Cross-border Families and the Movement Constraints Along the Polish-German Borderland During the COVID-19 Pandemic

Abstract: Drawing on the findings of previous research on the impact of the COVID-19 pandemic on cross border movement within the European Union and the separation of cross-border families, the study focuses on the impact of the COVID-19 pandemic on cross-border movement of Polish families within the European Union and, more specifically, on the situation of Polish families separated by the borders that remain within the Schengen Area. The study explores the ways in which Covidfencing has dramatically restricted the free movement of the UE citizens within the Schengen Area, especially between Poland and Germany. Using research methods such as literature review, participating observation and interview, the researcher identifies key factors that has shaped the migration crisis during the COVID-19 pandemic inside the Schengen area and then focuses on examining in greater detail commuting and migration problems of the Polish cross-border families. The research is organised by the hypothesis that has been assumed at the start of the research. The hypothesis argues that the Polish cross-border families have been significantly affected by the crossborder movement restrictions during the COVID-19 pandemic within the Schengen area. The findings of the research indicate the validity of such assumption and the need for further research in this direction.

Key words: COVID-19, Covid fencing, cross-border families, cross-border commuters, family separation, deterritorialization, Polish-German border, border regime

Introduction

This particular paper discusses the problems that arose in the context of COVID-19 and the separation of the cross-border families living in the vicinity of Polish-German border due to deterritorialization and Covidfencing. First and foremost, this publication is of analytical nature. The author’s research is comprised of analysing the EU’s internal policy activities pertaining to the integral combat against the epidemic threat and its consequences for the ordinary families who need to cross the border on a regular basis.

The problem of cross-border movement faced by Poles living at the frontier between Poland and Germany during the coronavirus pandemic is a springboard for producing this paper. Polish citizens’ heated protests at the Polish-German border crossings and border cities also provided a stimulus for its creation.

The article aims to examine the influence of migration difficulties along the Oder–Neisse line on separated families dwelling adjacent to it, with particular focus on the city of Świecko. Coronavirus triggered a state of emergency around the entire globe. Schools and kindergartens had been closed for a long time, with many families left on their own, and many a time, unprepared for a distance learning education due to the lack of proper
internet access or equipment. The lack of funds for digitalising education led to an even deeper gap between the haves and have-nots.

The basic research hypothesis is that the migration-related limitations imposed during the COVID-19 pandemic were a significant obstacle to the families living in the proximity of Polish-German borderland. The sudden closing of borders within this particular demarcation line separated many family members and workers from their source of income. It led to numerous protests, where the participants demanded from the Polish Government certain concessions in the cross-border movements that were limited because of the pandemic.

**Literature review**

The predicament of cross-border movement along the Polish-German frontier during the COVID-19 pandemic is connected with several key concepts and phenomena. One of them is deterritorialism. Deterritorialisation (also referred to as deterritorialism) describes the change of territories (such as countries or states) and their relationships (Medeiros et al., 2020). This concept includes the changes caused by regular border crossing by the people who live and work on two different sides of the border. Such people have to cross borders for numerous reasons, including work, using health facilities, or meet their family members. Medeiros et al. consider deterritorialism as a positive factor and state that within the European Union “more integration and deterritorialism is required […], and simultaneously at the social, economic, physical and institutional levels” (2020, p. 1).

The study focuses on the phenomenon known as the cross-border family. Cross-border families, also referred to as CB families, are the families that have their members separated by a border (Medeiros et al., 2020). Main reasons for the separation include work and education (Leonini, Bonizzoni, 2020).

Another key concept of this study is covidfencing. Covidfencing is defined as a wide selection of the restrictions and other measures taken to diminish the impact of the spread of COVID (Medeiros et al., 2020). The most important restrictions include social distancing and closing of the borders within the Schengen area and beyond.

The impact of the COVID-19 pandemic on cross-border circulation along Polish and German borderland and the separation of cross-border families are mentioned by a number of research reports, such as Barua (2020), Carrera and Luk (2020), Gans (2020), Meninno and Wolff (2020), Telve (2019), Wassenberg (2020), or Wren-Lewis (2020). However, the studies in English that would specifically focus on these issues are scarce at the present moment. There is one study that focuses on the impact of the COVID-19 pandemic on cross-border movement within the European Union as its main research topic, reported by Medeiros et al. (2020). The researchers conclude their study by stating that covidfencing negatively affects the free movement of people between European regions and calls for the improvement of the cross-border cooperation in order to mitigate cross-border barriers (Medeiros et al., 2020). However, the study does not focus exclusively on the cross-border families and their problems connected with Covidfencing, especially taking Poland and Germany into consideration.
The study that focuses exclusively on the cross-border families and their challenges connected with Covidfencing is the one reported by Riman (2020). The author analyses how the Slovenians, who live in Croatia and commute between Slovenia and Croatia, have been affected by the cross-border movement restrictions during the COVID-19 pandemic, using both primary data (interviews with Slovenian family members living in Croatia) and secondary data (research reports, press reports). The author comes to the conclusion that Slovenians who live in Croatia and commute between Slovenia and Croatia had been enormously and severely impacted by the cross-border movement restrictions during the COVID-19 pandemic (Riman, 2020). The study in question bears a close resemblance to the one undertaken by the author of this paper. In spite of the fact that the study by Riman (2020) does not focus on the area which is under investigation in the present paper, the predicament of Polish and German CB families and ensuing impact is likely to be uncannily similar. The cross-border families researched by Riman (2020) are confronted with the restrictions that affect the movement across Slovenian-Croatian border. While both Croatia and Slovenia are the European Union members, Croatia is not a member of the free travel area created by the Schengen Treaty (Bukowski, 2020).

Concluding this review of the literature, one may suddenly notice that there are few studies reported in English that would focus specifically on the impact of the COVID-19 pandemic on cross-border movement of Polish families along the Polish-German frontier, in particular; there is not a single study available in English that would focus specifically on the impact of the COVID-19 pandemic on cross-border movement of families within this exact territory; and there is just one study reported in English that focuses specifically on the impact of the COVID-19 pandemic on cross-border movement of families within the European Union (but not the Schengen area). This creates a significant gap in the literature of the subject and demonstrates the significance of the present study.

Starting Point Proposition

The paper is organised around the feasible proposition that has been assumed at the start of the research. The article is based on the premise that the Polish cross-border families were significantly affected by the cross-border movement restrictions during the COVID-19 pandemic within the Polish-German borderland. The main aim of the paper is to test the validity of this assertion.

Methodology

Various scientific methods were used to scrutinise the research proposition and verify the aim of this article. The participant observation approach was used to examine the separation of families in the EU. However, it needs to be noted that the research is, most importantly, of analytical nature. This type of research required the analysis of facts and a system-based approach. The investigation is primarily empirical and is conducted based on data gathered from a selected group of migrants and their families in Poland. Unfortunately, this area has not been well-researched to date, hence the limited data and
list of sources. For this reason, the review is based on author’s own experiences, internet sources, legislation, and academic literature. The examination of the gathered materials employed analysis and synthesis.

The research uses both primary and secondary data. Primary data are mostly the text that describes the present situation of Polish cross-border families, their problems in view of the family separation due to the cross-border movement restrictions, the way the families cope with these problems, as well as what governments (national institutions or European ones) advise to alleviate these issues. These texts include local press articles, news, reports, and the author’s own research (for example, participant observation and author’s interviews with the members of the cross-border families). Secondary data are used mostly in the literature review section and include the research reports that focus on the issues relevant to the present study, especially the situation of the cross-border families within the Polish-German border area during the COVID pandemic. Google Scholar, arguably the most effective search engine that focuses on the scientific discourse, is used as the main secondary data gathering tool.

**Origin of migration crisis during the COVID-19 pandemic**

At the beginning of the first wave of infections in the EU, many member state leaders had expressed their will to introduce border controls within Schengen, thus affecting profoundly citizens of such places as Świecko. The situation became more serious when reports were published about the rapid growth of the number of active cases in Italy. With that in mind, many countries, apart from introducing sanitary controls, started to deny access to their country to citizens of other states, thereby limiting the free movement of persons within the EU (Polski Instytut Spraw Międzynarodowych, 2020). The result of the pandemic was the re-introduction of border controls in various forms along most borders within the Schengen area (World Health Organization, 2019). These measures undoubtedly disrupted the cross-country movement as the waiting time at some crossings was over ten hours longer than before. Countries such as Lithuania, Norway, Spain, Belgium, and Finland decided to close all of their border crossings (Polski Instytut Spraw Międzynarodowych, 2020). Finland was the only state to refer to Articles 25 and 27 of the Schengen Borders Code to maintain controls for a longer period of time (World Health Organization, 2019). Additionally, some tensions in international relations began to arise (Meninno, Wolff, 2020). For example, closing the Polish-German border was especially problematic as many citizens of the Baltic countries were unable to return to their homelands quickly (World Health Organization, 2019).

**Migration situation inside the Schengen area**

The situation in the Schengen area led the Commission to present new guidelines on internal controls, which were adopted by all leaders of states gathered during a dedicated videoconference on 17 March 2020. It seems appropriate to mention the recommendations made at the time:
using preventive measures, consisting of checking the health of all travellers instead of re-introducing full border controls within Schengen;

– allowing all EU citizens to return to their homelands through a transit route via other member states;

– ensuring the free movement of people working in transport, especially those responsible for transporting essential goods (e.g., food, medical and protective equipment).

With the spread of the pandemic, the Schengen area faced another challenge, as the freedom of movement was restricted by the decisions of national governments. This called for interventions on the part of The EU institutions. The first reported positive effects of the EU intervention have been visible as the member states managed to streamline the cross-border movement by shortening the customs procedures and queues at some borders. Unfortunately, a late reaction of many member states towards the pandemic has only deepened the mistrust among Schengen members and strengthened the tendency of unilateral re-introduction of border controls and prolonging them far beyond the period required to manage the threat (Polski Instytut Spraw Międzynarodowych, 2020).

To prevent the possible fragmentation and disruption of services, while also ensuring full transparency and predictability to all citizens and active enterprises, the UE Council began working on a stage-based approach which aims to increase the coordination of pandemic-related activities. The approach encompasses five areas that are to identify the potential of closer coordination of activities on the EU-level and relate to:

– data provided by member states;

– criteria with indicators applied to analyse the epidemiological risks;

– risk assessment with simultaneously delineating the areas of risk; and

– potential tools to be used in informing on the measures undertaken (Polski Instytut Spraw Międzynarodowych, 2020).

The results of the above measures were visible, especially regarding the movement of Poles within the Schengen area during the pandemic. Most importantly, Germany assumed that Poland is an area of epidemic risk, which painfully hit the tourists, students and cross-border employees. Currently, since 24 October, the entire country constitutes an epidemic risk zone from the German perspective; persons coming from Poland are required to undergo a 14-day quarantine or test themselves to prove that they have not been infected by the virus. Undoubtedly, the isolation is a huge obstacle for thousands of people who live in the near-border cities and work in the neighbouring states.

As a response to numerous protests that took place in the spring of 2020, some of the German Lands have allowed exceptions from the quarantine requirement (Szymański, 2020). Unfortunately, each Land located near the Polish border has its own sets of regulations. For instance, Brandenburg exempts only cross-border employees. To avoid quarantine, other persons have to have a doctor’s certificate in German or English that confirms the negative results of the SARS-CoV-2 test taken before entering Germany. Moreover, the test cannot be taken earlier than 48 hours before crossing (Szymański, 2020).

Saxony adopted a similar approach, so persons who cross the border on their commute to work and home regularly are not subjected to the quarantine. Those that stay in Saxony for less than 24 hours, such as cross-border students, are exempted as well. Additional exceptions regard professional truck drivers as well as train and plane crews.
Saxony also lifts the quarantine requirement based on a doctor’s certificate on negative test results not older than 48 hours (Szymański, 2020).

A slightly different situation prevails in another Land near Poland, namely Mecklenburg-Vorpommern. Here, the quarantine does not apply to persons working in the near-border areas and students, but several additional restrictions have been introduced. For instance, such persons have to provide a daily statement to their superior, employer or school director in which they confirm that they do not have any symptoms typical to COVID-19 infection, (e.g., cough, fever, rhinitis, losing the sense of taste or smell). Furthermore, all adults are required to provide a negative SARS-CoV-2 test result once every week. It is also mandatory to carry documents confirming the need to cross the border at all times, such as a certificate from work or school. Mecklenburg-Vorpommern authorities also exempt those who visit their first-degree relatives, spouses and life partners if they are not living in the same household. Furthermore, they re-launched a programme of financial support for companies and healthcare clinics to cover the costs of accommodation for their employees from risk areas that resign from regularly crossing the border and remain in Germany for longer (Szymański, 2020).

Migration problems of the Polish cross-border families

Poland entering the EU caused the so-called new youth migration. Young workers usually migrate every three months, bringing to Poland their income from abroad, which allows the family to maintain a high standard of living. This practice actually boosts the Polish economy. Within this process, one of the parents works abroad for some time and the rest of the family stays in Poland. One of such families is Ms Agnieszka Dobkiewicz with her two-year-old son Igorek from Zgorzelec. This family has become a symbol of the loud outcry of thousands of cross-border workers separated from their families at the border (Dobkiewicz, 2020).

The pandemic led to the closure of borders, so each Pole returning to the country had to undergo mandatory quarantine. It also applied to those that live in Poland and commute to work across the border on a daily basis. Consequently, many people lost their jobs while others had to leave their homes and families to maintain their source of income. “People are losing their jobs, many families are separated, my colleagues live in guesthouses” – said one of the men protesting at the Polish-German border crossing in Zgorzelec (Bounaoui, 2020).

In an interview for Gazeta Lubuska, Łukasz Koleśnik (2020) referred to the inhabitants of near-border cities who, because they work abroad, face many problems related to the coronavirus epidemic, caused mostly by the closure of borders. Because of the mandatory quarantine, cross-border workers either have to subject themselves to isolation or cannot commute to work and are forced to stay at home. The situation is even more dramatic as many of them do not have any savings and are facing financial problems, while simultaneously having difficulties with dealing with everyday tasks. Koleśnik (2020) also adds that petitions are being written and some are also preparing organised actions at the border crossings.

However, the numerous petitions regarding the opening of the borders, similar to the Gubin petition, do not seem to have a huge effect (Gadomska, 2020). For this reason,
voices are calling for organised action that would draw the attention of the decision-makers in Warsaw to this problem. Furthermore, Zgorzelec citizens want to unite all inhabitants of the near-border cities through their Facebook action entitled Wpuśćcie nas do pracy! Wpuśćcie nas do domu [Eng. Let us in, to work! Let us in, to go home] (Gadomska, 2020). It can be said that a new social movement was established by the inhabitants of cross-border towns. Similarly, support for social movements in other countries, such as the French “yellow vests”, has grown through social media platforms such as Facebook (Manovich, 2006; Szpunar, 2008).

The conversation of Katarzyna Domagała-Pereira with a psychologist called Marzanna Maciejak suggests that prolonged separation mostly triggers deep frustration that stems from the lack of control over the situation we are in. This frustration is then transmitted onto others, as we are internally frustrated and suddenly vent on the spouse or children – says Marzanna Maciejak (Domagała-Pereira, 2020). A healthy mental state depends on the ability to adjust to new circumstances.

The participant observation approach was used to examine the separation of families in the EU. The author was herself separated from her husband working in France as she had to stay with their child in Poland. As the borders were closed, the husband could not leave France for two months for fear of losing his job. Returning home was not possible neither via plane nor car, since all French car rentals were closed until 11 May. Even though there was a 12-hour window for transit through Germany, it was not possible to rest in a hotel. Next, the average time of waiting at the border crossing in Świecko reached ten hours. Paradoxically, after arriving in Poland, a person using the transit route would have to be quarantined, so still separated from the family, and could not return to France until mid-July 2020.

This article is mainly devoted to the situation in near-border cities, such as Świecko, where the inhabitants live in Poland, however work or study in Germany. The author of this study contacted a woman from Sławno, and she described her situation as “the worst time of [her] life”. The woman used to work in Germany, but lost her job because of her inability to commute and the need to take care of under-aged children. Her older child was attending the last class of German secondary school, but because of the restrictions and closed borders, the child could not continue her education, failed her final exams and, as a result had to re-take the entire year. The father remained in Germany to keep his employment, but stopped earning legally. As a consequence, he was afraid to transfer the money to the bank account, and the woman was left in dire straits with three kids and no financial support. The Polish governmental institutions failed to consider her situation. The food suddenly became more expensive, and she “did not have the money to buy some bread and milk for the kids.” Her younger children aged two and four were traumatised as they could not see their father for almost four months.

During the rather dramatic development of the epidemic situation in Poland, Germany promised to support the Poles (DW, 2020). At the time, it had been established that the cooperation of Polish and German police should be intensified, and that the working conditions of the Polish-German Cooperation Centre for Border, Police and Customs

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1 Interview of 15.09.2020 with a Sławno inhabitant for the purposes of the article entitled “The problem of migration within the Schengen area during the COVID-19 pandemic”. The interview was conducted by the author of the paper via phone, the interlocutor wishes to remain anonymous.
Services in Świecko especially, that have been operating since 2008, should be improved (DW, 2020).

At the beginning of the pandemic the situation of cross-border families was not taken much into account when imposing border closures and restrictions due to the novelty of the whole situation. The moment in time when you cast a glance at the Polish or German government guidelines regarding CB families, it appears that these are starting to be more sensitive to the pressing and previously unmet needs of such families:

- From August 1, 2021, entry to Germany is, in principle, only possible with a negative test result. This applies to both travel by road and air travel. Rapid antigen tests can be performed at the earliest 48 hours (PCR, LAMP, TMA tests 72h) before coming to Germany. Rapid antigen tests must meet the criteria of the World Health Organization (WHO), i.e. sensitivity ≥ 80%, specificity ≥ 97%. The test result must be in English. German, English, French, Spanish or Italian. Polish tests are recognized if they are translated. The time is counted from the time the sample was taken, not from the receipt of the result.

However, you do not need to have a negative test result when entering Germany for:

- children up to 12 years of age;
- vaccinated persons (14 days after administration of the last dose of vaccine authorized in the EU);
- convalescents (28 days-6 months after illness);
- persons professionally transporting persons or goods;
- cross-border workers;
- persons crossing the border as part of local border traffic up to 24 hours.

The EU COVID-19 Certificate may serve as confirmation of being a vaccinated or healed person. Cross-border workers and persons in local border traffic do not need to undergo the test when crossing the land border.

Current German guidelines advise the following:

- Cross-border commuters, border crossers or persons staying for of up to one day are only subject to an obligation to furnish proof in the following cases: the obligation to furnish proof only applies when entering from a high-risk area, an area of variants of concern or by air. Poland currently is not considered a high-risk area. This applies to cross-border commuters and border crossers who have no proof of vaccination or recovery, following a stay in a high-risk area, on condition that they provide new test results (antigen or PCR test) twice a week. The same applies to persons who, in the context of border traffic, spent less than 24 hours abroad or who will be spending a maximum of 24 hours in the Federal Republic of Germany (stays of up to one day).
- All cross-border commuters and border crossers who have spent time in an area of variants of concern must possess a PCR test certificate. This also applies, on condition that they provide new PCR test certificates twice a week. The same applies to persons who, in the context of border traffic, spent less than 24 hours abroad or who will be spending a maximum of 24 hours in the Federal Republic of Germany (stays of up to one day). If no such test certificate can be brought in on entry, the test must
be conducted immediately after entry, followed by a second test within one week, if the person is still in Germany.

- **Cross-border commuters and border crossers.**

Persons who are cross-border commuters or border crossers **are also exempt from the obligation to quarantine on entry.** This applies to **areas of variants of concern** with the proviso that the work they carry out is urgently required and critical to maintaining operational procedures.

It is worth having a look at the definition of a cross-border commuter as understood by the German government guidelines:

- A **cross-border commuter** is a person whose place of residence is in the Federal Republic of Germany and who is compelled to travel to the place where they practise their profession, study or engage in vocational training abroad in order to practise their profession, to study or engage in vocational training and who regularly – at least once a week – returns to their place of residence. A **cross-border commuter** is also the person who has the duty of care and custody over or is the carer of another person who takes them to the place or collects them from the place where they practise their profession, study or engage in vocational training.

**What are current guidelines concerning short stays to visit close relatives?:**

- An exemption from the obligation to quarantine on entry also exists for persons who are entering the country to visit first-degree relatives or spouses or life partners who do not form part of the same household, or on account of shared custody or a right of access, in the case of stays of less than 72 hours in the Federal Republic of Germany or in a high-risk area. This **exemption does not apply** to persons who at any time within the last 10 days prior to entry stayed in an area classified as an **area of variants of concern** at the time of their entry.

The Ministry of Foreign Affairs in Poland nevertheless calls for the avoidance of unnecessary foreign travel. They further advise that when making a decision to leave, one should take into account possible difficulties in returning to the country, air traffic restrictions, the obligation to undergo quarantine or self-isolation, and to undergo additional medical examinations ordered by local authorities. Moreover, the ministry maintains that if you decide to leave – remember to get vaccinated! This is the only way to avoid entry quarantine, regardless of whether you are returning from the EU or outside the Schengen Area.

Apart from administrative, crippling and economic burdens imposed on CB families having to cross the Polish-German border regularly, one can also notice that the amount of information about new restrictions and advice is so vast that people are never certain which is out-of-date, and which is up-to-date, neither are border guard officers, all of which further exacerbates the already difficult situation in which the cross-border families are.

**Discussion of findings**

The families living near the border previously used social media channels, such as Facebook, to organise their revolt. This niche social movement disappeared over time
after re-opening the borders. The families incurred mainly economic losses and experienced unpleasant emotions at that time. The analysis suggests that the problems with migration mostly affected the weakest members of society, such as low-income women and children and individuals facing poverty.

Considering the expanding crisis and the current other waves of the pandemic anticipated, a relapse of the border crisis should be taken into consideration. However, there is a chance to avert the crisis without further losses through the programme of mass vaccinations. Still, there are open-ended research questions that come to mind, such as: Will the vaccine work on time? How much the virus will mutate so that another vaccine needs to be developed or new booster shots administered? Will the governments apply proper logistics to prioritise the groups of people most vulnerable to the virus? If another sanitary crisis arises, how will the authorities direct migration within the Poland and German borderland area?

**Conclusion**

The study demonstrates that the proposition assumed at the start of the research is true in view of the gathered data. The findings indicate that the Polish cross-border families have been significantly affected by the cross-border movement restrictions during the COVID-19 pandemic within the Polish-German border area. The following questions arise in the context of the situation at hand: (1) What are the problems of the Polish cross-border families during the cross-border movement restrictions caused by the COVID-19 pandemic? (2) How do the Polish cross-border families cope with the cross-border movement restrictions caused by the COVID-19 pandemic? (3) What measures may be taken to make the problems of the Polish cross-border families during the cross-border movement restrictions caused by the COVID-19 pandemic less pronounced? As we have seen, comparing the initial governments’ reaction towards the pandemic with the current guidelines, the authorities on both sides of the border have learned their lessons and are starting to take challenges of CB families into more consideration, which is a positive sign under the circumstances.

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Rodziny transgraniczne i ograniczenia w poruszaniu się po pograniczu polsko-niemieckim podczas pandemii COVID-19

Streszczenie

Opierając się na wynikach wcześniejszych badań dotyczących wpływu pandemii COVID-19 na ruch transgraniczny w Unii Europejskiej i separacji rodzin transgranicznych, w badaniu skupiono się na wpływie pandemii COVID-19 na ruch transgraniczny polskich rodzin w Unii Europejskiej, a konkretnie sytuacji polskich rodzin oddzielonych granicami pozostającymi w strefie Schengen. Badanie analizuje sposoby, dzięki którym Covid radykalnie ograniczył swobodę przemieszczania się obywateli UE w strefie Schengen, zwłaszcza między Polską a Niemcami. Korzystanie z metod badawczych, takich jak przegląd literatury, obserwacja uczestnicząca i wywiad umożliwiło identyfikację kluczowych czynników, które ukształtowały kryzys migracyjny podczas pandemii COVID-19 w strefie Schengen, a następnie pozwoliło skupić się na bardziej szczegółowym badaniu dojazdów i problemów migracyjnych polskich rodzin transgranicznych. W artykule sformułowano hipotezę, że polskie rodziny przygraniczne zostały znacząco dotknięte ograniczeniami ruchu granicznego podczas pandemii COVID-19 w strefie Schengen. Wyniki badań wskazują na słuszność takiego założenia i potrzebę dalszych badań w tym kierunku.

Słowa kluczowe: COVID-19, zwalczanie COVID, rodziny transgraniczne, osoby dojeżdżające do pracy przez granicę, separacja rodzin, deterytorializacja, granica polsko-niemiecka, reżim graniczny