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## **Limitation of Human and Civil Rights and Freedoms During the Pandemic in Poland**

**Keywords:** rights and freedoms, human rights standards, infectious diseases, extraordinary measures, pandemic, COVID-19, constitution

**Słowa kluczowe:** prawa i wolności, standardy praw człowieka, choroby zakaźne, stany nadzwyczajne, pandemia, COVID-19, konstytucja

### **Abstract**

The fight against a pandemic, which is a form of natural disaster, is always connected with limiting constitutional freedoms and human and civil rights. Due to the emergence of the coronavirus epidemic in Poland, a number of legal regulations have been adopted to combat it. The adopted regulations are restrictive and significantly limit the exercise of constitutionally guaranteed freedoms and rights. This article analyzes the limitations of rights and freedoms introduced during the pandemic in Poland, and in particular the manner of their implementation, and assesses the process from the point of view of violating the basic standards of human rights protection. The results of the analysis lead to the conclusion that despite the substantive justification of many restrictions, the manner of their introduction violates the basic standards of human rights protection and rais-

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es fundamental doubts from the point of view of the compliance of the introduced solutions with the Constitution.

## Streszczenie

### Ograniczenie praw i wolności człowieka i obywatela w okresie pandemii w Polsce

Walka z pandemią, będącą formą katastrofy naturalnej, zawsze związana jest z ograniczeniem konstytucyjnych wolności i praw człowieka i obywatela. W związku z pojawieniem się epidemii koronawirusa w Polsce przyjęto szereg uregulowań prawnych w celu jej zwalczania. Przyjęte regulacje mają charakter restrykcyjny i znacznie ograniczają korzystanie z konstytucyjnie gwarantowanych wolności i praw. W niniejszym artykule poddano analizie ograniczenia praw i wolności wprowadzonych w czasie pandemii w Polsce, w szczególności zaś sposób ich wprowadzania oraz dokonano oceny procesu z punktu widzenia naruszenia podstawowych standardów ochrony praw człowieka. Wyniki analizy prowadzą do konkluzji, że pomimo merytorycznego uzasadnienia wielu ograniczeń, sposób ich wprowadzania narusza podstawowe standardy ochrony praw człowieka i budzi fundamentalne wątpliwości z punktu widzenia zgodności z Konstytucją wprowadzanych rozwiązań.

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## I. Introduction

The pandemic of COVID-19 (Coronavirus Disease 2019), which is a severe acute respiratory syndrome caused by infection with SARS-CoV-2, was diagnosed and described in the late fall (November/December) of 2019 in the city of Wuhan in central China<sup>3</sup>. Due to the scale and spread of infections, on January 30, 2020, the World Health Organization (WHO) announced an public health emergency of international concern in connection with the COVID-19

<sup>3</sup> S.S. Ahmed, *The Coronavirus Disease 2019 (COVID-19): A Review*, "Journal of Advances in Medicine and Medical Research" 2020, No. 32 (4), pp. 1–9; T.K. Burki, *Coronavirus in China*, "Lancet Respiratory Medicine" 2020, No. 8 (3), p. 238; M.A. Shereen, S. Khan, A. Kazmi, N. Bashir, R. Siddique, *COVID-19 infection: Origin, transmission and characteristics of human coronaviruses*, "Journal of Advanced Research" 2020, No. 24, pp. 91–92.

epidemic. Then, on March 11, 2020, the WHO made the assessment that the incidence of COVID-19 occurring since December 2019 gave rise to its classification as a global pandemic.

In Poland, the first case of COVID-19 was diagnosed on March 4, 2020. Due to the outbreak of subsequent cases on the following days, the state of epidemic threat was introduced in Poland as at March 14, 2020<sup>4</sup>. It remained in force until March 20, 2020, when the Minister of Health declared the state of epidemic in the Republic of Poland<sup>5</sup> (Regulation 2020 II). The state of the epidemic is not provided for in the Constitution and thus does not constitute a legal basis for restricting human rights during the COVID-19 pandemic<sup>6</sup>. The introduction of the state of epidemic threat and then the state of the epidemic was associated with the implementation of specific legal measures to combat the coronavirus. These regulations limit the rights and freedoms guaranteed in the Constitution, and sometimes they strike directly at the essence of these freedoms and rights. This paper analyzes the restrictions on rights and freedoms introduced during the time of pandemic in Poland. In particular, it concerns the method of their implementation and contains the assessment of this process from the point of view of violation of the basic standards of the protection of human rights.

## **II. Limitation of Rights and Freedoms in the Light of Article 31 of the Constitution**

The principles of limitation may be broken down into three segments:

- the first concerns formal requirements and it defines the type of normative acts, under which such limitations may be introduced. Accordingly, any restrictions on constitutional freedoms and rights may be imposed only by statute.

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<sup>4</sup> *The Regulation of the Minister of Health of 13 March 2020 on declaration of the state of epidemic threat in the Republic of Poland* (Dz.U. item 433).

<sup>5</sup> *The Regulation of the Minister of Health of 20 March 2020 on declaration of the state of epidemic in the Republic of Poland* (Dz.U. item 491).

<sup>6</sup> A. Gajda, *Restrictions on Human Rights and Freedoms During the Time of Epidemic in Poland*, "Przegląd Prawa Konstytucyjnego" 2020, No. 5 (57), p. 19 ff.

- the second concerns the premises that justify the introduction of the restrictions in question. It presents a catalogue of values, the protection of which gives a reasonable grounds for their implementation. In accordance with the regulation, any limitation upon the exercise of constitutional freedoms and rights may be imposed for the protection of public security or public order, or to protect the natural environment, health and public morals, or the freedoms and rights of other persons.
- the third concerns the limits of restrictions upon freedoms and rights. In accordance with Art. 31 sec. 3 of the Constitution, any interference in the sphere of constitutional freedoms and rights is limited, on the one hand, by the principle of proportionality, and, on the other hand, by the prohibition of violating the essence of rights and freedoms<sup>7</sup>.

By imposing limitations in the exercise of freedoms and rights, the legislator established significant substantive conditions, namely such restrictions cannot lead to the complete abolition of freedoms, or even to the violation of their essence, understood as the most important and crucial part thereof. Moreover, these restrictions may only be introduced when they are necessary in a democratic state. The latter requirement is related to the principle of proportionality. The requirement of “necessity” is understood as the prohibition of excessive interference with the freedoms and rights of an individual<sup>8</sup>.

The analyzed regulation combines both the restrictive and guarantee functions. On the one hand, it introduces the possibility of limitation upon the exercise of freedoms and rights, on the other, however, it enumerates exhaustively the conditions that need to be met in order for the restrictions to comply with the requirements of the Constitution. This regulation applies to all constitutional freedoms and rights, except for the human dignity referred to in Art. 30 of the Constitution. In accordance with Art. 30, the inherent and in-

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<sup>7</sup> A. Surówka, *Relacja zasad ograniczania wolności i praw człowieka i obywatela w stanach nadzwyczajnych i w stanie normalnego funkcjonowania państwa*, “Przeгляд Prawa Konstytucyjnego” 2014, No. 4 (20), p. 136; L. Garlicki, *Komentarz do art. 31 Konstytucji RP*, [in:] *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, ed. L. Garlicki, Warsaw 2005, p. 14.

<sup>8</sup> K. Complak, *Art. 31*, [in:] *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, ed. M. Haczowska, Warsaw 2014, p. 50.

alienable dignity of the person shall constitute a source of all freedoms and rights of persons and citizens. It shall be inviolable<sup>9</sup>.

### **III. Limitation of Rights and Freedoms in Situations of Particular Danger (Extraordinary Measures)**

In accordance with Art. 228 of the Constitution of the Republic of Poland, appropriate extraordinary measures may be introduced in situations of particular danger, if ordinary constitutional measures are inadequate. The intention of the legislator was that in the event of sudden and serious threats, both external and internal, to the state and its citizens as well as in the event of natural disasters and catastrophes, it would be possible to cease the “regular” constitutional system of exercising power. Extraordinary measures are a legal instrument to combat extraordinary threats to the security of the state and its citizens<sup>10</sup>. In a democratic state, the introduction of extraordinary measures should only be justified by the occurrence of specific threats for which ordinary constitutional measures are insufficient, and only in order to overcome these threats, serve the common good, protect residents, ensure the effective functioning of the State in a crisis situation and restore the normal functioning of the State<sup>11</sup>.

As a result of the introduction of extraordinary measures, the principles of operation of public authorities are changed, which renders the possibility of introducing special restrictions on the exercise of constitutional freedoms and rights. The Constitution distinguishes between three types of extraordinary measures: martial law, state of emergency and state of natural disaster.

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<sup>9</sup> A. Surówka, op.cit., p. 136; P. Polak, J. Trzciniński, *Konstytucyjna zasada godności człowieka w świetle orzecznictwa Trybunału Konstytucyjnego*, “Gdańskie Studia Prawnicze” 2018, T. XL, p. 258.

<sup>10</sup> D. Dyzenhaus, *States of Emergency*, [in:] *The Oxford Handbook of Comparative Constitutional Law*, eds. M. Rosenfeld, A. Sajó, Oxford 2012, p. 442; K. Prokop, *Stany nadzwyczajne w Konstytucji Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r.*, Białystok 2005, p. 9; M. Brzeziński, *Stany nadzwyczajne w polskich konstytucjach*, Warsaw 2007, p. 48.

<sup>11</sup> S. Gebethner, *Stany szczególnego zagrożenia jako instytucja prawa konstytucyjnego*, “Państwo i Prawo” 1982, No. 8, p. 12; B. Banaszak, *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, Warsaw 2012, p. 1086.

Depending on the situation, the appropriate extraordinary measures may be introduced “if ordinary constitutional measures are inadequate”. The assessment of the situation is carried out by competent authorities specified in the Constitution. In the face of particular threats, the authorities assess which solutions should be applied and, possibly, introduce the extraordinary measures<sup>12</sup>.

The term “ordinary constitutional measures” referred to in Art. 228 of the Constitution shall be understood as all legal norms that can be constructed on the basis of the Constitution, except for Chapter XI thereof<sup>13</sup>. In practice, it covers all possible actions available to public authorities (government and local government) in a regular situation, when no particular danger exists and there is no need to introduce the extraordinary measures. This includes issuing legal acts, taking individual decisions, as well as taking actual actions within the limits of the competencies conferred upon the authorities<sup>14</sup>. The legislator may also be helpful by defining in statutory acts when ordinary measures should be considered insufficient<sup>15</sup>. Thus, a situation where ordinary constitutional measures are not sufficient takes place when it is not possible to overcome a particular danger without resigning from the application of constitutional norms, in particular without limiting the freedoms and rights of an individual in accordance with Art. 31 sec. 3 of the Constitution<sup>16</sup>. In other words, if the particular danger can be addressed only by completely abolishing certain freedoms or violating their essence.

Anticipating the possibility of interference with the freedoms and rights of an individual, to a larger extent than in a normal situation, the legislator concluded that an acceptable consequence of imposing extraordinary measures is the suspension of certain obligations of the state with regard to human rights<sup>17</sup>. The Constitution defines precisely which freedoms and rights may be limited to the extent violating their essence and which may be complete-

<sup>12</sup> M. Brzeziński, *Stany nadzwyczajne...*, pp. 169–170; B. Banaszak, *op.cit.*, p. 1089.

<sup>13</sup> K. Prokop, *op.cit.*, pp. 19–20.

<sup>14</sup> S. Steinborn, *Art. 228*, [in:] *Konstytucja RP. Komentarz*, T. II, ed. M. Safjan, L. Bosek, Warsaw 2016, p. 1610.

<sup>15</sup> B. Banaszak, *op.cit.*, p. 1089.

<sup>16</sup> K. Prokop, *op.cit.*, pp. 19–21; K. Wojtyczek, *Granice ingerencji ustawodawczej w sferę praw człowieka w Konstytucji RP*, Zakamycze 1999, pp. 250–51; S. Steinborn, *op.cit.*, p. 1610.

<sup>17</sup> A. Płoszka, *Prawa człowieka w Polsce w dobie koronawirusa*, <https://archiwumosiastynskiego.pl/wpis-w-debacie/prawa-czlowieka-w-polsce-w-dobie-koronawirusa> (15.10.2021).

ly suspended. These catalogues vary, depending on the type of extraordinary measures. In the case of martial law or state of emergency, the Constitution defines a catalogue of freedoms and rights that cannot be suspended or violated, thereby allowing the suspension of the others<sup>18</sup>. On the other hand, in the event of a state of natural disaster, the Constitution enumerates only the catalogue of freedoms and rights that may be limited<sup>19</sup>.

#### **IV. Limitation of the Freedoms and Rights in Poland during COVID-19 Pandemic**

In connection with the spreading COVID-19 pandemic and the growing number of cases, the authorities of individual countries are taking numerous remedial measures, including extraordinary legal measures limiting the exercise of freedoms and rights in order to protect public health<sup>20</sup>. Although the Polish Constitution provides for the state of emergency or the state of natural disaster, the government has not decided to declare any of them, considering that “ordinary constitutional measures” are sufficient and adequate to the scale of threats resulting from the spreading pandemic. In the light of the Act on the state of natural disaster, the state of natural disaster is the appropriate measure for preventing the effects of natural disasters, including the mass occurrence of human infectious diseases<sup>21</sup>.

The legal grounds for combating pandemic infections in Poland is the Act of December 5, 2008 on preventing and combating infections and human infectious diseases<sup>22</sup>, as well as the Act of March 2, 2020 on special measures

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<sup>18</sup> M. Kaźmierczak, *Limitacja konstytucyjnych praw człowieka podczas stanu wyjątkowego*, “Radca Prawny. Zeszyty Naukowe” 2019, No. 4, p. 136; M. Kaźmierczak, *Zasady funkcjonowania państwa podczas stanu wojennego*, “Studia Prawnoustrojowe” 2006, No. 6, pp. 169–170.

<sup>19</sup> M. Kaźmierczak, *Zasady funkcjonowania państwa podczas stanu klęski żywiołowej w III RP*, “Studia Prawnoustrojowe” 2005, No. 4, pp. 91–92.

<sup>20</sup> M. Urbaniak, *Lex coronavirus. Włoskie prawo w walce z pandemią*, “Studia Prawa Publicznego” 2020, No. 1 (29), pp. 10–11.

<sup>21</sup> Art. 3 sec 1, 2 of the Act of April 18, 2002 on the state of natural disaster (Dz.U. item 1897, consol. text).

<sup>22</sup> Act of December 5, 2008 on preventing and combating infections and human infectious diseases (Dz.U. 2020, item 1845, consol. text).

related to the prevention, counteracting and combating COVID-19, other infectious diseases and resulting crisis situations<sup>23</sup>. These laws form the basis for many executive acts, including the regulation on the declaration of the state of epidemic<sup>24</sup>. The legal framework has restricted freedoms and rights on a scale comparable to that of a natural disaster<sup>25</sup>, which has led to the situation that is sometimes referred to as the “state of emergency in disguise”<sup>26</sup>.

Under Art. 68 sec. 4 of the Constitution, public authorities are obliged to combat epidemic illnesses and prevent the negative health consequences of degradation of the environment. It should be emphasized that the term “epidemic illnesses” used in the Constitution is broader than the term “infectious diseases”. It also extends to chronic non-contagious diseases. The constitution imposes an obligation on the public authorities to undertake various actions, also of a preventive nature, to control the spread of epidemic illnesses. These activities are aimed at preventing diseases, and not only combating the existing epidemic illnesses. In the context of the COVID-19 pandemic, it is also worth noting that the provisions of generally applicable law only use the concept of an epidemic, not referring to a pandemic. A pandemic is an epidemic that spreads across a larger area, on a global scale<sup>27</sup>.

The above analysis shows that the government did not intend to formally declare a state of natural disaster on the territory of Poland at any price. As a consequence, it decided to apply solutions that are questionable from

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<sup>23</sup> Until October 2021, the Act was amended 36 times. See: Announcement of the Marshal of the Sejm of the Republic of Poland of October 29, 2021 on the declaration of the consolidated text of the Act on special measures related to the prevention, counteracting and combating COVID-19, other infectious diseases and resulting crisis situations (Dz.U. item 2095).

<sup>24</sup> The Regulation of the Minister of Health of March 20, 2020 on declaration of the state of epidemic in the Republic of Poland (Dz.U. item 491).

<sup>25</sup> T. Bąkowski, *Prawne formy ograniczania wolności oraz praw człowieka i obywatela w ustawie o stanie klęski żywiołowej*, “Państwo i Prawo” 2003, No. 8, p. 77; T. Bryk, *Przeгляд regulacji stanów nadzwyczajnych w przepisach Konstytucji RP*, “Przeгляд Prawa Konstytucyjnego” 2011, No. 1, pp. 231–232.

<sup>26</sup> M. Pach, *Mamy zakamuflowany stan nadzwyczajny. O naszych prawach podczas epidemii koronawirusa*, <https://archiwumosiatsynskiego.pl/wpis-w-debacie/mamy-zakamuflowany-stan-nadzwyczajny-o-naszyc-prawach-podczas-epidemii-koronawirusa> (27.11.2021).

<sup>27</sup> M. Urbaniak, *Pandemia covid-19 a konstytucyjny obowiązek zwalczania chorób epidemicznych*, [in:] *Ochrona zdrowia w czasach pandemii. Zagadnienia publicznoprawne, medyczne i ekonomiczne*, eds. M. Dobska, E. Kosiński, M. Urbaniak, Poznań 2021, p. 51.



the point of view of their compliance with the Constitution, and the citizens have been given a considerable legislative chaos. The state of natural disaster was not introduced purely from political reasons and calculations. In accordance with the content of Art. 228 sec. 7, 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, and the term of office of such organs shall be appropriately prolonged. Taking into account favorable public opinion polls as regards the chances of re-election of the incumbent President coming from the party having parliamentary and government majority as well as for fear of losing support as a result of the protracted pandemic, the government strived at all costs to hold the presidential elections within the deadline specified in the Constitution, i.e. in May 2020. The introduction of extraordinary measures would result in postponing the elections to the post-pandemic period<sup>28</sup>. Another aspect of such a decision of the government was the intention to avoid the application of the Act of November 22, 2002 on the compensation of property losses resulting from the limitation of human and civil rights and freedoms during a period of introduction of extraordinary measures<sup>29</sup>, which gives the grounds for a claim for compensation from the State Treasury to anyone who has suffered a financial loss as a result of restriction of freedom and human and civil rights during a state of emergency<sup>30</sup>.

As a result of its legislative policy, the government used the regulations issued in the state of epidemic threat and the state of epidemic as legal instruments, and thereby introduced a state of natural disaster in the substantive sense. In this way, public authorities violated the constitutional order, and above all the guarantees of fundamental freedoms as well as human and civil rights, since the limitations have been imposed under regulations, which

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<sup>28</sup> M. Brzeziński, *Wybory prezydenckie 2010 r. z perspektywy stanów nadzwyczajnych*, "Studia Politologiczne" 2011, vol. 19, p. 40 ff.

<sup>29</sup> The Act of November 22, 2002 on the compensation of property losses resulting from the limitation of human and civil rights and freedoms during a period of introduction of extraordinary measures (Dz.U.No. 233, item 1955).

<sup>30</sup> A. Ploszka, op.cit.

exceeded the statutory authorization conferred under Art. 92 of the Constitution. In accordance with Art. 92 of the Constitution, regulations shall be issued on the basis of specific authorization contained in, and for the purpose of implementation of, statutes by the organs specified in the Constitution. The authorization shall specify the organ appropriate to issue a regulation and the scope of matters to be regulated as well as guidelines concerning the provisions of such act. These regulations were implemented in violation of statutory authorization, without sufficient guidelines and without sufficient distinction between the scope of matters to be regulated by statutes and the scope of matters to be regulated in an executive act<sup>31</sup>. Some of the proposed restrictions not only limited freedoms and rights, but also led to the violation of their essence or even their suspension. An examples of such limitations were the closure of certain categories of business (economic freedom) or banning gatherings (freedom of assembly). Even though most of the bans and orders has been substantively justified, they were imposed in a legally flawed manner, as a result of which it violated the basic standards of the protection of human rights. All these far-reaching restrictions would comply with the Constitution if they had been introduced during a period of introduction of extraordinary measures. However, the measures applied by the authorities failed to respect the basic rules of lawmaking defined in the Constitution.

## V. Summary

The actions of public authorities in Poland to prevent the spread of the COVID-19 pandemic interfere in human and civil rights and freedoms guaranteed under Constitution on unprecedented scale. Public authorities are obliged to combat epidemic illnesses. However, the concept of epidemic diseases cannot be equated with the concept of contagious diseases. The fight against epidemic illnesses includes not only the obligation to combat infectious dis-

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<sup>31</sup> Analysis of the Commissioner for Human Rights conducted for the Prime Minister on law making in a state of epidemic: regulations issued instead of statutes violate civil rights; <https://www.rpo.gov.pl/pl/content/raport-rpo-dla-premiera-nt-prawa-w-stanie-epidemii> (27.11.2021).

eases, but also the fight against epidemic non-contagious diseases, which are often chronic conditions.

Although substantively justified in most cases, the restrictions imposed by the authorities to protect the health and life of the citizens, raise considerable doubts as regards the basic standards for the protection of freedoms and rights. Due to the legal model of fighting the pandemic with “ordinary constitutional measures”, the restrictions imposed by the authorities violate the essence and often suspend the freedoms and rights guaranteed in the Constitution, even though they are often justified from the point of view of public health. The application of “ordinary constitutional measures” is limited by guarantees included in Art. 31 sec. 3 of the Constitution, the content of which does not allow for the complete suspension of constitutional freedoms, as well as for violating the essence of the protected rights and freedoms. The practice of limiting civil rights under regulations, and not by statutes, as required by the Constitution, also deserves criticism.

## Literature

- Ahmed S.S., *The Coronavirus Disease 2019 (COVID-19): A Review*, “Journal of Advances in Medicine and Medical Research” 2020, No. 32 (4).
- Banaszak B., *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, Warsaw 2012.
- Bąkowski T., *Prawne formy ograniczania wolności oraz praw człowieka i obywatela w ustawie o stanie klęski żywiołowej*, “Państwo i Prawo” 2003, No. 8.
- Bryk T., *Przegląd regulacji stanów nadzwyczajnych w przepisach Konstytucji RP*, “Przegląd Prawa Konstytucyjnego” 2011, No. 1.
- Brzeziński M., *Stany nadzwyczajne w polskich konstytucjach*, Warsaw 2007.
- Brzeziński M., *Wybory prezydenckie 2010 r. z perspektywy stanów nadzwyczajnych*, “Studia Politologiczne” 2011, vol. 19.
- Burki T.K., *Coronavirus in China*, “Lancet Respiratory Medicine” 2020, No. 8 (3).
- Complak K., *Art. 31*, [in:] *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, ed. M. Haczowska, Warsaw 2014.
- Dyzenhaus D., *States of Emergency*, [in:] *The Oxford Handbook of Comparative Constitutional Law*, eds. M. Rosenfeld, A. Sajó, Oxford 2012.
- Gajda A., *Restrictions on Human Rights and Freedoms During the Time of Epidemic in Poland*, “Przegląd Prawa Konstytucyjnego” 2020, No. 5 (57).

- Garlicki L., *Komentarz do art. 31 Konstytucji RP*, [in:] *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, ed. L. Garlicki, Warsaw 2005.
- Gebethner S., *Stany szczególnego zagrożenia jako instytucja prawa konstytucyjnego*, "Państwo i Prawo" 1982, No. 8.
- Każmierczak M., *Limitacja konstytucyjnych praw człowieka podczas stanu wyjątkowego*, "Radca Prawny. Zeszyty Naukowe" 2019, No. 4.
- Każmierczak M., *Zasady funkcjonowania państwa podczas stanu klęski żywiołowej w III RP*, "Studia Prawnoustrojowe" 2005, No. 4.
- Każmierczak M., *Zasady funkcjonowania państwa podczas stanu wojennego*, "Studia Prawnoustrojowe" 2006, No. 6.
- Pach M., *Mamy zakamuflowany stan nadzwyczajny. O naszych prawach podczas epidemii koronawirusa*, <https://archiwumosiatsynskiego.pl/wpis-w-debacie/mamy-zakamuflowany-stan-nadzwyczajny-o-naszycch-prawach-podczas-epidemii-koronawirusa> (27.11.2021).
- Ploszka A., *Prawa człowieka w Polsce w dobie koronawirusa*, <https://archiwumosiatsynskiego.pl/wpis-w-debacie/prawa-czlowieka-w-polsce-w-dobie-koronawirusa/>
- Polak P., Trzeciński J., *Konstytucyjna zasada godności człowieka w świetle orzecznictwa Trybunału Konstytucyjnego*, "Gdańskie Studia Prawnicze" 2018, T. XL.
- Prokop K., *Stany nadzwyczajne w Konstytucji Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r.*, Białystok 2005.
- Shereen M.A., Khan S., Kazmi A., Bashir N., Siddique R., *COVID-19 infection: Origin, transmission and characteristics of human coronaviruses*, "Journal of Advanced Research" 2020, No. 24.
- Steinborn S., *Art. 228*, [in:] *Konstytucja RP. Komentarz*, T. II, ed. M. Safjan, L. Bosek, Warsaw 2016.
- Surówka A., *Relacja zasad ograniczania wolności i praw człowieka i obywatela w stanach nadzwyczajnych i w stanie normalnego funkcjonowania państwa*, "Przeгляд Prawa Konstytucyjnego" 2014, No. 4 (20).
- Urbaniak M., *Lex coronavirus. Włoskie prawo w walce z pandemią*, "Studia Prawa Publicznego" 2020, No. 1 (29).
- Urbaniak M., *Pandemia covid-19 a konstytucyjny obowiązek zwalczania chorób epidemicznych*, [in:] *Ochrona zdrowia w czasach pandemii. Zagadnienia publicznoprawne, medyczne i ekonomiczne*, eds. M. Dobska, E. Kosiński, M. Urbaniak, Poznań 2021.
- Wojtyczek K., *Granice ingerencji ustawodawczej w sferę praw człowieka w Konstytucji RP*, Zakamycze 1999.