## Integrity in EU Public Policies in Time of COVID-19 Pandemic

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Abstract:

**Purpose:** The main objective of the article is to analyse the role and the importance of the principle of integrity in public policies in EU countries during the COVID-19 pandemic. The study hypothesizes that during the COVID-19 pandemic in many EU countries the principle of integrity in public policies was not respected, and numerous violations of it indicate the instrumental use of the crisis for unethical actions, or the weakness of public institutions in dealing with the crisis.

**Design/Methodology/Approach:** The study uses analysis of source literature, analysis of reports and expertise, including qualitative and quantitative data. The research focuses on the analysis of institutional integrity in the public sphere, because public institutions should be the guarantor of security and stability during the crisis. The research adopted a neo-institutional perspective assuming an analysis of the process of shaping rules and norms in the public sphere, stability and durability of public institutions, especially in the period of rapid social and economic changes.

**Findings:** The results of the research confirmed the research hypothesis - the COVID-19 pandemic has been instrumentally used in many EU countries as a justification for unethical actions in both the economic and political spheres. The risk of unethical practices particularly concerned public procurement policy, but also respect for democratic principles. Violation of the principle of integrity takes the form not only of corruption, conflict of interest, fraud, nepotism, but also undermining the principles of the democratic system, e.g. manipulating elections or limiting parliamentary control of the government.

**Practical Implications:** The research points to the need to develop a common code of good practice for EU countries to comply with the principle of integrity in public policies during the crisis, and may also be the basis for the preparation of recommendations.

**Originality/Value:** To date, there has been no research on the principle of integrity in public policies during the COVID-19 pandemic, so the analysis has made it possible to fill this research gap and has indicated an increase in the risk of unethical activities during the health crisis in the EU.

Keywords: Integrity, public policies, the European Union, COVID-19 pandemic.

JEL classification: H1, H12, H57.

Paper type: A research study.

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### 1. Introduction

Integrity is recognised by many countries and international organisations as one of the fundamental values and principles in public administration and in economy alongside transparency and accountability (Amstrong, 2005). It refers to honesty, fairness and trustworthiness as well as is regarded as the opposite of corruption, abuse of power and other unethical behaviours. In the academic literature, integrity in public life is defined in different ways. It can be understood as wholeness and coherence, professional responsibility, moral reflection, laws and rules, moral values and norms, and exemplary behaviour (Huberts, 2018).

Heywood and Rose (2015) and Kirby (2020), argue that when we talk about integrity in public policies then it is the institutional and not the individual dimension that we should have in mind. They define public integrity as "the robust disposition of a public institution to legitimately pursue to its legitimate purpose, to the best of its abilities, consistent with its commitments" (Kirby, 2020; Heywood and Rose, 2015). The basic elements of public integrity derive from this definition: purpose of action, legitimacy, maximisation of effort, acting in accordance with one's commitments and robustness.

In the research presented here integrity is defined quite broadly – as a feature of conduct in the public sphere that is consistent with the values, norms and moral principles accepted in a given society. On the other hand, dishonest behaviours are that which violate these values and moral standards. These primarily include corruption understood as the making of private profit from public power, but also conflicts of interests, embezzlement, fraud, break rules, misuse of power, manipulation of information. The introduction of integrity in public life and in economy requires the creation of an ethics infrastructure or a national integrity system, e.g., legislative standards and institutional structures.

Conducting research on ethics in the public sphere is extremely important, as moral values and norms are often absent from analyses of management and administration. As Huberts points out, 'a turn towards ethics and integrity' is needed because there is a lack of empirical research about the importance of moral norms and values in administration, management and economy (Huberts, 2018).

The main objective of the article is to analyse the role and importance of integrity in public policies in EU countries during the COVID-19 pandemic and to try to answer the question whether and to what extent the pandemic and the related crisis were used as an excuse for not adhering to integrity in the public sphere. The research focuses on the analysis of institutional integrity in the public life, as public

institutions, government and parliament should be the guarantors of security and stability during a threat. In a situation of crisis and uncertainty, the society expects the state to respect fundamental values and principles, including responsibility, integrity and transparency. It can therefore be assumed that public institutions will act in accordance with these principles during a pandemic. A pandemic is a test for the stability of public institutions.

The research argues that in many EU countries during the COVID-19 pandemic, the principle of integrity was not respected, and the numerous violations of this principle point to the instrumental use of the health crisis situation for unethical actions, including the pushing of private and political interests, or to the lack of preparedness of public institutions to deal with the crisis. Although integrity has been recognised as a fundamental principle for the functioning of public life in EU member states, in the situation of a coronavirus pandemic it is not respected.

The research used the method of qualitative analysis of found data, i.e., documents and publications of EU institutions, expert opinions and reports of international organisations, think tanks and research centres, and carried out an in-depth critical analysis of existing scientific literature on integrity in public life.

Integrity is the subject of much research in the social sciences, most of it concerned with honesty as a moral value (Šamánková *et al.*, 2018) and with integrity in the behaviour of individuals. Research on the importance of integrity in the public sphere is much less frequent. Such research focuses primarily on ethics in public life in the broadest sense (Wolff, 2020), where integrity is recognised as crucial to the functioning of society and the state. Attempts are being made to define in detail what integrity in the public sphere is and how it can be defined (Huberts, 2018), what its meaning is in public administration and management (Heckler *et al.*, 2018), what ethical leadership means (Dobel, 2018; Shakeel *et al.*, 2019).

A part of research is devoted to dishonest practices in public policies, mainly corruption, conflicts of interests, pointing to the fluidity of the principle of integrity (Kerkhoff *et al.*, 2020), the lack of ethics in public management (Jurkiewicz, 2019), the institutionalisation of corruption (Nuristani *et al.*, 2020) or the insufficient effectiveness of anti-corruption policies (Feldman, 2020). Some researchers attempt to create a typology of unethical behaviour (Lasthuizen *et al.*, 2011).

Researchers create indexes of public integrity that allow comparative analysis of the level of dishonest behaviour between countries (Mungiu-Pippidi *et al.*, 2016). Many international organisations, e.g., International Transparency, World Bank, OECD conduct surveys on corruption to develop anti-corruption policies and disseminate good practices.

The presented article shows the results of a study on the violation of integrity in public policies in EU countries during the COVID-19 pandemic, i.e., during the

period March 2020 – September 2021. This article aims to fill a research gap in analyses on the importance of integrity in public policies during the health crisis.

## 2. Why Is Integrity Important in Public Policy?

The need to observe the principle of integrity in public policies is indicated by many international organisations, e.g., UN, OECD, World Bank, because it is necessary to build strong institutions and ensure that the government acts in the interest of citizens and not only for selected groups. Integrity is an ethical value, but at the same time it contributes to a more productive economy, a more efficient public sector and social cohesion. It is the basis for building social trust, confidence in public institutions and the free market. Unfair practices, including corruption, abuse of power, and conflicts of interests limit the effectiveness of both the public and private sectors. They perpetuate and exacerbate social inequalities and poverty, affecting welfare and income distribution (OECD, 2017).

The OECD identifies three pillars for integrity in public policies (OECD, 2017). Firstly, the creation of a system limiting the possibilities for corrupt behaviour, including, for example, a clear definition of institutional responsibilities. Secondly, a culture change is advocated that will make corruption socially unacceptable. Thirdly – making people accountable for their actions, e.g. applying an internal control and risk management system.

Areas that are most vulnerable to corruption and other dishonest behaviour are primarily: public procurement, public infrastructure projects and policy capture. Today, in most EU countries, integrity policies in public life have shifted from a narrow focus on deterrence and enforcement towards promoting value-based decisions (OECD, 2018).

In general, 'hard' and 'soft' forms of unethical behaviour can be distinguished. The former are related to the handling of public money, the latter to the weakness of the administration's organisational structures. They lead to inefficient work and waste of public resources. The risk of corruption increases when there is a lack of transparency, unclear laws and informal activities (Czaputowicz, 2012).

Different models of anti-corruption policies have been developed in EU countries: prohibition-based, prevention-based and value-based. In Germany, a legalistic, prohibition-based model has taken shape, which is characterised by codes of ethics and whose aim is to ensure that behaviour conforms to the rules. By eliminating major offences, the system does not promote positive values (Bossaert *et al.*, 2005).

The UK has a preventative model based on the promotion of values in public life. The third model involves promoting the values identified in the dialogue with officials and contained in ethical codes.

## **3.** The COVID-19 Pandemic and the Risk of Increased Unfair Practices in Public Policies

Neither the EU nor the Member States were prepared for the global COVID-19 pandemic and the crisis connected to it. Governments faced new challenges and had to meet them without any previous experience. Research shows that crisis situations create opportunities for ethical violations in the public sphere and can contribute to an increase in dishonest activities (Ignatowski *et al.*, 2021), including corruption, fraud, financial abuse, the erosion of civil rights and media freedom. In uncertain times, the pressure to act unethically is increasing and more people are willing to behave dishonestly.

Transparency International points out that the pandemic also signifies a corruption crisis, as a rise in the perception of corruption was recorded in most countries at the end of 2021(TI, 2021). This is particularly evident in Bulgaria, Slovakia, Hungary, Romania and Poland. The increased risk of unethical actions during crises can affect different levels: institutional, legal and individual behaviour.

Breaches of integrity in public policies during the coronavirus pandemic affect not only the health sector but also other policies, including public procurement, economic recovery, civil rights, parliamentary elections. In many cases, pandemics and crises are used as an excuse to take controversial decisions that undermine citizens' trust in government.

According to the OECD, the risk of integrity violations in public policies during the COVID-19 pandemic relates primarily to public procurement and economic recovery stimulus packages, but also to abuses in the functioning of democracy, e.g., changing the timing and rules of elections, excessive concentration of executive power, restrictions on media freedom. Table 1 shows selected public policies and areas of public activity with examples of fraudulent activities during crises. This is not a complete and exhaustive list, as the scale of infringements may be much broader.

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Public	polio	cy/public	Acts that violate the principle of integrity
activity area			
Public	pro	curement	- corruption, collusion in tenders
(especially	in	health	- fraud, abuse, money laundering
policy)			- conflict of interest, secrecy of the proceedings
Economic		stimulus	- corruption, fraud, waste
packages			- unfair favouritism of selected entities
			- gross waste of public resources
Behaviour	in	public	- corruption, fraud, embezzlement
institutions			- nepotism, trading in influence

**Table 1.** Examples of dishonest actions in the public sphere during COVID-19 pandemic

National and sub-national	- changing the rules and timing of elections to gain
elections	unauthorised political and electoral advantage
	- restriction of electoral rights
Executive power	- excessive concentration of executive power
	- reducing parliamentary scrutiny of the government
	- lack of government accountability
Media freedom and fair	- restriction of media freedom and pluralism
reporting	- misinformation, the politicisation of the public media
Legislative process	- limitation of transparency, reducing public consultation
	- forcing through controversial laws
Civil rights	- abuse of the prohibition on assembly and movement
	- favouritism of certain social groups
Independence of the	- restrictions on the independence of courts and judges
judiciary and the rule of	- introducing political control over the courts
law	

*Source:* Own study based on OECD, Public Integrity for an Effective COVID-19. Response and Recovery, 19 April 2020.

There is always a risk of corruption when organising public procurement, but this is greatly increased during pandemic periods as extraordinary procedures are put in place to speed it up. Since in many cases these are purchases of medical goods that are in huge demand, their prices are inflated and financial transactions are not subject to direct control. In such a situation, a paradigm shift in the pattern of corruption may occur, as it is the buyer who will use unfair practices to acquire the desired goods, and not the other way around, as is usually the case (OECD, 2020). In some countries (Ireland, UK) regulations have been introduced to support the use of extraordinary tendering procedures in a fair manner. But these are the exception rather than the rule in the EU.

Exceptional crisis circumstances may lead some governments to increase their powers, which may restrict basic democratic principles. A pandemic can be used as a justification for the government to abuse its powers, to violate fundamental civil rights and freedoms.

Several international organisations, including the OECD, the EU, the World Bank (WB, 2020) have prepared guides on how to reduce the risk of unethical actions in the public sphere, but these have not been of interest to many countries. In general, all recommendations on strengthening the principle of integrity propose increasing transparency, strengthening anti-corruption laws and policies, accountability and social participation in governance (Kirya, 2020).

## 4. The Principle of Integrity in EU Public Procurement Policy: Can Procurement During the COVID-19 Pandemic Be Fair?

Public procurement policy is one of the most important areas of management in the public sphere. In normal times, governments in EU countries advertise for public

contracts in various forms, receive many bids and make decisions based on specific criteria. The rules are intended to promote transparent and fair competition to encourage efficient purchasing. In most countries, around 30% of budgets are spent through public procurement.

The estimated value of the public procurement market in the EU is 19% of the Union's GDP, or EUR 2.3 trillion (EC, 2017). International organisations (the OECD, TI, World Bank) point out that more stringent requirements should apply to public procurement, as it is the interface between the public sphere and the free market. Organisations have developed standards for fair public procurement, according to which contracts should: be based on objective criteria for evaluating offers, provide adequate time for participants to submit their offers, and allow for monitoring of the implementation of procurement procedures (UN, 2004).

Already at the beginning of the COVID-19 pandemic in 2020, numerous cases of fraudulent activities in the health sector related to public procurement have emerged in many EU countries. Hasty and non-transparent practices in the purchase of coronavirus protection and medical equipment have led to much fraud, cronyism and corruption.

A scandal has erupted in Germany over the purchase of protective masks by the federal government – two CDU/CSU MPs in the Bundestag brokered their purchase and accepted 800,000 EUR in commission. Politicians lobbied illegally for the government to sign a contract to buy masks from two German companies. Both politicians and companies made profits of 5-6 million EUR from the deal (Lemanczyk, 2021). Many scandals in Germany have prompted the Council of Europe to ask for an explanation as to why Germany is not implementing its recommendations on anti-corruption. Finally, the German parliament passed a law on a compulsory register of lobbyists and introduced strict rules on MPs' additional salaries.

Also in Slovenia, during a tender for the purchase of respirators for 8 million EUR, the Minister for the Economy lobbied for the equipment to be acquired from a friendly company. The Slovenian prime minister sought to purchase masks through his daughter's company, while the defence minister lobbied the company where his mother was employed.

In Italy, a former COVID commissioner is accused of misappropriating 70 million EUR while buying 1.25 billion EUR worth of masks from Chinese vendors (Politico, 2021). In the UK 73 contracts for against COVID-19 protective equipment worth 3.7 billion  $\pounds$  raised Transparency International's suspicions of unfair practices, including cronyism and conflict of interest. 24 contracts for protective equipment worth 1.6 billion  $\pounds$  have been awarded to companies with links to the Conservative Party. Each of the concerning contracts was connected with uncompetitive tendering, the use of unsuitable companies, or abnormally high pricing (Politico, 2021).

Above cases are just an illustration of the difficult situation that many EU governments find themselves in. The pandemic forced them to remodel their purchasing policies in the health sector. Taking into account the main elements of integrity in public policies described by Heywood and Kirby (2020), it is possible to define the main problems that arose in public procurement policies in the health sector during the COVID-19 pandemic.

The first element of the principle of integrity in public policies is the purpose of action. Already at the beginning of the pandemic, a key dilemma in public procurement policy emerged, i.e. the conflict between the aim of making quick decisions to save human life and health, and the aim of making purchases in a transparent and competitive manner. Quick decisions on the purchase are at odds with the logic of the public procurement market, for which haste means incurring greater expenditure. To address this dilemma, the European Commission has developed recommendations for procurement during a pandemic (EC, 2020).

The EU have taken measures to make European public procurement more efficient while safeguarding the principle of fairness. Central public tenders were organised for medical equipment and vaccines. All EU countries could join in the joint EU purchases. Regardless of the assessment of the effectiveness of these measures, they aimed to solve the dilemma - speed of decision or fairness (European Court of Auditors, 2021).

The second element of the principle of integrity in public policies is legitimacy, meaning the compliance of the authorities' actions with legal provisions and ethical standards. An illustration of the maintenance of legitimacy (or its shortcomings) in public procurement policy during the pandemic is the situation in Poland. The Polish government did not impose a state of emergency because it would have meant postponing the presidential elections, which the ruling Law and Justice party wanted to avoid by seeking a quick re-election of its candidate (Makowski *et al.*, 2020).

Instead, the government pushed through several special laws giving the ruling party more flexibility to act. However, the rushed legislative process has led to a deterioration in the quality of the law. This has resulted in a chaotic Polish policy against COVID-19 and many of the provisions are unconstitutional. Public procurement law has been completely excluded for purchases under the COVID-19 counter policy. Under the guise of combating coronavirus, huge sums of money could be spent outside the public procurement system on purchases that actually had nothing to do with the pandemic. This is an example of the denial of legitimacy as an element of fairness in public policy.

The third element of the principle of fairness is maximising effort, i.e. trying to achieve your goals as well as possible. An example of actions to maximise antipandemic efforts is the huge number of public tenders in the UK during the first pandemic period in 2020. According to Transparency International UK, during this time 1,500 public bodies conducted 13,500 tenders worth over 230 billion  $\pounds$  (TI, 2021).

Considering the analysis of the most important elements of integrity in public procurement policies in EU countries, several conclusions can be drawn. Firstly, the COVID-19 pandemic has significantly increased the risk of fraud, conflict of interest, corruption, etc. Numerous cases of such activities are a consequence of both unethical behaviour by politicians and weaknesses in public institutions during the crisis. Secondly, in a health crisis, states are guided by the logic of maximum protection of people's health and lives, even at the cost of departing from the ethical principles of normal times. They argue that they are working towards higher goals of human health and life.

However, there are some countries that have instruments in place to reconcile the need to decide quickly on the purchase of medical supplies while respecting the principles of fairness and transparency.

# 5. The Principle of Integrity in EU Democracy During the COVID-19 Pandemic

The COVID-19 pandemic had a huge impact not only on social and economic life in the EU, but also on the functioning of democracy. Countries, acting in a state of utmost necessity, introduced extraordinary solutions. Under enormous time pressure, they had to balance respect for democratic values with the need to protect the health and lives of citizens. Most EU countries are among the most stable democracies in the world, but the emergence of pandemics in many countries has led to the undermining of the principle of integrity.

The emergence of a crisis entitles the authorities to act in an emergency manner and introduce solutions that limit democratic values, but these actions should be legal, fair, proportionate and non-discriminatory. Research shows that the response of countries to a pandemic depends on the strength and stability of democratic institutions. The larger it is, the less often democratic principles are violated (Engler *et al.*, 2021).

## 5.1 Integrity as a Principle of the Democratic System – Challenges in Times of Pandemic

In most countries, measures were introduced during the pandemic which restricted citizens' rights, but this was done legally. However, in some countries, democratic principles have been violated, including the principle of fairness. They concern increasing the limits of the executive power, limiting civil liberties, the integrity and freedom of the media, etc. In some countries, the process of democratic backsliding was already visible in Hungary or Poland, for example, but it accelerated during the pandemic (Bekaj *et al.*, 2021).

The findings of the Pandemic Backsliding Project show numerous departures from basic democratic principles during pandemic in the EU (Alizanda *et al.*, 2021). Yes, the majority of countries in the EU are responding to the pandemic in a responsible and lawful manner, but there are also countries where there have been many breaches.

The Pandemic Violations of Democratic Standards Index shows the extent to which democratic standards are violated. It appears that in the period March-December 2020 there were no violations of democratic standards in most Western and Northern European countries, while in most Central European countries and in Greece and Spain some standards were violated (Figure 1). These countries include Bulgaria, Croatia, Hungary, Lithuania, Poland, Slovenia and Slovakia. These concerned discriminatory measures, the imposition of a state of emergency of indefinite duration and restrictions of media freedom.

Also studies taking into account the liberal democracy index (LDI) and all components indices in 2020 (Alizanda *et al.*, 2021) confirm the above conclusions. In most Western European countries, the basic principles of democracy were respected during the pandemic, while central Europe saw a shift towards authoritarian regimes. This is especially true for Poland, Hungary and Slovenia, which performed significantly lower in terms of LDI and electoral democracy index (EDI) than in previous years. These countries follow a pattern of autocratisation, i.e. ruling parties attack the media and civil society, polarize societies by disrespecting opponents and spreading false information (Alizanda *et al.*, 2021).

### **5.2 Can Elections Be Fair During a Pandemic?**

In general, democratic elections should meet several criteria – they should be universal, direct, secret and fair. The principle of fairness means that even if some irregularities occur during the election, they do not affect the final results. The fairness of elections is particularly important in crisis situations. Election procedures may then be used in an unauthorised manner and this may affect the final results of the election. As an example, the presidential elections in the authoritarian regime of Belarus in August 2020 were rigged and President Alexander Lukashenko won, defeating the opposition candidate Svetlana Tikhanovskaya.

Doubts about the fairness of the elections also extend to the democratic states of the EU, as the pandemic had a significant impact on the calendar and form of the elections. In some EU countries the election dates have been postponed, in others the elections have taken place but in an altered form. The issues were how to maintain the correctness and fairness of elections while guaranteeing the security of citizens.

Between March 2020 and May 2021, 14 national-level elections (parliamentary, presidential, referendums) and 22 sub-national elections (local, regional and other) were held in the EU (Global, 2021). However, the dates for most of these were

postponed due to the pandemic. The forms of their organisation have also changed (early, postal and mobile voting), e.g., in France, Ireland, Poland or Spain. In many cases, doubts have been raised about the fairness of the elections, including the stability of electoral law, the autonomy of electoral management bodies, their independence from political pressure from ruling parties (Kolvani *et al.*, 2020).

*Figure 1.* The pandemic violations of democratic standards index in time of pandemic COVID-19 (March to December 2020)



**Source:** Own study based on Pandemic Backsliding: Democracy During COVID-19 (Alizanda et al., 2021). \*Level 0 means "no violations", 1 - "minor violations", 2 - "some violations", 3 - "major violations".

## 5.3 Extraordinary Powers of Government and Weakening of Parliamentary Control

The executive power in a democratic system is controlled by a parliament, but during the pandemic in many countries, parliaments' right of scrutiny has been reduced. The argument for granting emergency powers to governments was to make them more effective in tackling pandemics. This involves the risk of unjustified and unethical decisions by the government and the concentration of power.

In Hungary, the Fidesz party in parliament voted to give Prime Minister Victor Orban extraordinary powers to rule indefinitely by decree, without parliamentary control. This marked a turn towards authoritarian rule. A few months later, the parliament lifted the state of emergency, but passed a new regulation allowing the government to rule by decree in case of need (Bekaj *et al.*, 2021).

The extraordinary powers of the government have in many cases led to unfair and unlawful actions. In the Czech Republic, Prime Minister Andrej Babiš used an emergency meeting to amend anti-corruption legislation that will help him avoid investigation for illegally receiving EU funds (EP, 2021).

## 5.4 Media Pluralism and Integrity

A free and pluralistic media and access to public information are among the basic principles of democracy. During the pandemic, there were cases in many EU countries which violated this principle. An example is the concentration of media ownership in Italy, for example, where RAI and Mediaset dominate, or in the Czech Republic, where Prime Minister Andrej Babiš owns 30% of the private media. In Poland, too, the public media dominated by the ruling Law and Justice party only report content in line with government policy, and the state-controlled oil company PKN Orlen has acquired the largest publishing group, Polska Press.

In Hungary, too, most public and commercial media are under the control of the ruling Fidesz party and Prime Minister Orban. During the pandemic, the process of concentration and takeover of the media by the ruling parties was strengthened. Media outlets that criticise Orban's corrupt activities are subject to actions leading to their seizure or closure. Moreover, the Hungarian government wants to restrict social media because they are the main domain of the opposition (Wójcik, 2021).

The violations also relate to restrictions on the right to freedom of expression. Such cases have been reported in Croatia, Poland, France, Hungary, Italy and Spain, where lawsuits are being filed against the media, journalists and NGOs. There have also been numerous prosecutions of activists and journalists, and convictions for statements critical of the government (EU, 2021).

During the pandemic there is also an increase in cases of misinformation, especially those concerning COVID-19 and health policy. In Italy, the Czech Republic, Spain, Poland and Hungary, there were numerous cases of misinformation about the spread of coronavirus and the side effects of vaccines. Often citizens did not have access to reliable data on infection rates and testing.

### 5.5 Rule of Law and Limits on the Power of the Judiciary

Already before the pandemic, in several countries, mainly Poland, Hungary and Bulgaria, the ruling parties had introduced regulations limiting the independence of the judiciary. This mainly concerns the politicisation or lack of transparency and irregularities in the way judges and prosecutors are appointed. During the pandemic, there has been an increase in this process, as well as instances of increased political control over judges and prosecutors in other countries such as the Czech Republic and Spain (EU, 2021).

#### 6. Conclusions

The research results presented in this article show that integrity in public policies in the EU is recognised as an ethical value and treated as one of the most important principles for the functioning of the public sphere, but during the COVID-19 pandemic it is not respected in many EU countries. Institutional public integrity takes on particular importance during a crisis because public institutions, government and parliament should guarantee security and stability in a situation of emergency. Lowering ethical and moral standards in public life can lead to an increase in populism and authoritarianism, which seriously threatens the foundations of democracy.

The research confirms the thesis that although integrity is recognised as one of the basic principles of public policies in EU countries, the COVID-19 pandemic and the ensuing crisis have been used as an excuse for not respecting the principle of integrity in the public sphere. Numerous cases of its violation point to the instrumental use of the health crisis for unethical actions, or to the incapacity and lack of adequate preparation of public institutions to deal with the crisis.

Several conclusions can be drawn from the research. Firstly, the pandemic situation greatly increases the risk of unfair practices in public policies in EU countries. Secondly, violations of the principle of integrity in EU countries take the form not only of corrupt activities, conflicts of interest, fraud and nepotism, but also of undermining the principles of the democratic system. The greatest risk of malpractice during a pandemic is in public procurement policy, particularly in health care, where the conflict between the need for rapid decision-making regarding human health and safety and the principle of transparency, fairness and responsibility of public tenders leads to a wide range of unethical behaviour.

In many countries, the pandemic has also been used to violate democratic principles, including the manipulation of elections for unjustified political gain, the expansion of extraordinary powers of governments and the curtailment of parliamentary scrutiny, the restriction of media freedom and pluralism, the spread of disinformation, the unjustified curtailment of civil rights and freedoms, and the curtailment of the rule of law and the independence of the judiciary. These actions, which occur mainly in the countries of Central and Eastern Europe, including mainly Poland and Hungary, can lead to the formation of an authoritarian system.

Thirdly, although international organisations have prepared anti-corruption programmes dedicated to countries during the coronavirus pandemic, the majority of countries do not respect them. It can be assumed that in a situation of health crisis, states are guided by the logic of maximum protection of people's health and lives, even at the cost of departing from ethical principles in public life.

#### **References:**

- Alizada, N., Cole R., Gastaldi, L., Grahn, S., Hellmeier, S., Kolvani, P., Lachapelle, J., Lührmann, A., Maerz, S.F., Pillai, S., Lindberg, S.I. 2021. Autocratization Turns Viral. Democracy Report 2021, University of Gothenburg.
- Armstrong, E. 2005. Integrity, Transparency and Accountability in Public Administration: Recent Trends, Regional and International Developments and Emerging Issues. UN Economic & Social Affairs, https://www.insightsonindia.com/wpcontent/uploads/2013/09/integrity-transparency-un.pdf
- Bekaj, A., Gibaja, F. 2021. Taking Stock of Regional Democratic Trends in Europe Before and During the COVID-19 Pandemic. Global State of Democracy in FOCUS. https://www.idea.int/sites/default/files/publications/regional-democratic-trendseurope-before-and-during-COVID-19.pdf
- Bossaert, D., Demmke, Ch. 2005. Main Challenges in the Field of Ethics and the Integrity in the EU Member States. EIPA, Maastricht, 212-213.
- Collins, H. 2021. UK coronavirus contracts raise corruption alarm, report warns. Politico 22.04.2021. https://www.politico.eu/article/report-uk-coronavirus-contracts-costing-3-6b-raise-alarm-of-corruption/.
- Czaputowicz, J. 2012. Etyka w służbie publicznej. KSAP, Warsaw.
- Dobel, P. 2018. Public leadership ethics: A management approach. Routledge, New York.
- Engler, S., Brunner, P., Loviat, R., Abou-Chadi, T., Leemann, L., Glaser, A., Kübler, D. 2021. Democracy in times of the pandemic: explaining the variation of COVID-19 policies across European democracies. West European Politics, 44(5), 1077-1102. doi.org/10.1080/01402382.2021.1900669.
- EU 2020: Demanding on Democracy. 2021. Country and Trend Reports on Democratic Records by Civil Liberties Organisations Across the European Union. Civil Liberties Union for Europe – March.
- European Commission. 2017. Europejski Semestr. Zamówienia publiczne, https://ec.europa.eu/info/sites/default/files/file\_import/european-semester\_thematicfactsheet\_public-procurement\_pl.pdf.
- European Commission. 2020. Guidance from the European Commission on using the public procurement framework in the emergency situation related to the COVID-19 crisis, 2020/C 108/01. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020XC0401(05)&from=PL
- European Court of Auditors. 2021. Review No 01: The EU's initial contribution to the public
- health response to COVID-19. Luxembourg.

https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=57722

European Parliament. 2021. Conflict of interest and misuse of EU funds: The case of Czech PM Babiš. https://www.europarl.europa.eu/news/pl/press-room/20210517IPR04145/conflict-of-interest-and-misuse-of-eu-funds-the-case-of-czech-pm-babis.

- Heckler, N., Ronquillo, J.C. 2020. Effective Resolution of Ethical Dilemmas in Social Enterprise Organizations: A Moral Philosophy and Public Management Approach. Public Integrity, 22(1) 39-53.
- IDEA. 2021. Global overview of COVID-19: Impact on elections. https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19impact-elections.
- Heywood, P.M., Rose, J. 2015. Curbing Corruption or Promoting Integrity? Probing the

Hidden Conceptual Challenge. In: P. Hardi, P.M. Heywood, D. Torsello, (eds), Debates of Corruption and Integrity. Political Corruption and Governance. Palgrave Macmillan, London.

- Huberts, L.W.J. C. 2018. Integrity: What it is and Why it is Important. Public Integrity 20(1) 18-32. doi.org/10.1080/10999922.2018.1477404.
- Ignatowski, G., Sułkowski, Ł., Stopczyński, B. 2021. Risk of Increased Acceptance for Organizational Nepotism and Cronyism during the COVID-19 Pandemic. Risks, 9(4), 59. doi:10.3390/risks9040059.
- Jurkiewicz, C.L. 2019. Global corruption and ethics management: Translating into action. Rowman and Littlefield, New York.
- Kerkhoff, T., Overeem, P. 2021. The Fluidity of Integrity: Lessons from Dutch Scandals. Public Integrity, 23(1), 82-94.
- Kirby, N. 2020. An 'Institution-First' Conception of Public Integrity. British Journal of Political Science, 51(4), 1620-1635.
- Kirya, M. 2020. Anti-corruption in Covid-19 preparedness and response. Mainstreaming integrity into pandemic plans and policies. U4 Anti-corruption Resource Centre, U4 Brief 8.
- Kolvani, P., Pillai, S., Edgell, A.B., Grahn, S., Kaiser, S., Lachapelle, J., Lührmann, A. 2020. Pandemic Backsliding: Democracy Nine Months into the Covid-19 Pandemic. V-Dem Institute, Policy Brief, no. 26.
- Lasthuizen, K., Huberts, L., Heres, L. 2011. How to Measure Integrity Violations. Public Management Review, 13(3), 383-408.
- Lemanczyk, B. 2021. Afera maseczkowa w Niemczech. Wprost, 24.03. https://www.wprost.pl/koronawirus-na-swiecie/10432889/koronawirus-aferamaseczkowa-w-niemczech-ile-zarobili-politycy.html.
- Makowski, G., Waszak, M. 2020. Polish Legislation during the Pandemic vs. Corruption. Fundacja im Stefana Batorego, Warsaw. https://www.batory.org.pl/wpcontent/uploads/2021/01/Tarcze\_ENG.pdf.
- Mungiu-Pippidi, A., Dadašov, R. 2016. Measuring Control of Corruption by a New Index of Public Integrity. European Journal on Criminal Policy and Research, 22(3), 415-438.
- Nuristani, S., Vanhove, A.J. 2020. A Model of the Institutionalization of Corruption During the Rebuilding Process. Public Integrity, 22(2) 170-186.
- OECD. 2017. Recommendation of the Council on Public Integrity. Public Integrity, OECD Publishing, Paris.
- OECD. 2018. Public Governance Reviews, Behavioural Insights for Public Integrity. Harnessing the Human Factor to Counter Corruption. OECD Publishing, Paris.
- OECD. 2020. Public Integrity for an Effective COVID-19. Response and Recovery, OECD Publishing, Paris.
- Šamánková, D., Preiss, M. Příhodová, T. 2018. The Contextual Character of Moral Integrity: Transcultural Psychological Applications. Palgrave Macmillan, Cham.
- Transparency International. 2021. Corruption Perception Index. Transparency International, Berlin.
- Transparency International. 2021. Track and Trace. Identifying Corruption Risks in UK Public Procurement for the COVID-19 Pandemic. Transparency International, London.
- UN. 2004. United Nations Convention against Corruption. New York, 12.
- Wolff, J. 2020. Ethics and Public Policy: A Philosophical Inquiry. Routledge, New York.
- World Bank Group. 2020. Governance COVID-19 Response. Ensuring Integrity in

	Governments' Response to COVID-19, April 28.
	https://openknowledge.worldbank.org/handle/10986/33705.
Wójcik,	A. 2021. Orbán chce dalej ograniczać niezależne media. Węgry to przestroga dla
	Polski, OKO.press 21.02. https://oko.press/wegry-orban-chce-dalej-ograniczac-
	niezalezne-media/.