

BORDER CHECKS OF PERSONS DURING A PANDEMIC PROBLEMS AND POSSIBLE SOLUTIONS

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Abstract. *The article is a study of border checks (hereinafter BCs) of persons during a pandemic – a study of problems and possible solutions. BC problems at different border crossing points (BCPs) are analysed in the study – their importance and possible solutions. In this article, the authors study the influence of a pandemic on efficient performance of the duties of the State Border Guard (hereinafter the SBG) and design recommendations to improve the work of the SBG.*

The research aim is to study BCs of persons during a pandemic, associated problems and possible solutions, make an evaluation, conclusions, and recommendations.

Research objectives:

- *Analyse the legal regulations for BCs of persons during a pandemic;*
- *Study the specifications of BCs of persons during the Covid-19 pandemic;*
- *Study the problems associated with BCs of persons during the Covid-19 pandemic at different types of border crossing points, perform an analysis and suggest possible solutions.*

Primary methods used: Analysis and qualitative methods.

Main results – find possible solutions to the problems associated with BCs of persons during a pandemic.

The European Union (hereinafter the EU) is striving to improve the protection of its external borders by suggesting various modern solutions. The EU border management policies are met with the influx of refugees and migrants in unprecedented numbers, which has also uncovered deficiencies in the EU policy concerning external borders and migration. The EU is also facing the Covid-19 pandemic and the increase in security problems.

The State Border Guard officers have to adapt to new and strained working conditions, have to be able to provide themselves with all the necessary personal protection equipment; if necessary, send officers to serve in other units and test their ability to cooperate with other institutions at a completely different level. They have to be able to successfully ensure the security of the state border in accordance with the requirements of the EU, as well as perform priority tasks in accordance with the situation in any conditions.

Keywords: *border checks of persons, border crossing point, Covid-19 pandemic, European Union, State Border Guard.*

Introduction

At the end of 2020, Covid-19 reached Europe while spreading throughout the world. On 11 March 2020, the World Health Organisation declared a pandemic, and many countries introduced various measures to limit the spread of the disease and declared an emergency. (National



Encyclopaedia. Covid-19 Pandemic) To confine the pandemic, several decisions and Cabinet regulations were adopted, which had to be observed by government authorities. At the time of writing, vaccines against Covid-19 are already developed. The authors believe that the topic is very relevant because to ensure continuous BCs of persons during the pandemic, the State Border Guard officers had to get vaccinated and design internal regulations for the SBG on the basis of 28 September 2021 Cabinet Regulation No.662 “Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection”. During the pandemic, the majority of the officers left service with the SBG or retired based on years of service, the staff were sick with Covid-19 and, of course, there were challenges, mostly due to the shortage of staff.

Research period: year 2021 – 2022.

Research methods – study and analysis of literature, monographic or descriptive method, analysis and synthesis, statistical method, comparative method. The study of literature and the descriptive method are used to study the specific nature of BCs of persons during the pandemic. Whereas analysis and synthesis are used to analyse laws and regulations and statistical data.

Research aim – to study BCs of persons during a pandemic, associated problems and possible solutions, make an evaluation, conclusions, and recommendations.

Legal Regulations for Border Checks of Persons During a Pandemic

This Chapter contains the study of Cabinet regulations. The authors of the study analyse the Cabinet regulations which directly determine and regulate the work of the SBG during a pandemic.

The authors have studied 28 September 2021 Cabinet Regulation No.662 “Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection”, the purpose of which is to limit the spread of the Covid-19 infection.

Cabinet Regulation No.662 “Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection” describes general epidemiological safety requirements, special epidemiological safety requirements, conditions for entering the Republic of Latvia, counter-epidemic measures against Covid-19, vaccination against Covid-19, the interoperable certificate, restrictions on the provision of healthcare services, etc. (28 September 2021 Cabinet Regulation No. 662 “Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection”)

Since 2020, one of the most prominent political solutions for managing the coronavirus pandemic is the restriction of the movement of persons globally and within the EU. Several EU member states closed international

passenger traffic, which was followed by additional restrictions on international travel in the EU, which involved partial closure of the external borders of the EU and the prohibition to enter the European Union from third countries. (26 March 2020 Joint statement by the Members of European Council, Brussels)

The Covid-19 pandemic is a great challenge for people globally and in Latvia. Latvia had not seen epidemics so extensive for a long time, which is why neither institutions, nor society in general were able to use previous experience for overcoming the crisis. The situation was new and, in a way, unique, and the reaction of society came under the spotlight of science. (<https://lvportals.lv/viedokli/323643-komunikacijas-grabekli-uz-kuriem-varejam-ari-neuzkapt-latvija-covid-19-krize-2021>. [Communication Rake We Did Not Have to Step On, – Latvia in Covid-19 crisis, 11 January 2021])

The SBG officers were performing their service duties to ensure the functioning of the internal and external border at border crossing points in accordance with the provisions of Cabinet Regulation No.662 “Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection”.

When organising its work during the Covid-19 pandemic, the SBG has successfully balanced the resources at its disposal and, if necessary, efficiently sent officers to serve in other units. Personal protection equipment and disinfectants for the staff were also prepared and handed out quickly.

Border Checks of Persons During a Pandemic in Different Units of the SBG

This Chapter is the study of problems in different BC units of the SBG during the Covid-19 pandemic. The authors analyse the responses of the staff of BC units of the SBG to the questions related to BCs of persons during the pandemic and study possible solutions at border crossing points. 70 respondents from different units were interviewed with the aim to learn about the problems related to BCs of persons during the pandemic and to find possible solutions.

As part of the study, the SBG officers were asked the following questions, which were then summarised:

- Did you experience any problems performing official duties in the BC unit during the pandemic?
- Which factors influenced BCs of persons?
- What possible solutions would you suggest?

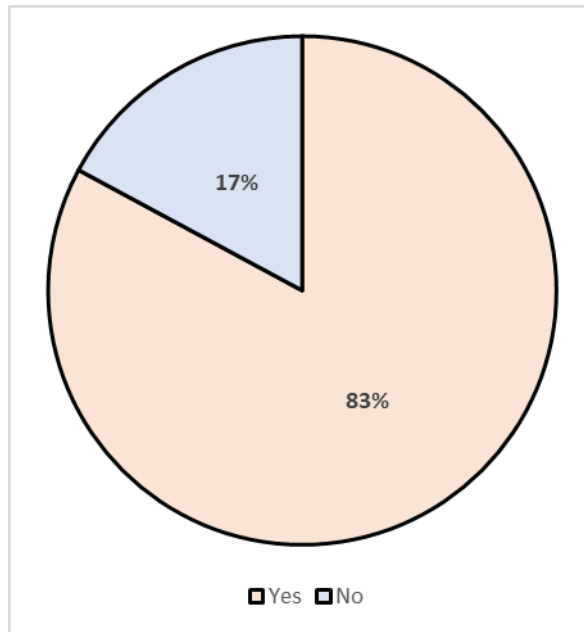


Fig.1 Did you experience any problems performing official duties in the BC unit during the pandemic? (compiled by the authors)

The majority of respondents believe that they experienced problems (83% of respondents) performing BCs of persons during the pandemic, and 17% of respondents believe there were no problems and they performed their official duties as usual.

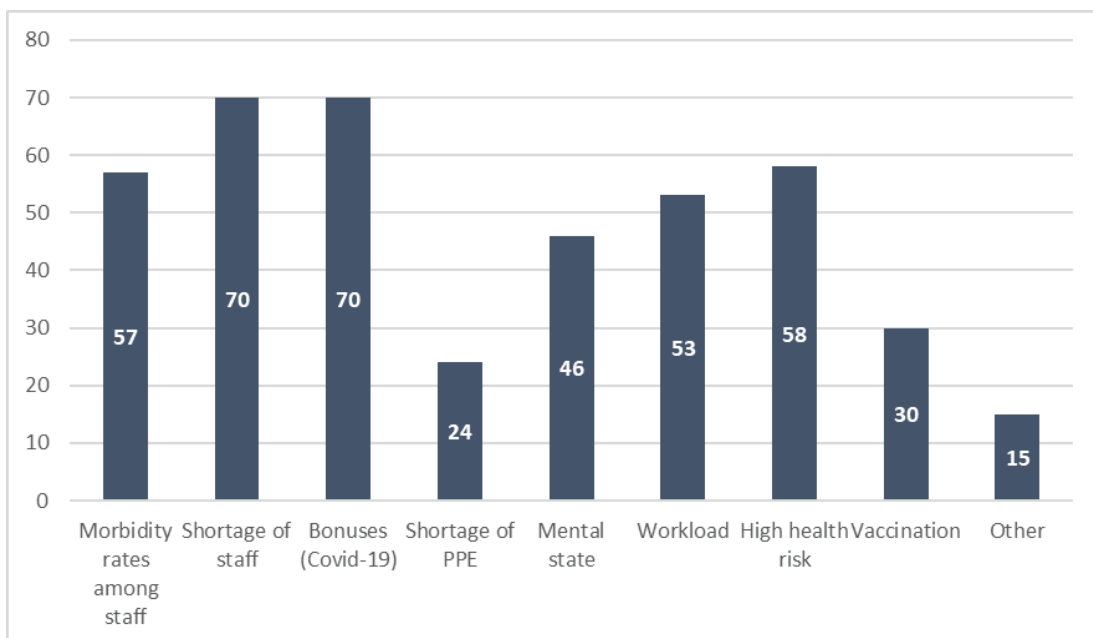


Fig.2 Which factors influenced BCs of persons? (compiled by the authors)

70% of respondents believe that BCs of persons were influenced by the shortage of staff and lack of bonuses. A somewhat smaller number of respondents (58%) believe that the high health risk had an effect, and 57% said “morbidity rates among staff”. 53% of respondents were affected by the workload, and 46% of respondents were affected by mental state, namely job strain. 30% of respondents did not want to get vaccinated. 24% of respondents believed there was a shortage of personal protective equipment at the workplace. The remaining 15% stated other reasons which influenced BCs of persons (such as no Covid-19 test result, no vaccination, the Covidpass form not completed). It can be concluded that, for various reasons, BCs of persons during the pandemic were hindered.

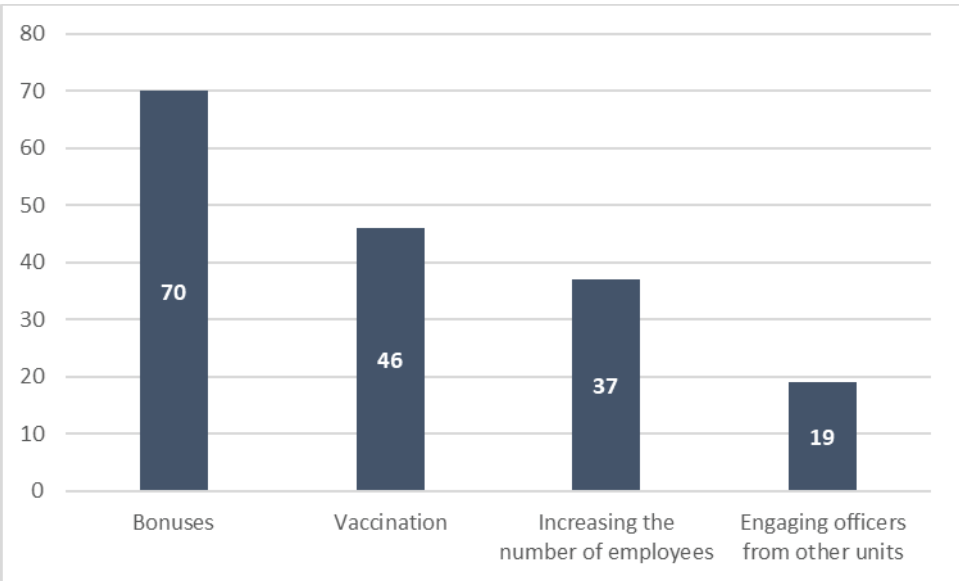


Fig.3 What possible solutions were suggested?
(compiled by the authors)

The majority of respondents (70%) suggested paying monthly bonuses, another 46% of respondents suggested getting vaccinated, 37% of respondents suggested increasing the number of employees, and only 19% of respondents suggested engaging officers from other units as a solution in this situation.

Having summarised the information received from the respondents, the authors have concluded that controlling the fulfilment of the requirements for entry, leaving, and stay, the completion of Covidpass certification forms, as well as informing the public about these requirements, was not easy at first – there were many incidents of uncompleted forms and many administrative violation procedures were initiated. During the pandemic, a large number of staff were sick with Covid-19 for long periods, which caused

a shortage of staff at the SBG, and people had to work several shifts. There was also a shortage of funding (not everyone received bonuses due to the Covid-19 pandemic) and the staff had no desire to work. People's mental state also became fragile, which applied both to border guards as well as foreigners. During border checks of persons during the pandemic, there were also foreigners who were crossing the State border without a valid Covid-19 test or a valid interoperable vaccination certificate, but the situation was solved right there, and the foreigners were able to have a Covid-19 test taken by a medical specialist at the BCP for a fee and receive the test result right there.

The solution to the shortage of staff due to high morbidity rates was to engage border guards from other units, even from other directorates.

The EU border management policy had to be adapted to the dramatic changes related to the arrival of refugees and non-qualifying migrants in unprecedented numbers, and since the middle of 2015, a set of deficiencies was discovered in the EU policy regarding its external borders and migration. Problems related to the growing mixed flow of migrants to the EU, the Covid-19 pandemic, and increasing security issues have encouraged active action for the protection of the EU external borders, which also affects the internal borders of the Union. (European Parliament Management of the external borders: https://www.europarl.europa.eu/factsheets/lv/sheet/153/arejorobezu-parvaldiba#_ftn15)

Conclusions and Recommendations

Following the provisions of Cabinet Regulation No.662 "Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection", officials were performing their official duties at their places of duty.

The pandemic has been going on for two years, and the SBG staff numbers have rapidly decreased: some officers used the opportunity to retire based on years of service, others left service and went abroad, and there were also some who simply did not get vaccinated and in accordance with Cabinet Regulation No.662 could not perform their official duties without an interoperable vaccination certificate or recovery certificate, which is why rotations were made in the SBG units.

The pandemic has also had an effect on people's mental state – uncertainty about the future, the feeling of instability, relationship problems with colleagues and management, insufficient remuneration, physical and mental exhaustion, a large amount of work, and Covid-19 are the factors which negatively influence the mental wellbeing of employees at work. Mental wellbeing is significantly affected by sudden changes which bring about the necessity to adapt to something new and unusual. Everyone had to

face such conditions due to the restrictions established by the state of emergency due to the Covid-19 pandemic and the situation in the State.

One of the possible solutions to the problems caused by the pandemic were Covid-19 bonuses and near-border bonuses. Officers were motivated to travel to other units and help because they could receive bonuses. In case of staff shortages, officials from other departments were seconded.

The State Border Guard officers were subjected to a higher risk of infection through direct contact with people and often faced violence and aggression towards themselves from foreigners.

Those officers who were able to perform their official duties during the pandemic remotely from home were provided with a work computer and access to the systems for remote work.

The authors believe that the pandemic has made officers adapt to working in the conditions of an emergency, whereas the SBG has provided everything it could and tried to find solutions in problem situations.

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