

GOVERNMENT LEGAL RESPONSE IN COVID-19 PANDEMIC: A CASE STUDY OF SLOVENIA

Ana Intihar Marulc¹ 

DOI: <https://doi.org/10.31410/EMAN.2021.407>

Abstract: *The COVID-19 pandemic has been a disruptive occurrence that has impacted our economies and lives with many restrictions. Countries around the world suffered comparable problems, and many were caught by surprise or unprepared. Each took a slightly different approach. This paper examines a case study of a member of the European Union, Slovenia, how it tried to mitigate the consequences of the pandemic with the implementation of eight new legal acts and helped its economy. Speed proved as one of the crucial factors in legal response while battling the COVID-19 pandemic and trying to help the most affected areas by the disease and various restrictions.*

Keywords: *Acts, Covid-19, Impact on economy, Legal implementation.*

1. INTRODUCTION

European Union has 27 member states, and one of them is since May 2004 also Slovenia. European Union has different competencies in various areas, and they are defined in Articles 2 –6 of the Treaty on the functioning of the European Union. Health can be found in shared competencies as well as in Competencies to support, coordinate or supplement actions of the Member States, which gives them a high level of autonomy for decision making (European Commission, 2021).

When the COVID-19 pandemic caught European Union more or less unprepared for the healthcare crisis of such measures as COVID-19 turned out to be, Member states could not wait on the decisions of the European Union in spring of 2020. They decided to act on their own in the hope to minimize the spread of the COVID-19 and limit the negative effect on other areas that were most hit by the disease. That meant Member States had different approaches to tackling many issues that COVID-19 brought, but main national guidelines and measures were similar. Many countries implemented social distancing guidelines and different protocols to limit the spreading of the COVID-19, such as closing schools and started with online teaching. While the main focus was on healthcare systems, the number of infections, numerous campaigns and informing people how important it is to stay at home and wear masks, there was also a significant impact on the economy and also almost all the other aspects of life, which changed suddenly and had an extensive impact on the life as we knew it before the COVID-19 pandemic became an everyday reality in our lives. The first case of COVID-19 in Slovenia was confirmed on 4th March 2020, and the first death of COVID-19 infected the person just ten days later, on 14th March 2020. World Health Organization declared COVID-19 as a global pandemic on 11th March 2020 (World Health Organization, 2020).

2. CHARACTERISTICS OF GOVERNMENTS RESPONSES

COVID-19 has been around for more than a year and around the world has proven for a difficult and resilient problem. No matter the size or the strength of the economy and its healthcare system, COVID-19 has appeared almost as a stress test on the economic and social scale in

¹ Faculty of Law, University of Ljubljana, Martina Krpana 6, 1000 Ljubljana, Slovenia

the South African Republic (De Viliers, Cerbone & Van Zijl, 2020, p.798). The problem was even more prominent for countries such as India, where most of the workers are informal, so when COVID-19 and restrictions, including lockdowns, were introduced, it effectively meant those workers had little or no social protection (Ghosh, 2020, p. 522). South Korea dealt with COVID-19 more successfully and is considered as one of the role models for its response (Kumar, Priya & Srivastava, 2021, p. 77). However, not every country has resources and can respond as quickly as South Korea did. Many economies were struggling even before COVID-19. Thus global pandemic is expected to make their recovery, especially economic, even more challenging (Dragoi, 2020, p. 20).

The economic and healthcare situation in the Member States of the European Union before the pandemic was better than in most countries worldwide, but COVID-19 exposed all the weaknesses and brought healthcare systems to the maximum capacity in some countries. To reduce the impact of the COVID-19 pandemic on the most strained areas, countries began with the implementation of various legal acts with the objective mainly to survive and come out of the pandemic with as little losses as possible, be it in human casualties, companies, jobs, GDP decrease or even just with lighter and shorter restrictions, while recovery from the COVID-19 pandemic was also in policymaker's minds. Time and speed proved to be crucial factors that helped in Portugal (Peixoto, Vieira, Aguiar, Sousa & Abrantes, 2020) as well as in China (Liu & Saltman, 2020, p.1146). Because European Union has not had such experiences with contagious diseases like COVID-19 before, the quick response on a supranational level was almost impossible to expect. Countries tailored their responses to each country's abilities and systems and did not use a united approach when dealing with COVID-19. Even though some of the national strategies were quite similar, the many Member States implemented travel restrictions and lockdowns.

3. RESEARCH ON IMPACT OF LEGAL MECHANISMS ON ECONOMY

Governments and policymakers tried to be effective and quick with decisions as speed has proven crucial in the successful limitation of the spread of COVID-19 as well as limit damage to the economy. Many therefore did not use regular bills and multi reading and amending procedures but took quicker and simplified routes to ensure that help was enabled in the shortest possible time.

One of the mechanisms with the objective of job retention and helping companies keep their workers, whom many additionally educated for the specific job they had, was a priority, especially in sectors that were most vulnerable to restrictions because of the nature of their work. As OECD study finds, job retention schemes allowed retain workers at minimal or zero costs, which prevented a surge in unemployment (OECD, 2020).

A smooth transition from job retention schemes back to unsupported working again will be the crucial stepping stone towards success for such schemes. Important will be to recognize which jobs are so limited in prospects that workers will eventually have to choose a different career path and to help those make that change. For such workers would be great to start (re)training and thinking about shifting careers while they are on reduced hours (ibid).

Governments in Europe and around the world faced similar problems, but some recorded their first confirmed COVID-19 case earlier than others and had, therefore, less time to prepare. Italy, for example, had first confirmed the case relatively early while Slovenia, with which it shares a border,

on the other hand, had first confirmed the case later. That meant Slovenia had a little bit more time to prepare and observe Italy and other countries in their responses. The Italian government had announced one of the first quarantines in Europe on 22nd February because of the alarmingly high rise of the number of COVID-19 positive cases (Fang, Nie & Penny, 2020 p.643).

It was quickly evident how vital will be a fast implementation of legal acts that will enable changes that appeared as necessary at the moment and help manage the crisis in multiple areas as well as reassure people that help is on the way and offer some relief, especially from the economic point of view. The Slovenian government act was designed and created with the objective to help (table 1). Since all the problems were not apparent initially and the process was rushed with the intention to try to save as many jobs and companies as possible, other acts followed soon after and covered many additional areas. They quickly became widely known as „Anti COVID-19 Acts“ and the number per order in which they passed.

Table 1. Comparison of the legal acts Slovenian government responded to the (economic) crisis

Name of the act	Date of the passing of the act	Estimated value in euros	Main areas of aid
Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy	2 nd April 2020	3 billion	<ul style="list-style-type: none"> Financial aid for students and retirees with the lowest pensions Cover of 80% of salary for workers who cannot work due to restrictions Tax reliefs Self-employed, farmers and religious employees who suffered more than a 25% drop compared to the previous month (February) received basic monthly income
Act Amending the Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy	28 th April 2020	Limited at 2 billion euros of state guarantees	<ul style="list-style-type: none"> Easier access to bank loans for companies with state ensured guarantees Raise of income per capita for municipalities
Act Determining the Intervention Measures to Mitigate and Remedy the Consequences of the COVID-19 Epidemic	29 th May 2020	The voucher's value was 345 million	<ul style="list-style-type: none"> Funding of half workday (20hours per week) Every adult citizen received 200 euro, and every underage citizen received a 50 euro tourist voucher to spend in Slovenia
Act Determining Intervention Measures to Prepare for the Second Wave of COVID-19	9 th July 2020		<ul style="list-style-type: none"> Extension of aid for those waiting on work (and are unable to because of restrictions) Compensation for the duration of the quarantine order Implementation of mobile app for easier tracking of contacts of people with confirmed COVID-19
Act Determining Temporary Measures to Mitigate and Remedy the Consequences of COVID-19	15 th October 2020		<ul style="list-style-type: none"> 100% payment guarantee for those with quarantine orders or 250 euros for self-employed in case of a quarantine order All people with health care insurance are entitled to a free vaccine against flu.
Act Determining the Intervention Measures to Mitigate the Consequences of the Second Wave of COVID-19 Epidemic	25 th November 2020	1 billion	<ul style="list-style-type: none"> Coverage of fixed expenses for companies Bonus for working in high-risk areas Extension of aid for those waiting on work (and are unable to because of restrictions) Pupils who receive subsidized meals are entitled to them during the week also while school is online

Act Determining Intervention Measures to Assist in Mitigating the Consequences of the Second Wave of COVID-19 Epidemic	29 th December 2020	550 million	<ul style="list-style-type: none"> • Students, low-income workers, retirees and religious workers receive additional benefit • For every born child since the pandemic started, 500 euros grant is confirmed • Big families (with three or more children) receive additional support
Act on Additional Measures for Mitigation of Consequences COVID-19	3 rd February 2021	320 million	<ul style="list-style-type: none"> • Extension of aid for those waiting on work (and are unable to because of restrictions) • One time aid for high school students and Slovenian students studying abroad • The act covers expenses of covid testing for Slovenian athletes • Penalties for queue jumping for vaccines

Sources: Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy, 2020; Act Amending the Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy, 2020; Act Determining the Intervention Measures to Mitigate and Remedy the Consequences of the COVID-19 Epidemic, 2020; Act Determining Intervention Measures to Prepare for the Second Wave of COVID-19, 2020; Act Determining Temporary Measures to Mitigate and Remedy the Consequences of COVID-19, 2020; Act Determining the Intervention Measures to Mitigate the Consequences of the Second Wave of COVID-19 Epidemic, 2020; Act Determining Intervention Measures to Assist in Mitigating the Consequences of the Second Wave of COVID-19 Epidemic, 2020; Act on Additional Measures for Mitigation of Consequences COVID-19, 2021;

The table shows the eight main Acts that were passed and implemented for a fast and adequate response that enabled Slovenia to mitigate the consequences of the COVID-19 pandemic. These were the main steps towards the socio-economic recovery of the country as a whole and tried to help the most affected areas the most. The first act was the most crucial because it offered first help in very uncertain times in spring 2020 when nobody knew exactly what we were dealing with and the disease was not researched enough due to its novelty. Additionally, there were none of the vaccines or medications available that were developed specifically for COVID-19, whereas now, in 2021 situation is much better because healthcare professionals have a lot more knowledge about the disease and its course, as well vaccines and better knowledge on which medications are helpful.

4. CONCLUSION

Countries had different approaches to tackling the issue of COVID-19. Many countries were caught unprepared, and due to lack of exclusive competencies by the European Union in the area of (public) health, each country tailored its approach to its abilities and tried to lessen the burden on healthcare systems while also saving the economy and other aspects of life which have been affected by the COVID-19 pandemic and restrictions.

Slovenia took the approach by which it tried to help the most affected as soon as possible and then added other also affected areas in the pandemic in later acts with which it tried to alleviate the consequences of COVID-19.

The critical phase will be when restrictions ease, and everyday life will slowly start returning to the way it was before the COVID-19 pandemic. Nevertheless, we should not anticipate this transition as something simple and easy, but rather something that will need some preparation in order to proceed successfully and actually retain the jobs that countries so desperately tried to retain during the pandemic and all the restrictions.

European Union an enormous step forward with joined vaccines orders and purchases to help all the countries get a supply of vaccines. This would not have been an issue for bigger countries with powerful economies that could afford more, but it could have been the point where smaller or economically weaker countries were left out and prolonged their recovery time even more.

Although it brought many sorrowful moments from a positive point of view, we can look at the current crisis. European Union was before the COVID-19 pandemic became everyday reality strong, but the pandemic exposed all of its weaknesses, even if they were not considered a weakness. This gives an incredible opportunity to all of the Member States and the European Union as a whole to improve the most vulnerable areas and make the Member States and European Union even stronger than it was ever before.

REFERENCES

- Act Amending the Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy. (2020). *Official Gazette of the Republic Slovenia*, no. 61. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8195>
- Act Determining Intervention Measures to Assist in Mitigating the Consequences of the Second Wave of COVID-19 Epidemic. (2020). *Official Gazette of the Republic Slovenia*, no. 203. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8304>
- Act Determining Intervention Measures to Prepare for the Second Wave of COVID-19. (2020). *Official Gazette of the Republic Slovenia*, no. 98. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8231>
- Act Determining Temporary Measures to Mitigate and Remedy the Consequences of COVID-19. (2020). *Official Gazette of the Republic Slovenia*, no. 152. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8254>
- Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy. (2020). *Official Gazette of the Republic Slovenia*, no. 49, <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8190>
- Act Determining the Intervention Measures to Mitigate and Remedy the Consequences of the COVID-19 Epidemic. (2020). *Official Gazette of the Republic Slovenia*, no. 80. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8206>
- Act Determining the Intervention Measures to Mitigate the Consequences of the Second Wave of COVID-19 Epidemic. (2020). *Official Gazette of the Republic Slovenia*, no.199. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8272>
- Act on Additional Measures for Mitigation of Consequences COVID-19. (2021). *Official Gazette of the Republic Slovenia*, no.15. <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8321>
- De Viliers, C., Cerbone, D. & Van Zijl, W. (2020). The South African government's response to COVID-19. *Journal of Public Budgeting, Accounting & Financial Management*, 32(5), 797-811. <https://doi.org/10.1108/JPBAFM-07-2020-0120>
- Dragoi, D. (2020). The impact of the COVIDS-19 pandemic on the global economy. *Annals of the University of Craiova, Economic Science Series*, 48(2), 18-30.
- European Commission. (2021). *European Commission powers to propose a legal act of the Union* [Online]. https://europa.eu/citizens-initiative/how-start-initiative/faq-eu-competences-and-commission-powers_en

- Fang, Y., Nie, Y. & Penny, M. (2020). Transmission dynamics of the COVID-19 outbreak and effectiveness of government interventions: A data-driven analysis. *Journal of Medical Virology*, 92(6), 645-659. <https://doi.org/10.1002/jmv.25750>
- Ghosh, J. (2020). A critique of the Indian government's response to the COVID-19 pandemic. *Journal of Industrial and Business Economics*, 47(1), 519-530. <https://doi.org/10.1007/s40812-020-00170-x>
- Kumar, A., Priya, B. & Srivastava, S.K. (2021). Response to the COVID-19: Understanding implications of government lockdown policies. *Journal of Policy Modeling*, 43(1), 76-94. <https://doi.org/10.1016/j.jpolmod.2020.09.001>
- Liu, Y. & Saltman, R.B. (2020). Policy Lessons From Early Reactions to the COVID-19 Virus in China. *American Journal of Public Health*, 110(8), 1145-1148. <https://doi.org/10.2105/AJPH.2020.305732>
- OECD. (2020). *Job retention schemes during the COVID-19 lockdown and beyond*. <https://www.oecd.org/coronavirus/policy-responses/job-retention-schemes-during-the-covid-19-lockdown-and-beyond-0853bald/>
- Peixoto, V. R. F. D., Vieira, A. A. M., Aguiar, P., Sousa, P., & Abrantes, A. V. (2020). "Timing", adesão e impacto das medidas de contenção da COVID-19 em Portugal. *Escola Nacional de Saúde Pública*. Universidade Nova de Lisboa. <https://barometro-covid-19.ensp.unl.pt/wp-content/uploads/2020/05/impacto-das-medidas-de-contencao-da-covid-19-em-portugal.pdf>
- World Health Organization. (2020). *WHO Director-General's opening remarks at the media briefing on COVID-19 –11th March 2020* [Online]. <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>