
The Emergency States Guarantee the Functioning of the Country during the COVID-19 Pandemic: The Case of Poland and the Republic of China (Taiwan)

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Abstract:

Purpose: The research aims to characterize legal solutions in the field of emergency states - those existing and implemented in Poland and Taiwan.

Design/Methodology/Approach: The author discusses emergency states in Poland and Taiwan – characteristics, premises, and procedures for introducing. The existing rules that were introduced during the COVID-19 pandemic will also be presented. During the research, the author uses legal and comparative analysis and structural and functional analysis. However, the interpretation method is also important, which makes it possible to interpret legal acts and a comparative study - in the scope of regulations in force in these countries. The author uses elements of the concept - descriptive and improving functional and modeling, and diagnostic and functional.

Findings: The working hypothesis refers to the assumption that the current legal regulations in the field of emergency states are insufficient and disproportionate to the threat of a pandemic COVID-19. Some restrictions are necessary, but more important are social responsibility, self-control, and education. The essence of emergency states is different: protecting the State, its organs, and society against threats and dangers of various causes. So, the restrictions and limitations on human rights associated with them do not respond to the pandemic case.

Practical Implications: As a result of conducting the comparisons, it is possible to present some legal changes concerning extraordinary measures and rules during a crisis.

Originality/Value: This is a complete research for a comparative study concerning Poland and Taiwan.

Keywords: Extraordinary measures, emergency states, state of natural disasters, the functioning of the state, legal rules.

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1. Introduction

The emergency states are introduced to protect the legal and security system and the security of its citizens. Each country has its own regulations in this area. It is not without reason that Poland and Taiwan are discussed - because, in several respects, convergent actions can be found. First, Poland and Taiwan have not decided to introduce extraordinary measures. However, their effects turned out to be different. At the beginning of the fight against the epidemic in Europe, Poland was praised for its quick response and introduction of restrictions. Taiwan is recognized as a model example of dealing with a COVID-19 pandemic.

Quite a few European countries decided to make this move. However, this did not prevent them from spreading infections. So, or the restrictions and limitations on human rights associated with them are not responding to the pandemic. The essence of emergency states is different: protecting the State, its organs, and society against threats and dangers of various causes.

Poland was the leader in the statistics of a small increase in infections in the EU, but after easing the restrictions, the results jumped. In Taiwan, no new case was reported from April to September. Do the emergency states indeed guarantee the (proper) functioning during the COVID-19 pandemic? Or is the answer different? "In a crisis, governments often make difficult decisions under uncertainty and time constraints. These decisions must be both culturally appropriate and sensitive to the population. Through early recognition of the crisis, daily briefings to the public, and simple health messaging, the Government was able to reassure the public by delivering timely, accurate, and transparent information regarding the evolving epidemic" (Wang, Ng, Brook, 2020).

2. Methodology Background

First, the problems with definitions and the multitude of using "state" in Poland should be emphasized. Taiwan has only two states of emergency. On the other hand, in Taiwan, the issues of emergencies are very narrowly regulated. In Poland - on the contrary, as it turns out, too detailed regulations are also problematic. The models for introducing extraordinary measures are also different due to the other model of power. In Taiwan, the President has a decisive say in the assessment and legal possibility of introducing them with the Executive Yuan and Legislative Yuan. In Poland, the President presents martial law and a State of emergency but - at the Council of Ministers' request. Noteworthy that teach those states is complicated. Council of Ministers can introduce the only State of natural disaster, and the Ministry of Health can declare a State of epidemiological threat or State of the epidemic.

During the research, the author used legal and comparative analysis and structural and functional analysis. However, the process of interpretation also was necessary,

which made it possible to interpret legal acts. A comparative study - in the scope of relative comparisons of regulations in force in these countries- was used to develop the research.

Among the theoretical techniques, the primary research method was the analysis of legal acts and documents concerning issues related to excessive states and COVID-19 regulations in Poland and Taiwan. It made it possible to know the essence of the premises defining a given country and identify the conditions for their introduction. A structural analysis was used - to examine the structures and level of organization of the discussed states and their elements. Using the method of functional analysis, it was determined what restrictions were introduced and what they change in the functioning of the State and society during COVID-19. These methods resulted mainly from identifying the research object, its elements, its surroundings, and the relations between them.

The research aims to characterize legal solutions in the emergency states' field - those existing and implemented in Poland and Taiwan. The main problem is the question: what (and if at all) emergency states guarantee the State (on the example of Poland and Taiwan) during the COVID-19 pandemic, and what direction should changes take? In turn, the working hypothesis refers to the assumption that the current legal regulations in emergency states are insufficient and disproportionate to a pandemic threat. Due to the nature of the topic, the Author will use the concept - descriptive and improving; functional and modeling, and diagnostic and functional (Martyniak 1999; Kitler 2002).

Conclusions obtained through the use of the above methods made it possible to isolate and consolidate the results obtained in the research course, which consequently led to the proposition of conceptual solutions and changes in the regulation of excessive states in Poland. However, the synthesis was the primary research method used to develop partial and conclusions and proposed solutions.

Although there are many research results concerning Poland's extraordinary measures, the authors discuss legal rules in general. Because Taiwan is a model with a pandemic's fight, there are some scientific articles about this topic. However, it is quite difficult to find research for a comparative study concerning Poland and Taiwan.

3. Emergency States in Poland

The extraordinary measures² in the Republic of Poland are introduced in certain situations if ordinary constitutional measures are inadequate. According to the Constitution of the Republic of Poland of 2 April 1997, (Journal of Laws. no. 78,

² *In Polish Constitution emergency states call extraordinary measures, but in this text, author will use also states of emergency.*

item 483, as amended, hereinafter: the Polish Constitution), currently in Poland, there are three states: the State of natural disaster, the State of emergency, and the martial law, also regulating by three statutes: the Act of 18 April 2002 – on natural disasters State, (Journal of Laws of 2017, item. 1897); the Act of 21 June 2002 – on emergency State, (Journal of Laws of 2017, item. 1928) and the Act of 29 August 2002 - on martial law and the competence of the Commander-in-Chief and his subordination to the constitutional authorities of the Republic of Poland, (Journal of Laws of 2017, item 1932).

Separately should be treated the State of war and a time of war, which can be related to martial law, but it is three different legal institutions (Kołodziejczak, 2018). Although both the Polish Constitution and three separate laws regulate them in detail, there are still difficulties in legal interpretation and - importantly - to define and assign the appropriate individual cases, which of the states should be introduced.

First, to consider any of the states of emergency, the constitutional and statutory provisions' measures must be exhausted. Only then, specific circumstances that may result in introducing an extraordinary form should be considered.

Therefore, it should be pointed out that a situation that does not change or does not aim to change the essence of an organization (e.g., the State) cannot be considered a premise for the introduction of any form of emergency but even a crisis. However, if there is no adequate and effective response, it may be necessary to introduce them. A problem arises when there is a specific threat. Then the crisis response procedure should be launched, and when these mechanisms also fail, the culminating moment - the crisis - will occur. However, the crisis does not last long because either the existing situation will be brought under control, and the organization (e.g., the State) will return to normal functioning, or the case will become inflamed. Then it will be necessary to introduce emergency states (Kołodziejczak, 2016). Then it will be possible to consider that the characteristics indicated in Art. 228 of the Polish Constitution were fulfilled jointly, namely: there is a particular risk;

1. ordinary constitutional measures have proved insufficient;
2. constitutional standards turned out to be inadequate because they had been checked, used, and exhausted, not bypassed.

Moreover, states of emergency must be characterized by certain principles: uniqueness, legality, proportionality, purpose limitation, protection of the foundations of the legal system, and protection of representative bodies (Prokop, 2005).

Martial law is one of the extraordinary situations. It may introduce the President of the Republic of Poland at the request of the Council of Ministers: "in the case of

external threats to the State, acts of armed aggression against the territory of the Republic of Poland or when an obligation of common defense against aggression arises under international agreement" (the Polish Constitution, Art. 229). The statutory definition has been elaborated. The oldest legislative version, which sounded like this constitutional one, already in 2011 added a distinction between threats of acts of terrorism and cybersecurity threats. Therefore, as confirmed by the legislation, the constitutional legislator reserved the introduction of martial law only for the gravest threat represented by war.

On the other hand, President can introduce a state of emergency at the Council of Ministers' request, in the event of threats to the constitutional order of the State, to the security of the citizenry or public order (the Polish Constitution, Art. 230). Just as in martial law, the statutory definition allows you to enter a state of emergency if these situations are caused by a terrorist attack or action in cyberspace (the Act on emergency State, Art. 2 para. 1). It is problematic to indicate what steps could be considered a threat to "the security of citizenry or public order. These are vague terms that have not been legally defined.

However, it is worth recalling the judgment of the Constitutional Court, in the justification of which it was indicated that: the condition of the protection of public order, despite its largely indeterminate nature, undoubtedly includes the postulate of shaping the facts inside the State in such a way that allows normal coexistence of individuals in a state organization. When limiting a specific right or freedom, the legislator is guided in this case by the care for the proper, harmonious coexistence of members of society, which includes both the protection of the interests of individual people and specific social goods, including public property (Sentence of Constitutional Court, 1999). The definitions of citizens' security - whether semantically or theoretically, indicate that it is a condition that does not pose a threat to a given community's life and health.³ In theory, therefore, a state of emergency could be considered in the case of COVID-19 in Poland.

The general principles of extraordinary measures should be taken into account. Consequently, one should think whether the limitations of human and civil rights and other tools characteristic of this State would be proportional to what we want to achieve in this situation? This is because the content of the provisions indicates the increased competence of the police, and in exceptional cases of the Armed

³ For example Waldemar Kiter explains: "Thus, in the case of an individual, the objects of security include efforts to achieve peace, comfort, quality of life in the material and intellectual dimension, freedom from deprivation; as well as freedom from fear of threats to his or her (and his or her loved ones') life and health, property, and the environment (natural, social, and political) in which he or she lives. The object of an individual's efforts in terms of security also includes the pursuit of harmony in the environment, hygienic living conditions, including work and leisure, intimacy and privacy, physical integrity, empathy, rest, protection and care, support in need, justice, freedom and respect, satisfaction of subsistence needs, and much more" (Kiter, 2020).

Forces, to act for the security of citizens and public order, e.g., in the context of aggressive riots or protests on a large scale, and no real help in combating the effects of an epidemic.

According to the Constitution of the Republic of Poland, a natural disaster can be introduced to prevent the effects of natural disasters or technical failures and remove them (the Polish Constitution, Art. 232). The statutory definition has been expanded to include the possibility of introducing a state of a natural disaster if a terrorist attack or attack caused these effects in cyberspace (the Act on natural disasters, Art. 3 para. 2). According to Art. 3 para. 1 a natural disaster is a natural catastrophe or a technical failure, the effects of which threaten the life or health of a large number of people, property in large sizes, or the environment in large areas, and assistance and protection can be effectively undertaken only with the use of extraordinary measures, in cooperation between various bodies and institutions and specialized services and formations operating under unified leadership.

Notably, the legal definition of a natural disaster also directly points to human infectious diseases. In art. 3 para. 1 point 2 indicates that a natural catastrophe is understood as an event related to the operation of natural forces, in particular lightning, seismic shocks, strong winds, intense precipitation, the long-term occurrence of extreme temperatures, landslides, fires, droughts, floods, ice phenomena on rivers and the sea, as well as lakes and water reservoirs, the mass occurrence of pests, plant or animal diseases, or infectious human diseases, or the action of another element.

Hence the conclusion that this State would be more appropriate concerning the ongoing COVID-19 epidemic (pandemic). Since the legislator distinguishes another state dedicated to specific cases enumerated directly, it does not seem reasonable to bring the prevailing outbreak (pandemic) under citizens' security. The safety of citizens, including health and life, is undoubtedly so, but the current scale of illnesses and infections seems (and hopefully it will remain so) low. Recognizing the value, but also the importance of the premise that constitutes a threat to the "security of citizens and public order," the possibility of introducing a state of emergency, for this reason, should, however, be allocated to an exceedingly high and severe threat.

4. Legal and Organization Measures during COVID-19 Pandemic – Case of Poland

Poland declared a state of epidemiological threat due to the risk of the COVID-19 epidemic on 14 March 2020. The State of epidemic came into force on 20 March 2020. This State was introducing the Ministry of Health's regulation based on the Act of 5 December 2008 on Preventing and Fighting Human Infections and Contagious Diseases (Journal of Laws of 2020 item. 284, 322, 374, 567, 875, 1493). According to this act, the State of epidemiological is introduced by law in a given

territory to implement protective measures specified in the front in response to the risk of an epidemic.

In the following situation caused by the epidemic, the authorities considered introducing either a state of emergency (less likely) or a natural disaster. However, it should be emphasized – extraordinary measures may be submitted only after constitutional standards are exhausted. Firstly, statutory mechanisms will be implemented, e.g., from the Act of 26 April 2007 on crisis management. Second, available legal forms should be used - in this case, from the Act of 5 December 2008 on preventing and fighting human infections and contagious diseases.

Moreover, the act was amended, which forced the use of these tools in the first place. Similarly, thanks to the adoption of the Act of 2 March 2020 on unique solutions to prevent and combat COVID-19, other contagious diseases, and the crises caused by them (Journal of Laws of 2020, item. 374, 567, 568, 695, 875, 1086, 1106, 1422, 1423, 1478, 1493), additional - constitutional measures were gained. Therefore, not all the possibilities provided for in the statutory provisions have been exhausted. If the above law had not been passed, one of the great states' introduction would be inevitable. Despite the many votes of constitutionalists in Poland, it seems that the decision not to introduce any of the extraordinary measures was correct.

One of the biggest problems was the organization and holding of the presidential elections, which were to take place in May 2020⁴. The introduction of emergency measures in Poland would solve the problem of holding the polls. Nevertheless, the consequence of not organizing elections cannot necessitate the introduction of any of the emergency measures. According to Art. 228, during a period of introduction of extraordinary measures, the following shall not be subject to change: the Constitution, the rules on elections to the Sejm, the Senate and organs of local government, the laws on elections to the Presidency, as well as statutes on extraordinary measures (the Polish Constitution, Art. 228, para. 6).

Moreover, during a period of introduction of extraordinary measures, as well as within the period of 90 days following its termination, the term of office of the Sejm may not be shortened, nor may a nationwide referendum, nor elections to the Sejm, Senate, organs of local Government nor elections for the Presidency be held. The term of office of such organs shall be appropriately prolonged. Elections to local government organs shall be possible only in those places where the extraordinary measures have not been introduced (the Polish Constitution, Art. 228, para. 7). Finally, elections - after discussions and even proposals for correspondence elections, were postponed to July 2020.

⁴ *Meanwhile in Taiwan free and fair presidential and legislative elections took hold in January.*

During the epidemic (which de facto applies all the time), several regulations were announced that contained numerous restrictions. One of the basic ones is the regulation of the Ministry of Health of 20 March 2020 on the declaration of an epidemic in the territory of the Republic of Poland (Journal of Laws of 2020, item. 491), which contains detailed restrictions on the issues specified in the Act on Preventing and Fighting Human... in Art. 46 para. 4.

Those regulations referred to the temporary rule of a specific method of movement; temporary restriction or prohibition of the marketing and use of particular items or food products, temporary limitation of the functioning of particular institutions or workplaces, prohibition of organizing shows and other gatherings of people; obligation to perform specific sanitary procedures, if their performance is related to the operation of a particular production, service, commercial or other facilities; an order to make real estate, premises, land available and to provide means of transport for anti-epidemic activities provided for in anti-epidemic plans.⁵

The following temporary limitations were also introduced:- movement restrictions with social distance; mandatory covering mouth and nose in public spaces; particular regulation in air traffic and temporary ban many of international flights and rail traffic; temporarily closed borders; ban cultural events and spectacles in the theaters or cinemas; closed restaurants and shopping malls and large stores even limitations in religious ceremonies; closed operational hairdressers and beauty salons; as well as fitness clubs or swimming pools; schools and universities were also closed, but there were online classes (GOV.PL, 2020).

5. Emergency States in Taiwan

The extraordinary measures in the Republic of China (Taiwan) introduced in certain situations when there is a lack of legal mechanism. According to the Constitution currently in Taiwan, there are two states: martial law and emergency. According to Art. 39 the President may, by law, declare martial law with the approval of, or subject to confirmation by, the Legislative Yuan. When the Legislative Yuan deems it necessary, it may, by resolution, request the President to terminate martial law (the Constitution of the Republic of China (Taiwan), Art. 39; hereinafter the Constitution of Taiwan)

However, in case of a natural calamity, an epidemic, or a national financial or economic crisis that calls for emergency measures, the President, during the recess of the Legislative Yuan, may, by resolution of the Executive Yuan Council, and following the Law on Emergency Decrees, issue emergency decrees, proclaiming such measures as may be necessary to cope with the situation. Such regulations shall be presented to the Legislative Yuan for confirmation; in case the Legislative

⁵ *The Act of 5 December 2008 on Preventing and Fighting... And also, in next art. 46b was added that those restrictions can be announced in regulation.*

Yuan withholds warranty, the said decrees shall forthwith cease to be valid (the Constitution of the Republic of China (Taiwan), Art. 43). The Executive Yuan shall have an Executive Yuan Council, composed of its President, Vice President, various Ministers and Chairmen of Commissions, and Ministers without Portfolio, with its President as Chairman (the Constitution of the Republic of China (Taiwan), Art. 58).

On the other hand, the Legislative Yuan shall have the power to decide by resolution upon statutory or budgetary bills or bills concerning martial law, amnesty, declaration of war, the conclusion of peace or treaties, and other important affairs of the State (the Constitution of the Republic of China (Taiwan), Art. 63).

Emergency decrees will be issued only when there is a lack of legitimacy for necessary disease prevention measures the Government has decided to carry out. Chien-Liang Lee pointed out three main reasons for the reluctance emergency state. After the SARS epidemic, Taiwan made substantial improvements to the legal mechanism for preventing and treating contagious diseases. The emergency response mechanism for infectious diseases is generally stated in the CDC Act. However, and it is a second point, the Parliament immediately passed the Special Act for Prevention, Relief, and Revitalization Measures for Severe Pneumonia with Novel Pathogens. Finally, an administrative order authorization through an emergency decree in Taiwan became less appealing than through law after 2002 because of Judicial Yuan Interpretation No. 543 (Chien-Liang Lee, 2020).

After martial law was lifted in 1987 following nearly 40 years of implementation, the Taiwanese Government has only issued an emergency decree once. After the island nation, it was struck by a magnitude 7.3 earthquake in 1999, which was later known as the Chi-Chi earthquake (Taiwan News, 2020). After this catastrophe, the President issued an emergency decree in response to the earthquake. The Government drafted and submitted to the Parliament the "Emergency Decree Execution Outline of September 1999". Members of the Parliament applied to the Judicial Yuan for an interpretation. Judicial Yuan "upheld that in principle, emergency decrees' content should be thorough and detailed to be executed swiftly without the need for supplementary regulations.

When there are time constraints, and in cases where details and technicality are impracticable, the decrees must contain provisions expressing precise objectives. They may only be proclaimed after ratification by the Parliament. Since the authorization of an administrative order through an emergency decree is more restrictive than through law, in cases of an emergency (such as the SARS in 2003, the flood on 8 August 2009, and the earthquakes in 2016 and 2018), no emergency decree has been issued. Such emergencies are tackled by way of legislation and administrative orders" (Chien-Liang Lee, 2020).

6. Legal and Organization Measures during COVID-19 Pandemic – Case of Taiwan

Which does not mean that Taiwan has not introduced restrictions? Taiwan learned his lessons after the SARS epidemic in 2002-2003. Learning from this experience, Taiwan's Government established in 2004 a "public health response mechanism" - the National Health Command Center, of which the Central Epidemic Command Center is a part (the Act of 19 June 2019 - on Communicable Disease Control, Art. 17).

The National Health Command Center is part of a disaster management center that focuses on large-outbreak response and acts as the operational command point for direct communications among central, regional, and local authorities (CDC.GOV.TW, 2020). "The CECC took an active role in resource allocation, including setting the price of masks and using government funds and military personnel to increase mask production." (Wang, Ng, and Brook, 2020). What is essential, "risk communication plays an important role in tackling public health emergencies. Effective and efficient risk communication informs people of potential hazards and ensures public trust, which serves as the very premise of successful control measures.

For detailed technical information to be conveyed to the lay public and subsequently transformed into concrete disease control measures, the Taiwanese Government has employed both formal and informal channels (such as social media platforms and messengers) and has also worked with civic technology groups to facilitate two-way communication between the CECC and the public daily." (Ching-Fu Lin, Chien-Huei Wu, and Chuan-Feng Wu, 2020).

President Tsai, already in March, announced that there is not issued an emergency order for the current COVID-19 situation because legal and policy tools are sufficient. The Legislative Yuan has quickly enacted a special law in response to the current pandemic: a special Act for prevention, relief, and revitalization measures for severe pneumonia with novel pathogens (the Act of 21 April 2020).

However, most outbreak restrictions and management's legal basis during the epidemic is the Communicable Disease Control Act (the Act on 19 June 2019). The law serves as a framework for government actions during public health emergencies, including, among other things establishing a central platform to command and coordinate agencies' efforts, share information, and respond to inquiries (the Act on 19 June 2019, Art. 9). setting up a disease control network by dividing the country into regions (the Act on 19 June 2019, Art. 14), issuing voluntary and mandatory isolation orders (the Act on 19 June 2019, Art. 44), and implementing border restrictions (the Act on 19 June 2019, Art. 58-61); and other penal provisions (e.g., passengers who refuse to wear masks after being asked to do

so would be assessed a fine of NT\$3,000 to NT\$15,000, the Act on 19 June 2019, Art. 61-71).

Other actions include measures on border control, case identification, resource allocation, implementing quarantine for all travelers who have visited regions walloped by the disease, and postponing schools' reopening following the winter break. Other provisions of the law increase the penalties to a substantial extent for breaking quarantine regulations on home quarantine or home isolation terms. Driving up the prices of supplies related to disease prevention or hoarding, such reserves could be punished with prison terms of up to five years. The sentence for spreading false information regarding the virus could be imprisonment for up to three years (Focus Taiwan, 2020).

The Taiwanese Government combined data from the National Health Insurance Administration and the Immigration Agency in one day. Thanks to Big Data and new technology, the Government's actions have become possible, including QR code scanning and online reporting of travel history and health symptoms to classify travelers' infectious risks based on-flight origin and travel history in the past 14 days (Wang, Ng, and Brook, 2020). "Nevertheless, due to the early deployment of resources and rapid containment of the epidemic, compared to other countries, there are currently no large-scale store closure measures, travel restrictions, or physical contact bans initiated. Nor does Taiwan have curfews, stay-at-home orders, or shutdown-of-the-city orders that undermine normal basic living functions" (Chien-Liang Lee, 2020).

Taiwan has taken various proactive and swift risk management measures to control the spread of COVID-19. Ching-Fu Lin, Chien-Huei Wu, and Chuan-Feng Wu (2020) consider three dimensions of Taiwan's risk management strategy optimization of crucial medical supplies, border control, and travel bans, and significant data-powered mechanisms for tracking and tracing the illness (2020).

On the other hand, on the official page, the Ministry of Foreign Affairs has mentioned seven crucial issues of disease prevention measures, and results as, e.g., preparations and early response to the COVID-19 pandemic or tackling COVID-19 with the help of big data and AI (MOFA.GOV.TW, 2020)

7. Conclusions and Recommendations

The current legal regulations – at least in Poland - in emergency states are insufficient and disproportionate to the threat of a pandemic. The current legal restrictions on states of emergency do not provide solutions for many situations that arise in a dynamically changing reality and, what is more, in the face of the necessity to introduce them, the established conditions may be insufficient. Perhaps it is for this reason that the legislator decided to pass a new law, presenting a particular model of a crisis in the event of an epidemic (pandemic), but not yet

fulfilling the features of emergency states. Despite the Government's swift action at the start of the epidemic, it has failed to stop or flatten the curve.

The Taiwanese model for fighting COVID-19 (Pu, 2020) influenced by the experience of the SARS epidemic rapid ruthless actions aimed at monitoring travelers, and in the following days' people who had contact with the infected, stabilizing the situation, excellent risk communication, calming moods, a sense of responsibility and self-control of the society, as well as cultural issues and education, and besides of all proper rules of law. Thanks to those measures, the introduction of an emergency state was unnecessary.

Moreover, it is worth pointing out that Taiwan reacted immediately on every level, which was also a result of the fight against SARS in 2002. Partial restrictions in Poland seem redundant or disproportionate. For example, Poland reacted quickly in terms of flight restrictions, but people returning by land (e.g., Germany, Austria, or Italy) were not monitored for several days. The Government Security Center failed here, as it could send even a text message after each crossing the border with information about the need to monitor the health condition or send its data to the Institute of Health and Safety. An even greater mistake was organizing return flights to Poland without securing the passengers' return route after landing. This resulted in, e.g., returns by train or public transport. In Taiwan, compulsory special taxis were introduced, which took arrivals to the monitored quarantine's designated location. That is why self-control of society's behavior is so necessary, but also digitization. Special applications were launched very quickly in Taiwan.

Considering the model of behavior in Taiwan in the fight against COVID-19 and the postulates relating to the simplification of the emergency states model, perhaps minor legislative changes in Poland that should apply to:

- clarifying the definitions of the extraordinary measures and their relationship;
- simplifying the procedure for the moment of introducing extraordinary measures; including those acts as the prerogative of the President;
- facilitating (and eliminating doubts) the process for introducing a State of emergency and martial law (what if the Council of Ministers cannot meet and is it unable to submit to the President a request for a State of emergency and martial law?);
- defining straightforward tasks of the Council of Ministers in crisis management;
- increasing the role and establishing the competences of the Government Centre for Security during a crisis;
- creating new epidemic center under the Ministry of Health - like CCED;
- campaigns primarily to raise awareness of the public.

"Taiwan's success in dealing with the COVID-19 pandemic is a testament to its democratic norms and institutions. The Government demonstrated transparency and honesty, as well as efficiency and good governance. Leaders avoided

politicizing the issue, candidly shared information and experiences, balanced recognition of the virus' global and local effects, and, most importantly, showed respect for democratic processes and values" (Liu Shih-Chung, 2020).

For this reason, the authorities must organize actions, including legal ones, to properly prevent, prepare, react, and minimize the effects, as well as restore the condition of the State, which existed before the pandemic at least.

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