## COVID-19 AND DEMOCRACY

The global spread of the coronavirus disease CO-VID-19 has been shaking societies around the world for over a year. In the democratic world, the pandemic erupted in the context of a crisis of democracy long in the making. In some countries, it precipitated a worrisome deterioration of democratic governance and jeopardized the stability of democratic institutions. In others, it provided an opportunity for democratic leaders to rise to the occasion and regain citizens' trust in their capacity to deliver on the nation's interests. But in most countries, what CO-VID-19 has cast is a potent spotlight on previously unnoticed or insufficiently attended systemic flaws that limit democracy's capacity to come out of the crisis unscathed. The COVID-19 pandemic is teaching us that the resilience of democracy – that is, the ability of democratic systems to function, to deliver, to be trusted and to command the enduring commitment of their citizens to democratic values and principles – in the face of an emergency of such magnitude is not to be taken for granted.

As countries around the world continue to navigate the uncertainty related to COVID-19, hopeful for a prompt return to public health safety thanks to vaccine deployment, but burdened with a desolating balance of lives lost and economic perturbations, many are calling for national and global leaders to rethink the foundations of our societies. In the democratic world, they invoke democracy's capacity for self-correction and enjoin democratic leaders to take action, here and now, to **enhance their democracies' resilience to future emergencies**, as well as their ability to deliver in uncertain times.

For the purposes of this exercise, **emergencies** are understood to be situations in which an abnormal event (or series of events) causes human suffering or poses an imminent threat to human lives or livelihoods, dislocating community life and exceeding the remediation capacity of the responsible government(s). Not all shocks become emergencies, and which ones do may vary across time and geography; it depends on each government's capacity to offer remedy. The COVID-19 pandemic is one of few truly global emergencies in recent times. But pandemics, natural disasters, industrial accidents and international terrorist attacks have all affected large parts of the globe in this century. Migration flows, when concentrated in time and space, have also triggered situations where the capacity of governments to protect human lives has been exceeded. Cybersecurity failures could also give rise to new types of emergencies as digital technologies play an ever greater role in our communities.

In a globalized world where climate change and ecosystem degradation are likely to produce more frequent perturbations, the call to strengthen the resilience of democracies in emergency situations responds to a **risk management** imperative. It befalls the democratic community to devise ways to identify and remedy, before a new large-scale emergency arises, the systemic flaws that have limited democracy's capacity to function, to deliver, to be trusted and to command the enduring commitment of citizens during the COVID-19 crisis.

Of course, these systemic flaws bear relation to the overall state of democracy, nationally and globally.

Factors that weaken democratic systems in normal circumstances – like the lack of trust from citizens or the inability to deliver on citizens' needs – only become more debilitating in times of emergency. But among all of democracy's shortcomings, there are a few that, in times of emergency, run the risk of destabilizing the democratic system as a whole. These are the systemic flaws that must, in priority, be remedied to strengthen the resilience of democracy to future emergencies.

The good news is that the global mosaic of democratic systems has produced a wide array of democratic experiences in the ongoing pandemic, and will continue to do so throughout the long recovery process ahead. By analysing certain countries' relative success at upholding democratic values and principles throughout the emergency and recovery phases, identifying good practices, and devising solutions to bridge the most common pressing gaps, the democratic community can build on its own collective democratic experience to meet the titanic task ahead.

In this paper, we will review the impact of COVID-19 on democracy and the many ways in which democracy's resilience is being called into question by the ongoing crisis. This will set the floor for a global, open and dynamic discussion, to take place through 2021 under the auspices of the Global Commission on Democracy and Emergencies, on what political leaders and democracy enthusiasts around the democratic world can do now and throughout the long post-COVID recovery process ahead, to strengthen the resilience of democracy before the next emergency hits.

## 1. COVID-19 and the mechanisms of democracy

The most obvious impact of COVID-19 on democracy is the immediate perturbation of its fundamental mechanisms. Cabinets, parliaments, courts and electoral authorities have all seen their work affected by the public health emergency.

Much has been written about the **conduct of elections** during the pandemic. In the early months of 2020, most scheduled elections were postponed and the conduct of pre-voting electoral activities, such as voter registration and the training of election officials, was suspended. But a few months later, amidst concerns that election postponement might lessen the legitimacy of governments running beyond their term, more and more electoral authorities started considering alternative ways to conduct elections without jeopardizing public health. According to International IDEA's research, as of December 2020, at least 40 national elections or referenda had been postponed due to COVID-19 and 79 had been held. In many countries, questions related to voter safety, voter turnout and the integrity of special voting arrangements (such as early voting or postal voting) were hotly debated. The material possibility for political parties to campaign and canvass amidst lockdowns and social distancing requirements, and for vulnerable groups of citizens – such as infected, at-risk and self-isolating persons – to exercise their right to vote was also debated far and wide. While the use of digital technologies opened new avenues for political campaigning and voter education on electoral procedures, it also raised questions regarding the electoral inclusion of communities on the low side of the digital divide.

**A Case in Point: Republic of Korea**
In April 2020, the Republic of Korea became the first country to hold national elections during the COVID-19 pandemic, and a shining example of electoral good practice. The elections were carefully planned through extensive consultations between the National Election Commission, the Ministries of Health and Interior, and National Centres for Disease Control. Strict protocols and sufficient protective equipment were put in place, and special voting procedures were developed to allow for increased social distancing at voting stations. Well-informed voters turned out in the highest number in three decades, and no new COVID-19 cases were reported to have been directly linked to the elections.

Where decisions surrounding the electoral process were made with political consensus, effectively communicated to the public and matched with sufficient funding, elections were conducted successfully despite the public health context. But elections held without political consensus as to their timing and methods, without adequate voter information, or without sufficient funding for their safe conduct, were met with lower voter turnout and lower perceived legitimacy.

Public health measures involving physical distancing and confinement have also been affecting the work of **parliaments** around the world, pitching the imperative to protect their members and staff against the need to continue debating, passing laws and scrutinizing government action through the pandemic. The Inter-Parliamentary Union divides the approaches adopted in different countries in three broad categories. Some Parliaments have continued to meet in person with some adjustments aimed at respecting physical distancing, such as holding fewer sittings, with fewer participants or in larger venues. Others have moved their activity online, in many cases adopting new laws, procedures, technologies and security systems to provide a legal and material basis for remote parliamentary activity. And yet others have suspended their activity altogether, taken early recess or instituted a special committee to sit on behalf of the House.

**A Case in Point: Australia**
In April 2020, the Australian Senate established a Select Committee on COVID-19 to oversee the government's response to the pandemic. The Committee's effectiveness at scrutinizing government action and engaging with citizens shows the importance of legislative oversight in emergency situations. In its first six months, the Committee had received 463 submissions, held 35 public hearings (online), and submitted hundreds of questions to government agencies. Its influence was felt in key pieces of COVID-19 legislation, including laws on contact tracing and employment support.

In most countries, limitations on parliamentary activity have come hand-in-hand with the expansion of executive powers through the declaration of a state of emergency or the granting of **exceptional powers** to the government. Where these exceptional powers have been targeted, proportionate and provisional, they have generally been accepted as reasonable measures to provide an effective response to the public health emergency. But where they have been broad, excessive or designed without a sunset clause, they have cast a shadow of doubt on the rule of law. According to the Office of the UN High Commissioner for Human Rights, sunset or review clauses are a fundamental element of an emergency response that respects human rights. Yet the Westminster Foundation for Democracy's Pandemic Democracy Tracker, which monitored the democratic quality of COVID-19 responses in the first six months of the pandemic in 33 countries, reports that almost half of them did not attach a sunset clause to their emergency legislation.

**A Case in Point: South Africa**
On 15 March 2020, South Africa declared a State of Disaster, under the Disaster Management Act (2002), giving the Executive exceptional powers to limit fundamental rights in the interest of the country's COVID-19 response. Opposition parties challenged the declaration, denouncing the lack of parliamentary oversight over the duration and extension of the State of Disaster, as well as the policy measures taken under its cover. A private member's bill, tabled in October 2020, is now under consideration to amend the Disaster Management Act (2002) to give the National Assembly oversight over disaster response and make public debate a necessary condition before a State of Disaster can be extended.

In several countries, the unequal or excessive enforcement of lockdowns, curfews and limits on public gatherings has raised concerns, often affecting neighbourhoods where vulnerable communities or political scapegoats are concentrated. In others, government decisions on exceptions to emergency

measures to permit certain public gatherings – including religious ceremonies, cultural and sports events – has led to accusations of bias or discrimination in decision-making. The lack of oversight has, it appears, made room for emergency measures and enforcement instruments that have not at all times respected legal provisions and democratic standards.

### A Case in Point: New York City

In Spring 2020, the New York Policy Department came under criticism as reports emerged that officers' enforcement of social distancing had disproportionately targeted black and Hispanic neighbourhoods. City-wide, in the first two months of the pandemic, Black people made up 68 percent of those arrested for violating social distancing, with Hispanic people making up another 24 percent.

Countries around the world have also called upon the **military** to support civilian public health and law enforcement agencies in functions related to the COVID-19 response, from setting up emergency healthcare posts to enforcing lockdowns and curfews. In many countries, these military interventions were welcomed as necessary logistical support to

### A Case in Point: Sri Lanka

The Sri Lankan military has been at the frontline of the country's COVID-19 response since March 2020, just a week after the confirmed national case. The National Operation Centre for Prevention of COVID- 19 Outbreak is military-led, and the army has been called upon to fulfil numerous COVID-19 related functions, from policy coordination to contact-tracing, lockdown enforcement and running quarantine centres. While military logistical support to civilian health authorities may have been justified, a strong intervention by a military tarnished by a track record of human rights abuses, in the midst of ethnic and political tensions, posed an immediate and long-term risk to peace and stability in the country.

civilian authorities and managed with strict respect for the rule of law. In others, however, the expanded role of the military was reminiscent of past periods of autocratic rule and raised questions regarding adherence to the rule of law and democratic standards for human rights protection.

Even in countries where the expansion of executive powers and related enforcement measures has abided by democratic standards, their extension in time – through reiterative renewals or long sunset clauses – has drawn mounting criticism. As the pandemic reached its second and third wave, a growing number of voices started calling for a return to normal democratic procedures for law-making and policy-making, as these subsequent phases of the crisis, while critical, could no longer be deemed unexpected. In some countries, criticism over the continuation of emergency powers has come from within the political class or academic elite. But in others, emergency fatigue has led growing numbers of citizens to disregard the norms adopted under expanded executive powers, in some cases leading to episodes of radical civil disobedience.

### A Case in Point: The Netherlands

The introduction of a curfew, as part of the measures adopted by the Dutch government to curb the spread of new variants of COVID-19 in January 2021, has prompted a wave of violent protests across the country. In various cities, protests have given rise to the destruction of public infrastructure, car burning and looting. Anti-curfew groups on social media have promoted an anti-establishment attitude and general anger toward politicians, the police and journalists.

Finally, the perturbations occasioned by COVID-19 have also affected the functioning of **judiciary power**. In most countries, public health measures such as lockdowns and social distancing rules have slowed down, if not halted, the work of tribunals, lawyers and legal assistance services. While many judiciary institutions have adopted innovative approaches to provide minimum services remotely

or under alternative arrangements, access to justice has been significantly impaired at a time when COVID-19 has pushed up the demand for legal services in civil matters such as housing, employment, debt, social benefits and inheritance. The material possibility for citizens to claim their rights in court, including in feuds against the government, has been found hampered all around the world.

# 2. COVID-19 and fundamental rights

While the pandemic may have prompted a rise in legal needs in various areas of law, reflections on democratic resilience are most concerned with its impact on fundamental rights.

The very first fundamental rights that COVID-19 has been threatening around the world is the **right to life and to the enjoyment of the highest attainable standard of physical and mental health**. States' ability to protect their citizens' rights to life and health, without discrimination of any kind (including on the basis of race, socio-economic status and age), has been jeopardized by the rapid spikes in healthcare needs occasioned by COVID-19, surpassing the capacity of numerous countries' healthcare systems. How well each country performed in protecting its citizens' right to life and health – in effectively protecting them from COVID-19 and its complications, and effectively deploying treatment

**A Case in Point: Germany**
Germany's experience of COVID-19 shows the benefits of long-term investment in healthcare. At the onset of COVID-19, Germany had 34 critical care beds per 100 000 inhabitants – a very healthy figure compared to Spain's 9.7 and Japan's 5.2. Unlike many other countries, Germany was able to face the first wave of COVID-19 without habilitating new spaces for COVID-19 patients, nor adopting a triage system that would leave any patients without a high standard of care.

and vaccination solutions as these have become available – certainly has depended on numerous factors, but the importance of prior investment in healthcare capacity, including primary healthcare services, cannot be denied. Treatment facilities, medical equipment and health-care workers can hardly be improvised, and their ready availability when COVID-19 began has strongly conditioned each country's response.

Another critical factor in protecting the rights to life and health is the efficiency of the measures taken to stop the spread of the virus, often to the detriment of other fundamental rights. Whether permitted under the normal legal framework or adopted under emergency powers, various policy measures taken by governments around the world have limited civil and political rights in ways rarely seen in democratic countries, in order to protect the rights to life and health.

Lockdowns, curfews and limits on public gatherings have been adopted in most countries, limiting **freedom of movement and association** – a measure largely considered justified if it is targeted and proportionate; effective if it is communicated broadly, clearly and timely; and fair if it is enforced equally among all social, political and identity groups. In many cases, however, these conditions were not met. The Office of the High Commissioner for Human Rights also regrets the general lack of consultation with civil society organizations in the process of designing and periodically reviewing those measures, and the poor communication to citizens of their justification and practical implications.

Beyond their impact on the everyday life of individuals, restrictions to Articles 12 and 21 of the International Covenant on Civil and Political Rights (ICCPR) have also been limiting the possibility for **political parties** to engage with their base, for civil society organizations to connect with their grassroots, and for social and interest groups to manifest their support or opposition to government action through peaceful demonstrations. While alternative methods of engagement – Zoom meetings, live streaming, instant messaging and online petitions – have quickly become household tools for politi-

cal, civil and social engagement, little attention has been paid to ensure equal access for all.

In many countries, restrictions were also imposed on **freedom of speech and freedom of information** at different moments of the pandemic. Faced with an infodemic that was jeopardizing the efficiency of government response to the public health emergency, undermining trust in government institutions and exacerbating social divides, various governments across the democratic (and non-democratic) world have taken steps to restrict the circulation of false information. Rapid response units have been formed, cracking down on fake news, fake experts, scapegoating and conspiracy theories. In some cases, information control instruments have also targeted non-digital media and journalists, and gone beyond the pursuit of fake news to also restrict criticism of the government's response to COVID-19.

In other countries, governments have pushed the responsibility of identifying and controlling **disinformation** to technological platforms, many of which have been relying heavily on automated tools to identify and remove false content. In the context of rapidly evolving scientific knowledge about the virus, as the "truth" and recommendations communicated by elected leaders and senior public officials themselves kept changing, and in the lack of an adequate legal framework for information control in the digital space, many of these

measures have been falling in a grey zone between the precautionary principle and unlawful censorship. In April 2020, a group of 75 civil society organizations, think tanks and digital rights experts issues an open letter calling upon the technological platforms to make their content moderation data public – an indirect approach to put a check on censorship without allowing disinformation to circulate unhindered.

Provisions limiting public **access to government information** have also been adopted in numerous jurisdictions in the wake of the pandemic. In others, access has been limited de facto by a reduced capacity of government bodies to respond to information requests. While not necessarily motivated by a desire to obscure the facts, these restrictions have cast a shadow of doubt on the accuracy and completeness of the information willingly shared by governments, thereby eroding trust and undermining the efficiency of their policy responses.

The collection, sharing and monitoring of individual information, however, has significantly increased since the onset of the pandemic, raising concerns around the **right to privacy**. Digital applications for contact tracing and health monitoring – many of which have been developed and promoted by national governments – have been collecting vast amounts of personal data about individuals, often without appropriate safeguards for data protection. While technological experts tell us that it is

possible to design such apps securely, with open source technology that does not collect geolocation data and does not transfer personal information to devices other than the user's, many government-sponsored contact tracing tools have fallen short of these standards.

**A Case in Point: Ecuador**
The government of Ecuador, like many others, has been collecting citizens' personal data on various digital platforms to monitor their compliance with COVID-19 restrictions, trace contacts and offer e-health services. Ecuador, however, has been doing so without a legal framework for data protection nor an independent oversight body. While the Constitutional Court has ruled that the use of digital tools for COVID-19 surveillance is constitutional, the risk that the data may be compromised or used for purposes outside of pandemic management continues to raise concerns among human rights protection organizations.

Finally, economic, social and cultural rights have also been affected by the COVID-19 pandemic, in ways that call into question the ability of democratic systems to deliver responses that meet their citizens' most pressing needs. Lockdowns, social distancing requirements and mandatory limits on public-facing business activity have deprived millions of people around the world of their **right to work**, in many cases for months on end. Unsurprisingly, Human Rights Watch reports that countries that had well-funded social protection systems at the onset of the pandemic have fared better at limiting the consequences of this massive temporary unemployment. Emergency measures such as direct livelihood or housing support, moratoriums on debt payment, utility costs suspension and tax cuts have all been recommended as useful measures to preserve citizens' **right to an adequate standard of living**. Yet in many countries, including in the developed and democratic world, social protection systems and emergency support schemes have been insufficient or have failed to support all workers who lost their income. Gig workers, infor-

mal workers, migrant agricultural workers and domestic workers have been among the most excluded groups. As a result, many people have become unable to afford basic necessities such as rent, utilities and food, and the economic fallout of the pandemic is estimated to push as many as a half-billion people worldwide into poverty.

**A Case in Point: Europe's Roma Populations**
With approximately 10 to 12 million people, the Roma make up the largest minority group in Europe. While they are spread over several countries, most Roma live in settlement communities where housing, water and sewage infrastructures are severely deficient. Most make a poor living from informal employment and many do not have access to national social protection systems. Limited access to healthcare, drinking water, sanitation and food has made them more vulnerable to COVID-19, while lockdowns have destroyed their livelihood and placed them among the groups most affected by the economic impacts of the pandemic.

Governments' ability to protect children's **right to education** has also been called into question, including in developed and democratic countries. According to UNICEF, more than 1 billion children worldwide are at risk of falling behind due to school closures aimed at containing the spread of COVID-19. With school closures across 188 countries, remote learning programmes (online or broadcast) have been implemented in 90 percent of countries - but inequalities in access to digital technologies and parental support have limited access to that right for more than one-third of all students.

## 3. COVID-19 and social inclusion

COVID-19 and the disruptions it has brought to the mechanisms of democracy and fundamental rights have not been affecting all citizens equally. An OXFAM Briefing Paper published in early 2021

has dubbed the COVID-19 virus "the inequality virus", reporting that it has exposed and amplified existing **inequalities of wealth, gender and race**, and could be the first episode in recorded history to lead to an increase in inequality in almost every country at once. All around the world, socio-economic status has conditioned individuals' ability to protect their health and withstand the economic consequences of COVID-19. Lockdowns and work-from-home arrangements – two measures adopted by most countries to limit the spread of the virus – presuppose access to white-collar jobs, while school closures in turn presuppose access to work-from-home or alternative child-care arrangements for working parents. Access to decent housing conditions is also a pre-condition for the success of confinement measures aimed at keeping people safe within their homes.

### A Case in Point: United Kingdom
The UK illustrates the challenges of inequality related to online education in situations of school closures. About 9 percent of children in the UK do not have access to a laptop, desktop or tablet at home. Last Spring, as schools were closed across the country, 71% of children in government-funded state schools – the economical alternative to fee-based private schools – received less than one daily online lesson. Children from better-off families spent on average 30 percent more time on learning than those from poorer families, and better-off parents reported feeling more able to support their children than socio-economically disadvantaged parents.

With socio-economic status as an underlying driver, the World Justice Project identifies four groups that have been suffering particularly acutely from the public health emergency and its ramifications: those lacking legal identity or legal status (migrants); those without secure housing rights; informal economy workers; and groups affected by various forms of systemic discrimination, including women. According to a UN Women Policy Brief, COVID-19 has confronted **women** around the world with a disproportionate increase in unemployment or reduced employment, as well as unpaid care duties

### A Case in Point: Nepal
According to a Rapid Gender Analysis of COVID-19 led by the Ministry of Women, Children and Senior Citizens (MoWCSC) of Nepal, 83 percent of Nepalese women lost their main source of income in the early months of the pandemic, with wage workers, farmers, landless women, and women from Dalit and Madhesi communities among the most affected. Meanwhile, women's unpaid domestic work increased as a result of having more people inside the home, the return of migrant family members and school closures; and women employed as domestic workers have seen their daily hours of work increase two- to three-fold. The interruption of emergency services for gender-based violence response during the lockdown also compounded the vulnerability of women and girls to domestic abuse.

related to home-schooling or healthcare. With women making up 70 percent of the healthcare workforce worldwide, they have also been more exposed to COVID-19 infection.

These multiple dimensions of vulnerability often intersect, resulting in the marginalization of identifiable segments of the population -- ethnic and

### A Case in Point: Senegal
Informal economy workers represent approximately 90 percent of Senegal's workforce and contribute about 45 percent of the country's GDP. With the announcement of social distancing measures in March 2020, a large share of these informal economy workers – small market vendors, restaurateurs, hairdressers, domestic workers – lost all or part of their income, without the benefit of any unemployment insurance or social protection. While the Senegalese government put in place relief programmes, these focused primarily on supporting private businesses. In early June 2020, the announcement of an extension to lockdown measures prompted violent demonstrations in cities across the countries, by young men and women wishing to claim back their freedom of enterprise and right to livelihood.

religious groups, LGBTIQi populations, minorities, migrants -- with dramatically higher rates of infection and lower rates of access to testing, treatment and vaccines among these groups. Even in countries where targeted measures were taken to make healthcare services accessible to marginalized communities, deep-seated inequalities reflected in their socio-economic status have compounded their vulnerability to the pandemic. A lower rate of access to livelihood support and social protection services has also dramatically compounded the financial impact of the pandemic on these groups, who have been forced to depend more heavily on support from community organizations and charities to make up for lost income.

### A Case in Point: Colombia

In February 2021, the Colombian government announced a decision to grant a ten-year temporary protection status to all Venezuelan migrants in the country. Praised by international agencies such as IOM and UNHCR, this measure enables all Venezuelan migrants – estimated at 1.7 million people - to access basic services in Colombia, including healthcare and vaccination, as well as the right to employment and social protection. It responds to the urgent needs of migrant families, most of whom already lived in a situation of economic precarity prior to the pandemic. According to the Interagency Group on Mixed Migration Flows (GIFMM), the percentage of Venezuelan families in Colombia consuming three meals a day has fallen from 69 percent to 26 percent since the onset of the pandemic, and 25 percent report they do not know where they will live next month.

While the health consequences of COVID-19 have, generally speaking, been more threatening for older citizens, the social and economic repercussions of the pandemic have drastically changed the lives of **young people** around the world. In Africa, where those under 35 make up 75 per cent of the continent's population, interrupted access to education, training and employment has been the number one concern for young people – more than the public

health situation itself. The inability of governments to deliver on the needs of a demographic that represents 75 per cent of the population, while not new, has highlighted the vital fragility of democratic systems in the region during the pandemic. According to Mo Ibrahim Foundation's Now Generation Network survey of July 2020, young people now call for agency and ownership of the COVID-19 recovery process, in a region where political power dynamics have notoriously excluded them from decision-making structures.

The rapid expansion of digital technologies as instruments of resilience to the perturbations in professional, educational, commercial and social activity has also heightened the dynamics of exclusion arising from the **digital divide**. In most countries, citizens from marginalized communities have lower access to digital devices and internet services, which has severely limited their access to some of the most widespread responses to the pandemic, including digital information sharing, online education and telehealth services. Among those with digital access, lower rates of digital literacy have also hampered effective access to valuable public information and heightened vulnerability to disinformation. A lack of digital access and digital literacy has

### A Case in Point: Canada

Canada is among the world's most connected countries, with a rate of internet access near saturation among Canadians aged 15 to 64. Among elderly citizens, however, internet penetration is much less extensive, with roughly 30 per cent of seniors reporting that they do not use the internet at all. The digitalization of public and private services prompted by the COVID-19 pandemic has left many feeling disconnected, with difficulties in accessing government services and information, online shopping and social interactions. In November 2020, the Canadian Bankers Association (CBA) announced a partnership with a national NGO to provide introductory digital literacy education for Canadian seniors who are not using the internet so they can access it affordably and securely.

also hampered the ability of **elderly citizens** from all socio-economic groups to use all those services that, as a result of the pandemic, have been moved online. As the world prepares for post-COVID-19 recovery, the UN Commission for Social Development, at its 59th session in February 2021, highlighted the potential for digital technologies to provide new solutions to development challenges and called upon UN Member States to bridge the digital divide as a measure to attain inclusion for all.

Put together, these flagrant gaps in the ability of democratic systems to deliver equitable health and economic protection to all their citizens have given rise to growing calls for new social contracts. Around the world, COVID-19 has brought to the fore the importance of **inclusive social protection** schemes, revealing cracks in the most advanced social systems and dramatically highlighting the need to rethink social protection in countries with large informal sectors. Around the world, COVID-19 prompted governments to adopt temporary instruments to help the most vulnerable citizens withstand the economic impacts of the crisis. The OECD has however noted wide differences in the accessibility and generosity of these programmes across countries, and their ability to adjust swiftly to rapidly changing circumstances has been called into question. In most cases, these temporary schemes have been adopted without clear timelines of duration, without consultation with civil society groups representing vulnerable communities, and without a plan to convert them into sustainable instruments of social protection. Whether or not they will be extended past the public health emergency phase, and into the economic recovery phase, is a question that continues to haunt millions of vulnerable citizens, while the legacy of deficit these temporary instruments will leave in public finances, in the absence of sustainable financing mechanisms to support them, is a major concern for public book controllers.

Last October, a 14-member Working Group on Transforming Multilateralism for 21st Century Social Justice and Inclusion, led by the Friedrich-Ebert-Stiftung in the framework of Club de Madrid's Annual Policy Dialogue 2020, observed

### A Case in Point: Brazil
In April 2020, the government of Brazil adopted one of the most generous temporary support schemes in Latin America to help the country's most impoverished communities face the economic repercussions of COVID-19. Payments extended to informal workers and small enterprises, and additional assistance was offered to single mothers. It is reported that COVID-19 payments brought extreme poverty in Brazil to its lowest level since the 1970s. In January 2021, however, the financial unsustainability of the scheme brought it to its conclusion, leaving over 30 million Brazilian families without livelihood support.

that inequalities are aided by an international tax system that has fostered low levels of corporate taxation and allowed tax avoidance by owners of very large fortunes. This drives a deficiency in tax revenues and hinders the capacity of national governments to invest in social protection – and calls for increased taxation of corporations and large fortunes are rising. Argentina adopted a one-time levy on the country's richest taxpayers last December to finance COVID-19 relief measures; the UK's Wealth Tax Commission recommended doing the same; and the governors of several US states are considering it. The idea of increased taxation has also been gaining support among the wealthiest themselves. Patriotic Millionaires, a group of wealthy Americans concerned about the destabilizing concentration of wealth in the US, has been advocating for fair taxation for over 10 years – but COVID-19 has brought them new allies. Launched in June 2020 by Danish-Iranian businessman Djaffar Shalchi, the Millionaires for Humanity initiative brings together over 80 high net worth individual from 8 countries who are calling for increased taxes on the rich to help societies recover from COVID-19:

*"The problems caused by, and revealed by, COVID-19 can't be solved with charity, no matter how generous. Government leaders must take the responsibility for raising the funds we need and spending them fairly. We can ensure we adequately fund our health systems, schools,*

*and security through a permanent tax increase on the wealthiest people on the planet, people like us."* (Millionaires for Humanity, 13 July 2020)

Social inclusion for vulnerable communities in the COVID-19 recovery phase is, it seems, increasingly perceived as going hand-in-hand with greater fiscal inclusion of the wealthiest. The push-back observed among numerous business, intellectual and civil society groups in response to wealth tax laws or proposals, however, indicate that broad consultations and social dialogue are critical to the political sustainability of such reforms.

# 4. COVID-19 and effective leadership

The COVID-19 pandemic is also proving to be a litmus test for political leadership. Faced with the unprecedented combination of a pandemic and an infodemic, political leaders around the democratic world have taken a variety of approaches to define, communicate and implement their policy response, some with more success than others.

Leadership styles have been compared and contrasted, with numerous commentators highlighting the relative success of leaders that have relied on scientific evidence and epidemiological data to define their policy response, and empathy to communicate it . In numerous countries, **science-based leadership** has brought into the political spotlight senior public servants, such as chief medical advisors and public health directors, who have come to share with Executive leaders the responsibility of officially communicating to the public COVID-19 data and policy responses. With or without senior public servants by their side, Executive leaders who have relied on a constant inflow of scientific and epidemiological data to define and revise agile policy responses focused on public health outcomes have been found to be most effective.

**A Case in Point: New Zealand**
New Zealand is often mentioned as an example of effective leadership in the management of COVID-19, and its success is mainly attributed to the clarity of government communications. The Prime Minister of New Zealand, accompanied by the Director General of Health, have communicated firmly yet empathetically, in both formal briefings and informal live sessions on social media. Prime Minister Ardern's regular personal presence on social media, strong working relationship with the science community and willingness to answer questions are said to have been determinant for her success.

On the other end of the spectrum, political leaders who have ignored scientific evidence -- played down the gravity of COVID-19, dismissed prevention measures that had proven effective and even in some cases contributed to disinformation – have been dubbed irresponsible and, in many cases, have lost the trust of a significant part of their population. In between the two extremes, however, there are numerous leaders who, without denying or ignoring scientific data, have used it unevenly or intermittently to guide their policy response, at times giving priority to economic or political considerations at the detriment of public health outcomes. While justified and important, the act of balancing public health, economic and political considerations must be explained effectively, within government circles and to the public, lest it may result in confusion. In numerous countries, scientific advisors and even government members have spoken publicly against government policy, thereby weakening trust and support among citizens.

**Communicating policy responses** to COVID-19 has been a challenge overall for numerous leaders. Faced with a citizenry whose trust in political leadership and institutions had been falling rapidly in recent years, they have had to devise effective approaches to rally the population behind policy measures that would dramatically disrupt their lives for months. The basic principles of effective com-

munication -- being first, being right, building trust, showing respect, expressing empathy and promoting action – certainly apply to this situation, but analysts have underscored the particular importance of **empathy** in determining the effectiveness of pandemic-related communications. Leaders who have been communicating frequently and proactively, using varied and creative technological tools to engage with different groups of citizens in proximity settings, and who have acknowledged and directly addressed citizens' concerns, have been found more successful at securing their trust and rallying their enduring support. Leaders who, on the contrary, have relied primarily on a traditional approach to communication, based on formal addresses and message control, have tended to find themselves running behind the tide of disinformation and more vulnerable to criticism.

Beyond policy making and communications, another important dimension of political leadership in numerous countries has had to do with **policy coordination** between government agencies and between government levels – a challenge particularly acute in federal states with a complex distribu-

**A Case in Point: Spain**
Spain provides an example of the importance of mobilizing effective and legitimate coordination mechanisms to ensure a coherent policy response to COVID-19 in countries with a high level of decentralization. Policy coordination between Spain's 19 sub-national entities relied on existing coordination structures that had long suffered from a lack of legitimacy among its participants. Through the COVID-19 pandemic, the Conference of Presidents and Inter-territorial Health Council have been called upon on a needs basis, often with the objective of stamp-marking unilateral decisions of the central government. Constant political bickering and legal challenges by sub-national governments of the measures adopted by the central government have made policy coordination a difficult part of COVID-19 management in Spain.

tion of competences for public health, healthcare, economic policy and social services. As evidenced by the Forum of Federation's collection of analyses from federal and devolved countries, the irruption of COVID-19 had a temporary centralizing effect in numerous federations, with the central government leading the policy response in the first days or weeks of the pandemic. In others, however, early action came from the federated entities before the central government stepped in.

While the locus of early action certainly played a role in shaping perceptions of leadership in the beginning of the pandemic, the existence of effective policy coordination mechanisms quickly became the dominant factor in determining leadership success on that score. Unsurprisingly, countries that already had regular high-level policy coordination mechanisms before COVID-19, or that swiftly constituted such structures, have been more successful at developing policy responses that satisfy both national coherence and territorial flexibility. Countries where interjurisdictional coordination structures have been lacking or insufficiently relied upon have seen more dislocated policy responses, often accompanied by political bickering and blame throwing that have exacerbated tensions and undermined citizens' perceptions of political leaders.

The pandemic has also highlighted the importance of **good governance** for the effective delivery of public services in emergency response. Communication and coordination mechanisms for data-sharing and resource-sharing across jurisdictions, agile and transparent public procurement processes, and adequate human resources and technical infrastructures have been critical to ensure that the policies adopted in response to the COVID-19 public health crisis could be implemented effectively through public administrations.

In numerous countries, the imperative of expediency in crisis response significantly reduced, if not eliminated, the **space for civil society** engagement in public policy-making. In the early phase of the pandemic, as governments were expected to react

swiftly to an emerging threat, closed-door decision making was broadly accepted. As time dragged on, however, social groups have started calling on political leaders to reactivate consultative mechanisms to enable civil society to provide input into government policy and question government action, particularly as it relates to COVID-19 and its economic repercussions. In numerous countries, civil society organizations have been playing important roles as information transmitters and service providers in the COVID-19 response, particularly among vulnerable communities; and effective communication and coordination with them has been hailed a component of effective political leadership. Countries that have maintained active cooperation and engagement with civil society organizations in policy-making processes, however, remain exceptions.

**A Case in Point: Croatia**
Croatia provides an example of the value of civil society organizations in COVID-19 response. Since the outbreak of the pandemic, Croatian civil society organizations have played a fundamental role in providing support to vulnerable communities, demanding government transparency and ensuring continued citizen participation in decision-making. While major consultation mechanisms have been halted by the pandemic, civil society has been able to continue its oversight of government action, and a shining example of civil society advocacy success is the government's withdrawal of a mobile contact tracing application that, according to civil society voices, threatened the privacy of citizens.

## 5. COVID-19 and democratic culture

Closely linked to political leadership is the question of democratic culture – a soft concept referring to citizens' collective commitment to democratic va-

lues and willingness to engage in democratic life. While data on the impact of COVID-19 on democratic culture remains scarce, various public opinion surveys suggest that the onset of the pandemic prompted citizens from around the world to **"rally around the flag"** and give leaders whom they had previously been doubting a vote of confidence as they struggled to address an emergent threat – a phenomenon routinely observed around large disruptive events such as international conflicts and natural disasters. According to the 2020 Edelman Trust Barometer Spring Update, trust in government (in 28 countries surveyed) increased 11 points, to an all-time high of 65 percent, in the first months of the pandemic. Citizens' preferences also turned away from international cooperation and toward strong national leaders, and appetite for risk-taking went down. In most federal systems, this played in favour of a centralizing effect, albeit temporarily, with citizens turning to a unifying figure for leadership.

Some analysts suggest that these may be early indicators of a more authoritarian outlook taking root. Others observe, however, that popular support for public health measures that restrict civil liberties has been highest in communities with strong **democratic values and social trust**. This is in line with studies conducted in the wake of the 9/11 terrorist attacks, which concluded that citizens with a strong commitment to democracy were more likely than others to support anti-democratic responses in the interest of protecting public safety. In other words, support for a strong response to a crisis situation, including the temporary suspension of fundamental rights, does not necessarily entail a lesser commitment to democratic values among citizens. On the contrary, it would appear that democratic culture includes an implicit commitment to accept, in exceptional circumstances, the temporary sacrifice of individual rights in the interest of the community, much in line with the exceptions envisioned by the law.

Globally, however, citizens' acceptance of the res-

trictions imposed onto them by the pandemic has waned with time. As emergency fatigue grows and economic woes become heavier to bear for a larger number of people, political repercussions appear inevitable. The 2021 Edelman Trust Barometer shows that, in all of the 28 countries surveyed, citizens' **trust in government** lost in the second half of 2020 most of the ground it had gained in the first half. Trust in other social actors – such as CEOs, journalists and religious leaders – has also eroded, while citizens are reporting a heightened sense of urgency to address various societal problems, from healthcare to poverty, from climate change to disinformation.

This points to the crucial importance for democratic leaders to rekindle citizens' trust in government before the next emergency happens. It also suggests that new mechanisms for **democratic participation and civic engagement** – giving citizens more of a say in addressing those societal problems that they now perceive with a heightened sense of urgency – could be part of the solution, especially as countries start turning their attention to "building back better" after the acute phase of the public health emergency wanes. Fifteen years ago, the very first proposition put forward by the UN Special Envoy for Tsunami Recovery in his report was that "governments, donors, and aid agencies must recognize that families and communities drive their own recovery". While social distancing and lockdowns severely restricted the possibilities for active citizenship in most countries in the first phase of the COVID-19 pandemic, digital technologies have opened up new possibilities for civic engagement, from virtual town hall meetings to online hackathons to crowdsource ideas to tackle specific problems posed by the pandemic.

Numerous factors pre-dating COVID-19 can be invoked to explain citizens' declining trust in government, from disinformation to a crisis of representation. But one driver of downward trust around the world bears particular relevance to the emergency situation: the **culture of corruption and entitle-**

**A Case in Point: #WirVsVirus**
In March 2020, the German government convened the #WirVsVirus hackaton – an online meeting of over 28,000 participants who worked together over four days, in online teams, to put forward innovative solutions to specific challenges posed by the pandemic. The hackathon – the largest ever to be held in the world so far – produced over 800 ideas of technological solutions to pandemic challenges as varied as shopping, childcare and symptom monitoring. It also stands out for the diversity of its participants, 40% of whom were women, 23% were over the age of 45, and roughly half did not have a technological background.

**ment** that prevails among government institutions and leaders in so many countries. In the first months of the pandemic, the image of numerous governments was tarnished by reports of political leaders infringing travel restrictions and social distancing measures for political or personal purposes. Since vaccination began in early 2021, controversies have erupted in numerous countries around the early vaccination of government officials against the priorities set by national vaccination strategies, leading to the resignation or calls for the resignation of government officials at national and local level in numerous countries, from Spain to Argentina, from Lebanon to Peru.

**A Case in Point: Lebanon**
In February 2021, as COVID-19 vaccination began in Lebanon as part of the World Bank-financed Lebanon Health Resilience Project, reports emerged that political leaders – first a group of Lebanese parliamentarians, then President Michel Aoun and his entourage -- had received privileged access to COVID-19 vaccination, in violation of the terms of the national vaccination plan. The controversy prompted the resignation of the Vaccination Committee's ethics officer and the criticism of World Bank officials as well as citizens.

Some studies suggest that citizens' trust and support for governments during the pandemic has been stronger and lasted longer where a **culture of emergency preparedness** existed – that is, where governments had prepared the public long in advance for the possibility of a crisis of the magnitude of COVID-19. Crisis preparedness affords opportunities for inclusive discussions between government officials and other social actors, including businesses and civil society, on different types of crisis response. It also allows citizens to better understand

**A Case in Point: Taiwan**

Taiwan provides another example of a territory that has been relatively successful at limiting the spread of COVID-19. Analysts have noted the Taiwanese government's ability to recognize and swiftly respond to the early signs of the pandemic, ensure effective policy coordination within government and with non-government actors, and communicate transparently with citizens. Many attribute this success to the wealth of lessons Taiwan had learned from the 2003 SARS epidemic, during which it had been severely criticized for its unpreparedness. Between 2003 and 2020, the lack of preparedness had been a key area of discussion within and between government authorities and civil society, leading to important, consensus-based institutional reforms in public health administration.

and assimilate their role, and the options they are given (or not given) when the emergency unfolds. Innovative approaches to foster a culture of emergency preparedness have also started to emerge, such as the use of gamification to confront citizens with different types of emergency situations and collect information on their preferences, that is then fed into the development of public policy. This democratic approach to emergency preparedness may, perhaps, be democracy's strongest argument against the thesis of "authoritarian advantage" for emergency response.

Finally, the COVID-19 pandemic has shown that the resilience of democratic culture in an emergency is influenced by **global cooperation dynamics**. The multilateral system's response to COVID-19, as essential as it has been insufficient, has played a role in shaping citizens' trust in national leaders and willingness to abide by national response measures. It has also conditioned – and is still conditioning – numerous countries' ability to deliver essential goods and services during the pandemic, including testing, treatment and vaccines.

# WHY A GLOBAL COMMISSION ON DEMOCRACY AND EMERGENCIES?

Drawing lessons from the experience of COVID-19 to enhance democracies' resilience to future emergencies is an enormous task. Democracy experts from around the world – in international organizations, governments, think tanks, academia and civil society – have been collecting data, producing analyses and putting forward recommendations to that effect, in impressive numbers over the last year. But an effort is needed to **integrate** their thoughts into a single global effort, across thematic silos, geographies and communities of practice. It is also necessary to extend our vision beyond the emergency situation into the **recovery period** ahead, and to identify a manageable number of **priorities** for democratic reform, with a real politik perspective, and a focus on addressing those issues that, if left unattended, could be most destabilizing and life-threatening for democratic systems.

This is the mandate of the **Global Commission on Democracy and Emergencies**, an initiative led by Club de Madrid to bring together some of its Members – democratic former Heads of State and Government from around the world -- with other eminent international experts, all with first-hand experience of democratic leadership, emergency situations and fundamental components of democratic systems.

Over a period of six months, the Global Commission will analyse the experiences of democratic countries around the world during the COVID-19 pandemic, drawing lessons from their successes and failures at upholding democratic values and principles throughout the public health emergency. Based on this analysis, it will put forward in its final report an **actionable set of recommendations** to mend the flaws that have limited democracy's capacity to function, to deliver and to be trusted during the COVID-19 crisis, with an approach rooted in real politik, the imperative of prioritization and a keen awareness that the challenges at hand require bold solutions.

The Global Commission's final report will be intended primarily for **public policy-makers**, national and international, who believe in democracy and its capacity to reinvent itself. Elected representatives, parliamentary committees, electoral management bodies and executive branches responsible for the functioning of the democratic system in its various dimensions, will all be potential beneficiaries of the Global Commission's recommendations, as well international organizations and civil society organizations involved in democracy support.

Throughout its mandate, the Global Commission will be supported by the Club de Madrid Secretariat, with financial support from the ACS Foundation. It will also count on the valuable input of knowledge partners, including International IDEA, and benefit from input from additional guest experts from civil society and academia.

It will organize its work around a combination of plenary sessions, smaller Working Group sessions, and external consultations. It is expected to have three Working Groups, each one tasked with discussing different aspects of democratic resilience in situations of emergency:

• **Working Group 1** – Mechanisms of democracy & fundamental rights
• **Working Group 2** – Social inclusion in emergency response
• **Working Group 3** – Effective leadership & democratic culture

# THE GLOBAL COMMISSION ON DEMOCRACY AND EMERGENCIES
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