

The table below provides an overview of the situation in each EU state. In addition, we examine the level of human rights restrictions in each country.

Human rights restriction levels:

- Moderate – having some impact on everyday life (increased health security on borders, cancellation of large mass events, caution advised for individuals and businesses), serious impact on some (like risk groups);
- Significant – having some impact on everyday life (borders partially closed, limits on size of assemblies, shutting down some non-essential businesses, schools closed for short periods);
- High – considerable impact on everyday life (borders closed for most traffic, personal movement significantly limited, no assemblies, most businesses restricted or closed, schools closed until further notice);
- Severe – overwhelming impact on everyday life (personal movement banned/needs authorisation, borders fully closed, no assemblies, all but essential businesses shut down, schools closed).

The data in this table were gathered from public sources and analytical articles by DRI's legal experts. Open questions were verified with country experts. DRI also supported an [online symposium](#) hosted by Verfassungsblog, which contains detailed analysis of state of emergency measures across the EU and beyond.

Country status of 30 April	Was a constitutional state of emergency (SoE) introduced?	Do the emergency measures have time limits?	Are courts still working, providing remedy, albeit with delays?	Is parliament still working, in at least some form?	What is the level of human rights restrictions?	Comments
Austria	NO – no SoE in the constitution, statutory measures	YES, various time limits (from two weeks to two years)	YES (numerous cases with constitutional court)	YES	SIGNIFICANT	The Ministry of Health has appointed a legal expert committee to review the legal framework.
Belgium	NO – no SoE in constitution, statutory measures	YES, three months (acts empowering government)	YES (Constitutional Court and Council of State)	YES (and Parliament established covid-measure monitoring commission)	HIGH	Due to the federal system, the legal situation is more complex. Controversies regarding the treatment of migrants, victims of domestic violence, prisoners.
Bulgaria	YES, constitutional, nationwide	YES, extended by one month until 13 May	YES	YES	HIGH Problematic provision on access to data by police without judicial decision to movement data	Regulation penalising speech was in draft but was vetoed by the President.
Croatia	NO, statutory measures only	YES, most restrictive measures are applied with timeframe of several weeks and then extended or weakened	YES, courts operating normally	YES	HIGH	
Cyprus	YES, article 183 of the Constitution	YES, two months with a possibility of extension	YES, courts' activities were suspended by decision of the Supreme Court from 16 March to 30 April with the exception of extremely urgent cases	YES	HIGH	
Czech Republic	YES, constitutional, nationwide	YES, until 14 May with the possibility of extension	YES, hearings of challenges against emergency measures held normally	YES	HIGH	
Denmark	NO – no SoE in constitution, statutory measures	YES, new amendments to statute expire on 31 March 2021	YES, only urgent cases	YES	SIGNIFICANT	
Estonia	NO – no grounds for constitutional SoE, statutory measures	YES, with the possibility of extension	YES, courts operating normally, using written procedure where possible	YES	SIGNIFICANT	Estonia derogated from the ECHR and the ICCPR.

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Finland	YES, constitutional, nationwide	YES (measures maximum six months)	YES, some procedures eased	YES Parliamentary Committee on constitutional has closely monitored and commented on government use of SoE.	MODERATE (regional variations)	Positive: real-time online debate of measures by legal experts.
France	NO, statutory state of emergency	YES, two months, then extended to 24 July	YES (Constitutional Court, Council of State, activity of the courts limited but not suspended)	YES, with a limited number of MPs (recently increased). Monitoring commission.	SEVERE	
Germany	NO, statutory measures by 16 federal states, some coordination by federal government	YES, most restrictive measures are applied with timeframe of several weeks and then extended or lessened	YES, several court judgements already annulling government measures	YES. Quorum requirements were reduced to prepare for possible reduced attendance.	MODERATE (HIGH in Bavaria and Saarland)	The 16 federal states have the main competency to deal with health emergencies.
Greece	YES, article 44-1 (decree-law procedure)	YES, with adjustments according to the evolution of the situation	YES, courts were suspended from 13 to 27 March	YES (remote meetings possible)	HIGH	
Hungary	YES, constitutional, nationwide	NO	YES, courts were closed for two weeks; reopened with some changed procedures	YES, but the government can rule by decree without parliamentary confirmation; scrutiny of governmental action is not taking place	SEVERE New criminal provisions related to speech in response to covid-19. Political participation violated as many "emergency decrees" have nothing to do with covid-19. Concerns about wide access to data of citizens for Minister of Innovation.	
Ireland	NO - no grounds for constitutional SoE, statutory measures	YES (various limitations under Health Act from weeks to months)	YES, open for urgent cases	YES	SIGNIFICANT	

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Italy	NO, statutory measures	YES, six months from the declaration (31 January 2020)	LIMITED. Suspension of non-urgent hearings until 31 May 2020. Constitutional Court still active.	YES	SEVERE	
Latvia	NO – no grounds for constitutional SoE, statutory emergency situation	YES, until 9 June up to three months subject to extension	YES, court hearing limited, written procedure used where possible	YES, sittings partially held remotely	SIGNIFICANT	Latvia derogated from ECHR and ICCPR.
Lithuania	YES, constitutional	YES, until 11 May	YES, most cases adjourned, urgent cases heard normally	YES, operating normally	SIGNIFICANT	
Luxembourg	YES, constitutional state of crisis	YES (10 days, renewable up to three months with prior parliamentary approval)	YES, reduced capacity	YES	SIGNIFICANT	
Malta	NO, statutory measures	NO, not under the legal basis currently being used	YES, only urgent matters	YES	HIGH	
Netherlands	NO, statutory measures	YES, statutory measures ranging from weeks to months	YES, only urgent matters	YES, reduced number of meetings, focused almost exclusively on the government's pandemic response	MODERATE	
Poland	NO, statutory state of health emergency	NO, state of epidemic declared until further notice, most restrictive measures are applied with timeframe of several weeks and then extended or lessened	LIMITED, activities of civil and criminal courts limited, but administrative courts suspended (they are essential to address many restrictions)	YES, with use of social distancing + PPEs and elements of remote work	HIGH Presidential elections in this context violate right to political participation (including right to vote equally and to stand in elections as a candidate)	
Portugal	YES, constitutional, nationwide	YES, two weeks (prolonged twice until now with lessening restrictions)	YES	YES (Government submits regular reports on SoE to parliament)	MODERATE	Few court cases so far; Ombudsman has been active in making recommendations.
Romania	YES, since 22 March statutory measures	YES, until 15 May, following which the state of emergency is to be downgraded to a "state of alert"	YES, court activity limited, cases adjourned	YES, normal operation	HIGH Concerns about emergency right for government to remove false, inauthentic websites	Romania derogated from the ECHR and the ICCPR.

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Slovakia	YES, constitutional, nationwide	YES, maximum of 90 days from 16 March on	YES, court activity limited, some cases adjourned	YES	HIGH	
Slovenia	NO, statutory measures	YES, most restrictive measures are applied with timeframe of several weeks and then extended or lessened	YES, court activity limited	YES, normal operation	HIGH	
Spain	YES, constitutional, nationwide	YES (state of alarm expires after 15 days, renewable by parliament)	YES, only urgent cases, electronic means are being introduced, more activity since mid-April	YES (online voting allowed)	SEVERE	The declaration of a state of alarm triggered a shift of competences to the central government from the regions.
Sweden	NO, no grounds for constitutional SoE, statutory measures	YES (new delegated powers to expire on 30 June 2020)	YES	YES (agreement on lower quorum)	MODERATE	<u>Highly decentralised approach.</u>