

**Keynote address by Leendert Verbeek, Chair of the Monitoring Committee,
Congress of Local and Regional Authorities of the Council of Europe**

**“The frontline role of local authorities” (939 words)
(18 June 2020 by videoconference)**

Dear members of this Committee,
Ladies and Gentlemen,

Thank you for this opportunity to exchange views with you today.

I would like to share with you my experience of tackling the pandemic in my capacity as the King's Commissioner, similar to governor, of the province of Flevoland in the Netherlands, but also our experiences on the level of the Congress of Local and Regional Authorities of the Council of Europe.

I will start with some general remarks on the global impact of the pandemic on sub-national government from the perspective of the European Charter of Local Self-Government.

It is evident that authorities of all levels have been dramatically affected by the unprecedented situation caused by the coronavirus.

They all had to find immediate, day-to-day responses to the emergency under the extreme pressure of uncertainty.

Nobody really knew in which direction the pandemic would evolve and how fast.

Local authorities have been hit particularly severely by the sanitary crisis.

They had to deliver basic services, provide transport in their cities and make sure that the population respected the lockdown measures.

And we saw that people reacted differently, and not always obeyed to the restriction of their freedoms.

Local authorities also had to raise awareness of the population on the COVID-19.

And this had to be done, without even being sure, that the information available was accurate.

And yes, we also made mistakes, just as higher level authorities did.

As we often say in the Netherlands; during crisis you often have to take decisions with often too little information, but deciding is more important than keeping asking questions.

In my opinion, despite all this, local authorities have worthily taken this challenge.

However, in response to the crisis, we have seen that central authorities in some member-states of the council of Europe have departed from their commitments under the Charter.

They started either to recentralise local competences or reduce the local governments' margin of appreciation in conducting local business.

The consequences of the lockdown measures have also been dire for financial autonomy at local level.

Local tax revenues fell.

Many municipalities have had to implement tasks and responsibilities without receiving necessary means from their central governments.

The recovery plans often envisage the tightening of local budgets to overcome economic downturn caused by the coronavirus.

In some countries, consultation has worsened, and the central governments have made decisions affecting local level without proper coordination.

The organisation of local elections has become another burning issue at this time of crisis.

The Monitoring Committee will hold an exchange of views on this topic on the basis of a reflection paper which has been already endorsed by the Bureau.

This reflection paper deals specifically with local and regional elections in times of COVID-19 pandemic and should give rise to a report on this particular electoral subject to be adopted in October this year.

Last week, the Congress Bureau adopted a Declaration on the impact of central government COVID-measures on local and regional authorities.

It raised concerns about the negative tendencies I have just outlined to you.

But let me remind you that the Charter must be applied in all situations, including the crises.

This will be the main theme of a debate the Monitoring Committee will hold at its next meeting, on 21 September 2020.

The Congress members will share their experiences of tackling the coronavirus and coping up with its far-reaching consequences.

In addition, during the next monitoring visits, we hope to resume in 2021, the Congress rapporteurs will focus on the multi-level management of the pandemic.

They will identify the main challenges that local authorities have had to face during the crisis and in the post-Covid period, and the replies of local and regional authorities will be reflected in our reports and recommendations as far as the application of the Charter will be concerned.

Now I would like to tell more about the experience of facing the sanitary crisis in the Flevoland, and in the Netherlands.

The topical debate in the Netherlands now is focussing on a new Emergency Covid-19 law that the National Government is preparing.

COVID measures at the moment, like the prohibition of gathering, are based on Local Emergency Directives.

From a legal point of view, they are not considered democratic and constitutional.

Local Emergency Directives are intended for local, temporary crises, like riots and sudden disasters.

The social distancing measures that are needed in Covid19-times demand a more permanent legislation.

Though the intention behind the new Emergency law is good, the criticism on the other hand is that the new law will shift power for a long period to the national government at the expense of the Parliament, but also the provincial parliaments and the local governments.

So Parliament but also local and regional authorities demand a larger involvement in the new law and a more limited time frame.

Right now it is under debate how far the government directives can go in relation to the local responsibilities.

For instance when approving requests for keeping demonstrations like the anti-discrimination demonstration, balancing the Human Right to gather against human health considerations.

By saying you can have a demonstration, but you have to use social distance, or the number of participants is limited to certain number.

To conclude, I would like to highlight the fact, but you will have understood already from my statement, that the Monitoring Committee will continue to use all available tools to promote good democratic governance at all times, be they normal, critical or "new normal".

Thank you for your attention.