CONGRESS OF LOCAL AND REGIONAL AUTHORITIES
CONGRÈS DES POUVOIRS LOCAUX ET RÉGIONAUX

The Congress Le Congrès COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Congress contribution to the reflection of the Council of Europe member States on "effectively responding to a public health crisis in full respect for Democracy, Rule of Law and Human Rights"

(130th Session of the Committee of Ministers of the Council of Europe, 4 November 2020)

On 4 November 2020, the Foreign Ministers of the 47 Council of Europe member States will meet under the auspices of the Greek Chairmanship of the Organisation's Committee of Ministers to examine how to effectively respond to a public health crisis in full respect for Democracy, Rule of Law and Human Rights in the light of the COVID-19 pandemic.

The Congress of Local and Regional Authorities wishes to contribute to the lessons which should be learned from the current crisis, in order to develop responses that will best protect public health, mitigate the social consequences of such health crises, maintain the democratic accountability and security of municipalities, cities, regions and countries and make societies more resilient and safer in the post-COVID-19 period.

COVID-19 pandemic, a threat to both public health and democratic institutions

The public health crisis caused by COVID-19 is having a major impact on societies. It is putting at risk not only human lives and the welfare of citizens as well as the economic prosperity of many countries but also the functioning of institutions of democratic governance at all levels.

The pandemic is having a particular impact on local and regional democracy, leading in many cases to what could be described as a temporary "lockdown" of local democracy, with, to varying degrees depending on the country, the strengthening of centralisation, the enactment of states of emergency, the postponement of local and regional elections, the reduction of council meetings, increased financial difficulties and the shrinking of space for public debate and consultations with citizens.

However, the increased use of digital technologies has enabled the development of new capacities in service delivery to citizens as well as greater opportunities for online participation overall and for decision making in assemblies and executives.

Local and regional authorities at the frontline

From the beginning of the COVID-19 pandemic, local and regional authorities have found themselves at the frontline and have been taking up an increasing share of responsibilities together with national governments.

The pandemic has revealed a strong need for solidarity to mitigate the social and sanitary consequences of the crisis, and to safeguard social and economic rights such as equal access to health care, housing and education, in particular for the most vulnerable and marginalised. The first players in the field of implementing this solidarity are the elected representatives in local and regional authorities and the civil servants under their authority.

Mayors and councillors act to guarantee basic as well as emergency services, protecting health and supporting the local economy, relaying and implementing national policies and co-ordinating their action with other levels of government and other partners across all sectors of society.

They are the level of governance closest to the citizens and have a good understanding of the challenges facing their communities and how the specific dynamics of a crisis are impacting upon them.

They also enjoy the highest level of trust within the current national political landscapes. They are the closest link between national governments and citizens and act as intermediaries that can help ensure

that people in their communities understand and participate in measures designed to protect their own health.

Municipalities, cities and regions are playing a central role in the management of the crisis. They will also have a crucial role in the post-crisis recovery, having to ensure the economic and social revival of their communities which will underpin national recovery.

Multi-level governance, a more flexible and efficient response to emergency situations

The crisis has also brought to the fore the need for more effective co-operation and co-ordinated action both among and within countries, this means the need for multilateral co-operation and multi-level governance.

A stronger and more efficient system of multi-level governance in which every level is equipped with proper competences, means, resources and a climate of trust and interaction enables a nation as a whole to better respond to an emergency situation. The current crisis shows clearly that multi-level governance systems increase the quality of decisions taken and allow greater flexibility in coping with emergencies as they are better suited to providing solutions tailored to specific needs.

The Congress is convinced that the effectiveness of responses to overcome the current crisis and to better prepare for future public health crises and other emergencies depends on the quality of governance, that is to say on the right balance and interaction between centralised and decentralised capacities that must be present within the system.

Congress recommendations for situations of emergency

Over the past 40 years, local and regional elected representatives have become key players in national and European policies.

The Congress, and the 150 000 local and regional authorities it represents, as well as the national and European associations of cities and regions, form a vast network and a distribution chain all over Europe, able to actively promote and implement national and European policies.

The Congress calls on member States to take advantage of this territorial democracy, its networks and experience to better manage major crises of every kind, including health crises such as the current COVID-19 pandemic and help to provide sustainable solutions to them in full respect for Democracy, the Rule of Law and Human Rights.

The Congress will continue to engage in the work of the Council of Europe and its member States, by sharing its knowledge of local and regional authorities and the tools and work at its disposal. The Congress will focus on the following issues:

- Emergency measures must be temporary in nature, proportional to the requirements of the situation, and introduced under democratic control, and they must be lifted as soon as the situation allows;
- Better division of competences and means within the multi-level governance system must be ensured and maintained even in times of crisis;
- Better co-ordination between different levels of governance and an improved system of regular consultations with local and regional authorities must be established within emergency mechanisms, making subnational authorities an integral part of national crisis management;
- Provision of direct funding to local and regional authorities and their access to direct funding must be ensured during both the crisis management and post-crisis recovery;
- All tiers of government must be involved in decision-making on postponing or holding of elections in times of crisis in line with international principles;
- Even in times of crisis, the democratic link between mayors or (regional) executives and their local or regional assemblies must be maintained and the accountability of the executive to their respective assemblies be ensured.