

# LEARNING FROM COVID-19

## RECOMMENDATIONS FOR LEGITIMATE CRISIS MANAGEMENT AND MULTILEVEL GOVERNANCE

### Introduction

For most of a century, epidemiologists and public health officials had been expecting the next global pandemic (following the influenza pandemic that began in 1917). That pandemic arrived in 2020 as the virus known as COVID-19 spread around the world. As governments responded to the spread of the virus through both restrictive measures (such as lockdowns) and supportive ones (such as subsidies), coordination between levels of government emerged as an important point of both failure and success.

Through the Horizon Europe programme, the European Commission funded a research programme on Legitimate crisis management and multilevel governance (known as LEGITIMULT) to study the ways in which different levels of government in Europe interacted to save lives and support individuals, groups, and businesses during the pandemic. The research programme divided the analysis across six related themes: (1) the effects of multilevel governance on crisis response, (2) legitimacy and crisis governance, (3) the rule of law and democratic participation, (4) human rights, minority rights, and non-discrimination, (5) trust during crises, and (6) the social and economic measures that were taken. The research teams (across 11 universities and institutes) addressed questions about legitimacy, trust, non-discrimination, economic sustainability, and the rule of law across 31 European countries, with a particular focus on the first three years of the pandemic. The research is currently being published in peer-reviewed scientific journals, and now in this policy brief.

Each of these topics has relevance for how governments can prepare for future local and global events that have the potential to become crises. If, as some scholars have put it, a crisis is a situation

that combines high levels of danger and uncertainty with the need for urgent action<sup>1</sup>, there are steps that governments can take to prevent adverse situations from becoming crises. Even so, as viruses continue to spread globally and the security situation in many regions of the world (including Europe) is increasingly uncertain, future crises must be expected. The recommendations in this document seek to help governments prepare to manage future threats to the safety and prosperity of their citizens in ways that effectively manage potential crisis situations to minimise harm, protect rights, preserve trust, and facilitate a return to a more normal state of affairs.

The research from the consortium partners identified many steps that governments at all levels can take to improve the legitimacy and trustworthiness of crisis responses, and at the same time to uphold the highest level of effectiveness. These policy recommendations can be grouped in terms of seven overarching values: (1) multilevel coordination, (2) consultation, (3) communication, (4) inclusion, (5) legality, (6) adaptability, and (7) accountability.



## Multi-level Coordination

### Cooperate with regional and local governments at an early stage

**Recommendation:** While some centralisation is to be expected in the early stages of a crisis, cooperation with regional and local authorities will effectively serve local needs. This strengthens the preparation and implementation of measures, as well as political support for them. It can also facilitate mutual learning between governments (including the same level, and between levels) and promote overall efficiency and effectiveness. Our research shows that coordination can lead to better access for target groups, fewer implementation errors, and a more consistent and needs-driven distribution of resources across regions and local authorities. However, this requires that governments at different levels work together closely and on a regular basis. As ad hoc meetings and token consultation tend to complicate crisis management, we recommend that policy-makers jointly adopt policy responses.

<sup>1</sup> Arjen Boin et al., *The Politics of Crisis Management: Public Leadership under Pressure*, 2nd ed. (Cambridge: Cambridge University Press, 2016), <https://doi.org/10.1017/9781316339756>.

## Examples:

■ In France, there was a high level of coordination and even a partnership-based approach between the regions and central government departments in regard to the economic support measures. The presidents of the French regions worked on an economic recovery plan in conjunction with the French government. The regions also coordinated the economic support measures with inter-municipal and local authorities.

■ In Spain, coordination was initially weak. The Autonomous Communities were informed about Temporary Aid Programmes but could use them according to their needs. Following the new “policy of co-governance”,

since early 2021 the Ministry of Finance initiated a dialogue with the Autonomous Communities to find consensus about the preferred distribution criteria.

■ In Austria, while the cooperation was initially weak, over the course of the pandemic, the *Länder* were more involved in pandemic management, which also allowed a differentiated response in different regions. For example, in the winter of 2021, the Vorarlberg region (a less densely populated area) was able to open its ski resorts to (foreign) tourists due to low infection rates, while in Vienna there was a lockdown due to the high infection rates.

## Strengthen intergovernmental collaboration and coordination

**Recommendation:** Enhance coordination among governance levels by institutionalising platforms for collaboration and joint decision-making. These platforms should ensure that national, regional, and local authorities work together seamlessly, sharing information and aligning efforts to avoid overlaps, gaps, or conflicts in policy implementation.

## Examples:

■ Belgium’s National Security Council served as a platform for collaboration between federal and regional governments, facilitating compromises in a competitive federal system.

■ Germany’s *Ministerpräsidentenkonferenz* allowed federal and state leaders to coordinate policies while preserving state autonomy.

■ The Netherlands’ Safety Council united regional leaders to ensure smooth implementation of national measures, fostering alignment across governance levels.

■ In France, institutionalised forums facilitated the coordination of economic measures between the decentralised levels of the central government, the regions, and the departments.

## Centralize coordination and decentralize implementation

**Recommendation:** Establish a crisis governance framework that combines centralised coordination for coherence and decentralised implementation for tailored, context-specific responses. This approach ensures that national (or even European Union-level) policies provide overall direction and consistency, while allowing regional and local governments to adapt measures to suit specific conditions and challenges in their areas. Citizens express both support for higher-level coordination to avoid large differences in regulations between regions, and a preference for some level of local control and contextual sensitivity. These competing goals must be carefully balanced.

Examples:

■ Germany's federal system balanced central coordination through the *Ministerpräsidentenkonferenz* with state-level autonomy, allowing states to tailor restrictions to local needs while ensuring alignment with national policies.

■ In the Netherlands, safety regions initially held decision-making powers under national guidelines, providing regional flexibility. Later, pandemic-specific legislation centralised decision-making to enhance consistency during the prolonged crisis.

■ The Solidarity Fund was established by the French government together with the

regions, some of which offered additional support to companies. It was financed by the French government and all regions, and on a voluntary basis by local authorities and insurance companies.

■ In Spain, the financing of the Extraordinary Social Fund was the responsibility of the national government. Implementation was mainly the responsibility of the Autonomous Communities. The Territorial Council of Social Services and Dependency decided on the distribution of the fund among the Autonomous Communities, which could then use the funding at their discretion.

## Increasingly delegate to subnational governments over time

**Recommendation:** Subnational governments should be involved in the crisis response to ensure the efficient and effective delivery of restrictive and preventive measures. However, the involvement of different levels of government should evolve as the crisis progresses. At the start of a crisis, the primary focus should be on containing its further spread. This is because, during this early stage, there may be uncertainty about the areas potentially affected (for example, concerning the territorial spread of the infectious disease). Hence, a nation-wide lockdown without territorially differentiated sets of measures may be the most optimal decision. However, the longer a crisis lasts, the greater the need for the involvement of subnational governments.

## Examples:

■ After a strong centralized response, the Spanish Autonomous Communities received more leeway in deciding on pandemic policies and measures, often in consultation with the central government.

■ After a strongly centralized response, the Austrian *Länder* could take region-specific measures depending on the health situation

in the *Land*. This enabled *Länder* who benefit from (winter) tourism, like Vorarlberg or Tyrol, to ease restrictions when the pandemic situation allowed it in the winter of 2021, while in other *Länder* like Vienna, this was not possible given the strong presence of the virus. This differentiated approach helped the regions to recover from the pandemic at their own pace.

## Consultation

### Engage in intergovernmental interactions, especially when trust is low

**Recommendation:** When faced with a crisis (similar to COVID-19), national governments should consult with policymakers at other levels of government. Citizens' trust in governments taking such measures increases after consultation, which can lead to greater compliance. Governments in which trust is low can especially benefit from this effect of intergovernmental cooperation—particularly at lower levels of government, where a spillover effect of trust from higher levels may occur. However, if trust in the lower level is already high, such cooperation may be less necessary and could even be counterproductive.

For example, countries may be very heterogeneous in terms of geography and population density. A lockdown measure taken at the national level may therefore be more accepted in cities than in rural areas. Citizens with low trust in the national government may be more willing to accept a lockdown decision if they know their regional government was consulted and that regional interests were considered in the national decision-making process. A similar logic applies to communities that live near borders and would be disproportionately affected by border closures.

In cases where there are different ruling majorities at national and regional levels, a person who distrusts their local mayor for political reasons may still trust the mayor's decision to impose a lockdown if they know it was made in consultation with higher-level governments composed of parties they trust more.



## Examples:

■ The involvement of the local or regional level in national policy and decision-making processes during the pandemic helped to increase the perceived legitimacy of the measures taken. This involvement helped

mitigate citizens' fears over the course of the pandemic that decisions were made centrally without local input. This was the case, for example, in Belgium, Spain, Germany, and Austria.

## Establish independent, multidisciplinary advisory councils

**Recommendation:** Create inclusive and independent advisory bodies with multidisciplinary expertise to ensure balanced and effective policy guidance. By incorporating diverse viewpoints—medical, economic, social—these councils can provide well-rounded advice, reduce bias, and enhance the legitimacy of crisis decisions. Transparency in the selection process is also vital, so that citizens can trust that the advice provided is not biased or non-inclusive.

Moreover, during crises, citizens value expertise. Giving subject-matter experts (and personnel from specialised services such as paramedic and fire services) greater visibility can improve public trust and increase acceptance of crisis measures. However, it is important to note that final decision-making responsibility lies with elected political actors.

## Examples:

■ Belgium's advisory councils, such as the Groupe d'Experts chargé de l'Exit Strategy (GEES) and Cellule d'évaluation (Celeval), initially focused on medical expertise but later diversified their composition to include broader perspectives, addressing criticism of limited viewpoints.

■ The Netherlands relied heavily on the Outbreak Management Team (OMT) for scientific advice. However, its lack of non-medical perspectives and perceived external pressures on its independence highlighted

the need for greater diversity and autonomy in advisory bodies.

■ In Slovenia, alongside the role of the National Institute of Public Health, an interdisciplinary consultative expert body—comprising mainly experts from various fields of medicine and public health—was established to provide recommendations to national and local governments. These recommendations were followed in some cases, and not in others.

## Respond to citizens' fears in times of uncertainty

**Recommendation:** Strategies for coordinating governmental responses to crises should take into account how trust in government changes over time. Citizens' trust becomes more specific and contingent as a crisis evolves. Given the uncertainty that characterises the onset of a crisis, fears and perceptions of threat become highly salient. In the early stages, citizens' trust is less sensitive to which level of government takes action; their primary concern is that action is taken swiftly to mitigate the effects.

When expressing trust during acute crisis phases, such as a pandemic, citizens generally do not distinguish between types of measures. They equally trust governments to adopt both restrictive and supportive measures. This suggests that, under high uncertainty, citizens are primarily concerned with action, rather than with who takes it or the specific form it takes.

There are, however, differences between political systems. In unitary states, citizens tend to trust the national level the most during crises. In federal systems, citizens tend to place similar levels of trust in both regional and national governments. Therefore, to build and maintain trust, crisis measures are most effective when adopted by the national government in unitary systems, and by either the regional or national governments or both in federal systems.

Examples:

■ During the first phases of the pandemic, strong, restrictive measures like lockdowns and related measures were often seen as

necessary. This was observed in almost all EU member states, including France, Austria, Germany, Italy, and Finland.

## Communication

### Communicate in ways that are timely, comprehensive, and fact-based

**Recommendation:** Crisis communication must be timely, fact-based, comprehensive, respectful, and inclusive, and should draw on scientific research and expert knowledge. Communication should be developed in collaboration with the scientific community, avoiding censorship of differing expert views. Where possible, communication strategies should be pre-planned as part of disaster preparedness protocols. Timeliness can be enhanced by establishing and publicizing alert systems that are consistently used.



### Examples:

■ Several countries included a range of health authorities, institutions, and associations in public communication and explanations of crisis measures (e.g. Austria, Croatia, Italy, Slovenia).

■ In Slovenia, an independent group of public activists and experts created an online platform (“COVID-19 Counter”) that published relevant domestic and global data on COVID-19.

■ France, Germany, Italy, the Netherlands, and Portugal developed communication strategies encouraging individual protection based on the latest scientific research.

■ Sweden, despite its controversial pandemic strategy, relied on high levels of social trust to communicate guidance that citizens followed voluntarily.

## Foster transparent and consistent communication strategies

**Recommendation:** Crisis communication should be clear, consistent, and transparent across all levels of governance. Consistent messaging increases trust, limits confusion, and helps unify public response. Communication should be easy to access and understand, and align across agencies and regions.

### Examples:

■ The Netherlands’ use of regular press conferences and a COVID-19 dashboard helped build trust through transparent updates.

■ In Belgium, a fragmented communication strategy initially caused confusion between federal and regional authorities. After a change in government, more centralized and

consistent federal communication improved public understanding.

■ In France, President Macron used televised speeches to centralize communication and promote national unity. Similar approaches were taken in Germany and the UK, though some dissatisfaction emerged from limited regional involvement.

## Support media and information environments that can effectively inform citizens

**Recommendation:** Journalists play a dual role during crises: informing the public and holding decision-makers accountable. They should be supported through access to scientific training and specialized resources, enabling them to better communicate complex developments. Media outlets should avoid sensationalism and prioritize factual clarity. In parallel, citizens should be supported in improving media and scientific literacy, so they can critically assess and act on the information available.

## Inclusion

### Consider all socially relevant pluralities and diversities

**Recommendation:** Decision-makers must take diversity into account in their policymaking, including linguistic and ethnic diversity, and pay special attention to minority and other specific communities, as well as vulnerable and marginalized groups and individuals. Always, but particularly in crisis situations, representatives of minority communities should be included in decision-making processes and crisis management at all levels (local, regional and national). This ensures that decision-makers are informed about the specific needs of minorities and increases the likelihood that these needs will be adequately addressed.

#### Examples:

■ In most cases, this was not done and the decision-makers at all levels in most countries failed to consider and include the existing pluralities and diversities in the process of crisis management. This was the case not only in decision-making, but also in communication. Occasionally, a few representatives of minorities were consulted and included (e.g., as consultants) in the crisis management process. Whenever this was done in different ways and in different extents (e.g., by including them and using their

expertise in communicating, broadcasting and publishing in the languages of minorities; by public calls of representatives of diverse linguistic communities and minorities, etc.), more often at the local and regional levels than at the national level, the effectiveness and inclusiveness of crisis management improved (e.g., in Austria, Belgium, Croatia, Italy, Slovenia).



### Share information in minority and regional languages

**Recommendation:** Minority and regional languages should also be used in information dissemination and communication, enhancing the inclusiveness and legitimacy of crisis management and ensuring that messages and measures are understood by as much of the population as possible. This is particularly important for the most socio-economically and culturally marginalized minorities, as well as for the less educated and the oldest members of various national, ethnic, or linguistic minorities.

### Examples:

■ In Croatia, the National Public Health Institute, Dr. Andrija Štampar, and the Council of the Roma National Minority of the City of Zagreb prepared recommendations in Croatian and Romani languages on general protective measures, such as: «What do we need to know about COVID-19?», «How to avoid infection?» and instructions on «Self-isolation».

■ In the Autonomous Province of Bolzano/Bozen (South Tyrol) in Italy, information and documents were accessible in both languages of the border area (Italian and German), even though sometimes translations of the Italian documents were made accessible with a slight delay, because of translation work. All documents were available on the Task Force Province website.

■ In Slovenia, in the bilingual (Slovene – Italian) coastal area, documents on crisis measures were initially published only in

Slovenian. But after the intervention of members of the Italian minority this changed very quickly. After this, all the material prepared by the National Institute of Public Health and its website was bilingual.

■ The government of Finland provided information about the spread of the COVID-19 virus and the steps that people could take to protect themselves in many languages including Finnish, Swedish, and at least one Sámi language (Northern Sámi, but often two others), as well as in Arabic, Chinese, Estonian, Persian, Russian, Somali, and Turkish. Early in the pandemic, the prevalence of infection was higher among immigrant communities, and there were some challenges with providing information in languages people understood well. However, Finland is a good example of the steps that can be taken to provide information in minority and regional languages.

## Consult beyond governments

**Recommendation:** When policymakers deal with crises, they should also seek to consult with other stakeholders, such as businesses associations, trade unions, welfare organisations and groups. This helps to produce better informed and evidence-based policies and anticipate potential problems.

### Examples:

■ In France, the Committee for Monitoring and Evaluation of Financial Support Measures for Companies Confronted with the COVID-19 Epidemic was made up of the Finance Commissions of the Directorate General for Public Finances and Directorate General of the Treasury, the National Assembly and the Senate, the associations of regions, departments and mayors of France, employer

and trade union representative organizations and the Court of Accounts.

■ The Spanish government set up a tripartite Labour Monitoring Committee including the two largest unions (Sindicato Unión General de Trabajadoras y Trabajadores de España, UGT and Confederación Sindical de Comisiones Obreras, CCOO) and the

business confederation (Confederación Española de Organizaciones Empresariales,

CEOE) to assess the implementation of the measures and ways to improve their efficacy.

## Legality

### Minimize negative impacts on human rights

**Recommendation:** Crisis management measures, especially restrictive ones, should be designed and implemented to minimize negative impacts on rights and freedoms, considering both the duration and extent of the measures. They must adhere to the principle of non-discrimination and avoid causing direct or indirect discrimination against individuals and communities/groups in practice. Institutions responsible for protecting human rights (such as a Human Rights Ombudsperson) as well as civil society organizations should be included in decision-making processes and in monitoring the effects of implemented measures. Trade-offs between crisis mitigation priorities and protection of rights should be carefully assessed, preventing the erosion of rights under the pretext of emergency situations.

Example:

■ The Ombudswoman in Croatia was highly active in monitoring government's crisis

responses and produced various reports on this issue for the Croatian parliament.



### Ensure procedural transparency and legality in crisis response

**Recommendation:** Citizens highly value procedural transparency and legality in crisis management. Those who perceive decision-making during a crisis, such as a pandemic, as lacking procedural transparency and/or not following legal procedures express lower political trust and may therefore be less willing to comply.

An important venue to ensure (procedural) transparency is open debate in parliament. Reporting by the executive to parliament, being present at debates, and answering questions contributes to transparency. Transparency also matters for decision-making by the executive in intergovernmental councils and in consultations with expert groups. To ensure transparency, these decisions should also

be explained by the executive at different levels, and the role of the different levels of government and/or the various experts involved should be made clear.

The importance of legality is manifested in citizens' expectations that decisions be taken through previously established procedures. Parliaments should maintain their role in endorsing decisions taken by the government and not resort to a situation in which a government pushes through decisions without proper debate or according to unstable or questionable legal procedures. Courts also play a crucial role, as they can be petitioned by citizens to judge whether crisis management decisions were taken within constitutional boundaries, considering also the emergency character of crisis situations.

#### Examples:

■ In Austria, judges ruled against some policies because the normal decision-making procedures were not followed (e.g. sidelining parliament), or there was no evidence for the effectiveness or even utility of a proposed policy. Courts often stressed the importance of legality in their rulings, highlighting the importance of judicial control even during crises.

■ In Denmark, investigations into the AstraZeneca vaccine delayed the vaccination programme. The Danish authorities reported this investigation to the public with a high degree of transparency. This fostered citizens' trust in the Danish authorities' management of the pandemic.

## Build or improve legal and policy frameworks for crisis management

**Recommendation:** Adopt clear, flexible legal frameworks to delineate roles and powers for rapid, effective crisis responses while respecting multilevel governance dynamics. These frameworks should provide clarity on decision-making authority, enable quick action when needed, and ensure accountability across different levels of government.

#### Examples:

■ France's "sanitary state of emergency" provided a legal foundation for centralised decision-making and swift crisis responses during the pandemic.

■ Germany's Infection Protection Law enabled the federal government and states to act cohesively within a clear legal framework, while respecting the autonomy of federal states.

■ The Netherlands' COVID-19 Justice and

Security (Interim Measures) Act (Tijdelijke wet maatregelen COVID-19), passed in late 2020, clarified roles and responsibilities, streamlining decision-making during the later phases of the crisis.

■ While most cantons in Switzerland had their own pandemic acts alongside the federal government, some—such as the canton of Thurgau—adopted a pandemic plan only in 2022. In addition, the federal

government started to revise its pandemic

act in 2024.

## Adaptability

### Institutionalize crisis learning and adaptability

**Recommendation:** Embed mechanisms for continuous learning, evaluation, and adaptability within crisis governance frameworks to refine strategies over time. This includes documenting best practices and lessons learned from past crises to adapt responses dynamically as new challenges arise, ensuring governance remains effective across all crisis phases.

Examples:

- The Netherlands demonstrated adaptability by transitioning from regional (safety regions) to national decision-making as the pandemic evolved, highlighting the importance of responsive governance structures.
- Belgium established new advisory bodies during different phases of the pandemic, reflecting the need to adapt institutional structures to changing circumstances and challenges.



### Promote tailored and context-specific responses

**Recommendation:** Encourage localized, flexible responses to crises while maintaining coherence and coordination at the national level. By empowering regional and local authorities to adapt measures to their specific contexts, governments can better address diverse needs across territories while ensuring these responses are consistent with overarching national objectives.

### Examples:

■ Germany's approach allowed states to implement or relax measures based on local conditions, with, for example, Bavaria imposing stricter restrictions during local surges.

■ Belgium permitted regional and local authorities to adopt stricter measures,

such as Antwerp's curfew during a localized outbreak.

■ The Netherlands initially planned for a «regionalized approach,» but faced challenges in implementing region-specific measures consistently.

## Consider restrictive and preventive measures together

**Recommendation:** Processes for adopting restrictive measures and preventive measures should not be carried out in isolation. Preventive measures can be used to target restrictive measures to specific groups of people such as close contacts of infected persons, positively tested people, and non-vaccinated people. For example, isolation and quarantine obligations can be imposed on persons with a positive test result and their close contacts, and access to public buildings and public gatherings can be restricted to citizens who have proof of a negative test result or vaccination. This selective approach to the applicability of the restrictive measures may help to boost public support for the restrictive measures.



## Accountability

### Investigate reports of discrimination promptly

**Recommendation:** Any potential case of discrimination identified by institutions or individuals should be thoroughly investigated and addressed. Particular sensitivity should be given to warnings, perceptions, and assessments expressed by members of minority and marginalized groups and communities.

### Establish clear objectives and pursue effective evaluations

**Recommendation:** Policy-makers should also establish clear objectives and ex post evaluation strategies

to examine the effectiveness of measures. This not only provides greater transparency and allows them to adjust measures if they fail to achieve their outcomes, but also allows them to learn the lessons for the next crisis. This is an increasingly central aspect given the frequency of crises in our societies.

#### Examples:

■ France set up the Committee for Monitoring and Evaluation of Financial Support Measures for Companies Confronted with the COVID-19 Epidemic to oversee the implementation and evaluation of financial support measures. The evaluation reports by the Ministry of Finance were based on clear objectives and indicators.

■ The Spanish government set up a Labour Monitoring Committee in June 2020 to assess the implementation of the measure and ways to improve its efficacy. According to Article 13 of the SURE Regulation of the European Union, Spain also submitted evaluations and auditing reports to the European Commission every six months to monitor the use of the financial assistance.

## Strengthen monitoring, reporting, and early warning systems

**Recommendation:** Develop robust, unified systems for data collection, reporting, and real-time monitoring to enable timely and effective crisis responses. These systems should integrate inputs from all governance levels to provide accurate, up-to-date information, facilitating quick decision-making and enabling governments to anticipate and address emerging challenges proactively.

#### Examples:

■ The Netherlands used centralized monitoring through the Rijksinstituut voor Volksgezondheid en Milieu (RIVM) and Gemeentelijke Gezondheidsdienst (GGD) networks to provide consistent, real-time data, enabling effective sense-making and decision-making.

■ Belgium faced issues with fragmented data collection and regional inconsistencies,

complicating crisis responses. A centralized system could have reduced coordination gaps and improved data reliability.

■ Germany's high testing capacity supported extensive monitoring, though variability in reporting between states highlighted the need for standardized data practices.

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