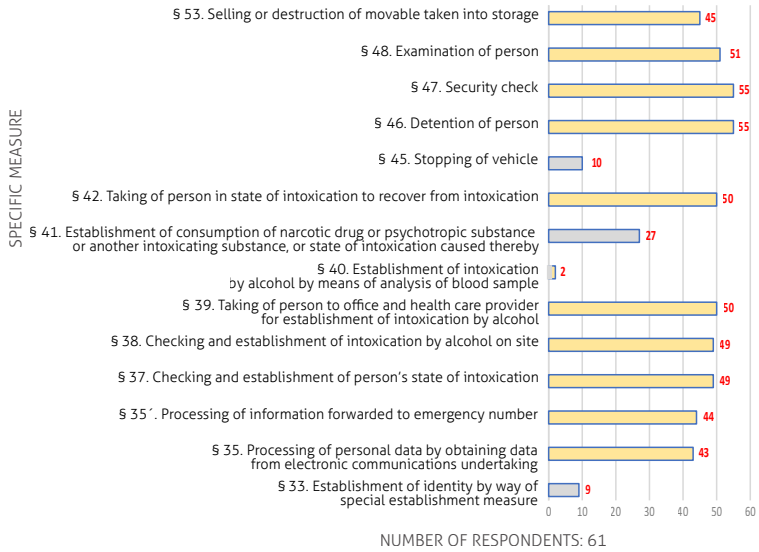


Figure 3. Additional measures required under the Law Enforcement Act

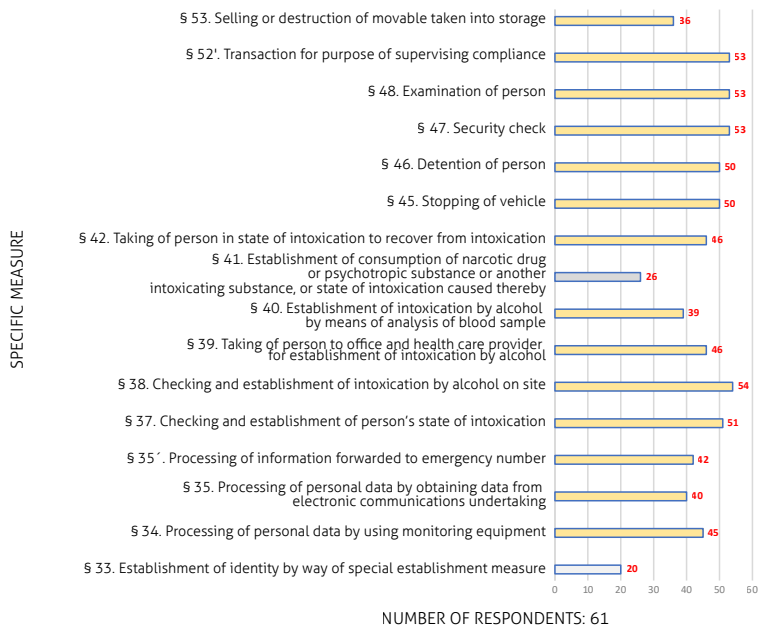


Figure 4. Additional measures required under the Liquid Fuel Act

Pursuant to the Liquid Fuel Act, what is pointed out is the need to process personal data using monitoring equipment pursuant to section 34 of the KorS – 45 supporters (with 14 against and 2 cases in which the answer could not be provided); for checking and establishment of the state of intoxication of a person pursuant to section 37 of the KorS – 51 supporters (with 9 against and 1 unable to answer); for checking and establishment of intoxication by alcohol on site pursuant to section 38 of the KorS – 54 supporters (with 6 against and 1 unable to answer). It was also considered important to perform an examination and security check on a person – in both cases, with 53 supporters (with 7 against and 1 unable to answer) – and the possibility to perform a transaction for the purpose of supervising compliance pursuant to section 57¹ of the KorS – 53 respondents in favour (with 6 against and 2 unable to answer); see figure 4.

Pursuant to the Traffic Act, what is considered necessary is stopping of a vehicle pursuant to section 45 of the KorS – 57 persons in favour and 4 against; the right to detain a person pursuant to section 46 of the KorS and the right to perform security checks – in both cases, with 53 persons in favour and 8 against; the performance of an examination of a person – 49 respondents in favour and 12 against; see figure 5.

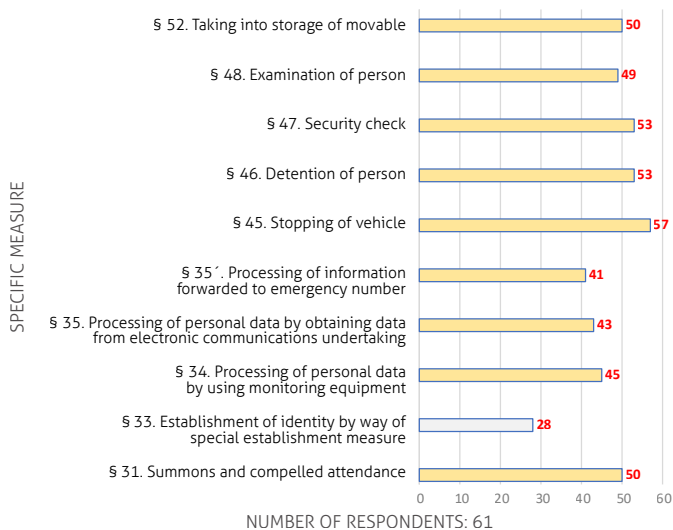


Figure 5. Additional measures required under the Traffic Act

Pursuant to the Public Transport Act, what is considered important is the right to detain a person pursuant to section 46 of the KorS – 55 respondents in favour and 6 against; the performance of security checks pursuant to section 47 of the KorS – 53 respondents in favour and 6 against; the application of a prohibition on stay pursuant to section 44 of the KorS – 46 in favour, 11 against, and 4 unable to answer; see figure 6.

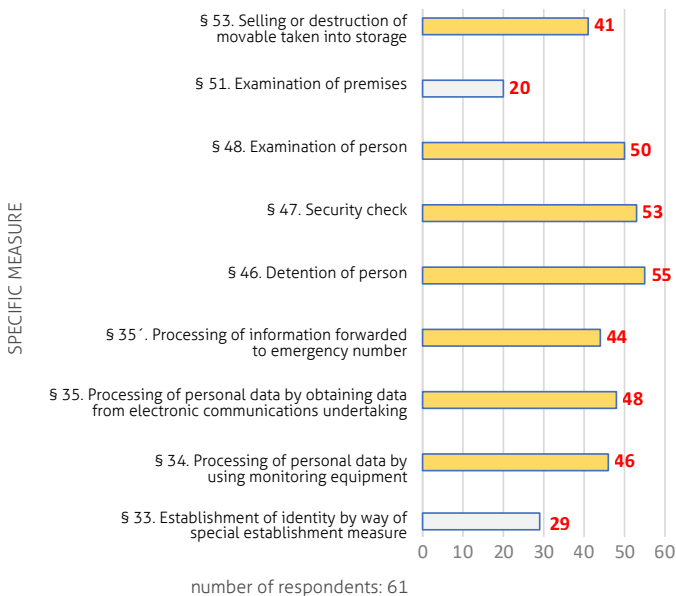


Figure 6. Additional measures needed under the Public Transport Act

3.3. IN THE OPINION OF MUPO INSPECTORS, THEY SHOULD HAVE THE RIGHT TO USE DIRECT COERCION

The subchapter provides an overview of the need for MUPO inspectors to means of direct coercion.

Questions no. 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, and 23 concerned the use of direct coercion. It was asked whether, pursuant to KorS, EhS, AS, LS, and ÜTS, they should have the right to use direct coercion, and they were asked to provide examples of situations where the right to use direct coercion would have been necessary. Pursuant to the Law Enforcement Act, 52 respondents found that the use of direct coercion is necessary. Pursuant to the Building Code, the use of direct coercion is not considered necessary – 55 of the answers were no. Pursuant to the Liquid Fuel Act, 48 respondents found that it is necessary. Likewise, the use of direct coercion is considered necessary when working under the Public Transport Act – 50 of the answers were yes; see figure 7.

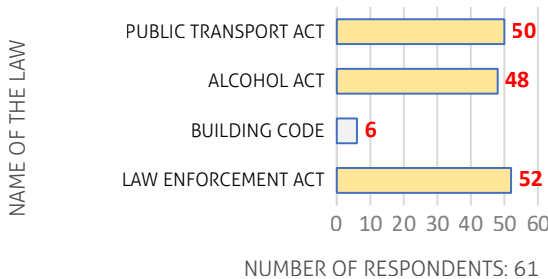


Figure 7. The need to use direct coercion to implement the laws

The inspectors provided examples where the use of direct coercion would have been necessary and, in its absence, events have even remained unresolved.

The cases of use of direct coercion described by the respondents can be divided into two major categories: those related specifically to the danger to life and health and the reasons for the need to use direct coercion; see Table 1.

Table 1. Categories and codes for the use of direct coercion based on the survey of MUPO inspectors in 2021

CATEGORY	CODE	NUMBER
Danger to life and health	attacks, shoves	1
	threatens with violence	1
	hits	1
	grazed with a moving car	2
The need to use direct coercion	offenders are obstructing work	3
	an aggressive taxi driver	4
	are aware that MUPO has fewer rights than the police	12
	drug-addicted persons	6
	persons intoxicated by alcohol	23
	passengers riding without a ticket	4
	the police do not arrive on time	6
	the person left the scene (ran away)	7
	professional police assistance	5
	the offender (dog owner) walked away	4

Respondents even referred to media excerpts that reflected situations in which orders by MUPO officials were not obeyed and they were resisted or attacked, and direct coercion was necessary to enforce the measure. Some excerpts from the answers of the respondents:

- *There are many such incidents. Owing to the lack of rights, nothing can be done, and it is necessary to limit oneself to explanatory work ... For example, there was a case where loud music was listened to between apartment buildings at night. The patrol arrived and asked to stop the violation. The citizens did not agree with it and began to insult and ridicule the officials. We had to call the state police.*
- *E.g., consumption of alcohol in places not intended for that purpose. In most cases, persons with signs of intoxication by alcohol do not respond to the orders of the municipal police official; e.g., to stop the consumption of alcohol immediately, to present identity documents upon preparing a misdemeanour report for alcohol consumption. These persons frequently act defiantly and aggressively towards the MUPO official. These persons are aware that MUPO officials do not have the right to apply additional specific measures and to use direct coercion in the*

performance of their duties. In such cases, the MUPO official is forced to call the police, but we have the skills to resolve the event ourselves.

- *Rather, these situations have to do with disciplining of persons intoxicated by alcohol. I have never had an incident where the use of direct coercion would have been necessary, but that is definitely not the rule. Colleagues who perform patrol work daily have had such situations where the right to use direct coercion would have been necessary to resolve the event and to calm the intoxicated persons and discipline them.*
- *A colleague had an incident where, upon preparing an administrative fine for a violator of road traffic rules, the angry violator arrived and pulled our car door open, kicked the car, sat in the car, and ignored the order of the colleague to stay still and wait for the police, instead driving away with the car door open, grazing the colleague, who was attempting to verbally prevent them from leaving.*
- *There have been incidents with street musicians, taxi drivers, as well as violators of public order who have refused to show a document and who have left or run away or resisted physically.*
- *A gang of drinkers are rampaging; do not obey legal orders. To save resources, direct coercion by MUPO could be used.*

Question 23 provided a whole catalogue of means of direct coercion and it asked to indicate which means, and to what extent, is considered necessary (it was possible to indicate between “I consider it very necessary” and “I do not consider it necessary at all”). The right to use physical force, handcuffs, and cut-and-thrust and gas weapons are considered important among means of direct coercion. The inspectors do not feel the need to use other means of direct coercion, including only 19 and 9 respondents who see the need for an electric shock weapon and a firearm; see figure 8. Respondents who have previously worked in the area of internal security consider the use of means of direct coercion to be “very necessary”. This is also understandable, as these persons have received thorough training in the profession of a police officer or prison officer, are aware of their abilities, and are prepared to resolve difficult situations on their own. Respondents with higher education in law find

that the use of direct coercion is “moderately necessary” arguing that the violations to be resolved by the MUPO are insignificant. Direct coercion can only be used in exceptional cases, purposefully, and proportionately (KorS, § 7-10).

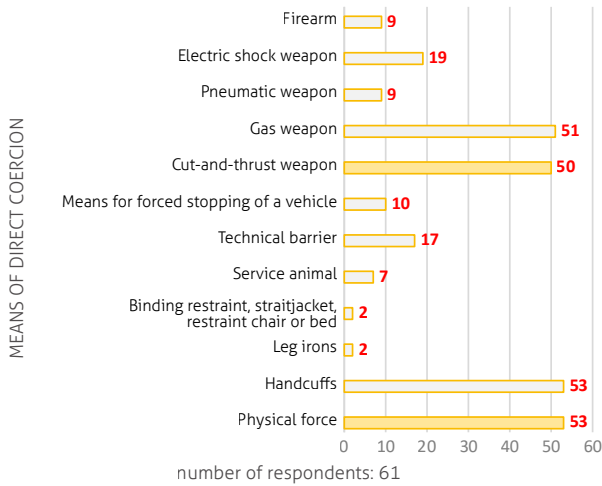


Figure 8. Necessary means of direct coercion

Tallinn City Government has purchased gas weapons for inspectors, which are worn for self-protection during work. Inspectors receive both theoretical and practical training. That may also be the reason why 64% of respondents find (39 answering yes and 22 answering no) that the valid law provides them with sufficient and legally clear bases for self-defence.

In response to question 27, the inspectors pointed out that they gained a number of additional duties upon dealing with the COVID crises. Face masks were distributed, and people were dispersed to follow the 2+2 rule both in public transport and other public places. Sports grounds and playgrounds for children were also checked. Bars, casinos, clubs, and shops were checked. In some cases, it was necessary to call on the assistance of the state police to discipline people.

3.4. HEADS OF DEPARTMENTS CONFIRM THE NEED TO AMEND THE LAWS

The subchapter combines the explanations of two heads of departments on the need to amend the laws. The heads of departments were interviewed after analysing the survey of inspectors.

Roland Sikk, head of the patrol and guard department, pointed out that a lot of resources are spent on supervising the general requirements for conduct in a public place. The main violations are related to the consumption of alcohol and dog attacks within the meaning of section 55 of the KorS and the causing of noise that disturbs others within the meaning of section 56 of the KorS. It is regrettable that the Law Enforcement Act does not provide for a specific norm to exercise supervision in case of noise and air pollution that disturbs others pursuant to section 56 of the KorS, while there are norms for bringing to justice pursuant to subsection 52 (5) of the Code of Misdemeanour Procedure and section 262 of the Penal Code (Sikk, 2021).

Problems are caused by intoxicated and noisy people who, as a collective, do not obey the order of MUPO inspectors. They know that inspectors do not have the same rights as police officers and often just walk away or resist. Sikk explained that such people who cause disturbances should be dealt with more forcefully. Inspectors should at least have the right to detain them until the offender can be turned over to the police. At the same time, he points out that inspectors have the skills and capabilities to resolve such events themselves (Sikk, 2021).

Sikk pointed out that, during the COVID crises, they had an obligation pursuant to the Liquid Fuel Act to exercise supervision over compliance with restrictions on the sale of alcohol. Even then their hands were often tied because they do not have the right to perform transactions for the purpose of monitoring compliance in a specific area. Professional assistance was also not available from other law enforcement bodies for performing transactions for the purpose of monitoring compliance because they lacked interest and need to do so (Sikk, 2021).

Sikk emphasises that inspectors should have the authority to inspect persons for intoxication when exercising supervision under both the

Law Enforcement Act and the Liquid Fuel Act, to take them to recover from intoxication, and consequently also to perform a security check and physical examination (Sikk, 2021).

Sikk pointed out that the city government had given inspectors gas sprays to use for self-defence. It may be necessary to repel both animal and human attacks. The head of the department pointed out that the corresponding training is organised for inspectors, where they are taught to defend themselves. In addition to practical training, the legal bases of self-protection are also explained. Sikk does not think that, if there existed a right to use means of direct coercion, the inspectors would begin to abuse that right. That can be ruled out by training and education. Should such cases occur, it would be followed by swift disciplinary proceedings (Sikk, 2021).

MUPO inspectors respond to more than 50 serious dog attacks per year, and it may be necessary to use a gas weapon to repel such attacks (Sikk, 2021; Uudeväli, 2021).

Sikk confirms that the Local Government Organisation Act should regulate the service weapons of local government law enforcement official and the right to use them for self-defence.

Toomas Rebane, deputy head of the proceedings and regional work department, finds that additional measures and the right to use direct coercion are not necessary when performing ticket control, while adding that the right to detain persons, similar to the right of security staff, for example, could be used to establish identity. There may be a need to use direct coercion when checking taxi service requirements. Gas sprays have been issued to officials, but they are for self-protection, and not a means for enforcing a specific measure (Rebane, 2021).

Rebane pointed out that, under the Liquid Fuel Act, they should not undertake to take persons to sober up, as this also requires additional equipment, such as special vehicles with a cell, for example. There could be a right to check intoxication. Transactions for the purpose of supervising compliance are dealt with by the strategy centre (Rebane, 2021).

Rebane provided vital examples of disturbances committed at night (barking of dogs at night disturbing other residents of the house; loud music), and thus local government law enforcement officials should definitely have the right to supervise section 56 of the KorS (Rebane, 2021).

Rebane pointed out that inspectors have been verbally threatened, but there have been no physical attacks in recent years. The gas spray is for self-protection. It could be regulated at the level of law. It gives people confidence. The need to use means of direct coercion may be discussed in certain cases. The right of use must definitely be precisely and clearly formulated in special laws, not in general law (Rebane, 2021).

Both heads of departments pointed out that the abuse of direct coercion can be prevented with adequate training. It is also important to explain and practice the principles of security tactics. It was pointed out that the use of uniform cameras also definitely contributes to the elimination of disturbances and the professional conduct of the inspector. There is a chief internal audit specialist, who is also responsible for preventing and responding to disproportionate interventions.

During the COVID crisis, the number of duties for MUPO inspectors increased. For example, playgrounds, bars, and other gathering places were inspected and more than 23,000 masks have been distributed (Sikk, 2021; Rebane, 2021; Uudeväli, 2021).

In summary, it can be said that the residents of Tallinn and visitors often call upon MUPO for help. MUPO officials have the ability and skills to intervene in violations as well as prevent them more than before. Increasing rights would make it possible to do it faster and with better quality.

4. CONCLUSIONS AND RECOMMENDATIONS

The work of the inspectors of Tallinn Municipal Police Department is similar to the model of Latvian and Swiss law enforcement officials – the duties are the same: they work in a city with the largest population in the country, they are an equal partner to the state police, but municipal police officers of Riga and Geneva have significantly greater powers than inspectors in Tallinn. However, municipal police officers of Riga and Geneva have significantly greater powers than inspectors in Tallinn to apply measures and use direct coercion. The powers of the municipal police officers of Berlin to interfere with the constitutional rights of persons have also become more severe after the tragic events of the Christmas market of 2016. For example, they have the right to use direct coercion upon the establishment of identity and to impose a fine of 1,000 euros if the person refuses to do so.

Based on the conducted study, it can be pointed out that MUPO inspectors have clear justifications and expectations for amending the law. It is important to supplement the list of state supervision measures to be permitted for local government law enforcement officials in the Law Enforcement Act, the Liquid Fuel Act, as well as the Public Transport Act. There is no need for such improvements under the Building Code and the Traffic Act. The measures of state supervision must be clearly defined. Otherwise, there will be confusion, and it may happen that problems disturbing the public are not given enough attention by the law enforcement agency or are not responded to at all. That, however, is a waste of resources, and it creates a feeling of impunity among members of society. MUPO inspectors expressed their readiness to contribute more frequently and more effectively to the protection of public order, and that also in a situation of a COVID crisis.

Pursuant to the Law Enforcement Act, city and rural municipality governments should have the right to apply the establishment of intoxication, checking, and taking persons to recover from intoxication when exercising supervision over the general requirements for behaviour in a public place. MUPO inspectors often encounter consumers of alcohol in public places (clause 55 (1) 5) and subsection (2) of the KorS establish

restrictions on alcohol consumption in public), who may also need to be taken to recover from intoxication. Taking a person to recover from intoxication is accompanied by a security check of the person and, in certain cases, also the right to examine them, as well as to perform acts to check and establish intoxication. However, the detention of a person pursuant to section 46 of the KorS is unjustified. The author assumes that the MUPO inspectors rely here more on the preconditions and necessity of detention in offence proceedings pursuant to section 44 of the VTMS.

Although MUPO officials receive calls over noise that causes significant disturbance to others, the Law Enforcement Act does not provide city and rural municipality governments the right to exercise supervision in this area. At the same time, they have the right to hold persons liable pursuant to section 262 of the KarS. A person can be punished once for one act, but repeated intervention may be necessary to eliminate the harmful effects of a disturbance, and state supervision measures are appropriate for that. Resolving such situations could also require, for example, the issue of a precept together with a penalty payment warning, which is why it is important to give city and rural municipality governments the competence to exercise supervision and the powers to apply more diverse specific measures than before, and it is necessary to amend sections 57¹ and 57² of the KorS.

The author proposes to amend the Law Enforcement Act as follows:

§ 57¹. Exercise of state supervision over general requirements for behaviour in public places

(1) 55 (1) and (2) of the KorS and subsections 56 (1), (2), and (4) of the KorS is exercised by the police;

(2) 55 (1) and (2) of the KorS and subsections 56 (1) and (4) of the KorS is exercised by city and rural municipality governments.

§ 57². Specific measures of state supervision

(1) In order to exercise the state supervision over this act, law enforcement bodies may apply the specific measures of state supervision provided for in sections 30, 31, 32, 34, 37, 38, 42, 44, 47, 48, 49, 50, 51, and 52 of this act based on and pursuant to the procedure provided for in this act.

(2) In addition to the special supervision measures specified in subsection (1) of this section, the Police and Border Guard Board may, in order to exercise state supervision, also apply the specific measures of supervision provided for in sections 33, 39, 40, 41, 45, and 46 of this act based on and pursuant to the procedure provided for in this act.

Pursuant to the Liquid Fuel Act, MUPO inspectors have the right to exercise state supervision over the compliance with the requirements related to the retail sale of alcoholic beverages and the restrictions on the consumption of alcoholic beverages on their own administrative territory (AS, § 49 (4)). This includes the right to check restrictions related to both trade in alcohol and alcohol consumption, and the supervisory competence of city and rural municipality governments is significantly greater than that of police officers, who are competent to supervise compliance with restrictions imposed only on minors. At present, MUPO inspectors have the right to apply questioning and document requirements, to issue an invitation, to establish identity, to inspect movables and premises, and to enter the premises. As under the Law Enforcement Act, there are no rights to perform acts against persons suspected of being intoxicated, but that may be necessary to deal with an intoxicated person responsible for public order who is either an adult or a minor.

City and rural municipality governments have the right to perform transactions for the purpose of monitoring compliance, but that is permitted only to ensure the prohibition on the consumption of alcoholic beverages by minors (see: AS, § 52¹ (2); § 49 (2); § 47 (2–4)). MUPO officials need to exercise supervision over compliance with the requirements of the retail sale of alcohol. For that purpose, especially through inspections of cafés and bars during the COVID crisis, there has also been a need to perform transactions for the purpose of monitoring compliance. At present, only the Tax and Customs Board has that right (AS, § 52¹ (1); § 49 (4)), but they have refused to cooperate and provide professional assistance.

The author proposes to amend the Liquid Fuel Act as follows:

§ 49¹. Specific measures of state supervision

(3¹) In addition to the special measures provided for in subsection (1) of this section, city and rural municipality governments may also apply for the exercise of state supervision the specific measures provided for in sections 37, 38, 42, 47 and 48 of the Law Enforcement Act based on and pursuant to the procedure provided for in the Law Enforcement Act.

§ 52¹. Transaction for purpose of monitoring compliance

(1) If the exercise of supervision over the compliance with the requirements for trade in alcohol is not possible or is significantly harder by means of the specific measures of state supervision provided for in section 49¹ of this act, but supervision is necessary to ascertain or counter a threat or eliminate a violation, the law enforcement body referred to in subsections 49 (2) and (4) may perform a transaction for the purpose of monitoring compliance as a specific measures of state supervision.

Pursuant to the Road Traffic Act, city and rural municipality governments have the supervisory competence over compliance with stopping and parking requirements in the territory of a local government unit and have the right to issue a precept, question and request documents, establish identity, establish a prohibition on stay, move a vehicle to a guarded storage facility if it violates parking requirements, and sell or destroy deposited movables (see: LS, § 92; § 193 (1); § 196¹ (2)). It remains unclear why the right to stop a vehicle, the right to detain and examine a person (again, it is apparently intended to be detention in offence proceedings), and the right to perform security checks are necessary to perform supervision with such content. Such measures, excluding the right to detain a person, could rather be needed when working under the Public Transport Act (ÜTS), which also regulates taxi service requirements, whereas MUPO officials have the right to stop vehicles under the ÜTS (see: ÜTS, § 81 (3)). The right to establish a prohibition on stay is also necessary.

The author proposes to amend the Public Transport Act as follows:

§ 81. Rights and obligations of authority exercising state supervision

(3) The authority exercising state supervision may, for the purpose of exercising the state supervision provided for in this act, apply specific measures of state supervision provided for in sections 30–32, 44, 45, 47, 48, 49, 50, and 52 of the Law Enforcement Act based on and pursuant to the procedure provided for in the Law Enforcement Act.

The results of a study conducted in Slovakia in 2021 show that the work of municipal police officers has a high level of risk (Soltes *et al.*, 2001, pp. 16–19). MUPO officials pointed out actual situations where they had been physically attacked in the performance of their duties; i.e., where their health and life have been in real danger. Although city and rural municipality law enforcement officials, including MUPO officials, have the general, public right of self-defence provided for in the Penal Code, the list of means of self-defence and the determination of the right to use them at the level of law would ensure better legal certainty. It is especially useful for officials, but would also inform the public about what can be expected from city and rural municipality law enforcement officials.

MUPO inspectors are able and willing to use the following means of direct coercion: physical force; cut-and-thrust and gas weapons. The Local Government Organisation Act should regulate the right of self-defence of law enforcement officials performing their functions.

Willingness to act in stressful situations can be trained (Soltes *et al.*, 2001, pp. 16–19). The granting of the right to use direct coercion must be preceded by thorough training. In Germany, Switzerland, and Latvia, the training of municipal police officers is similar in content and scope to that of police officers. If it is decided to grant city and rural municipality law enforcement officials (including MUPO inspectors) the right to apply direct coercion, it is important to regulate compulsory training at the level of the law, and, in Estonia, the KOKS should be amended for that purpose.

The application of state supervision measures and the use of direct coercion against a person infringe on their fundamental rights. Therefore, the powers to implement measures and force must be precisely and clearly

stated in the law. This is not only a universally recognised principle of the constitution (§ 11), but also of international law (Kask, 2004, p. 468). The application of measures and direct coercion is connected with the principles of discretion. The first step is to consider whether to intervene at all. If it is necessary to intervene in order to achieve the objective, then the measures and means that infringe on persons and the public the least must be chosen (LEA, 2011, § 7-10). Based on the study conducted, it can be confirmed that MUPO officials need more rights than before in order to perform their duties in a high-quality manner, which does not mean, however, their uncontrollable arbitrariness in infringing on the fundamental rights of persons, which has been assumed unreasonably.

As of 1 June 2021, the population of Estonia is 1,330,068 people (Statistics Estonia, 2021). A third of them – i.e., 444,556 people – reside in Tallinn (Tallinn, 2021); therefore, significantly greater efforts should be made to contribute to their security. Since the Old Town of Tallinn continues to be attractive among tourists as well, it is reasonable that, in addition to the state police, the law enforcement officials of Tallinn Municipal Police Department also help to ensure public order.

The Local Government Organisation Act regulates the right (not the obligation) to form a law enforcement unit. As local governments are independent, autonomous, and territorial administrative units, not all Estonian local governments can be obliged to form such a unit, but Tallinn City Council has reasonably decided to establish Municipal Police Department within the city government. MUPO inspectors are often the first to arrive at the scene of a disturbance, which is why it is logical to deal with resolving the incident on their own from the beginning to the end, rather than admitting that the offender is walking away or waiting for the arrival of the state police, who have the competencies.

Contact:

Ülle Vanaisak, MA
Estonian Academy of Security Sciences
E-mail: ylle.vanaisak@sisekaitse.ee

REFERENCES AND SOURCES

- Allgemeines Sicherheits- und Ordnungsgesetz [Online material] Available at: <https://gesetze.berlin.de/bsbe/document/jlr-ASOGBE2006pG> [Accessed on 09.10.2021].
- Annon. 2021. *The officers of the municipal police force (MPF) guarantee local safety by means of a regular and highly-visible presence in the City of Geneva, both day and night. The members of the municipal police force thus contribute to maintaining peace and order in the City of Geneva.* [Online material] Available at: <https://www.geneve.ch/en/themes/security-prevention/municipal-police> [Accessed on 21.05.2021].
- Anvelt, A. 2014. *Minister Andres Anvelti kiri omavalitsusjuhtidele korrakaitseaduse asjus.*
- Assistent Police Officer Act (2010), RT I, 06.05.2020, 2.
- Building Code (2015), RT I, 30.12.2020, 6.
- Chancellor of Justice (Teder). 2014. To legalise the police official's self-defence regulation, and to analyse what was related to the State Liability Act. [Online material] Available at: <https://www.oiguskantsler.ee/et/seisukohad/seisukoht/m%C3%A4rgukiri-politseiametnikelh%C3%A4dakaitse%C3%B5igus-ja-vahetu-sunni-rakendamine> [Accessed on 21.05.2021].
- Code of Misdemeanour Procedure (2002), RT I, 08.07.2021, 19.
- Constitution of the Republic of Estonia (1992), RT I, 15.05.2015, 2.
- Criminal Law of the Republic of Latvia, 2000. [Online material] Available at: <https://likumi.lv/ta/en/en/id/88966> [Accessed on 04.10.2021].
- Die Univerzichtbaren [Online material] Available at: <https://www.die-unverzichtbaren.de/berufsprofil/ordnungsamtsmitarbeiter-in/> [Accessed on 09.10.2021].
- Donnelly, D. 2013. *Municipal Policing in the European Union. Comparative Perspectives.* New York: Palgrave Macmillan.
- Editorial Board: Madise, Ü., Kalmo, H., Mälksoo, R., Narits, R., Pruks, P., Raidla, J., Vinkel, P. 2017. *Commented version of the Constitution of the Republic of Estonia.* [Online material] Available at: <https://www.pohiseadus.ee/> [Accessed on 21.05.2021].
- Environmental Supervision Act (2001), RT I, 10.07.2020, 98.
- Fishbein, M. & Ajzen, I., 2015. *Predicting and Changing Behavior: The Reasoned Action Approach.* New York and London: Routledge.

- Government of the Republic. 2007. In the explanatory notes to the draft legislation of the Law Enforcement Act. [Online material] Available at: <https://www.riigikogu.ee/tegevus/eelnoud/eelnou/8a9c2286-06fc-65d2-957b-bd9e11a940c4/Korrakaitseadus> [Accessed on 21.05.2021].
- Hirsjärvi, S., Remes, P. & Sajavaara, P., 2007. *Uuri ja kirjuta*. Tallinn: Medicina.
- <https://journal.ldubgd.edu.ua/index.php/Visnuk/article/view/1762> [Accessed on 31.05.2021].
- <https://www3.mruni.eu/ojs/vsvt/issue/view/Issue/420/38//> [Accessed on 31.05.2021].
- Imprisonment Act (2001), RT I, 03.03.2021, 2.
- Justiitsministeerium [Letter from Minister Andres Anvelt to heads of local governments with regard to the Law Enforcement Act. Ministry of Justice]. [Online material] Available at: <https://www.just.ee/et/minister-andres-anveldi-kiri-omavalitsusjuhtidele-korrakaitseaduse-asjus> [Accessed on 21.05.2021].
- Kask, O. 2004. Korrakaitseaduse eelnõust. *Juridica*, VII, pp.468 – 472 .
- Laaring, M., Pars, S., Kranich, H., Nuka, E. Kiviste, J., Mikiver, M., Roosve, T., Vanaisak, Ü. 2017. *Korrakaitseadus. Kommenteeritud väljaanne*. Tallinn: Estonian Academy of Security Sciences.
- Law Enforcement Act (2011), RT I, RT I, 03.03.2021.
- Law of the Republic of Latvia On Police, 1992. [Online material] Available at: <https://likumi.lv/ta/en/en/id/67957-on-police> [Accessed on 03.10.2021].
- Liquid Fuel Act (2003), RT I, 04.01.2021, 6.
- Local Government Organisation Act (1993), RT I, 04.01.2021, 7.
- MUPO website [Online material] Available at: <https://www.tallinn.ee/est/mupo-linnaosades> [Accessed on 09.10.2021].
- Nature Conservation Act (2004), RT I, 16.06.2021, 3.
- Packaging Act (2004), RT I, 05.05.2021, 2.
- Penal Code (2002), RT I, 21.05.2021, 9.
- Public Transport Act (2015), RT I, 30.03.2021, 9.
- Public Water Supply and Sewerage Act (2018), RT I, 20.05.2021, 14.
- Rebane, T. 2021. Interview with Toomas Rebane. [Interview] (26.05.2021).
- Rescue Act (2010), RT I, 30.12.2020, 9.
- Security Authorities Act (2001), RT I, 26.05.2020, 10.
- Sikk, R. 2021. Interview with Roland Sikk. [Interview] (24.05.2021).
- Soltes, V., Kubas, J., Velas A., Michalik, D. 2021. Occupational Safety of Municipal Police Officers: Assessing the Vulnerability and Riskiness of

- Police Officers' Work. *International Journal of Environmental Research and Public Health*. 2021, 18, 565.
- Soo, A., Sootak, J. 2014. Right of Self-Defence in the Case-Law of the Criminal Chamber in the Past Decade. *Juridica*, II, pp. 145.
- Soo, A., Tarros, K. 2015. Use of Direct Coercion in Prison in Self-Defence Situations. Analysis under Penal and Administrative Law. *Juridica*, X, pp. 145.
- Sootak, J. 2007. Crisis Resolution in the Estonian Legal System, from a Penal Law Aspect. *Juridica*, II, pp. 82-85.
- Sootak, J. 2018. *Karistusõigus. Üldosa. Kirjastus Juura*.
- Sootak, J., Pikamäe, P., 2021. *Karistusseadustik. Kommenteeritud väljaanne* [Penal Code: Annotated Edition]. Kirjastus Juura.
- Statistical Office. 2021. Size of population. [Online material] Available at: <https://www.stat.ee/et/avasta-statistikat/valdkonnad/rahvastik/rahvaarv> [Accessed on 01.06.2021].
- Tallinn website [Online material] Available at: <https://www.tallinn.ee/> [Accessed on 09.10.2021].
- Tallinn, 2021. Population of Tallinn. [Online material] Available at: <https://www.tallinn.ee/est/Tallinna-elanike-arv> [Accessed on 01.06.2021].
- Traffic Act (2010), RT I, 30.03.2021, 3.
- Uudeväli, T. 2021. Presentation at the seminar of the Harju County Government Association. Tallinn Municipal Police Board.
- Vanaisak, Ü. 2020. Explosive ordnance disposal technicians of the Rescue Board confused with right to apply direct coercion and to use measures. [Online material] Available at: <https://journal.ldubgd.edu.ua/index.php/Visnuk/article/view/1762> [Accessed on 31.05.2021].
- Vanaisak, Ü., 2018. City and rural municipality public order officials as bodies conducting state supervision proceedings – the needs and opportunities for increasing their rights. *Proceedings: Estonian Academy of Security Sciences*, XVII, 27-73.
- Vanaisak, Ü., 2019. Inspectors of the Environmental Inspectorate confused with the right to apply Direct Coercion. *Proceedings of the Estonian Academy of Security Sciences*, 1: Security: From corner to corner, pp. 199–235, Tallinn: Estonian Academy of Security Sciences.
- Vanaisak, Ü., 2020. Law enforcement officials' use of force: choice of means and legal certainty. [Online material] Available at: <https://www3.mruni.eu/ojs/vsvt/issue/view/Issue/420/38://> [Accessed on 31.05.2021].
- Weapons Act (2001), RT I, 03.07.2020, 4.
- Õunapuu, L. 2014. *Kvalitatiivne ja kvantitatiivne uurimisviis sotsiaalteadustes* [Qualitative and Quantitative Research Method in the Social Sciences]. Tartu: Tartu Ülikool

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