

Two years of Governance and Managing
the Pandemic in the **Basque Country**

Lessons Learnt for the **Future**

Lehendakaritza - Presidency

11 March 2022

EUSKO JAURLARITZA



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LEHENDAKARITZA

PRESIDENCIA

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Presentation

I. General Retrospective View

On 13 March 2020, the Basque Government, at the proposal of Lehendakari Iñigo Urkullu Renteria, approved the health emergency declaration, pursuant to the LABI (Larrialdiari Aurre egiteko Bidea - Basque Civil Protection Plan). The aim was to structure the response to the Coronavirus SARS-CoV-2 or COVID-19.

On 14 March, the Spanish Cabinet approved the Royal Decree enacting the State of Alarm. The Decree established a general lockdown with people being confined to home, which restricted most of the usual activities in our society. The situation was unprecedented and extremely hard for everybody, families and community life.

Twenty-four months have passed since those decisions were taken. Therefore, the Government has produced this two-year report on the governance and management of the pandemic in the Basque Country. During that time period, we have lived through an unprecedented situation and which has had a great impact on every area of personal and social life. The figures speak for themselves.

Up until 28 February 2022, there were 666,762 positive cases, 32,470 people hospitalised and 3,350 in ICU in the Basque Country alone. We conducted 5.5 million tests and administered around 4.7 million vaccines. Nearly 6 million people have died worldwide and 6,200 people in the Basque Country alone. This is the aspect of the crisis that we have addressed.

Beyond the figures, when looking back at what we have lived through, the first exercise of humanity has to be to personalise the memory of the victims, along with the solidarity shown to their families and to the people who have suffered the most serious consequences of this pandemic. Since 21 September 2020, they have a permanent space of remembrance and tribute in the Sempervirens Park in Vitoria-Gasteiz.

II. Six Waves

The pandemic has generated an unexpected and unpredictable situation. In the Basque Country and worldwide, we have experienced the desperation of the pandemic curve. The pandemic was at its most serious in spring 2020, in March, April and May. A strict lockdown at home was in place then and it lasted for 90 days with varying degrees of severity. During those weeks, we witnessed the global expansion of a virus, for whose effects and consequences the world was not ready.

After that first wave, the incidence rates fell to minimum levels between mid-May and mid-July 2020. Given those figures, the Basque Government ended the first declaration of the health emergency in the Basque Country on 17 May. This huge reversal in the transmission of the virus meant, among other things, that the postponed elections to the Basque Parliament could be held on 12 July. They had initially been planned for 12 April and had to be postponed due to the impact of the pandemic and lockdown.

On 21 June, the Spanish Government lifted the State of Alarm for the whole of Spain. At that time, it seemed that we were on our way out of the crisis. However, a further five waves would be waiting for us up to the end of the second year of the pandemic. The first started on 13 July. On 17 August, the Basque Country again declared a health emergency. After a slight drop between September and October, the second wave peaked on 5 November.

The figures continued to fall for nearly eight weeks until the end of December. The vaccine rollout was getting underway at that time. On 29 December, the epidemic curve started to rise again and the third wave

peaked on 2 February. That marked a new period of the transmission of the virus dropping off that lasted until 10 March.

We were on the brink of the fourth wave, which would reach its highest transmission rates on 21 April. That marked the start of a further drop in cases that would last for nearly ten weeks until the end of June. That would be when the fifth wave would begin and which would peak on 24 July 2021. Numbers would then fall off until 11 October. At that time, 90% of the population over 12 years old had been vaccinated. At this juncture, the Basque Country emerged from the health emergency on 7 October 2021.

Since 12 October, the Covid figures began to rise again. Initially, they did not reach the heights of the previous waves, either in terms of cumulative incidence or of the impact on hospitals. There was only a slight increase in the incidence until mid-November. However, there would then be an unprecedented escalation in infections. It peaked on 11 January 2022.

At the end of 2021, the cumulative incidence rate exceeded not only the peaks in previous waves, but even the previous most pessimistic forecasts. Fortunately, the ICU admission rate did not reflect this escalation in infections and the rate remained lower than the peaks in previous waves.

This sixth wave was dominated by a new variant, Omicron, whose characteristics were different to earlier waves: much more infectious, though with less of an impact on hospitals due to its effect being milder. In this context, on 2 December 2021, the Basque Government declared a health emergency for the third time and triggered the LABI again.

From 12 January, both the indicators and incidence began to drop and were continuing to do so at the time of completing this report, on 28 February. In this vein, most of the restrictions in force ceased to be effective on 13 February. Two weeks later, on 28 February, the LABI agreed to end the declaration of the health emergency.

A new stage thus started in early March 2022. Nonetheless, and given the experience of two years of pandemic, the future continues to be highly uncertain regarding how the virus will evolve in the period ahead. An uncertainty that, at the time of finalising this report, is heightened and mixed with the abhorrence and condemnation caused by the Russian army's invasion of Ukraine, the fear of the huge consequences and the solidarity with the suffering of the Ukrainian population.

III. From pandemic to endemic?

Six cycles of the virus infection rate rising and dropping in consecutive waves were not very different from what happened in other Autonomous Communities of Spain, in Europe and most of the world. Logically, there have been local or cyclical fluctuations at different times; but the virus has behaved in the way to be expected in a global pandemic.

Analysing retrospectively and given the virus's ability to spread and mutate, the hypothesis should be put forward that the restrictive and preventive measures implemented at any given moment and in each country, probably, could not prevent the upward surge of each of these waves.

However, the impact of the adopted measures could lead to shorter surge periods, longer decline periods, and, above all, to the smallest possible impact on and not to clog up the healthcare system.

The sixth wave may only be the one immediately prior to the seventh or, due to its characteristics, the early indicator of the move from a pandemic and an endemic. There are expert voices with different opinions. The shift from a pandemic to an endemic situation would be based on the realisation that the SARS-CoV-2 was no longer deemed critical in terms of running the healthcare system and for the pursuit of social activity.

This means that the persisting number of infections can be dealt with using the health services' ordinary resources. Many believe that the impact of the Omicron variant shows that we are already moving towards an endemic process. Countries such as Finland and Denmark took that step at the end of January 2022. Others have preferred to be more cautious in their forecasts and believe it is still too soon to take that approach.

As of the time of completing this report, on 28 February, the figures have allowed the restrictions to be lifted and the health emergency ended; but it is still too soon to draw final conclusions. Experience shows that it is wise not to lower one's guard and to keep all hypotheses open. In short, two years later, we still cannot confirm that the pandemic has been fully overcome. The unpredictability of the virus and its ability to mutate

made it an objective risk. There has been a shortfall in the vaccine rollout in many areas of the planet and in poor countries. This combination of contradictory data means that the evolution of the virus henceforth is hotly debated.

The Basque Government prefers not to make a prediction in that regard. Experience has shown that a good number of expert forecasts have been upended by the virus's unpredictable ability to transform. This report only notes that the shift from a pandemic to an endemic is still hotly debated two years after the pandemic was declared.

IV. The Governance of the Pandemic in the Basque Country

The Basque Government sought alignment with the best practices and evidence available when adopting each of its decisions in each of those waves. The World Health Organisation (WHO) declared the pandemic on 11 March 2020. The Basque Government has since then followed the recommendations and guidelines of international institutions such as the WHO in the framework of the United Nations or the European Centre for Disease Prevention and Control (ECDC) within Europe.

As regards Spain, the Basque Government has likewise maintained the coordination, thanks to its participation in the Conferences of Regional Leaders and in the sessions of the Interterritorial Council of the National Healthcare System and of its Healthcare Committee.

Throughout this time, the Basque Government's decisions have been guided by the principles of multilevel governance within the LABI. The members of the Advisory Council, chaired by the Lehendakari, have included EUDEL, the City Councils of the three Basque provincial capitals, the three Provincial Councils, the Spanish Government Delegation and different Basque Government Ministries. This has been the decision-making forum, based on the Opinions of the LABI Scientific Committee.

During the two years referred to in this document, the LABI Advisory Council held a total of 38 meetings. This process, which followed a recognisable, ongoing and stable procedure, has enabled a fair relationship to be maintained between all the institutions, along with constructive and full cooperation between the institutional officials and the experts who have taken part in its Scientific-Technical Committee.

The Basque Government's global strategy to the pandemic and its consequences was underpinned by three fundamental core areas throughout that time:

-First, and from the health perspective, the general organisation of public health. Special mention should here be made to general, hospital or ICU healthcare, testing and sampling; the monitoring, tracing and tracking plan of cases and contacts; and the whole vaccine rollout. Cooperation and disseminating guidelines, protocols and measures to the educational and social & healthcare fields and other sectoral spheres.

-Second, and from the socio-economic perspectives, the emergency plans and bailouts for the different sectors affected. Additionally, the annual budgets, the Berpiztu Plan for the economic and job recovery, and the Euskadi Next Programme. The Berpiztu Programme is committed to investing €13.25 billion over the coming four years and Euskadi Next covers the projects for European funding.

-Third, and from the governance perspective, the management of the LABI aimed at the preventive regulation of social activities and habits given the changing evolution of the pandemic. Until 90% of the target population had been vaccinated, this area was channelled through the Bizi Berri Plan that was updated four times. The scenarios envisaged by Bizi Berri ensured a response to the specific circumstances at any given time. From 24 June 2021 onwards, the management framework was contained in the Measures to Manage the COVID-19 Pandemic Act, approved by the Basque Parliament.

This report is focused on this third area. Logically, this management is interlinked with health and socio-economic decisions. However, it does not enter into those areas in detail and they will have their own stock-taking processes, complementary to this one.

V. The framework and content of this report

This document has two main goals, one to look to the past and the second to the future. The first is to provide a management report and an initial assessment of two years of pandemic, addressed from the perspective

of the governance led by the Lehendakari through the LABI and of the decisions that he had to adopt as the leader of the Basque Government. There is also an open appraisal of this management experience, from the point of view of management accountability in the response to this crisis.

It is, therefore, not an external assessment, but rather a report produced internally, from the control room. Accordingly, it is both a self-assessment and appraisal. From this internal perspective, the people tasked with leading the response to the pandemic reflect on what they believe has worked, where the shortfalls were, where there was room for improvement, and what would have been necessary, but did not happen.

In any event, it is not a final assessment, because the pandemic still persists, among other things. It is a part of a comprehensive assessment that will have to include opinions from outside in and from inside out, which will also have to include the analysis and study of other areas of this health crisis, and which will also need time to gain perspective.

The second goal, linked to the first, is aimed at extracting lessons learnt from this historical contingency to reflect on and put forward suggestions for the future. This approach regarding what is to come is two pronged. On the one hand, the lessons learnt about the managing of the pandemic; and on the other hand, the conclusions we can draw as society about our ways of life and relationships. The largest challenge is most probably to do with the last point. Ultimately, the question we are asking is what we have learnt from this experience and how we can use that to improve at human level and socially.

The document, with these two goals, is structured into two parts and an epilogue. The first part - "Description" - contains two points. The first provides an overview of the timeline of the whole pandemic period. It includes a review of the figures of its evolution, along with the responses and decisions adopted, the proposals made and other incidences. It is the history of 730 days of pandemic in and from the Basque Country. The second point highlights four key points that play a decisive role when assessing the timeline: testing, vaccination, the social response and the increase in deaths during COVID.

The second part of the report - "Assessment" - is also structured into two sections. The first considers 12 themes that deserve specific analysis due to their importance. The second point outlines a set of lessons learnt to be drawn from this experience and a set of assertive reflections for the future.

The Epilogue contains a section with final conclusions for the future, which summarises a set of open conclusions and closely aimed at reflecting on what that pandemic experience encourages us to change and improve.

This document ends on 28 February 2022. Two years ago, the first two positive cases of COVID-19 in the Basque Country were detected on that same day. On 11 March 2022, the report was presented to the general public, a copy deposited in the Basque Country's Historical Archive and a copy submitted to the Parliament. Two years ago, on 11 March 2020, the WHO declared the pandemic and, in the Basque Country, the Basque Government finalised its decisions to declare the health emergency situation two days later.

First part

Description

(730 days of pandemic in and from the Basque Country)

1. Timeline and Key Data of the Pandemic in the Basque Country

On 31 December 2019, the Wuhan Municipal Health and Healthcare Committee (MSSW) reported the existence of a group of cases of pneumonia of unknown aetiology, associated to the city's live animal market, with the symptoms first noted from 8 December.

On 7 January 2020, the Chinese authorities identified a new coronavirus in those cases, to which the outbreak was attributed and which would subsequently be called SARS-CoV-2. On 11 January, the first death was announced in that Chinese city. On the 21st, it was confirmed that the pneumonia could be transmitted between humans and on the 23rd, Wuhan was put into lockdown and closed off to the outside.

A series of events and actions was then triggered and that, two years later, still continue in the Basque Country and around the world. This section puts the facts and figures that have most significantly characterised this period into chronological order.

1.1. First Half of 2020, the First Wave

Just a few days after the news from China, the Basque Government's Ministry of Health began to work to prepare should the virus reach the Basque Country. On 24 January, the meeting of the Basque Advisory Board on Emerging Infectious Diseases was announced. That marked the start of an intense series of meetings and encounters in all health and international areas to prepare for a threat whose scope and severity were still unknown.

On 27 February, the Lehendakari convened an interministerial panel to establish a contingency plan with the involvement of all Basque Government's ministries. On 28 February, the Ministry of Health identified the first two COVID-19 positive cases in the Basque Country. On Wednesday 4 March, the first covid death was reported and was of an 82-year-old man in Bizkaia. On 11 March, the WHO declared the pandemic.

On 10 March, the Lehendakari held a meeting at the Lehendakaritza [Basque Premier's Office] with the editors and heads of the media of the Basque Country. His message stressed that "the response to the coronavirus is going to require an institutional, political, professional and civic commitment". He anticipated that the peak of cases could happen in the first fortnight of April.

First Onslaught

On Saturday 14 March, the Spanish Cabinet declared the State of Alarm, which was accompanied by a remain-at-home order that would last for three months. On Saturday 28 March, the Spanish Government expanded the closure of non-essential activities. The Basque Country submitted a reliable interpretation of the measure in order for it to be better adapted to the industrial sector. The proposal was accepted.

The Basque Country initially suffered from a higher rate of the virus among health professionals among the initial spread of cases at Txagorritxu Hospital. Thus, COVID-19 first hit the health system and, simultaneously the social and healthcare system. Residential care around the world was particularly vulnerable to the virus with a high number of people infected and deaths.

During those early weeks, the Basque Country, as was the case everywhere, was affected by confluence of a global need to buy healthcare equipment. The demand for PPE, respirators, masks, gloves, kits to take samples, diagnostic tests, was simultaneous around the world.

That circumstance led to times of lack of stock, even though the supply never ran out in the Basque Country. That meant that, in the following weeks, the Basque Government would donate masks, respirators and other equipment to other Autonomous Communities that were in a situation of greater need.

What is true is that there was an unprecedented pressing need for protective equipment in those early months. During that period, Osakidetza [Basque Health System] embarked on an intensive procurement process in order to meet all needs. During that same month of March, the Boroa logistic centre was launched. The strategic reserve to address COVID-19, agreed between the Basque Government, the Provincial Councils and EUDEL, was centralised, stored and distributed there.

On 20 April 2020, the Basque Government's Minister of Health and the University of the Basque Country [UPV/EHU] signed a partnership agreement to improve the capability to detect the SARS-CoV-2 coronavirus in the Basque Country. Specifically, this agreement was in addition to the seroprevalence study organised by the Spanish Ministry of Health in order to search for asymptomatic people in the same population sample identified for that study and which Osakidetza was conducting, among other goals. Therefore, the approximately 5,000 people selected to take part in that were study were offered a PCR in order to detect asymptomatic cases and their evolution, in addition to a rapid test (serological). Thus, the Basque Country expanded its ability to detect the coronavirus as the result of the collaboration between the Basque Health Ministry and the UPV/EHU.

An important measure implemented in April was the agreements reached with different hotels to accommodate people with difficulties to be in isolation or in quarantine at their usual places of residence. This service, along with other specific accommodation resources, were also used for people in highly vulnerable situations or at risk of exclusion.

Between March and June 2020, the Conference of the Regional Leaders was held by video-conference on 14 consecutive Sundays. The first was held on 15 March and the last on 14 June.

During those meetings, the leaders discussed the epidemiological situation, the possible health and socio-economic responses, and also the very methodology to be used to run those meetings. The Lehendakari took part in all of them. He made a total of 68 proposals (see Annex 3). The envisaged running of those meetings did not leave room for agreements to be reached in that forum.

On 25 March, the number of detected infected cases peaked with 723 positives. In any event, that figure is not comparable with the peaks of positive cases in the subsequent waves. The number of people infected was almost certainly much higher; but the asymptomatic cases, in particular, could not be detected, particularly because the capacity to detect positive cases and test was much lower to that subsequently developed. In any case, the Basque Country was among the European Country that conducted most tests per 100,000 inhabitants during those weeks.

The spread of the virus began to drop after that 15 March. As regards the impact on the Osakidetza ICU, the highest level was in early April with 236 beds occupied. Ensuring that the system could cope was highly complicated at that time, and would stress the health system to its limits.

Key Figures of the First Wave

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	2 (28 February)	—	—	1,568 (13 March to 6 June 2020)
Peak	723 (25 March)	298 (3 April)	236 (3 April)	
End	0 (31 May)	5 (6 June)	1 (15 July)	

"New Normality"

The State of Alarm remained in force until 21 June 2020. However, from mid-May onwards, the figures began to significantly improve, which would mark the start of a process to lift the severe lockdown conditions that had been in force until 14 March. This process was referred to in different ways: "de-escalation plan", "plan for the return to the new normality". In the Basque Country, the process was channelled through a document known as the "Bizi Berri Plan" of 4 May 2020.

It was a roadmap that defined objectives and principles, strategic lines and phases, implications in different sectors and ministerial plans, economic aspects and lessons learnt, a summary of actions and, finally, the conclusions. Its Annex 1 established the timeline for a process to lift the lockdown in the Basque Country, structured in four phases and in the different sectors of activity. Annex 2 provided a list of international examples and experiences.

The document was the Basque Government's guide to enter into dialogue and agreements with the Basque Government, on the one hand; and with the other Basque institutions and social entities affected, on the other. It was a useful tool that allowed the Government to act with foresight and in coordination. It also acted as the basis to draw up the different orders issued by the Basque Government to implement the gradual process to return to social and economic activities.

Eleven meetings of the LABI Advisory Board were held in March, April and May. As has already been indicated, the incidence rate began to drop from the end of March. Between early May and 15 July 2020, the 14-day Cumulative Incidence Rate remained under 50/100,000 inhabitants.

This good evolution of the figures was, probably, behind the widespread belief that the battle was won or, at least, under control. However, it is true that the adaptation to the "new normality" in summer and the holiday period led to a new surge in infections.

Beyond the figures, the deepest scar of this first wave is reflected in the number of deaths. There were 1,619 deaths from COVID-19 from March to June 2020. When considered one by one, that meant 1,619 families who had lost a loved one. In many cases, due to the circumstances of lockdown and of the preventive measures, they could not even be with their ill relative as they were dying, or say goodbye to them after their death as they would have wanted.

Those heart-breaking circumstances caused the Basque Government to set up, through its Ministry of Employment and Social Policies at that time, the *Betirako* bereavement programme. A free service that provides counselling for those people who had lost their loved ones due to COVID-19. The service offers professional counselling to help people assimilate what has happened and prepare the farewell. Over 784 people had made use of the "*Betirako*" service as of the end of 2021.

Elections on the Cards

From the institutional perspective, one of the most compromising situations that had to be managed at that time was making the decision about convening and holding the elections to the Basque Parliament. On 10 February, the elections had been convened for 12 April. The Parliament had then been dissolved and a caretaker Government was in place.

The outbreak of the pandemic, along with the declared health emergency, State of Alarm and lockdown meant that the elections had to be suspended. After meeting with all the political parties, the Lehendakari issued a Decree cancelling the elections on 17 March. He subsequently appeared before the Standing Committee of the Basque Parliament on 2 and 24 April, and on 8 May to report on the situation and on the measures to be adopted.

The good epidemiological evolution meant that on 17 May the agreement was reached to end the health emergency in the Basque Country. On 18 May, the Lehendakari could thus sign the decree convening elections for 12 July, after holding a further meeting with representatives of all the political parties.

The elections were held as usual. The Basque Parliament and Basque Government managed to successfully navigate the delicate caretaker period in the midst of the unprecedented crisis. The Basque Country was able, from that time onwards, to set up a fully functioning Basque Parliament and Basque Government empowered to face the pandemic.

1.2. Second half of 2020

This half of the year began with a solidarity commitment by the Basque Country. In July 2020, the Basque Government - in coordination with the General Secretariat for Human Rights, Coexistence & Cooperation, the Basque Development Cooperation Agency, the Basque Ministry of Health and Osakidetza - prepared a humanitarian intervention of healthcare cooperation to fight COVID-19 in Peru, working with Doctors Without Borders. This was after the Government of Peru's Ministry of Health had formally asked the Lehendakari for the help of the Basque Government.

The general goal of this solidarity response was to help cut excess mortality and morbidity from COVID-19, particularly in the San Martín and Loreto Departments in Peru. On 10 July, the first health team of 6 people (5 from Osakidetza and 1 from the Aragón Health Service), with direct experience in the clinical handling of Covid cases, set off from the Basque Country. They took with them healthcare equipment, consisting of respirators, non-invasive mechanical ventilation equipment, high flow equipment, monitors, medicine and PPE. A few days later, on 16 July, a further 8 people joined the Basque healthcare team.

New Basque Civil Protection Plan (LABI)

On 5 September, Lehendakari Iñigo Urkullu Renteria swore his oath of office in Gernika and the Basque Government began its XII Parliamentary Term. Right from the start, the Lehendakari structured the LABI into two areas: the Advisory Council, consisting of the representatives of the main institutions of the Basque Government; and the Scientific-Technical Committee, which advised the Advisory Council.

On 2 October, the II Bizi Berri Plan, which updated the May plan, was submitted to the LABI Advisory Council. There was a fundamental difference between both documents. The first was in response to the need to overcome a very strict lockdown situation and ensure an orderly return to basic activities of the social functioning. The second focused on structuring a community response to address an uncertain situation and with the pandemic on the rise, both in the Basque Country and around the world.

The II Bizi Berri Plan was set up as a contingency plan that envisaged five risk scenarios. The status allocated to the situation was determined according to three basic indicators: incidence, reproductivity and severity. The II Bizi Berri Plan's main contribution was to set up a Referral Panel to analyse the regulation of community response measures to the evolution of the pandemic in its different scenarios at any given moment.

The panel was set up as a LABI work tool. The II Bizi Berri Plan established that the LABI Scientific-Technical Committee would prepare a proposal to update its content quarterly. Thus, the following updates would have to be submitted in February, June and October 2021.

Three further meetings of the Conference of Regional Leaders were held during this half of the year. In San Millán de la Cogolla (La Rioja) on 31 July. The meeting was held by video-conference on 4 September 2020. Finally, on 26 October, and also held remotely, the meeting was attended by the President of the European Commission, Ursula von der Leyen, to discuss the European Recovery Fund.

A Second Wave in Two Phases

The numbers began to rise from 11 July 2020. It peaked with 886 cases on 28 August. Prior to that date, on 17 August, the Lehendakari yet again declared a health emergency and, consequently, assumed the oversight and coordination of the emergency measures envisaged in the Basque Civil Protection Plan - LABI.

New restrictive measures were activated that affected nightlife, venue capacities, the closing times of the hospitality industry, or the limit of the maximum number of people who could gather together. The main challenge at that time was to deal with the gatherings dubbed as "non-parties". On 14 August, the Administrative Litigation Chamber of the High Court of the Basque Country (TSJPV) suspended the measure to restrict the closing time for the nightlife sector. That ruling did not have any practical effect as that very day the Spanish Ministry of Health ordered the closure of discotheques and nightclubs throughout Spain.

In early September, the 14-day Cumulative Incidence Rate reached 400/100,000 inhabitants. The epidemiological curve began to drop. In early October, the Cumulative Incidence Rate fell to 246/100,000. On 4 October, 272 Covid cases were recorded, which would be the day with the fewest cases in that phase. The II Bizi Berri Plan had been unveiled four days earlier.

In any event, the situation had not stabilised. From the 5 October onwards, the infection rate suddenly and quickly surged. It was the second phase of this second wave. On 17 October, the LABI gave the green light to the orders of the Basque Health Minister establishing more severe restrictive measures. Prior to the orders coming into force, their content was submitted for the prior authorisation of the TSJPV.

On 22 October, the court ruled against part of the measures envisaged by the LABI, arguing that the Basque Government did not have the jurisdiction to restrict the maximum number of people gathering together. Coincidentally, other high courts of other Autonomous Communities had favourably rule on that same matter.

At this juncture, on 23 October, the Lehendakari asked the Spanish Prime Minister to declare a State of Alarm to be applied through the command and management of the regional leaders of each Autonomous Community. After the ruling of the TSJPV, the aim of the request, backed by the Opinion of the LABI Scientific Committee was to give legal certainty to the Basque Government's response to the evolution of the pandemic.

Second State of Alarm

The Lehendakari's proposal was backed by nearly all the regional leaders in just a few short hours. Thus, on Sunday 25 October, the Spanish Cabinet met in an extraordinary session and approved a Royal Decree declaring the initial State of Alarm for 15 days, which could be extended for up to 6 months. In other words, until 9 May.

The LABI Advisory Council, in two consecutive meetings, gave the go-ahead to those Decrees of the Lehendakari which established the implementation of the restrictive measures, envisaged in the Referral Panel of the II Bizi Berri Plan. Decree 36/2020 of 26 October restricted night mobility from 11.00 p.m. to 06.00 a.m., the municipal and perimeter lockdown of the Basque Country and reduced the maximum number of people allowed to gather to groups of 6 people.

Given the negative epidemiological evolution, Decree 38/2020 of 6 November tightened up by the measures. The restriction on night mobility was extended from 10.00 p.m. to 06.00 a.m. The mandatory use of masks at workstations was established, all commercial establishments and premises had to close at 9.00 p.m., and the capacity at places of worship was reduced to 35%. All hospitality and catering establishments, txokos or gastronomic societies, along with gambling and gaming establishments were ordered to close completely. Additionally, non-professional music-vocal and dance group rehearsals and performances were suspended, except when part of formal education. Any group sport activity was cancelled, whether training or competitions, except in the case of professional and semi-professional sport.

The numbers continued to rise until 5 November, when the infections peaked with 1,547 cases. The 14-day Cumulative Incidence Rate in the Basque Country was 849/100,000 inhabitants at that time. The LABI Advisory Council then gave the go-ahead to a new decree that came into force on 12 December. Its measures included that hospitality establishments had to close in those towns with over 5,000 inhabitants whose Cumulative Incidence Rate was over 500/100,000 inhabitants.

The set of preventive measures introduced took effect and the figures continued to drop until 29 December, when the 14-day Cumulative Incidence Rate stood at 234/100,000 inhabitants. The rate remained stable, but it began to rise again during the first week of 2021.

Key Figures of the Second Wave (1st phase)

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	0 (31 May)	5 (6 June)	1 (15 July)	404 (11 July to 7 October 2020)
Peak	886 (28 August)	400 (6 September)	63 (13 September)	
End	272 (4 October)	245 (7 October)	45 (9 October)	

Key Figures of the Second Wave (2nd phase)

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	272 (4 October)	245 (7 October)	45 (9 October)	1,058 (8 October to 29 December 2020)
Peak	1,547 (5 November)	845 (12 November)	146 (13 November)	
End	226 (26 December)	234 (29 December)	71 (5 January)	

Christmas 2020

Concerns increased in the run-up to Christmas 2020. The second wave was falling, but the great social interaction and mobility typical of this period represented a risk.

The LABI therefore proposed specific preventive measures for the Christmas period that were first laid out in Decree 44/2020 of 10 December and subsequently amended in Decree 47/2020 of 23 December.

Prior to Christmas, the Basque Government had submitted a proposal of more restrictive measures to the Interterritorial Council of the National Health System to be applied with the agreement of all the Autonomous Communities. The consensus reduced the severity of some of the measures proposed by the Basque Country.

Finally, the most significant measures were as follows. On the nights from 24 to 25 December and from 31 December to 1 January, the start of the restriction on night-time mobility was set at 00.30 a.m. The restrictions on entering and leaving the Autonomous Community of the Basque Country were lifted between 23 and 26 December 2020 and between 31 December 2020 and 1 January 2021.

The maximum number of people for the family gatherings to celebrate Christmas lunches and dinners was set at 10 on 24 and 25 December. The number was reduced to 6 people on 31 December and 1 January. Retail, hospitality and catering establishments had to close at 6.00 p.m. and not open before 9.00 a.m. on 24, 25 and 31 December and on 1, 5 and 6 January.

Holding parties or receptions in any type of establishment or accommodation was forbidden on 31 December and on 1, 5 and 6 January. Between 21 December and 6 January, in-person events were forbidden that could lead to crowds gathering, such as singing groups on Christmas Eve or the eve of Epiphany; street festivities to mark the entry of the New year, St. Thomas's Day, sporting events such as the "Sansilvestres" New Year run, or processions to mark the arrival of the Olentzero or the Three Kings.

Sempervirens

If the number of deaths were 1,619 during the second quarter of that year, they stood at 1,487 in the second half. During those six months, the week with most deaths was from 16 to 22 November, with 126 deaths. There were fewer deaths than in spring, but they were still many.

Along with the launch of the "Betirako" bereavement counselling programme, the emotional and human impact of the cost in human lives of the pandemic led the Basque Government to prepare a place of remembrance for the dead and to show solidarity with their families during the summer of 2020.

On 21 September, the Sempervirens (Evergreen) Park was opened in Vitoria-Gasteiz during a ceremony attended by representatives from all Basque institutions. A giant sequoia, which had been dry since 2014, stood next to a recently planted Sempervirens sequoia in the park. The first had been kept in place due to its majestic grandeur and represents the COVID-19 victims remaining in the collective memory. The young tree symbolises life and everything that fosters collaboration and the spirit of the common good in the midst of the full brunt of the coronavirus pandemic. It symbolises hope, despite everything.

This park represents the social and institutional will to remember the victims of COVID-19. The will to keep alive the memory of the suffering of so many families and also the solidarity and commitment expressed by Basque society immersed in the pandemic.

In the face of the unrelenting and dramatic reality of the cost in human lives of the pandemic, hope in this half of the year came in the form of an importance event that occurred on 27 December 2020. The day on which the vaccine rollout began in the Basque Country. The first doses were administered in old age people's homes.

There were 112,518 positive cases recorded and a total of 1,848,983 tests performed in 2020. There were 11,055 people admitted to hospital and 1,142 in the ICU. A total of 3,160 people died. Those were the figures for 2020. The Basque Ministry for Health commissioned the University of the Basque Country to produce a "Report on the Response of the Basque Health System to the COVID-19 Pandemic" in 2020.

1.3. First Quarter of 2021

Cause-Effect and Third Wave

The start of 2021 saw the “third wave” get underway. The figures began to rise on 29 December and the trend would peak on 2 February with a 14-day Cumulative Incidence Rate of 668/100,000 inhabitants. It should be noted that the highest previous peak was 849 on 5 November. Most countries in our vicinity and practically all of the Autonomous Communities showed a rise in the curves.

One of the reasons that changed this change in trend, but not the only one, was very likely the effect of the festive seasons, the large crowds in the shopping centres and the social and family gatherings during the Christmas period. However, great caution, based on experience, should be applied when considering the cause-effect in a change in trend. It should not be overlooked, for example, that days prior to the Christmas period, there was a very sharp increase in the rate in other Autonomous Communities and in countries in our vicinity.

On the other hand, in mid-December, we received the first news of a new variant of SARS-CoV-2 in the United Kingdom (initially called the “British variant” and, subsequently, “Alfa”), which seemed to be more infectious. At that time, there was not sufficient knowledge of the effects that this or other variants would have on the evolution of the situation.

It should be stressed, in this regard, that the Basque Country was among the three Autonomous Communities that recorded the lowest negative figures during the weeks when the numbers were rising, through the whole of January. That is interesting when contrasted with what would happen in the following weeks, throughout February and early March. The figures would drop from 3 February and that would continue until early March. During that stage, the Basque Country saw its Incidence Rate drop less and more slowly than the majority of Autonomous Communities.

In any event, the situation improved dramatically from early February. In 40 days, the Basque Country went from a 14-day rate of 668 to 200/100,000. That drop coincided with the same trend in most of the world, which was also reflected in Europe and in all the Autonomous Communities. At that time, the WHO realised that the number of infections had halved in just a few weeks.

On 22 January, the LABI met and passed a new decree for this third wave. The measures included the perimeter lockdown of all municipalities of the Basque Country and limiting gatherings to a maximum of 4 people. In addition, the following measures were in force: the restriction on night-time mobility between 10.00 p.m. and 6.00 a.m.; limitations on people entering and leaving the Basque Country and the province; the ban on being served at the bar or if standing in hospitality establishments; the closure of catering and hospitality establishments at 8.00 p.m.; the closure of hospitality establishments in towns or cities with rates over 500/100,000, the closure of gambling the establishments, along with txokos and youth associations; and the ban on the general public attending sport events.

Bewilderment

The measures previously in force and the new measures introduced began to be effective two weeks later. However, the High Court of Justice of the Basque Country issued a favourable Court Order on 9 February allowing the interim reopening of the hospitality establishments in towns or cities with a Cumulative Incidence Rate of over 500/100,000 inhabitants.

Simultaneously, many of the high courts of justice of the Autonomous Communities throughout Spain found in favour of similar appeals seeking to overturn the closures affecting hospitality at that time.

That ruling cause bewilderment and deep disagreement with the arguments given. The Basque Government respected and complied with the ruling, but expressed its complete disagreement. The medical and scientific community of the whole of Spain reacted by regretting the arguments of the court order and the ex-post comments by the rapporteur.

The LABI Technical Committee pointed out that the available scientific evidence and the guidelines of the international bodies, along with international practice, endorsed the measures adopted in the Basque Country and, particularly, in situations with very high incidence rates.

III Bizi Berri Plan

One notable aspect of this quarter was the presentation of the III Bizi Berri Plan during the meeting of the LABI Advisory Council on 12 February. As was envisaged in the Bizi Berri methodology, the document had to be updated every four months to establish the roadmap for the following four months, in this case until June.

This document, prepared with advice from the Scientific-Technical Committee, updated the II Bizi Berri Plan, and defined the strategic framework for the community response for the new period. Based on the lessons learnt in the previous twelve months, it specifically offered a referral panel of five scenarios, indicators and response measures adopted to the evolution of the pandemic at each moment, and to the new scientific evidence available.

The LABI Scientific-Technical Committee continued to regularly meet every week and, depending on the circumstances, nearly daily. Its opinions were the basis for the LABI Advisory Council. During the first quarter of the year, the Council held its last meeting on 5 March. Its opinion was the basis of Decree 13/2021, of 6 March, of the Lehendakari. The decree consolidated in a single text the measures previously in force and included some amendments.

The restriction on night-time mobility was kept from 10.00 p.m. to 06.00 a.m., along with the restriction on people entering and leaving the Basque Country, gatherings limited to four people and the mandatory requirements to use masks inside, outside and in work centres. The closure of retail establishments and the ending of business was set at 9.00 p.m. at the latest. The maximum capacity allowed for cultural activities, as well as in hospitality and gambling establishments was 50%. The closing time for hospitality establishments remained at 8.00 p.m., with a maximum of 4 people per table and they could only be served if seated. The gastronomic societies, youth associations and nightlife venues had to remain shut. The maximum groups when doing sport was 6 people. Competitive events were not allowed for school sport and the general public could not attend sport events.

On the other hand, and according to the forecasts of the III Bizi Berri Plan, and the express recommendations of the Scientific Committee, the LABI Advisory Council decided to lift the perimeter lockdown of the municipalities that had been in place since 22 January. That measure was not necessary given the Cumulative Incidence Rate at that time and with the movement between municipalities that was already de facto for work reasons.

Key Figures of the Third Wave

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	226 (26 December)	234 (29 December)	71 (5 January)	882 (December 2020 to 10 March 2021)
Peak	1.273 (27 January)	668 (2 February)	173 (11 February)	
End	214 (7 March)	200 (10 March)	80 (29 March)	

During 2020, COVID-19 had left 3,106 deaths in its wake. In the first quarter of 2021, this figure had increased by a further 950 deaths. The week with the most people dying was 18 to 24 January, with 127 deaths.

An ultimate factor to be taken into account in this first quarter of 2021 were the incidents and non-compliances in the deliveries of vaccines that meant the initial forecasts could not be met. At the end of March, 4.9% of the population had been fully vaccinated. The number of vaccines administered up until then was 379,462 (271,723 as first dose and 107,739 as the second). However, the outlook for the second quarter, even though still plagued by uncertainties, allowed a more positive forecast for the vaccine rollout.

1.4. Second Quarter of 2021

From the Alfa to the Delta Variant

At the start of the second quarter 2021, the Alfa variant had replaced (>90%) the previously circulating SARS-CoV-2 lineages. By contrast, the Beta (South-African) and Gamma (Brazilian) variants remained in the minority (<5% of the strains circulating in each epidemic week from when they were detected in the Basque Country). At the end of the quarter, the uncertainty was focused around the Delta variant (India-2), detected in the Basque Country from the end of April. At the end of June, Delta accounted for significant outbreaks and it looked as if it would take over, and in other parts of the world, from the Alfa.

The Delta variant led to setbacks to the good evolution of the pandemic that had been seen in the United Kingdom, Israel and Portugal. Furthermore, evidence was accumulating at that time of the existence of different variants of interest initially on the American continent, Lambda or C37 variant, initially characterised in Peru in August 2020. The ECDC prediction proved to be true and the Delta variant would account for 92% of all the SARS-CoV-2 variants circulating in the EU by the end of August 2021.

Fourth Wave

As has already been pointed out, a new surge had started on 10 March. On 26 March, and once the surge was confirmed, the LABI established new restrictions that would affect all locations with a 14-day Cumulative Incidence Rate of over 400/100,000 inhabitants. Specifically, there would be a perimeter lockdown and restrictions on the opening hours inside hospitality and gambling restrictions, along with reducing the maximum numbers allowed for indoor sport.

Apart from those new measures, the restriction on night-time mobility, the perimeter closure of the Basque Country, gatherings limited to a maximum of four people, the ban on being served at the bar or when standing up; the closure of commercial and business establishments at 9.00 p.m.; the closure of hospitality, catering and gambling establishments at 8.00 p.m., remained in place. The gastronomic and youth associations continued to be closed, and the general public were banned from attending sport events and competitions not allowed in school sport.

The epidemic peaked in this fourth wave on 21 April with 1,013 cases detected and the numbers then began to fall. However, the Cumulative Incidence Rate would take a few more days to confirm this change in trend. The maximum was registered with 547/100,000 inhabitants on 26 April, while the peak in February had been 668 and 845 in November. The curves of each epidemic peak during these three waves had lower incidence maximums than in the previous ones.

The ceiling of this latest surge was, indeed, lower; but it lasted for longer than in the case of the two previous ones. On 27 April, the epidemic curve began to drop, a trend that would last during May and June, and the rate fell to 103/100,000 inhabitants, the lowest since the summer of 2020. Bed occupancy in hospital wards stood at 568 on 25 April and was 62 at the end of the quarter. ICU occupancy was 195 beds on 2 May and 32 on 30 June.

Key Figures of the Fourth Wave

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	214 (7 March)	200 (10 March)	80 (29 March)	465 (11 March to 28 June 2021)
Peak	1.013 (21 April)	547 (26 April)	195 (2 May)	
End	98 (28 June)	103 (26 June)	23 (12 July)	

In the second quarter of 2021, the number deaths were considerably lower than in the previous phases. It was less than half than for the previous quarter. The reduction can be explained by the positive impact of the

vaccine rollout with most of the elderly and the most vulnerable fully vaccinated. In any event, the figures continued to be high: 378 people died from or due to COVID-19 between April and June 2021. The week with the highest number of deaths (61) was from 19 to 25 April.

End of the State of Alarm

This quarter was characterised by the fact that the Spanish Prime Minister announced, during the press conference on 6 April, his intention not to extend the State of Alarm beyond 9 May. This announcement, which was made without consulting the Autonomous Communities, led to considerable discussion about the legal certainty regarding the application of some preventive measures. The Lehendakari and many of the regional leaders considered it more prudent to extend it for a further four weeks to ensure that the measures could be applied that offered greater protection.

In its Opinion of 15 April, the LABI Scientific-Technical Committee highlighted “the legal uncertainty ensuing from the possible end of the State of Alarm to keep the measures in place that, from the epidemiological point of view, are strategic such as the restriction on night-time mobility, the limitation on the number of people in gatherings or the perimeter closures”. The committee stressed that it did not consider the end of the State of Alarm to be appropriate “without a legal guarantee that would allow this type of measures to be adopted with certainty”.

The Lehendakari proposed amending Organic Law 3/1986 on special public health measures, which clarifies the framework for the Autonomous Communities and in the ordinary legislation to overcome a pandemic and, in the meantime, to extend the State of Alarm while it is useful and necessary.

With the ending of the State of Alarm and pursuant to the Court Order of the TSJPV, the LABI was forced to lift measures such the “curfew” or the limit on the number of people allowed to gather together during its meeting on 7 May. The time of all social, cultural or commercial activity was set at 10.00 p.m. On 31 May, the LABI set the closing time for all commercial, social and cultural activities at midnight. Restrictions on the number of people in groups to practice outdoor sports were also lifted.

Given the good evolution of the epidemic curve in the following weeks, the LABI adopted the following decisions in its meeting on 18 June: businesses could stay open until 02.00 a.m.; the capacity for different activities was set at 60%; the maximum number of people at events was set on a scale according to the capacity of the venues; the general public were allowed to attend sports events; in the hospitality industry, the number of people allowed per table was increased, and the txokos or gastronomic societies were allowed to reopen under similar terms to those established for hospitality.

Some months earlier, in mid-February, the Basque Government had begun to study Basque legislation to tackle the pandemic that would provide its management of COVID-19 with greater legal certainty. Input was invited from the Parliamentary Groups. This process ended with the Bill of Measures to Manage the COVID-19 Pandemic being submitted to parliament. After its due hearing, the legislation was passed on 24 June.

Thus, the LABI and the IV Bizi Berri Plan would have a new legal coverage framework from then onwards, which would provide the decisions and the adoption of measures at each given moment with greater legal certainty. However, several months later, specifically on 29 September, over 50 VOX members of parliament lodged an appeal against that law with the Constitutional Court. At the same time, the Spanish Government embarked on the Bilateral Committee procedure with the Basque Government to address the discrepancies regarding some articles of the law, in order to avoid appeals being lodged with the Constitutional Court.

Vaccine Rollout

The factor with the greatest impact in the second quarter was the number of people vaccinated and the proven effectiveness of the vaccines. Deliveries of vaccines in the first quarter were relatively fewer and often irregular. However, the delivery of the scheduled number of vaccines was more regular during the second quarter.

That meant that the vaccine rollout could be significantly speeded up. By the end of June, 1,279,848 people had already received one dose of the vaccine. That represented 67.7% of the target population. Over 925,000

(39.7%) had already received the full course - 87.4% of the population aged 40 or over had already received at least one dose.

Possibly as the result of that, the 14-day Cumulative Incidence Rate among people over 65 was under 25/100,000 inhabitants. Hospital admissions had fallen to occupancy of 62 beds. The outbreaks in residential homes and social and healthcare areas had practically completely disappeared.

The average age of the people hospitalised in June 2020 was 68.39 years old and was 55.47 on 30 June 2021. And, undoubtedly the most important aspect, deaths during the first two weeks of July, a total of 6 and 3 people respectively, were at their lowest since July 2020.

At that time, the Basque Government committed to global and solidarity vaccination. The Basque Development Cooperation Agency contributed €500,000 to the COVAX mechanism. In turn, on 25 May, the Lehendakari presented the Basque declaration supporting the temporary suspension of the COVID-19 vaccine patents. The declaration was signed by the Basque Government, Doctors Without Borders Spain, Amnesty International, Oxfam Intermon, the Professional Association of Pharmacists of the Basque Country, the General Medical Council of the Basque Country, the Nursing Professional Associations of Alava, Vizcaya and Gipúzcoa, and the Bilbao Academy of Medical Sciences.

1.5. Third Quarter of 2021

Summer began with the end of the State of Alarm and with a relaxation of the statewide regulation on the use of masks by means of Royal Decree of 24 June. The pandemic yet again continued with its cycle of rising and falling during this quarter.

Fifth Wave

This new wave had two clearly differentiated period: the surge phase that began on 27 June and peaked with the 14-day Cumulative Incidence Rate on 30 July, and the decline phase which carried on until 12 October 2021.

The vaccination programme had still not sufficiently reached the 12-39 age bracket. The exponential increase in the cumulative incidence rates precisely occurred among those ages.

This evolution and these circumstances were not exclusive to the Basque Country. They were also seen with small variations in all the Autonomous Communities of Spain and in most of Europe.

It can be asserted with reasonable certainty that one of the factors impacting the force of the fifth wave was the high infection rate of the Delta variant. This new variant of the virus found, particularly among the unvaccinated population and during a period of high social interaction and mobility, the ideal context for its great ability to spread.

This was an important, but not the only factor. Another added reason driving the fifth wave were the celebrations of the end of the school year or university entrance exams in the middle of June and which acted as super-spreader events. On 24 June, the major outbreak in the Balearic Islands was detected, shortly followed by the outbreaks in Salou, Conil and other locations.

At that time, there were also significant local outbreaks associated to those events or to the so-called "not-parties", such as the "not-midsummer-festivities", for example. Those type of event then continued through the summer with street drinking parties [botellones], large festive gatherings and different types of unruliness, which were strident but only involved a minority and which did not respect the basic prevention rules.

The vaccine rollout continued to advance and the number of deaths carried on dropping in the third quarter. Between August and September, 281 deaths were caused by or due to COVID-19. The week with most deaths (45) was between 6 to 12 September.

On the other hand, the Conference of the Regional Leaders met again on 30 July, but this time in-person in Salamanca. Three were two subjects on the agenda for the meeting: the management of the European recovery funds and the demographic challenge.

Key Figures of the Fifth Wave

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	98 (28 June)	103 (26 June)	23 (12 July)	353 (29 June to 12 October 2021)
Peak	1.801 (21 July)	873 (30 July)	82 (22 August)	
End	44 (10 October)	55 (12 October)	21 (15 October)	

The LABI Response

The management of this period from the end of June was carried out under the legal coverage of the Measures to Manage the COVID-19 Pandemic Act, approved in the Basque Parliament on 24 June. As regards its forecasts, the IV Bizi Berri Plan offered a framework to interpret the epidemiological situation and to apply the relevant measures, at any given moment, according to the weighting of the different indicators established in that legislation.

The activity both of the LABI Advisory Council and of the Scientific-Technical Committee continue to be intense and ongoing. In July, August and September, five decrees were approved that sought to adapt the preventive measures to the evolution of the pandemic in the Basque Country.

On 7 July, with a cumulative incidence rate of 203/100,000, a decree was approved that adopted the new state regulation regarding the use of masks. At the same time, the time restrictions, the venue capacities, the limitations in hospitality and gambling establishments and for txokos set in the previous Decree remained in place. In addition, the duty was established not to attend meetings, gatherings or events, either inside or outdoors, which meant crowds of people without applying the preventive measures and protocols in force.

Given the problems being caused at festivities, botellones and the poorly named "not-parties", a new decree on 15 July sought to permanently strengthen the legally envisaged measures for the mandatory use of masks and established the ban on being in groups with people not from the same household and in crowds of people, from midnight to 06.00 a.m., in parks, gardens, beaches, sports areas, skate parks or similar public outdoor areas.

On 22 July, with an Incidence Rate of 682/100,000, the LABI gave the go-ahead to another degree that set closing time for all cultural, social and commercial activities at 01.00 a.m. At the same time, the maximum capacities allowed for the different activities were reduced significantly.

This was followed in a steady drop in the spread of infection throughout the month of August. On the 30th of that month, with an Incidence Rate of 340/100,000, the LABI approved a decree that relaxed some restrictive measures, particularly those referring to capacities.

The figures continued to fall and, on 17 September, with the incidence rate at 138/100,000, a further meeting of the LABI gave the go-ahead for the fifth decree of that period. The closing time was extended for all activities until 03.00 a.m. The maximum capacity allowed for the different activities was set at 75%. The nightlife sector was allowed to reopen with 50% capacity, dancefloors with masks and all the other aspects similar to the conditions set for hospitality.

The Vaccination Factor

On 26 June, the 14-day Cumulative Incidence Rate stood at 103/100,000. This wave peaked at 873/100,000 on 30 July. The rate then steadily dropped until 12 October. On that day, the 14-day Cumulative Incidence Rate had fallen to 55/100,000.

The possible causes of the increase in infections in this fifth wave have been outlined in the previous sections. Namely, the large outbreaks associated to the end of the school year and leaving exams, parties and botellones, greater mobility and social interaction typical of summer and the Delta variant being more infectious, inter alia.

The main reasons for the drop in infections of this wave should also be set out. The following should be highlighted: first, the global remission of the virus that was happening throughout Europe and in most of the world; second, the effectiveness of the restrictive and preventive measures adopted at each moment, and third, the progress in the vaccine rollout. This third factor deserves a specific comment.

In this quarter, the percentage of the target population that was fully vaccinated rose from 48.35 at the end of June to 88.5% at the end of September. On 1 July, the percentage of fully vaccinated population aged between 12 and 39 was 10.2%. It stood at 76% on 30 September. The progression, success and effects of the vaccination process were loud and clear.

The day of the first vaccination was 27 December 2020. In nine months, they had managed to fully vaccinate, practically, 90% of the target population. That figure was among the highest in the world and, undoubtedly, explains why the infections and incidence rates dropped so significantly in the Basque Country at the end of that quarter.

The New Challenge for the LABI

With those figures on the table, the LABI was facing an important challenge at the end of September: to assess at what point this disease would cease to critically affect the running of society and of the healthcare system. This analysis was to be a turning point in the management of the pandemic.

The Minutes of the LABI Scientific-Technical Committee meeting on 23 September is highly significant in that regard:

(...) "The Committee fully agreed when analysing the situation and the outlook. That consensus can be summarised by the following points:

- The trend for clear improvement can be seen to be continuing. Community transmission is disappearing thanks to the measures adopted and to the immunity created by the high percentage of vaccination.*
- The start of the school year and the return to academic activity have not been seen to cause any pikes. The evolution of the situation in other Autonomous Communities is also positive, as is the case in Europe.*
- Consequently, there are no signs of change to this trend in the short term. The main threat, at that time and in the immediate future, would be new variants of the virus appearing that are immune to the vaccination.*
- It is foreseeable that the Basque Country will be moving to a pandemic to an endemic phase in the coming week. We will continue living with the virus in this new situation. Other waves of the epidemic may appear, but without those critically affecting the running of society.*
- It should be stressed - particularly for the purposes of communication to the general public - that the above does not mean that the coronavirus or the pandemic have disappeared. The pandemic was declared by the WHO and that Declaration continues to be in force as the virus continues to be fully active in large areas of the world and that means that there is a risk of new variants appearing.*

To that end, and provided that no unforeseen changes were to occur, the Committee unanimously confirmed the approach considered in the previous meetings:

- 1. The Committee believes that ending the Health Emergency situation in the Basque Country in early October is appropriate, to move to a health surveillance situation.*
- 2. The basic indicators underpinning this charge are as follows:*
 - ICU: <40 beds occupied.*
 - Vaccination: >90% of the population over 12 years old fully vaccinated.*
 - 14-day CIR: sustained downward trend".*

In early October 2021, the Scientific-Technical Committee, the LABI Advisory Council and the Lehendakari, in line with the health institutions of Spain, of Europe and of the world, would have to adopt important decisions for the immediate future. Decisions based on objective data and the scientific evidence available at that time; but yet again, the unpredictable nature of the virus had a surprise waiting for the scientific community and all institutions worldwide.

1.6. Fourth Quarter of 2021

End of the Health Emergency

In early October 2021, all the pandemic data and indicators were really promising. The most encouraging were the highly important drop in the number of people dying from COVID-19.

There was complete agreement and consensus in the analysis. The vaccine rollout had managed to reduce the virus's impact on society. The virus could be handled from then onwards in terms of relative normality.

Neither the pandemic nor the virus had disappeared; but the response to its transmission could be implemented using ordinary resources. It was therefore appropriate to relax the exceptional restrictive measures that affected society and to also to disable the extraordinary institutional and legal tools. The Opinion of the LABI Scientific-Technical Committee dated 4 October 2021 is reproduced in full below for your information.

Opinion of the Scientific-Technical Committee

4 October 2021

•Current Scenario in the Basque Country

According to the IV Bizi Berri Plan referral panel and to what is envisaged in the Measures to Manage the COVID-19 Pandemic Act, the evolution of the epidemic data will place the Basque Country this week, in terms of the 14-day Cumulative Incidence Rate, in Level 1 Low Transmission with Downward Trend scenario. The ICU bed occupancy placed all the OSI in Scenario 1 (out of 5) and also showed a downward trend.

•Data

The assessment of the situation, as established by the IV Bizi Berri Plan and the Measures to Manage the COVID-19 Pandemic Act, must be conducted by means of the combined weighting and analysis of different indicators, which complete the information provided by the 14-day Cumulative Incidence Rate. The analysis of the evolution of the following indicators are of particular interest, in this regard and at the current moment:

- The 14-day Cumulative Incidence Rate has been falling for 66 days: it stood at 873 cases/100,000 inhabitants on 30 July and today it is 63.*
- The 7-day Cumulative Incidence Rate peaked at 469/100,000 inhabitants on 24 July. Today is the 26th.*
- The day with the highest ICU occupancy during this wave was 82 beds on 22 August; it stands at 39 today and is gradually falling.*
- As regards the trend, the has been under 1 Ro reached its highest point at 1.53 on 2 July; and it is 0.83 today. The R has been under 1 for 68 days now.*
- As regards the vaccine rollout, 90.2% of over-12s had one dose and 88.9% were fully vaccinated.*
- With respect to the virus watch for new variants, Delat accounted for over 95% of the SARS-CoV-2s circulating in the Basque Country. The monitoring continued for different variants of interest and concern as defined by the WHO.*

•Assessment

Despite not being uniform in some indicators, the downward trend is stable and sustained in all indicators. We are at a different juncture. There are three main parameters endorsing this assessment:

- Ninety per cent of the target population has been fully vaccinated by this week.*
- The ICU occupancy rate is under 40 beds, i.e., under 20%, scenario 1 of a possible 5.*
- The 14-day CIR will be under 60/100,000 this week and is continuing its downward trend.*

Those three data, corroborated by the evolution of the pandemic in Spain and in Europe and with the information offered by the other epidemiological monitoring indicators, meet the profile of benchmarks that the Committee has set to confirm that the Basque Country is moving from a health emergency situation to one where the emphasis will be on health monitoring.

The impact of COVID-19 - on the Basque Country at this time - is no longer critical priority regarding the running of the healthcare system and affecting the pre-COVID activity being sufficiently implemented. Even though the pandemic is still continuing globally, with increased cases and deaths in many parts of the world, the situation in our scenario could be addressed as endemic at this time. This means that the number of infections has remained relatively steady over time, even though occasional outbreaks may occur.

•Conclusions and Recommendations

1. At the time, the Scientific-Technical Committee considers that the stage for moving towards the return to a social activity, in a sufficiently similar way to the pre-COVID time, has been covered and that it can proceed to focus on the consolidation phase. This means that the declared health emergency can be ended. Furthermore, it means that the main restrictive/limitative measures that are in force can be cancelled, even though the basic preventive precautions should remain in force.

2. The data and trends at this time tally with the standards established in the IV Bizi Berri Plan to lift the restrictions on closing times, venue capacity and structuring the different activities. The definite improvement to the solution does not fully disperse the underlying uncertainties and threats, which focus on three areas: the unpredictable nature of the virus due to its great ability to mutate, the vaccination challenge in large areas of the planet and uncertainty regarding the persistence of vaccine or natural immunity.

3. Along with maintaining in force the measures that are legally required across the Spanish State, basic preventive measures have to continue in place. The use of masks indoors considered to be mandatory, and outdoors when it is not possible to maintain social distancing.

4. There continues to be a need for a preventive approach to risk situations where large numbers of people gather together. The Committee therefore recommends, in that regard, to uphold and prioritise the preventive role of the Instructions and Guidelines of the Public Health and Addiction Directorate.

5. It points out that we have to be aware that, if the situation so required, preventive measures may have to be adopted again. It is essential to continue assessing and analysing the situation day by day.

6. In that regard, in the following months, testing, tracking cases and contacts, complying with lockdowns and quarantines, along with monitoring for new variants, will continue to be fundamental. The Committee's advice is to keep and optimise those systems by adapting them to the characteristics of that new stage.

7. Regarding the appraisal of the following weeks and months, the Committee recommends that the evaluation references be based on the following objectives:

- ICU occupancy under 40 beds.*
- Downward or stable trend in the Cumulative Incidence Rate.*
- Progress in the vaccine rollout, particularly in age brackets that have not reached 90% and with the booster for vulnerable collectives.*
- High detection, monitoring and isolating cases, and contact.*
- Absence of variants immune to the vaccine.*

•Final Considerations

· The above conclusions show that the goals established in the IV Bizi Berri Plan have been achieved. It should be noted that it is a collective achievement and that there is a main reason: the good response to the vaccination and the degree of immunity reached. It is fundamental to express the gratitude and recognition of the Basque society and the health system for that achievement.

· Therefore, it is essential to encourage all those people who still have not done so to complete the vaccination process. The scientific evidence and the objective data are overwhelming. The vaccine, along with the preventive measures of using masks, hand hygiene and respecting the recommended social distance, along with continuing to ensure good ventilation, continue to be the best tool to beat the virus and to protect public health. Anybody entitled to be vaccinated should do so.

· In that regard, the last reflection of the Scientific-Technical Committee focuses, yet again, on the importance of global and solidary vaccination of the whole planet from now onwards. The committee acknowledges and praises the steps that the Basque Governments have already taken in that

regard and encourages them to carry on doing so. At the same time, the Committee calls on the other institutions to sign up to these initiatives both as fair and solidarity ethical principle, and as a principle to defend the public health of all countries, including our own.

On 5 October, the LABI Advisory Council met and gave its go-ahead to the Decree 39/2021, of the Lehendakari, declaring the end of the health emergency situation. All the restrictive measures in place at that time were revoked. The LABI Advisory Council and its Scientific-Technical Committee, answering to the Basque Premier's Office-Lehendakaritza, were disbanded.

From then onwards, the Basque Country's Health authority, led by the Basque Government's Minister for Health, was empowered to adopt the relevant measure at each juncture. Consequently, it was up to the Basque Ministry of Health to pilot the response to this new phase of the pandemic.

Six Weeks of Calm Before a New Storm

As has already been stated, the fifth wave peaked with a 14-day Cumulative Incidence Rate of 873/100,000 on 30 July. From that day onwards, the figures steadily dropped until 12 October, when the Incidence Rate stood at 54/100,000.

That was followed by a moderate rise in the number of cases during the following six weeks. On 10 November, the 14-day Cumulative Incidence Rate stood at 125/100,000. In other words, the rate had increased by 71 points over 30 days, a figure that fell within the existing estimates and forecasts.

The surge was more intense between 10 November and 26 November. The number of recorded cases were 1,150 on that day. The 14-day rate stood at 436/100,000. The increase was over 300 points in just over two weeks. On that day, there were 47 people admitted to ICU and its lowest figure had been 21 people on 22 October.

A growing concern replaced the relative clam of the previous six weeks. From 26 November onwards, the rise in positive cases detected and in the Incidence Rate marked the start of an exponential surge, the like of which had never been seen throughout the pandemic.

Previously, on 17 November, the Basque Government prepared an order of its Minister for Health to establish the mandatory use of the Covid Pass as an additional preventive means in establishments and activities linked to nightlife and to hospitality. The measure was introduced throughout Europe and in most of the Autonomous Communities at that time.

However, the Administrative Litigation Chamber of the High Court of Justice of the Basque Country yet again issued a Court Order refusing its authorisation on 22 November. The Basque Government appealed to the Supreme Court, which finally approved its use in the ruling dated 30 November.

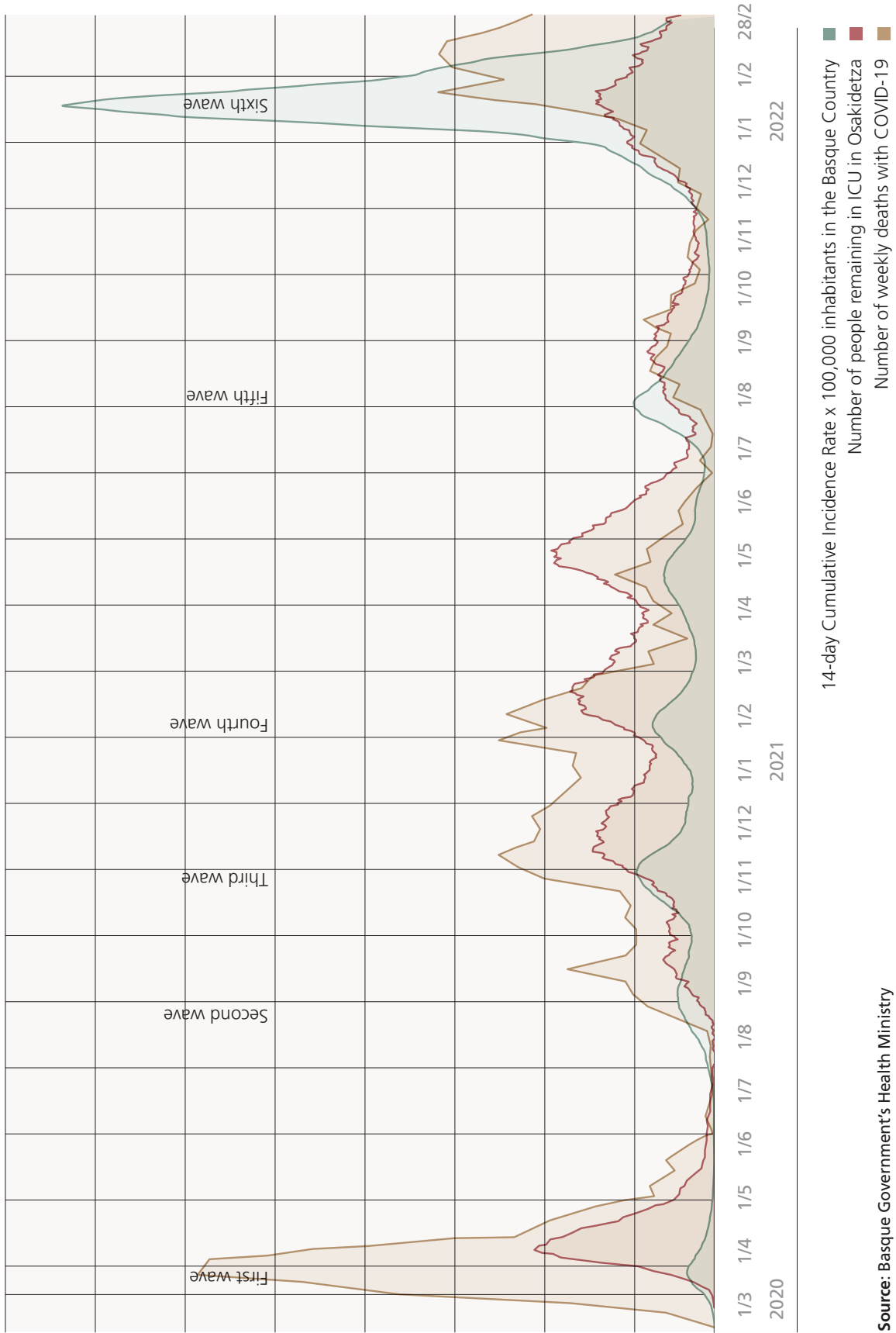
One thing is certain, a new pandemic storm was brewing as that wrangling took place. The highest number of cases initially occurred among the under 12s, who had still not been vaccinated, and also among the unvaccinated adults and among those people who were the first to receive the vaccine and whose immunity could be wearing off.

Little was known at the time of the impact of the Omicron variant that was emerging. The first news of its detection in South Africa was reported at the end of November. However, there was practically no information and any evidence was practically non-existent.

The first six cases of the Omicron variant were detected in the Basque Country during the week of 13 December. Its prevalence would exceed 90% by the end of December. It may be inferred that the Omicron variant was already acting weeks before it was detected. From then onwards, the causes of this sixth wave and its completely different characteristics to the earlier ones began to become clear.

The figures are enlightening. In earlier waves, the 21 July 2021 was the day when most positive cases had been recorded (1801 cases). On 15 December, with over 90% of the target population vaccinated, there were 2,272 positive cases in the Basque Country. However, the surge would continue and would last for a further three weeks. That figure multiplied by six in early 2022.

Comparative graph of the evolution of the 14-day Cumulative Incidence Rate and the number of deaths over two years and six waves



Source: Basque Government's Health Ministry

N.B.: The peak of the line describing the Cumulative Incidence Rate of the first wave is not comparable with the peaks of the subsequent waves. The number of infected people was, with all certainty, higher, particularly in the case of asymptomatic people, but they could not be recorded because of the ability to detect positives was lower. The peaks of ICU occupancy and deaths reflected this discrepancy.

Third Health Emergency

Given the outbreak of the sixth wave throughout Europe and prior to knowing the scope that this new onslaught of the pandemic would have, on 2 December, the Lehendakari declared a health emergency in the Basque Country for the third time. On this occasion, it was based on Article 4 of the Measures to Manage the COVID-19 Pandemic Act 2/2021 of 24 June.

The LABI Advisory Council was convened again and a new Scientific-Technical Committee set up. On 3 December, both bodies met for the first time and adapted their methodology and coordination to this new stage. In each health emergency period, the LABI had a different structure, adapted to the different needs arising from the evolution of the pandemic.

During the first wave, there was only a single body with a joint institutional and technical representation. The first Bizi Berri Plan was coordinated by the Basque Ministry of Economic Development and Infrastructures. In the second stage, in addition to its Advisory Council, the LABI had a Scientific-Technical Committee that was coordinated by the Lehendakaritza. During this third phase of the health emergency, a new structure was consolidated. It consisted of an Advisory Council, of similar composition to the previous one, and a newly created Scientific-Health Committee, coordinated by the Basque Health Ministry.

Following the endorsement by the Supreme Court, an Order by the Basque Minister for Health on 4 December established the requirement for the Digital Covid Pass in establishments linked to nightlife and hospitality. A subsequent Decree by the Lehendakari on 14 December would expand the establishments, events, activities and places where it had to be shown in order to enter.

At this juncture, on 18 December, the Lehendakari sent a letter to the Spanish Prime Minister proposing that a meeting be held of the Conference of Regional Leaders to seek consensus on the measures to be taken for the sixth wave and the high infectivity of the Omicron variant. The meeting was held remotely on 22 December.

The Lehendakari set out a proposal with ten measures aimed at fostering consensus among the Autonomous Communities regarding the Christmas season, in the midst of the sixth wave, with shared rules. It proved to be impossible to reach consensus during the meeting. Therefore, the Basque Government and the neighbouring Autonomous Communities established a basic agreement of criteria regarding preventive measures in the context of that time of the year.

Thus, on 28 December, the LABI Advisory Council agreed to consolidate the preventive measures to address the sixth wave. Following the recommendations of the LABI Scientific-Technical Committee, the Advisory Council gave the go-ahead to a new Decree establishing the closing time for activities at 01.00 a.m., prohibiting being served when standing in hospitality, and limiting the groups of people at tables and indoor sport activities to a maximum of 10 people. These measures would, initially, be in place until 28 January. From the start of the health emergency, on 4 December to the end of the year, the Scientific-Technical Committee met 11 times and the LABI Advisory Council twice.

There were 321 deaths during this quarter. The week with the highest number of deaths (47) was from 13 to 19 December. The one with the lowest (8 deaths) was from 1 to 7 November. As of the end of 2021, the number of deaths from or due to COVID-19 was 1,978 for the whole year. The deaths in 2021 stood at 3,106 people. In total, over 5,000 families had lost a loved one from or due to COVID-19. This suffering on an unthinkable scale has impacted the human sensitivity of society as a whole.

1.7. January and February 2022

The Christmas season between the end of 2021 and the start of 2022 was a period of concern. The exponential surge in infections of this sixth wave, which had started on 26 November, continued to rise for over six weeks. The extent of the data, regarding the incidence rate, was unprecedented.

The Peak of the Whole Pandemic

Finally, number of positive cases detected (14,063) in this wave peaked on 4 January. On 11 January, the Cumulative Incidence Rate reached its maximum point of the whole pandemic up until then with nothing short than 7038/100,000. Previously, the highest cumulative incidence rates had occurred on 5 November 2020 with 850/100,000 and on 30 July 2021 with 873/100,000.

From then onwards, the number began to fall and were continuing to do so when this report was completed as of 28 February. Six hundred and twelve positives were detected on that day. The downward line of the epidemic curve was practically vertical and symmetrical to the upward one.

Specific mention should be made on the impact that this sixth wave had on hospitals. If the proportion of hospital and ICU admissions had been similar to previous waves, the hospital system would have almost certainly broken down. However, that did not happen. The maximum pressure on the hospital wards in this sixth wave was on 11 January with a total of 840 beds occupied.

ICU occupancy peaked in the first wave with 236 beds occupied. On 2 May 2021, the maximum ICU occupancy was 195 beds at the height of the fourth wave, with 1013 positive cases and a 14-day incidence rate of 547. The maximum ICU occupancy was 143 beds occupied on 16 January with a rate 12 times higher.

Two factors explain that situation. On the one hand, the Omicron variant was obviously milder than the previous variants. On the other hand, the barrier-effect of the fully vaccinated, which was over 93% of the target population in the Basque Country. The figures provided compelling evidence. The vaccine protects against the risk of becoming seriously ill.

In this sixth wave, the groups most likely to be seriously ill were the unvaccinated, immuno-compromised individuals and people with other underlying conditions, particularly among the elderly. In January and February, the unvaccinated accounted for 46% of the total ICU admissions. It should be noted that the percentage of unvaccinated individuals out of the total Basque population was under 14% (of the population over 5).

LABI Activity

During the first two months of 2022, the LABI Scientific Committee held 15 meetings. The LABI Advisory Council met twice, when they adopted the decisions that sought to ensure the preventive measures kept pace with the evolution of the data. Those meetings were held on 28 January and on 10 February.

The first meetings noted the downturn in all the monitoring parameters of the pandemic. The pressure on hospitals fell as well. Even so and for the sake of prudence, they deemed it necessary to keep most of the measures that had been in force since 28 December.

Specifically, the extended measures were as following: closing times at 01.00 a.m.; indoor capacities limited to 60%; at events, maximum of 600 people indoors and 800 outdoors; in venues with capacity of between 1,600 and 5,000 people, maximum of 800 indoors and 1,200 outdoors; and 50% in venues with capacity over 5,000; people could not be served if standing in hospitality and nightlife establishments and a maximum of 10 people per table; the same regime continued to apply to gastronomic and youth associations; and, finally, indoors sports were restricted to groups of up to 10 people and the use of changing rooms limited to 50%.

As regards the use of the Covid Pass, the LABI deemed that it should continue to be mandatory for a further two weeks. It sought authorisation from the TSJPV beforehand. Its Administrative Legislation Chamber turned it down. Around that time, the High Court of Justice of Navarra authorised a similar extension to the one requested in the Basque Country.

The rejection by the Basque High Court did not affect a previous order by the Basque Government's Minister for Health regarding its enforceability in the nightlife establishments and in restaurants with over 50 diners. Nonetheless, the Basque Government deemed that, following the legal ruling, it was pointless and not useful for that Order to remain in place only in those two areas and it was repealed. Thus, the Covid Pass was no longer effective in the Basque Country from 4 February. While it was in force, it clearly helped to increase the percentage of the vaccinated population in the age brackets that were lagging behind.

The second meeting of the LABI Advisory Council in 2022 was held on 10 February. It was the 38th meeting since March 2020. It was also the last meeting as of the time of completing this document. The epidemiological situation had improved considerably in the Basque Country and throughout Europe.

At this juncture, the LABI stated that it was in favour of a Decree that would end the health emergency declaration, as of 14 February. At the same time, the Advisory Council deemed that the measures in force should not be extended from that very day. Consequently, the closing time at 01.00 a.m.; the restrictions on venue capacity, the maximum on people attending events, or the structuring of hospitality activities or sports indoors were repealed.

An Order by the Basque Ministry of Health effective as of 14 February updated the general prevention measures regarding the use of masks, social distancing, hygiene, ventilating indoor spaces, along with the main recommendations to protect public health.

During his appearance after the meeting of the LABI Advisory Council, Lehendakari Iñigo Urkullu Rente stressed that those decisions had been adopted according to three main benchmarks: first, the recommendations of the Scientific-Technical Committee; second, the evolution of all trend forecast and epidemiological indicators; and third, the evolution in the general criteria to apply measures that, within the whole of Europe, were aimed at a stage without legislative restrictions and without general individual and collective self-responsibility measures.

The figures were clear from early January. Positive cases had fallen from 14,000 on 4 January to 1,800 on the date of the LABI meeting. The Cumulative Incidence Rate had fallen from 7,000/100,000 to 2,000. Hospital admissions had halved. In the ICUs, the number of occupied beds had dropped from 143 to 808. All the trend indicators pointed to all parameters remaining low. The R_0 number, for example, was under 0.70; when it was as high as 1.63 on 30 December.

The LABI likewise took into consideration the good vaccination figures in the Basque Country. Apart from standing at over 93%, the population that had already received the booster dose was over 61% at that time. The behaviour of the Omicron variant was also assessed, whose impact was already more than known at that time, and which had already peaked and was dropping throughout Europe in February 2022.

This set of actors are those that the LABI Advisory Council considered to decide whether to end the health emergency and the restrictive measures. The management of the pandemic entered in a new phase where the response could be deployed without needing to resort to extraordinary resources such as the health emergency or the LABI. From then onwards, the Basque Health Ministry was tasked with overseeing the response to the pandemic.

What the Future Looks Like

Since 11 February, the day on which the last LABI meeting was held, until the time of completing this report on 28 February, all the indicators have continued to fall and have so far confirmed the diagnosis by its Scientific-Technical Committee and by its Advisory Council.

The positive cases detected stood at 612 as of 28 February, which was 13,989 cases fewer than on 4 January. The 14-day Cumulative Incidence Rate was 445/100,000 at the end of February. It had fallen by 6,594 points since 11 January. The bed occupancy in hospital wards was 150 on 28 February, when it had peaked at 840 on the sixth wave. As of the completion of this document, ICU occupancy had fallen from 143 to 42 beds.

Key Figures of the Sixth Wave

	No. of positives	14-day CIR	ICU occupancy	Deaths
Start	44 (10 October)	55 (12 October)	21 (15 October)	1,414 (13 October 2021 to 28 February 2022)
Peak	14,603 (4 January)	7.039 (11 January)	143 (16 January)	
Completion of the report	612 (28 February)	445 (28 February)	42 (28 February)	

During his appearance before the media on that day, the Lehendakari made the following statement:

“We cannot be sure that this sixth wave that we are overcoming will be the last one. The world as a whole continues to be affected by a global pandemic. Neither can we be sure that it will not be necessary to de-

clare a health emergency or apply restrictive measures in the future. We are not able to know that today. Science is not able to forecast with sufficient certainty what the evolution of the virus will be from here to the end of the year.

Despite this, we must make decisions based on what we know today. Thus, as far as possible, and wherever possible, we must avoid limitations and privations on people and society in their social, family and personal lives, as well as on the running of socio-economic activities. The conditions are currently right to do so”.

On the following day, on 12 February, during a control session in the Basque Parliament, the Lehendakari said the following about the future:

“We are now carefully following the debate among the “experts”, to clarify whether we are moving from a pandemic to an endemic. The virus is having less of an impact on the health system and on the social activity, even though the pandemic was declared by the World Health Organisation and it continues in place.

Today we know that, nearly two years later, the pandemic has not disappeared. We know that the virus’s ability to mutate is dangerous; along with the vaccination deficit in large areas of the world. We also know that the most comparable figure is the death rate.

Our strategy places priority on one word, recovery. We are ready for this priority goal. Recovering the healthcare service in its entirety and overcoming the emotional situation and of uncertainty for our society.

We are aware of the struggle and of the suffering. We are aware of everything that has been achieved to keep the balance between the priority of public health and the commercial, economic, cultural, educational and social activity. Yesterday, the LABI adopted a decision aimed at recovery.

The Government is focused on complying with its commitments and providing answers to the new challenges that the pandemic has uncovered: with a special emphasis on young people and support on the training, employment and housing priorities so that they embark on an “independent life”; a guarantee of social cohesion and curbing the “new inequalities”; reformulating the care system to the situations of “loneliness” of the elderly; avoiding “social isolation” and the digital gap that may result in the “hyper technologization” of day-to-day relations and routine procedures; anticipating the opportunities of the “green and digital transformation” of the global economy.

Youth. Social cohesion. Care system... Economic transformation. Recovery and revival. This is the Basque Government’s strategy. We are also willing to share this impetus being given to the Basque Country. We have stood firm and we have responded. We are now going to move forwards.

Our foundations are strong. All the indicators point to the Basque economy, and employment, progressing well. We have the lowest unemployment rate of all the Autonomous Communities. Our budget has been approved... We have the Berpiztu Plan to revive the economy and employment and Euskadi Next.

The goal is not to return to the previous situation. The goal is to guide the recovery and revival towards the triple transformation. In other words, technological and digital, energy and climate, social and healthcare & demographic transformations. Relaunching and transforming the Basque Country, that is the strategy”.

This appraisal is from 12 February. However, four days prior to completing this report, on 24 February, Putin ordered the Russian army to start the military invasion of Ukraine. The consequences of that fact cannot be calculated at the moment. What is foreseeable is that its effects will be radically negative for the victims, the displaced, human rights and the prospects for emotional, social and economic recovery. The world, Europe and also the Basque Country are facing a stage of threats and uncertainty.

Positive Signs

During these two years, the Basque Government has been closely monitoring the feelings of Basque society through its own sociological studies or the monitoring, analysis and comparison with the results of other surveys of research conducted both in the Basque Country or in Spain, and in Europe or around the world.

The different moments in each stage have been summarised with different concepts: the “Covid eclipse”, in the early days when the whole emphasis was on the coronavirus; “pandemic tunnel” to define the perception of never-ending pressure when it marked a year; “pandemic shadow” in the last waves when, despite the improvement and the vaccine rollout, we were still unable to be free of its conditioning; and

finally “pandemic fatigue”, an expression that is a good summary of the feeling of exhaustion of society as a whole.

At this juncture, it is relevant to ask what has been the real impact of the pandemic on the feeling of unease or wellbeing of people and society. This question has been asked in Europe and in the rest of the world. The assessments made may have been certain. They may have underestimated that impact, or on the contrary, they may have overestimated it. The results of sociological research should be used so as not to be restricted to the field of subjective guesswork.

In 2021, the year of the pandemic worldwide, two prestigious international studies were conducted to analyse the “feeling of wellbeing” of the citizens. The first was conducted by the Eurobarometer in all European countries and its main benchmark indicator was the “Satisfaction with life in general”. The second, the “World Happiness Report”, was published by the United Nations and uses the “Perception of the level of wellbeing” as the main indicator.

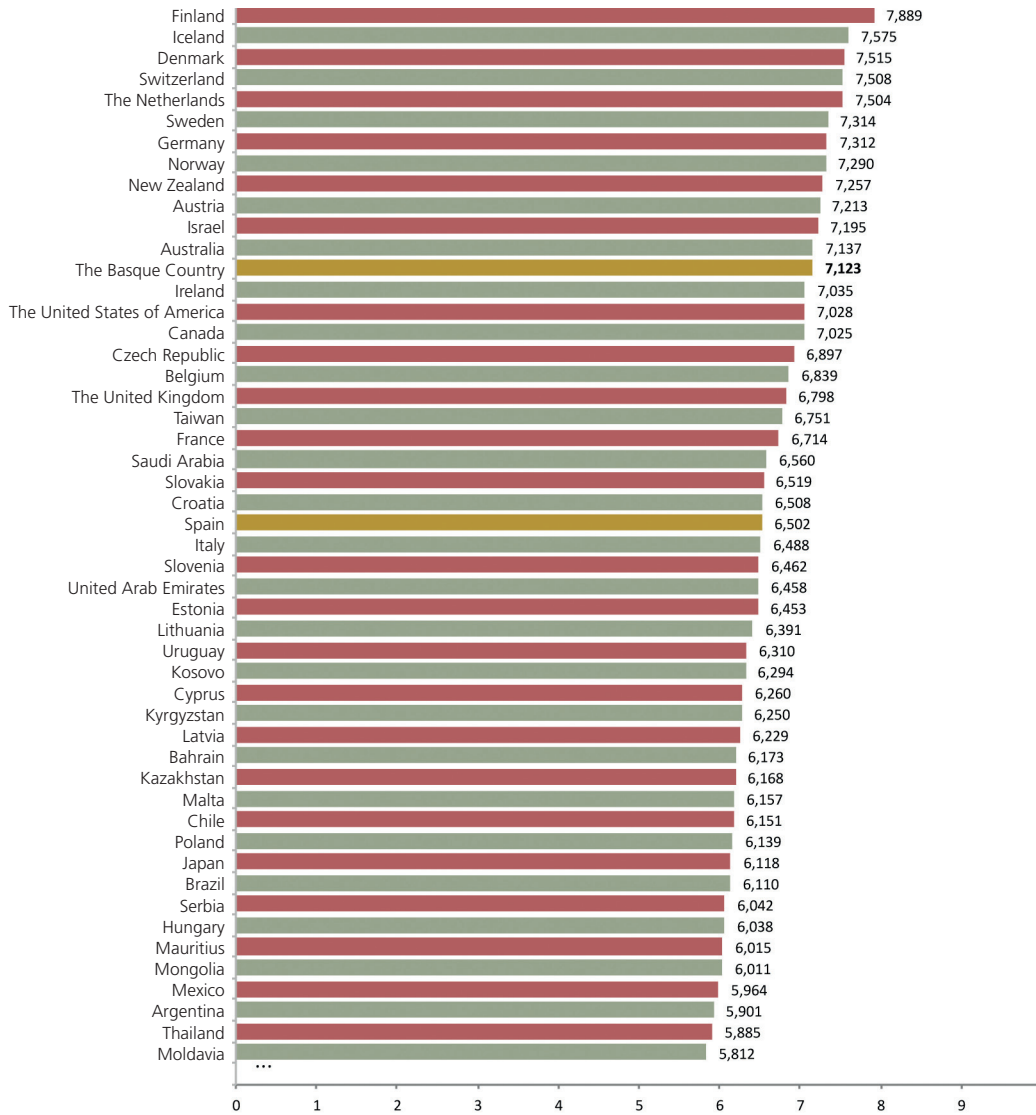
In December 2021, the Basque Government’s Sociological Survey Office conducted a survey in the Basque Country using those two international indicators of wellbeing to establish the social opinion of Basque citizens. The main conclusion was that the citizens referred to a significant feeling of wellbeing, despite the suffering being caused by the pandemic at the end of 2021.

The Basque Country exceeded the European average in the wellbeing indicator (“Satisfaction with life in general”), and ranked eleventh among European countries. On the other hand, the Basque Country with 7.1 out of 10 also scored higher than the average of all countries worldwide as regards “Perception of the level of wellbeing”. Specifically, the Basque Country ranked thirteenth, led by Finland (7.9), Iceland (7.6), Denmark, Switzerland and the Netherlands (7.5) in the top posts.

The perception of the state of health also remained high throughout 2021. Basque citizens expressed a level of satisfaction with their state of health of 7.5 out of 10 in 2021.

No figures can downplay the suffering experienced by our society. It has been real and has been intense and prolonged. Those figures do not contradict this undeniable premises; but they invite us to reflect as to whether the perception of the negative has not been overplayed throughout that time, and whether, on the contrary, the resistance and resilience of the citizens have not been underestimated. Be that as it may, those figures are a positive sign when speaking about the strength of our society.

Level of Wellbeing in Different Countries of the World



The graph only contains the figures for the 50 countries with the highest scores for the reasons of space

International data source: World Happiness Report 2021; Gallup Word Poll, 2020

2. Four Key Points Straddling the Timeline

Four key points that help to put this evolution into context need to be added to this timeline description of the pandemic, along with its impact and response during these two years in the Basque Country. The first is to do with the number of tests conducted in the Basque Country. The second is the vaccine rollout and its impact. The third focuses on assessing the social response to the preventive measures. The fourth point that deserves specific assessment is the data on the excess deaths in the Covid period provided by the INE (Spanish National Statistics Office). Therefore, it completes an initial approach to the appraisal of this period.

A serious problem emerges when assessing the efficiency of the response to this health crisis. There are no uniform criteria for measuring and posting the data, either among the Autonomous Communities overall or between the Member States of the European Union. It is therefore complicated to perform an assessment whose references are reliable. Already back in the second Conference of Regional Leaders, held on 22 March 2020, the Lehendakari proposed that a single data measurement and monitoring methodology be established to duly scale and address the problem.

Precisely, therefore and in order to complete the description of the response to the pandemic, this section highlights parameters from the Basque Country, that, in addition to being particularly significant, are less vulnerable regarding their reliability and consistency to conduct an assessment. Parameters such as the number of tests conducted, the vaccination data or the excess deaths.

2.1. Number of Tests Conducted

The number of positives recorded in a specific territorial area depends on the way the count is conducted and, most particularly, the number of tests performed. The larger the number of tests conducted, the greater the number of symptomatic and asymptomatic cases will be deducted. Consequently, the number of positives and the cumulative incidence rates will increase with respect to other countries or regions where fewer tests are conducted. However, concluding that the response to the pandemic is greater where fewer positives have appeared would be a fundamental error, as it is down to a fewer number of tests conducted.

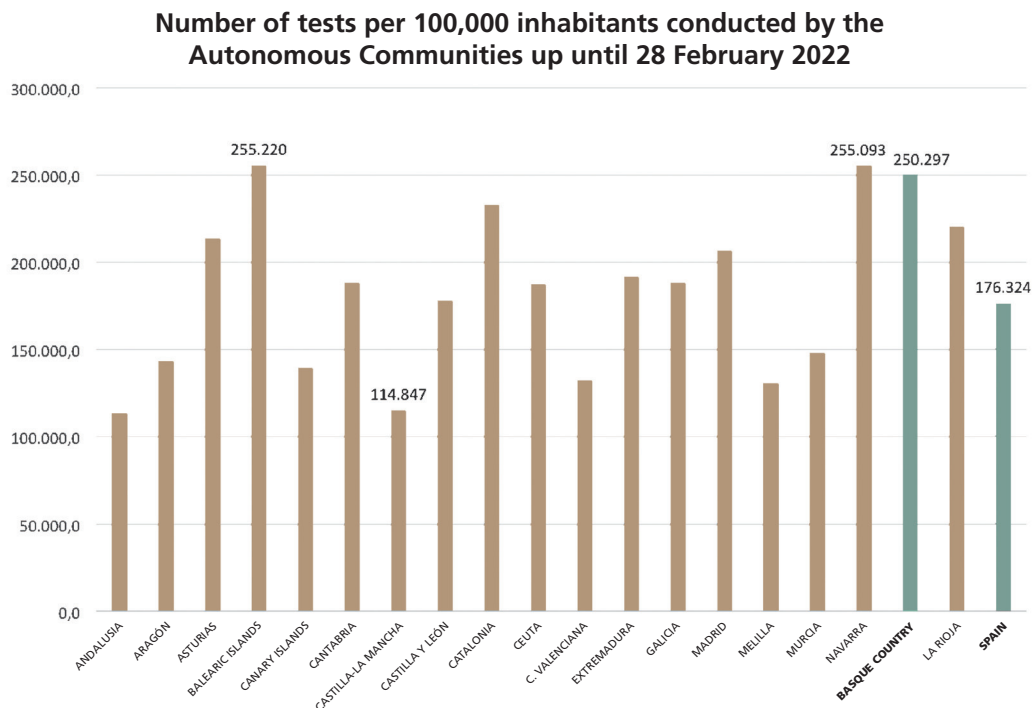
The number of tests conducted per 100,000 inhabitants is a reasonably objective parameter and less susceptible to distortion, particularly if a sufficiently prolonged time period is adopted. Right from the start of the pandemic, the Basque Country has been among the European countries that have conducted most tests.

According to the data provided by the Spanish Health Ministry, the Basque Country has shared the leadership with Navarra and the Balearic Islands in the number of tests conducted per hundred thousand inhabitants over these two years and constantly. In Spain overall, the average was 104,083/100,000 during 2021. It was 144,881 in the Basque Country in the same period.

At the height of the Omicron onslaught, between 29 December 2021 and 5 January 2022, over 30,000 tests were being conducted a day. On 4 January, the maximum for the whole pandemic was reached with a total of 36,704 tests conducted in a single day. Those data are very relevant as they show a healthcare and political will.

The strategy in the Basque Country consisted in going out to search for the infected cases, whether symptomatic or asymptomatic. At certain points, the strategy could reflect a situation apparently worse in terms of incidence rates.

However, this intensity in the tracking and in the detection of positive cases is the most efficient method to protect public health. This is corroborated by the data on hospital admissions and also the data on excess deaths in Point 2.4.



Source: Spanish Ministry of Health

2.2. The Vaccination Impact

During these two years, the vaccine rollout has been a key factor in the evolution of the pandemic in the Basque Country. In 2020, vaccination was not an available tool. Since the start of 2021, the vaccines became progressively available as a resource. The fight against the pandemic in the Basque Country took place in worse conditions in 2020 than in 2021. In the same way, it should be noted that the vaccine rollout in the second half meant that the fight against the pandemic was more effective than in the first half.

The vaccination process began in the Basque Country on 27 December 2020. The vaccines available were still scarce at that time. Nonetheless, they began to be administered in residential homes and centres. The results did not take longer to produce an undisputed effect. On 2 April 2021, the vaccine rollout in residential homes had been completed with all their users and professionals fully vaccinated. In March, there were 96.8% fully vaccinated. The number of deaths in residential homes fell to zero from then onwards and during 8 weeks.

In the first quarter of 2021, the incidents and non-compliances in the deliveries of vaccines meant that the initial forecasts could not be met, as the vaccine deliveries were relatively smaller and often irregular. At the end of March 2021, 4.9% of the population was fully vaccinated.

However, during the second quarter, compliance in the delivery of the number of vaccines announced was more regular and 48.3% of the population had been fully vaccinated by the end of June. During the first half of the year, the vaccine rollout reached practically all the essential services and people over 70.

Fortunately, the new variants of the virus were not proving to be immune to the vaccines and they continued to provide great protection within several weeks of people being full vaccinated. Initially, the experts had argued that the so-called “herd immunity” would be achieved when 70% of the target population was fully vaccinated. However, time proved that forecast to be wrong and that at least around 90% of the population would need to be vaccinated.

During the third quarter, the vaccine rollout advanced among the under 50s week by week. Paradoxically, a fifth wave of the pandemic broke out that summer. The virus found a gap to slip through and spread, precisely, among young people that were still not vaccinated. The impact of that wave was particularly among the 18-19 years old, but among the under 39s in general. The least vaccinated age group at that time.

The vaccination of the youngest age brackets was stepped up due to those incidences. By the end of September 2021, 88.5% of the population over 12 were fully vaccinated.

In tandem, it was detected that the immunity was losing part of its effectiveness in those people who were the first to be vaccinated; in other words, the people in residential homes and the elderly. On 20 September 2021, the third dose or booster began to be administered in the social and health care sphere and it was progressively rolled out to the rest of the population. By year end, 95.7% of the over 90s had had the booster; 92.8% of those between 80 and 89; 92.7% between 70 and 79; and 78.0% of those between 60 and 69.

During the fourth quarter of 2021, the hospitalisation and incidence data were low between early October and until mid-November and the health emergency could be lifted. However, the sixth wave, driven by the Omicron variant, broke out at the end of November.

Yet again, the virus found a crack among the under 12s who were still to be vaccinated and among the unvaccinated adult population. At this juncture, on 16 December, the paediatric vaccine rollout to children aged between 5 and 12 began. At the end of 2021, a total of 46,940 first doses of the vaccines had been administered.

At the end of the year, 91.6% of the population was fully vaccinated, 92.7% had had at least one dose, and 39.2% had had the booster. If those vaccination figures had not been achieved, the consequences of the sixth wave and of the Omicron variation would have led to a far more serious situation quantitatively and qualitatively speaking.

On 28 February 2022, 92.8% of the adult population was fully vaccinated. 68% of the over 18s had had the booster. As that of same date, 26.3 of children between 5 and 12 were fully vaccinated with the paediatric vaccine. Those data would place the Basque Country among the five Europe regions with the best results in terms of the vaccine rollout.

Data on the vaccine rollout in the Basque Country up until 28 February 2022

	Census	Fully vaccinated	Percentage	Booster	Percentage
>=90 years	33.997	31.918	93,9%	31.160	97,6%
80-89 years	124.266	121.179	97,5%	114.918	94,8%
70-79 years	216.304	208.791	96,5%	201.138	96,3%
60-69 years	286.130	273.355	95,5%	247.801	90,7%
50-59 years	340.550	322.627	94,7%	250.594	77,7%
40-49 years	354.136	328.212	92,7%	188.682	57,5%
30-39 years	246.729	213.660	86,6%	77.632	36,3%
18-29 years	246.484	212.192	86,1%	52.121	24,6%
12-17 years	130.072	123.576	95,0%	—	—
5-11 years	145.045	38.196	26,3%	—	—
Total			92,8% (over 12 years)		68,0%

Source: Basque Government's Health Ministry

The vaccine rollout has involved a deployment of unprecedented organisational, economic and human resources. Osakidetza and the Basque Health System has responded to a challenge of this size efficiently. 4.7 million vaccines were administered in the Basque Country in 14 months. The system worked.

The data allow three findings to be reached. First, the evolution of the pandemic, from the start of 2021, cannot be understood without the high protection factor provided by the vaccine rollout. Second, the Basque healthcare system and all its professionals have made an unprecedented human and operational effort that has been highly successful. And third, society responded. If the citizens had not been as receptive to the vaccine rollout as they have been, this success would not have been possible.

Global and Solidarity Vaccination

Yet vaccination in a pandemic is not only a local challenge and commitment, it is a planetary and global challenge. There will be no context of sufficient certainty and security in the fight against the pandemic until the vast majority of the planet is vaccinated. It is both an ethical and solidarity principle and a pragmatic principle of a real awareness of what a global pandemic means.

The Basque Government has always been aware of this reality. It was the first substate government to commit to global and solidarity vaccination. In 2021, it contributed €500,000 to the Global Alliance for Vaccines and Immunisation (GAVI), which co-directs the COVAX mechanism. The subsidy facilitated 1.3 million vaccines for developing countries.

This subsidy was channelled, by means of a letter from the Lehendakari, dated 23 March 2020, stating the Basque Government's intent to contribute to global and solidarity vaccination, which was addressed to José Manuel Barroso, Chair of the GAVI Board, the international alliance under the aegis of the WHO, and which has promoted the private-public COVAX mechanism to achieve global and solidarity vaccination to tackle the COVID-19 pandemic.

Additionally, on 25 May, the Lehendakari presented the Basque Call for the Temporary Suspension of COVID-19 Vaccine Patents. The declaration was signed by the Basque Government, Doctors Without Borders Spain, Amnesty International, Oxfam Intermon, the Professional Association of Pharmacists of the Basque Country, the General Medical Council of the Basque Country, the Nursing Professional Associations of Araba, Bizkaia and Gipuzkoa, and the Bilbao Academy of Medical Sciences.

Global cooperation is necessary to eliminate the possible obstacles to guaranteeing that the vaccines are developed and manufactured in sufficient amount and are distributed in time and inclusively around the world. The commitment for the right to health must ensure that the intellectual property rights do not prevent any country from being guaranteed that right.

In the 2022 Budget, the Basque Premier's Office has included an item of €600,000 for a further contribution. The formality to make this second contribution is already underway.

2.3. Social Backing of the Response to the Pandemic

The management of the pandemic in its different waves has affected society greatly. Addressing, right from the start, the social "feeling" is an imperative not only of a basic democratic sensitivity, but also of a good epidemiological response. Citizens are the main players of that response. The Basque Government has closely monitored the perception and opinion of society in relation to the pandemic through the surveys conducted by its Sociological Survey Office.

At that time known as the "Covid eclipse", practically all the surveys conducted included questions related to the social perception of the pandemic or the assessment of its consequences. Specifically, the Office conducted five quantitative opinion and two qualitative social assessment surveys. They are all published at <https://www.euskadi.eus/gobierno-vasco/estudios-sociologicos/>. Furthermore, there has been a special monitoring of the social trends, both through the "Sociology Expert Forum" and the analysis of the published Survey, both in Spain, particularly by the CIS, and in Europe.

The pandemic has become the focal point of society's concerns and has affected all walks of life. This reality, together with the uncertainty generated, has led to the "pandemic fatigue" concept, which reflects a very deep-rooted feeling in society. During the two years of the pandemic, the mood of individuals, families and society has been greatly undermined and affected people's emotional wellbeing.

The lockdown at home was an unprecedented experience and, subsequently, led to a new stage when at no time was there sufficient certainty about the duration, scope and consequences of the pandemic. The start of the vaccine rollout, in December 2020, opened up a horizon of "hope". However, a year later, with

over 90% of the population vaccinated in the Basque Country, the level of social concern and uncertainty remained very high. As regards vaccination, a social change has occurred, from initial resistance to the current high confidence.

All areas of social life around the world have been affected by the pandemic. In any event, special emphasis should be given to young people and the elderly. In the first case, the concept of “disaffected youth” has been used, in the double sense that the youth was “affected” to a lesser extent by the disease and, on the other hand, “affected” to a greater extent in their life culture and social habits.

In the case of the elderly, the pandemic has brought to the fore a twin feeling of “abandonment and loneliness”, due to the impact of the disease on this group which has strictly followed the rules. The elderly has, likewise, felt the impact of the progressive drop of the “personal care” in many areas of everyday life. Young people and the elderly are, consequently, “preferential attention” groups, due to the special emotional impact being caused by the pandemic.

The situation in which we have been immersed has had a special impact on life in community, as well as on political and institutional relations. It should be noted that the pandemic has helped to showcase essential public services. In that regard, apart from Health, the importance given to in-person and to the social protection system stands out, with special mention for the care model for the elderly.

The problems associated to unemployment, job insecurity, inequality, the sectors hit by the crisis are major topics in social discourse. In any event, containing the health crisis and, then, reviving the economy are the absolute priority for the citizens. Despite the difficulties experienced, the public still rate the Osakidetza public health service and its professional work very highly. As regards the future, special mention should be made of the call to strengthen the public health system and update the care model.

There has been widespread concern about health which remained stable throughout the two years of pandemic. Practically eight out of every ten people have been very concerned, regardless of the specific time of its evolution or of the country of residence. It has been a “global and general concern”. Concern about the impact of the pandemic on the economy and on employment has also been noteworthy. In this regard, a difference can be established between the first year 2020 of “maximum uncertainty” and a more critical view, and the second year 2021 where the positive evolution of the activity restored confidence. In fact, in the case of the Basque Country, the return to growth and employment, together with the budgetary, political and institutional stability, explain the continued high social confidence.

From the social awareness point of view, the high degree of understanding and acceptance of the restrictive measures adopted should be noted. In this regard, the institutions had a great deal of room for manoeuvre to be able to adopt more restrictive decisions. In any event, that suggests that the “pandemic shadow”, i.e., the impact of the pandemic on standards of living and coexistence will be long and far-reaching.

Basque society has responded with a high level of engagement. This factor explains, undeniably, the good results in terms of leadership, in testing and in vaccinating, and the lower excess death rate. However, a certain distortion occurred in relation to the sizing of majority and minority behaviour in the perception, not to such an extent in public but rather in the published opinion. In practice, this was an added difficulty in the management of the crisis.

The vast majority of society, also including the vast majority of young people, complied with and supported the preventive measures, embraced the strategy and engaged in the effort. However, minority behaviour expressing disaffection was echoed and reflected in such a disproportionate way that it seemed to be far more common than it actually was. That distortion would require critical reflection by op-ed writers, influencers, the media and communication platforms.

Government action, in a crisis such as the current one, has to be able to be sensitive and respond receptively and actively to fair and justified demands, to constructive criticism and proposals, as well as to those people who are really and more severely suffering the consequences of this pandemic. At the same time, the Government has to be able to discern between that type of realities from other attitudes emerging from a lack of solidarity, unjustified claims of being victims, or permanent complaining as an attitude to life or strategy to manipulate the crisis for other purposes.

Building on that experience, a line of action to be consolidated is the emphasis on constructive messages. The pandemic has highlighted the importance of the sense of community, *auzolana*. Shared civic values and solidarity need to be preserved and reinforced in order to deal with the stridency and messages calling for

individualism and social breakdown. The engaged and compliant social majority deserves greater support by the institutions. That social majority has been a fundamental part of the response to the pandemic in the Basque Country.

In short, if taking stock of the management of the pandemic in the Basque Country requires referring to the number of tests performed or the vaccine rollout, it is also essential to refer to the majority social backing of the strategy and measures adopted at each given time. Without this contribution by the citizens, the taking stock would show a significantly worse picture.

2.4. Excess Deaths During Covid

It is clear that all the efforts deployed against this pandemic have had and have a priority goal: to avoid the highest number of deaths possible. Finally, this target represents what is urgent and pressing, because behind that figure is the reality of the human suffering for the irreversible loss of loved ones.

Therefore, this report on two years of governance and managing Covid pays absolute preference to the data on the number of deaths. This is the hardest indicator of the real impact of the pandemic and also, when all said and done, the clearest and most decisive for assessment purposes.

However, it is not simple to study this information as the criteria when recording the deaths are not sufficiently uniform. The line between deaths “with Covid” or “from Covid” is not clear. On the other hand, different criteria are used regarding the time period in which, prior to the death, the person must have tested positive for their death to be considered to have been caused by COVID-19. In short, there are differences of method and criteria when attributing the cause of death certified in each case to this virus or to other pathologies or circumstances.

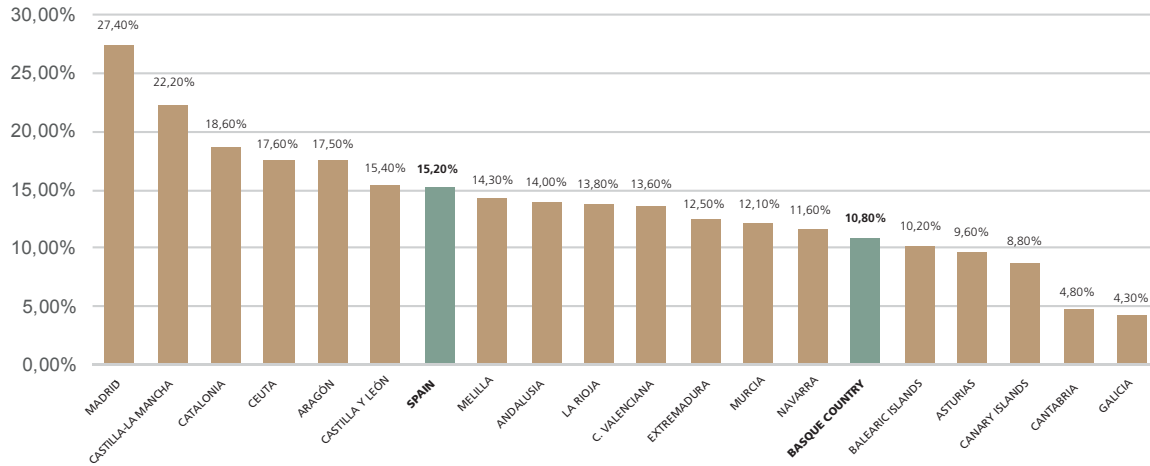
At this juncture, the most uniform objective figure in comparative terms is the one relating to the excess deaths published by the Spanish National Statistics Institute (INE), answering to the Spanish Government’s Ministry of Economic Affairs and Digital Transformation.

That information allows us to compare the deaths recorded in a pre-Covid period with those being recorded in the same time period within the Covid period. The analysis of this information facilitates that of the real incidence of the pandemic, in terms of deaths, for Spain as a whole and in each of the Autonomous Communities.

The INE data now available allow us to assess the level of deaths over the 99 weeks between March 2020 (declaration of the pandemic) and January 2022 (latest publication of data by the INE).

Based on this information, 15.2% was the percentage of average excess deaths in Spain and 10.8% in the Basque Country. The Autonomous Communities with the greatest excess deaths were Madrid (27.4%), Castilla La Mancha (22.2%), Catalonia (18.6%), Ceuta (17.6%), Aragón (17,5%) and Castilla y León (15.4%). The Basque Country, along with the Balearic Islands, Asturias, Canary Islands, Cantabria and Galicia are the six Autonomous Communities with the lowest excess deaths.

Excess deaths between the pre-COVID period (March 2018-January 2020) and the COVID period (March 2020-January 2022) in the Autonomous Communities

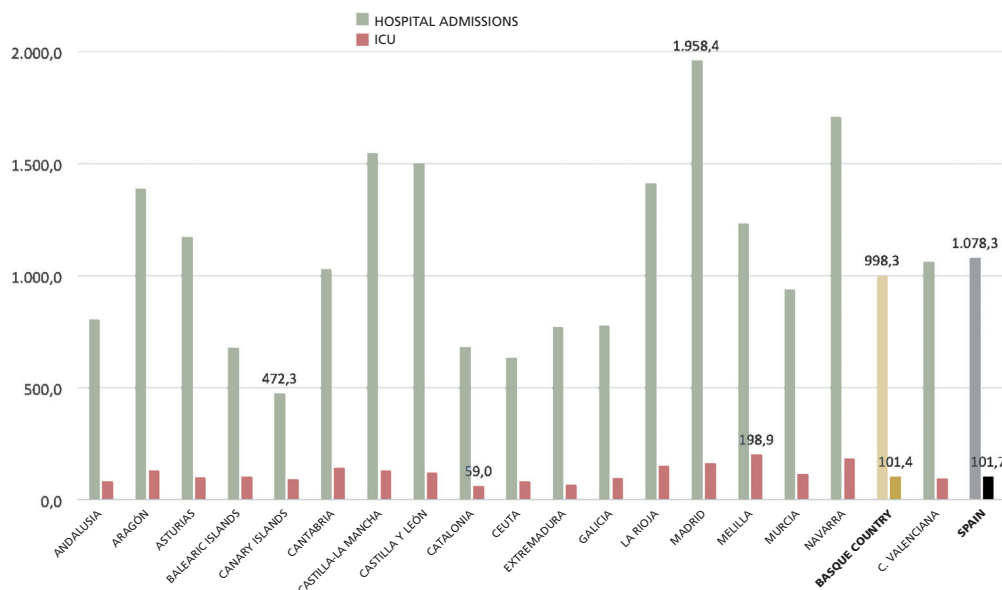


Source: Spanish National Statistics Institute (INE)

2.5. An Initial Taking Stock

According to the data in the previous four points, the Basque Country was among the Autonomous Communities that have conducted most tests; that its vaccine rollout is among the highest in Europe; that it has had a high degree of social support and engagement in compliance of the measures; and that, finally, it is one of the Autonomous Communities with the lowest excess deaths in the Covid period. Additionally, according to Spanish Ministry Health data, hospital admissions and ICU bed occupancy in the Basque Country was lower than the average for the Spanish State during the two years.

Ward and ICU admissions per 100,000 inhabitants in the different Autonomous Communities until 28 February 2022



Source: Spanish Ministry of Health

The figures reflect an objective result and contribute to a consistent taking stock that complements and places in context the timeline of the pandemic evolution in the Basque Country described so far in this report.

However, that data are not grounds for boasting or self-complacency. Any assessment to be made has to start from the principle of humility. Fighting the pandemic has involved stumbling in the dark and using trial and error. This virus has forced political institutions and also science to face the unknown and unforeseeable. The pandemic has put us all in the same boat and revealed our weaknesses and vulnerabilities.

Based on this recognition of the huge difficulties encountered, the data does allow a relevant reflection to be shared. The huge effort deployed by the health system and each and every one of its professionals, along with the effort of the vast majority of the general public, assuming and complying with limitations and restrictions, and taking part in the vaccine rollout, has been successful. It has not been in vain. It is objective information to express recognition and gratitude.

Second Part

Assessment

(Themes analysed, lessons learnt and reflections for the future)

Introduction to the Second Part

The first part of this report has described the timeline of two years of pandemic in the Basque Country, has set out the data of its evolution and has stressed some of the key points that particularly impacted the journey. This second part seeks to offer a set of open-ended assessments and proposals.

They are open-ended assessments - and to some extent, provisional - because the pandemic has not disappeared and because we are not aware of its evolution and which new experiences will have to be incorporated to this reflection. They are proposals because their aim is to improve the response that would have to be provided, both if we have to face new onslaughts of this virus in the short term and if a similar crisis were to occur in a hypothetical future.

As has been indicated in the opening presentation to this report, this approach is set in a framework limited to the sphere of the own governance of the crisis. In other words, it is set out from the point of view of what has been involved in overseeing the institutional response to the pandemic. That was the remit of Lehendakari Iñigo Urkullu Rentería, the Basque Premier, in the Basque Country.

Ultimately, they are two questions that we seek to be answered: first, which lessons can we draw from the two years of managing pandemic crisis, and which reflections for the future can be reached in order to improve.

This part of the report is therefore structured into two large sections. First, it specifically considers 12 themes of particular importance from the perspective of governance in the management of this, fundamentally, health crisis. Based on the assessment, the second section summaries a set of lessons learnt, along with reflections for the future.

3. Themes Deserving a Specific Analysis

The impact of a pandemic over two years is noted for affecting and concerning everybody. Defining the area for consideration is essential when preparing a report on the experience and to assess it. The timeline description of the first part has resulted in a long line of themes and events relating to this pandemic in the Basque Country.

However, some of the most important questions regarding the future management of this pandemic cannot be addressed in the necessary detail, given the space constraints.

This section seeks to go further in analysing the most important questions, and always from the opinion of the person who has been responsible for leading the governance of the management of the pandemic in the Basque Country. This appraisal is the bases of the following point of this report which provides an outline summary of the lessons learnt and proposals.

3.1. The LABI

Article 12.1 of the Basque Healthcare Standards Act 8/1997, of 26 June, established that “the management, planning and programming of the Basque Country’s healthcare system is the jurisdiction of the Basque Country and is implemented through the competent bodies of the General Administration of the Autonomous Community of the Basque Country”. Their powers include the interventions involving the exercising of the authority, which are necessary to guarantee the general stewardship of public health.

Decree 153/1997, of 24 June, enacted the Basque Civil Protection Plan/Larrialdiei Aurregiteko Bidea (LABI) as legislation. It was amended by Decree 1/2015, of 13 January, and established the general organisation framework of the Basque Country to address any type of emergencies requiring management at autonomous government level, due to their nature or extension or to the need to coordinate more than one administration.

Pursuant to the Basque Civil Protection Plan and to the Legislative Decree 1/2017, of 27 April, which approved the consolidated text of the Emergency Management Act, managing and coordinating emergencies is the remit of the Basque Minister for Homeland Security. However, the Lehendakari could assume those powers given the special extension or the particularly intense severity of an emergency.

The deployment of those provisions in a health crisis requires, first, an Order from the Basque Health Minister requesting the activation of the LABI. Thereupon, an Order by the Basque Minister of Homeland Security has to proceed to activate the plan. This is followed by a Decree of the Lehendakari declaring the health emergency and advocating, as applicable, the sole and coordinated management of the emergency.

During these two years, the severity of the impact of the pandemic has required the health emergency to be declared and the LABI activated at three different times. In the first wave, from 13 March to 17 May 2020. In that phase, the LABI structure had a single body with a joint institutional and technical composition, coordinated by the Lehendakari himself.

The second health emergency ran from 17 August 2020 to 7 October 2021. The activation of the LABI coincided with the start of the XII Parliamentary Term. The structure of the LABI was redesigned. Its Advisory Council, made up of representatives of all Basque institutions, was supported by a Scientific-Technical Committee, coordinated from the Lehendakaritza through its General Secretary for the Social Transition and Agenda 2030, Jonan Fernandez.

During the two-year period, the LABI Advisory Council, the governance framework, met 38 times. That forum agreed on and adopted the main decisions regarding the pandemic. The members of Council, chaired by the Lehendakari, included EUDEL, the City Councils of the three Basque provincial capitals, the Provincial Councils, the Spanish Government Delegation and different Basque Government Ministries.

The third health emergency was declared on 2 December 2021 and it was agreed to end it on 13 February 2022. The same Advisory Council was kept in place in this third stage. The Scientific-Technical Committee had a new structure and was coordinated by the Basque Health Ministry. This expert committee met a total of 93 times over the two years. Its opinions and deliberations resulted in a total of 38 Decrees and Orders responding to the needs of the pandemic at each given moment.

From the social and informative point of view, the LABI has been a recognisable benchmark. Its running has been not only known, but has also been predictable, organised and transparent. The Opinions of the Scientific-Technical Committee acted as the base for the rulings of the Advisory Council. The adopted decisions were immediately announced in press appearances, published in the Official Gazette of the Basque Country (BOPV) and disseminated in announcements in the written process.

The provisions of Basque health legislation and more specifically, of the Civil Protection Plan and Legislative Decree 1/2017, have allowed the Basque governance and management model for the pandemic to have a clear interministerial and interinstitutional response framework right from the start. The organisation of that response was not left to improvisation, but rather to foresight. A clearly positive aspect.

Within this positive assessment, special mention should be made of the provincial and municipal contribution to the management of the institutional response to the pandemic as it has played an essential role. The LABI has been the space where the co-governance between the Basque Government, the Provincial Councils, EUDEL and the City Councils of the three capitals of the Basque Country has been most direct and clearest. They have discussed their doubts, concerns and proposals and, finally, have adopted the decisions in that forum.

Beyond the participation in the meetings of the LABI Advisory Council, the City Councils and the Provincial Councils have had to adopt decisions to implement and apply the preventive or restrictive measures in their own jurisdictions. The pandemic and defending Public Health have forced a whole new approach. Management of the public service has had to be addressed from a new and unknown paradigm: the limitation and restriction of the usual social functioning during such a prolonged period.

EUDEL, the City Councils of the capitals and all the local councils of the Basque Country have needed to adapt their sphere of action to the changing requirements that the prevention of the pandemic presented and which required a rethinking of courses, activities, events, festivities, facilities, parks, public services, social benefits, managing the cleaning and disinfecting public spaces, and find solutions for the homeless, inter alia. The cooperation between the Ertzaintza [Basque National Police] and the local police forces has also been fundamental.

The Provincial Councils, in turn, have likewise had to develop the management of public health measures or to limit venue opening hours and capacities in the implementation of the activities, events and facilities coming under their jurisdiction. The regulation of free time or school sport initiatives are two examples of it. The provincial institutions of the three provincial councils have likewise had to respond to the highly complex management of the social and residential sphere. Responses and resources to address each problem that emerged were activated in each wave and in each phase of the pandemic.

The role of local councils and provincial councils has been fundamental. Interministerial and interinstitutional cooperation was also essential because the response to each problem of each area of the jurisdiction of a single institution could not be substantiated in isolation. The coordination, cooperation and pooling of shared criteria have been imperative. The LABI has been a space for dialogue and consensus which has contributed to these dynamics of agreement between local councils, provincial councils and the Basque Government. This coordination is a good practice that should be highlighted.

3.2. The Bizi Berri Plans

- The first Plan Bizi Berri dates back to 4 May 2020 and its main goal was to organise the end of the lockdown phase that had been in force with the State of Alarm since 14 March. It was coordinated by the Basque Minister for Economic Development and Infrastructures, Arantza Tapia. That document was the guide for the Basque Government to develop the dialogue with the Spanish Government, the Basque institutions and social entities affected, during that process that was also known as the “de-escalation”. It allowed action with foresight and coordination in the scaled process to return to economic and social activities.

- The II Bizi Berri Plan¹, prepared during September 2020 with advice from the Scientific Committee, was unveiled in the meeting of the Advisory Council on 2 October 2020. It was set up as a contingency plan with evolution indicators, five risk scenarios and different measures established for each level. A benchmark panel was thus consolidated with a set of tools that allowed Basque institutions to adapt their responses to the evolution of the pandemic. The Advisory Council agreed that the plan would be updated every four months. The second and the two following Bizi Berri plans were coordinated by the General Secretary for the Social Transition and the 2030 Agenda, Jonan Fernandez.

¹ https://www.euskadi.eus/contenidos/informacion/biziberri_agenda2030/es_def/adjuntos/Bizi-Berri-II-cas.pdf

- The III Bizi Berri Plan² was unveiled on 12 February. Based on the experience of twelve months, it included a series of adjustments to the previous plan. It envisaged two work hypotheses and five scenarios for the period from February to June. It expanded the scope of indicators and modulated the thresholds of each risk level. The envisaged measures were adjusted taking into account the constraints of the legal framework and the rulings of the TSJPV.

- The IV Bizi Berri Plan³ was approved on 6 July 2021 to steer the management of the pandemic from July to October. A stage with different characteristics and perspectives from the previous ones. The State of Alarm was ended on 9 May. In 24 June, the Basque legislation with measures to manage the COVID-19 pandemic was approved. The vaccine rollout was well underway. At this juncture, the IV Bizi Berri IV Plan panel reduced its scenarios to three and with a more simplified and cross-cutting structure of areas of action and measures. The indicators were expanded and coordinated.

By early October 2021, the circumstances had substantially changed. Ninety per cent of the target population had been fully vaccinated. The hospitalisation and cumulative incidence rates were in the lowest scenarios. On 2 October, the health emergency was declared to be over and the LABI was deactivated. At this juncture, a new Bizi Berri Plan was not prepared and the management of the pandemic would be the remit of the Basque Health Ministry from then onwards.

- On 2 December, the first signs of a sixth wave and the outbreak of the Omicron variant led to a further health emergency being declared. The LABI was activated again. During this new cycle, the Scientific-Technical Committee established a scorecard as a tool to monitor the pandemic. It was updated and analysed daily with indicators regarding the epidemiological evolution, impact on the healthcare system and the evolution of COVID-19 in people with a greater risk of morbidity and mortality. The good epidemiological evolution meant the health emergency could be ended on 13 February 2022.

The four Bizi Berri Plans and the Scorecard monitoring established in the sixth wave took onboard both the WHO and ECDC recommendations and guidelines, and the available scientific evidence and the documented best practices. The experience of two years of pandemic, which proved to be changing and unpredictable in each quarter, has highlighted the merits of regularly updating the epidemiological monitoring instruments as that has allowed the response to be adjusted and tailored to the evolution of the virus and to the needs that arose in the different waves. In short, the four Bizi Berri plans and subsequent setting up of the Scorecard have been useful and versatile tools to foster a rapid adaptation to the changing circumstances in each stage.

The Bizi Berri Plan has been the benchmark in the Basque Country for the adopting of community responses and to regulate social habits and activities in terms of COVID-19. Logically, the Bizi Berri Plan was no crystal ball to foresee the future. It was a map providing clear reference points as guidance. An open and available map that, within the labyrinth of the pandemic, has been useful for the institutions, society and the media.

The experience of the COVID-19 is a call to consider lifestyle, among many other things. The “Bizi Berri” concept does not appeal to the expectation of a “recovery of the previous normality”, but rather to the need to weave a new way of living that contributes to sustainable and healthy human development. Precisely, for this reason the community response plan to the evolution of the pandemic in the Basque Country was called “Bizi Berri”.

3.3. The Conferences of Regional Leaders

The Conference of Regional Leaders is a forum that has met many times during the pandemic. The Spanish Prime Minister convened the Premiers of the Autonomous Communities and the Autonomous Cities, including the Lehendakari. The Chair of the Spanish Federation of Municipalities and Provinces also took part in some of the meetings.

Nineteen Conferences were held during the two years of the pandemic. During the first State of Alarm, the Spanish Prime Minister convened the forum fourteen times, the first on 15 March and the last on 14 June. All the meetings were by video-conference and were held on fourteen consecutive Sundays.

2 https://www.euskadi.eus/contenidos/informacion/biziberri_agenda2030/eu_def/adjuntos/Bizi-Berri-III-eus.pdf

3 https://www.euskadi.eus/contenidos/informacion/biziberri_agenda2030/es_def/adjuntos/Bizi-Berri-IV-cas.pdf

The leaders discussed, on the one hand, matters relating to monitoring the evolution of the pandemic, its health consequences and the appropriate measures or proposals; and, on the other hand, the social and economic impacts of the crisis and the institutional responses. A third area for discussion was the methodology to be used for the meetings themselves.

A further five meetings were held after this initial stage. On 31 July 2020 at Yuso Monastery, in San Millán de la Cogolla (La Rioja), which was attended by King Felipe VI. Apart from analysing the pandemic evolution, the main business on the agenda was the information regarding the Autonomous Community in the European Recovery Fund.

On 4 September 2020, a further meeting was held by videoconferencing. The main item on the agenda was the return to in-person teaching in classrooms, along with analysing the epidemiological situation. On 26 October 2020, the leaders discussed the criteria for distributing the European Recovery Fund. The meeting was held remotely and the President of the European Commission, Ursula von der Leyen, attended.

The following Conference of Regional Leaders was held at the Convent of San Esteban in Salamanca on 30 July 2021. It was again opened by King Felipe VI. There were two items on the agenda, the European funds and demographic challenge.

A further remote meeting was held on 22 December 2021. It was proposed by the Lehendakari, by means of a letter sent to the Spanish Prime Minister, to agree on the basic measures for the sixth wave and the high infection rate of the Omicron variant. However, the meeting was only informed of the decision already adopted by the Spanish Government regarding the mandatory use of masks outdoors.

The last meeting, as of the time of writing this report, was planned to be held in Los Llanos de Aridane, on the island of La Palma, on 25 February. However, it was cancelled at the eleventh hour due to the crisis triggered by Russia's invasion of Ukraine. This Conference of Regional Leaders was convened again for 13 March, days after this report had been completed and submitted.

Prior to the pandemic, the Conference of Regional Leaders had met on 6 occasions, the first on 28 October 2004. The Basque Government had argued, right from the start, that this body should be a forum for coordination, deliberation and recommendation. It should be noted that Conference of Regional Leaders is not supported by a clear legislative framework. It is not included in the Constitution or in the Statute of Autonomy of the Basque Country. That means that there are grey areas about the competences regarding the agreements that may be reached in that forum.

In any event, what does seem clear is that this Conference of Regional Leaders cannot replace the areas of decision making held by the different legislative and executive bodies of the Autonomous Communities. Nor can it distort the distribution of powers of a decentralised State as it does not have either constitutional or statutory powers attributed to do so.

Given the lack of other legal references, we need to refer to the Regulations of the Conference of Regional Leaders published in the Order of the Ministry of the Presidency of 23 March 2017. The Regulations establish that the Conferences must hold a Preparatory Committee and that they may adopt, by consensus, agreements and recommendations.

The appraisal of 19 Conferences of Regional Leaders reveals some good and quite a few bad points. On the positive side, these meetings have allowed the point of view of each Autonomous Community to be established and each leader to put on record their positions, requests, complaints or proposals.

On a less positive note, it should be noted that discussed decisions were not shared. There were no proposals discussed in a Preparatory Committee and written documentation was not made available sufficiently in advance. There were always two parts to each meeting. In the first, the Spanish Prime Minister announced decisions that had already been adopted and, in some cases, communicated to the media. In the second part, each regional leader gave their own input. Insofar as there was no possible interaction, these speeches, along with that of the Spanish Prime Minister, were a series of monologues.

The Lehendakari called repeatedly for a methodology to be adopted that made real co-governance possible or that, at least, the Regulations be followed on how the Conferences were to be convened, prepared and run.

The Basque Government received an initial proposal to amend the operating regulations in November 2021. The changes envisaged focused on procedural issues. The bottom line – a more collaborative and participative methodology, and the recommendation status of the agreements potentially adopted by the forum had to have in order to respect the different areas of jurisdiction – was not considered in that amendment.

Cooperation within a multi-territory State may complement bilateralism and multilateralism, in a recognisable decision-making framework that respects self-government and the different areas of jurisdiction. In the context of a pandemic, the Conference of Regional Leaders may be a useful exercise in the multilateral management of the crisis; but, therefore, a clear methodology is essential that allows effective co-governance: shared deliberation, dialogue, interaction and, as applicable, begetting consensus and coordination.

3.4. Scientific Advice

Scientific advice was necessary for the task of overseeing the responses to the pandemic crisis. Logically, the institutional decision-makers did not have expert scientific knowledge. In this crisis, the interrelationship between the institutional and scientific leaders has been decisive. The benchmark that the Basque Government has taken and continues to take into account can be structured into three areas: international, state and Basque.

- At international level, the main authorities have been the World Health Organisation (WHO) (OMS), a United Nations agency; and in Europe, the European Centre for Disease Prevention and Control (ECDC), which provides scientific advance to the Governments and institutions of the EU. Both institutions have been the Basque Government's reference framework.

Logically, the main scientific publications have also been taken into consideration, along with the interviews and opinions of experts reflected in the media, as well as of specialised international institutes. Furthermore, the weekly reports, prepared by the External Action General Secretariat on the management of the pandemic, both of other European countries and of the Middle East, Asia and of New Zealand, were also taken into account.

The guidelines, opinions and recommendations of the international health institutions have provided a framework of certainty in the face of uncertainty. Along with their strengths, weaknesses have also appeared at certain moments, particularly regarding foresight, coordination, incidence and unification of criteria.

Strong and weak points should also be highlighted within the EU. The shared criteria of buying, distributing and administering vaccines were a good practice. As a less positive aspect, the lack of pooling, beyond border issues, of responses and preventive measures for the European Union as a whole should be noted.

- At State level and in terms of expert advice, special mention should be made of the Spanish Coordination Centre for Health Alerts and Emergencies and of the Carlos III Institute that provide scientific and technical assistance to the National Health System. The advice of those institutions is channelled to the Autonomous Communities through two bodies: the Interterritorial Council of the National Health System and its Public Health Committee.

The appraisal is also ambivalent in this case. The Council and its Public Health Committee have provided a coordination framework between the Spanish Government and the Autonomous Communities. However, that coordination has been insufficient and the approach regarding the criteria or measures, often, did not coincide with that of the Autonomous Communities and, specifically, with that of the Basque Government. It should be noted that health care is a devolved power to the Autonomous Communities. The same methodological shortcomings noted for the Conference of Regional Leaders emerge again in a critical analysis of those two interterritorial bodies. Their radial functioning has limited the effectiveness of the coordination with the Autonomous Communities and which should be more horizontal.

- In the Basque Country, the scientific advisory forum has been coordinated in the LABI Scientific-Technical Committee, which has benefitted from a significant and ongoing contribution from the Public Health Area of the Basque Health Ministry. The Committee is a multidisciplinary body whose work has been described in the first section of this point on the LABI. Given the importance it has had, there should be greater knowledge, and even recognition, of its role, work and contribution in the public and published opinion. It is a space where expertise and knowledge have converged both of specialised institutes and bodies, and of experts in areas related to the management of the pandemic. That input has been both from an epidemiologi-

cal and medical point of view, and from the management, safety, social and legal perspective.

Its strength has lain in its regular and systematic running, guided by a method that has helped the institutional sphere to make decisions based on scientifically sound data and assessments. Its area for improvement lies in the systematisation of greater harnessing and coordination of all the scientific skills of both the Basque health system and of the whole of the Basque Country's science, technology and research ecosystem.

Humility and honesty should be the starting point for any assessment. The experts that have worked most closely with the Basque Government, through its Scientific-Technical Committee, have often repeated that "we are learning a lot about the virus; there is also a great deal that we do not know".

Science has not had answers for all of the questions. Many of the answers could not be found in advance. The scientific opinions published in or disseminated through the media have quite often been contradictory. Nonetheless, it is true that the management of the decisions and responses to the pandemic would have been notably more critical without scientific advice.

Science and Basque, Spanish and international scientific institutions need to be strengthened. Appropriate methodologies are needed for the coordination between science and politics. Public Health is an area of the health service that will require further material and human resources.

3.5. The Legal Framework in the Spanish State

During these two years of the pandemic, the legal coverage at State level to respond to the crisis was deployed in two fields for play: the framework of the State of Alarm during the periods when it was in force and the framework of ordinary legislation, the rest of the time.

·From 14 March to 21 June 2020	State of Alarm
·22 June to 24 October 2020	Ordinary legislation
·25 October 2020 to 9 May 2021	State of Alarm
·From 10 May 2021	Ordinary legislation

On 14 March 2020, the Spanish Cabinet decreed the State of Alarm. It remained in force until 21 June 2020. On 23 October, given the worsening of the situation and after the TSJPV's successive refusals to authorise measures, the Lehendakari asked the Spanish Prime Minister to declare a State of Alarm again. On 25 October, it was approved and it remained in force until 9 May 2021.

The management of each of those two phases had a different tone. During the first, the figure of the State of Alarm was resorted to in a nearly ex novo fashion. A notably centralist management was deployed. The Spanish Government tended to monopolise the response to the pandemic and to its oversight. The Autonomous Communities, where healthcare resources and their management are a devolved power, often expressed their disagreement. The need to authorise the extension of the State of Alarm in the Spanish Parliament every 15 days became a source of constant political confrontation and uncertainty about its management.

In the second State of Alarm, the Spanish Government opted to be in the background regarding the management of restrictions and delegated that task to the regional governments. It continued to be in charge of distribution of the vaccines and their rollout, along with establishing certain decision-making frameworks, by means of either Royal Decrees such as those regulating the use of masks, or rulings presented to the Interterritorial Council of the National Public Health System, such as the venue capacities for football and professional basketball.

During the periods not covered by the State of Alarm, the shortcomings of the state legal framework were flagrant. From 9 May 2021 onwards, after the end of the second State of Alarm, the Autonomous Communities had to overturn measures such as the perimeter lockdowns or restrictions on night-time mobility or meetings, at the same time that the experts were advocating keeping them. On 24 June, the Spanish Government issued a decree ordering the end of the use of mask outdoors. That would all happen at the start of summer, a period of great social interaction and mobility. Unfortunately, the fifth wave of pan-

demic started at the end of June.

The shortcomings of the ordinary state legislation could be seen in the disparity of rulings by the regional Supreme Courts. What was authorised in one Autonomous Community was refused in the neighbouring one. The court orders did not differ in the odd nuance, but rather in opposing interpretations of the same rule and in the same epidemiological situation.

By means of Royal Decree of 4 May 2021, the Spanish Government sought to remedy this situation by entrusting the Supreme Court with the unification of criteria regarding the measures that the Autonomous Communities could adopt without the State of Alarm. Something that has been considered in a very precarious way. The legal uncertainty for the Autonomous Communities continued to be clear when measures needed to be adopted in a fast and timely way.

If all that were not enough, it should be recalled that over 50 Vox members of parliament lodged appeals against the two Royal Decree of the State of Alarm with the Constitutional Court. The High Court accepted their arguments to a large extent. On 14 July 2021, it declared several sections of the Royal Decree of the first State of Alarm to be unconstitutional by six votes to five. It concluded that the general lockdown was not a restriction but rather a suspension of fundamental rights, not covered by the legal framework of the State of Alarm. It found that it would have been necessary to resort to the State of Emergency to apply that measure.

On 27 October 2021, the Constitutional Court yet again declared the second State of Alarm unconstitutional. The ruling highlighted its excessive length, something that implied the failing of the Spanish Parliament to duly and regularly control the need for the State of Alarm. The Constitutional Court also criticised the delegation of powers to the Autonomous Communities to adopt measures to restrict fundamental rights.

At this juncture, the Lehendakari made several proposals. The first that the second State of Alarm should be extended, at least, until the end of June 2021 to consolidate the improvement of the fourth wave data. At the same time, the Lehendakari proposed using those weeks of extension to approve an an emergency motion to amend the Public Health Special Measures 3/1986. The aim was to update and clarify the framework to overcome a pandemic for the Autonomous Communities and in ordinary legislation. Unfortunately, those proposals were disregarded.

The shortcomings or mismatch of the legal instruments available in the framework of State legislation have been clear. However, this is not reproachable in itself. This pandemic has been unprecedented both in its complexity and how it swept around the planet. It is no wonder that the legislative provisions could not have "foreseen" the needs to be met in such a pandemic as this one.

What was lacking was a response to adapt the legal framework to the needs that emerged with this crisis. There was a certain apathy of the State - which had even encouraged resorting to the legal channel - to provide the Autonomous Communities - as those empowered to manage healthcare and its resources - with the legal tools that the situation would require and to help promote the public health policy.

During these two years, there has clearly been a certain "overlooking" of the distribution of powers and of decentralised decision-making areas within a multi-territorial state. A trend to recentralise could be seen, which was more concerned about reasserting a leadership of the "National Health System", than in recognising that many of the solutions for the problems lay in the devolved management of the health resources.

In any event, what is important is that this pandemic has highlighted the shortcomings of the state legal framework and the need to adapt it to be better prepared in the response to such a health crisis.

3.6. The Rulings of the High Court of Justice of the Basque Country

In a State governed by the rule of law, the decisions of the institutions are subject to the control of the judiciary, a fortiori, if they may affect fundamental rights. There is good reason for repeating this truism as a principle of pedagogy of a basic democratic culture.

In two years, this pandemic has left 6,200 people dead in the Basque Country alone. As we have seen in the previous section, the response to such a serious healthcare crisis requires extraordinary Public Health protection measures. They are extraordinary because they can affect, limit or even disrupt the usual life of society and people. Legislation needs to have anticipated and ordered the legal framework in which those decisions

and their content could be adopted.

State legislation has been seen to be insufficient to deal with the needs caused by the pandemic. One of its consequences has been that the High Courts of the Autonomous Communities issued disparate and even radically opposed rulings to similar requests to authorise preventive measures, by the autonomous governments. The case of the Basque Country was particularly remarkable as it was where the courts issued the most refusals in total.

On 14 August 2020, the Administrative Litigation Chamber of the TSJPV suspended the measure restricting the closing time for nightlife establishments to 01.30 a.m. and extended it to 03.00 a.m. That ruling did not have any practical effect as that very day the Spanish Ministry of Health ordered the closure of discotheques and nightclubs throughout Spain. Given the high and progressive spread of infection, the Chamber changed its ruling on 27 August and again accepted restricting the opening hours for nightlife.

On 22 October 2020, the same Chamber turned down the measure to limit social gatherings to 6 people. That circumstance caused the Lehendakari to ask Prime Minister Sánchez to declare the State of Alarm again. The request was backed by the majority of regional leaders and it was declared on 25 October.

On 10 February 2021, the TSJPV overturned the measure to close hospitality in municipalities with a cumulative incidence over 500/100,000 inhabitants, and found for the injunction lodged by hospitality associations. That ruling was highly controversial. The scientific community of the whole of Spain rejected its arguments and, particularly, the out-of-court statements by the spokesperson of the Chamber. Around that same time, many of the regional courts adopted rulings finding to keep similar measures.

On 7 May 2021, the Administrative Litigation Chamber turned down the prior authorisation to apply perimeter lockdown measures in towns or cities with a high cumulative incidence rate or restrictions on night-time mobility or gatherings of people. Around that same time, the High Court of Catalonia endorsed limiting gatherings to 6 people.

On 3 August 2021, the Basque Court overturned the requirement to wear masks when moving around beaches and swimming pools, even though it did not suspend the other measures appealed, corresponding to Decree 35/2021, of 23 July.

On 14 September 2021, the TSJPV ordered the venue capacity to be increased from 30% to 60% in the football stadiums, finding for the injunction sought in the appeal of Decree 36/2001, of 30 August, lodged by the Professional Football League.

On 22 November 2021, a new Court Order rejected the implementation of the Covid Pass in nightlife and hospitality establishments. At around the same time, the other regional courts found in favour of the Covid Pass. At the same time, that measure was being introduced in half of Europe. On 24 November 2021, the Basque Government lodged an appeal against this court ruling and the Supreme Court found for its authorisation on 3 December.

On 31 December 2021, the TSJPV rejected the injunction sought by the hospitality associations and endorsed the measures established by the LABI such as closing establishments at 01.00 a.m., limiting venue capacities to 60% or banning people being served at bars.

On 1 February 2022, the Administrative Litigation Chamber of the Basque High Court refused the two-week extension of the Covid Pass. Several days earlier, the High Court of Justice of Navarra had authorised its extension for the same period.

The Basque Government abided by each and every one of the rulings of the Administrative Litigation Chamber of the TSJPV. It was the only way. Not only that, the Basque Government acknowledged the complexity of its role during the pandemic. A role that democratic law attributes to the judiciary. The courts are tasked with adopting decisions that must settle disputes involving important values and interests between those representing the action of the public administration and those of the sectors and social groups involved.

However, in the exercising of the legitimate right to criticise to which all authorities and all their actions are subject, the Basque Government has expressed - when it has deemed appropriate - its disagreement. The grounds of the disagreement were not the control that is the remit of the competent judicial authority to exercise, but rather the arguments that, in the opinion of the Basque Government, minimised the health

grounds, subordinating it to other reasons and ignoring the greater interest that protecting public health represents in the midst of a pandemic.

In the midst of a health crisis of the severity as the current one, the Basque Government has the ethical and political obligation to listen to and abide by the recommendations of experts, scientists and health authorities. That is what the LABI Advisory Council has done, following the recommendations of its Scientific-Technical Committee.

It is always the intention of the Basque Government to comply with the law and court rulings. Likewise, a priori, when it is preparing legislation or a decree. However, it should be acknowledged that it is not easy to abide by, a priori, foreseeable judicial criteria when they can swing from one extreme to the other. In the middle of a serious health crisis, a court in Pamplona or Barcelona ruling that something is completely legal, but has been overturned by other court, in this case, in Bilbao, leads to a feeling of insecurity and distress.

This reality negatively conditions the institutional response to a crisis such as the current one and is not acceptable in the midst of such a serious pandemic. This malfunction must be rectified. It an effective response to reform state legislation. Furthermore, emergency and health legislation in the Basque Country will have to take this circumstance into account.

3.7. Basque legislation with Measures to Manage the COVID-19 Pandemic

Right from the start of the pandemic, the Basque Government has acted according to its statutory powers and of the Basque institutions in the areas of healthcare, civil protection, social care and in the other areas involved in fighting the pandemic.

It has also acted, and specifically, pursuant to the Public Health Special Measures Organic Act 3/1986; General Health Act 14/1986; the Basque Health Act 8/1997; the General Public Health Act 33/2011; and Legislative Decree 1/2017, with the consolidated text of the Emergency Management Act.

The intervention of the Basque Government has also been based on what was established in the Royal Decrees enacting the State of Alarm. Its regulation accounts for part, but not the whole of the range of legal solutions needed for the pandemic. The above sections have noted the inability of the ordinary state legislation to adapt to such a critical contingency.

In short, the intervention needs of the devolved public authorities have needed greater and better ordinary and extraordinary legal coverage, to be able to apply the measures and recommendations of the health authorities and scientific experts to such a serious health emergency.

The Basque Government has suffered these shortcomings. At this juncture, in early 2021, the Basque Government embarked on a legal study as impetus to its own legislation what would provide the response to the pandemic with greater legal certainty. After noting that the options for the Spanish Government to set up other co-governance or legal mechanisms had been exhausted, the study was submitted to the Basque Parliament. The two parliamentary groups backing the Government submitted a Bill. On 24 June, the legislation with measures to manage the COVID-19 pandemic⁴ was approved.

The aim of that legislation was not, as that could not be the case, to cover the shortcomings of the state legislation. In the specific context of the first half of 2021 and after four waves of the COVID-19 pandemic, three goals were set, namely to: strengthen the legal certainty of the anti-Covid measures of Basque institutions, consolidate the possible spheres of action, and facilitate society's understanding of the adopted measures.

And all without seeking to exhaust the pending and necessary legal amendments. Throughout these two years, and before and after the approval of that Act, the Lehendakari reiterated the need for an urgent amendment to the ordinary legislation in the Spanish State in order to clarify the framework of action of the Autonomous Communities in response to the pandemic.

The Act is structured into six headings: (I) General Provisions, (II) Health Emergency Situation, (III) Management of the Public Protection Organisations and Systems, (IV) Comprehensive Health Information System for Managing the Health Emergency, (V) General and Specific Measures for each Alert Level and (VI) Penalty System.

The second heading of the law establishes five levels of alert. The different levels are defined using the 14-day Cumulative Incidence Rate per 100,000 inhabitants as the benchmark. Article 7.4 establishes that

4 <https://www.legegunea.euskadi.eus/eli/es-pv/l/2021/06/24/2/dof/spa/html/webleg00-contfich/es/>

the measures should be adopted by means of the combined weighting and analysis of different indicators, complementary to the 14-day rate.

From 24 June 2021 onwards, this legislation was applied in response to the fifth wave of the pandemic in the Basque Country. In accordance with its forecasts regarding the epidemiological evolution, the end of the health emergency situation was declared on 5 October. Furthermore, and according to the legislation's forecasts, the health emergency situation was again declared on 2 December with the outbreak of the sixth wave, accompanied by the appearance of the Omicron variant, whose level of infectivity was not known at that stage of the pandemic.

Article 12 of the Act establishes that, while the health emergency situation is declared, the Basque Government shall appear before the Basque Parliament weekly in order to report on the situation in the fight against the pandemic. Consequently, the Basque Government has appeared 11 times since 24 June.

Given the circumstances, the law was processed and passed using an emergency motion. In tandem, at the time of completing this report, the Bill for the future Basque Public Health Act was going through parliament. Its main goal is to update the Healthcare Standards Act of the Basque Country. One chapter of the Act will regulate the measures needed in response to alerts, health emergencies and pandemics. In that regard, it embraces all the experience of this pandemic so far.

COVID-19 has triggered a serious health public emergency for citizens, societies and economies worldwide. A serious emergency that has raised significant challenges for the public administrations at all levels. From a legal perspective, the law is the maximum expression of our self-government and is the most effective tool to structure the behaviour of institutions, private and public stakeholders and society.

The availability of this legislation has been a practical instrument with positive influences and utility. It clarifies and reinforces, as far as possible, the legal certainty of the actions within the jurisdictions of the Basque institutions.

With the benefit of hindsight, it would even have been desirable to have started the study several months earlier for its coverage to have included the response to the third and fourth waves. However, in September 2020, the timing was not right to accurately forecast the scope, length and needs of the evolution of the pandemic in the following months.

Lessons have also been learnt from Omicron. The 14-day Cumulative Incidence Rate per 100,000 inhabitants was the basic indicator for the risk-level "traffic light" system. Prior to the sixth wave, the highest risk red scenario was at rates over 300 and 500/100,000.

However, this variant has overwhelmed all the "traffic lights" used around the world, the EU, Spain and the Basque Country. Omicron, the most infectious virus ever, took the incidence rate to 3, 4, 5 or 6,000 cases per 100,000. Something that was totally unforeseen. Neither did the Basque Act envisage an unknown scenario such as the one caused by Omicron. This experience has to be taken into account in the future when establishing indicators and criteria modulating risk levels and measures.

In this regard, during the Plenary Session of the Basque Parliament of the General Policy Debate, held on 16 September 2021, Lehendakari Iñigo Urkullu Renteria pointed out: *"Given the situations experienced in the judicial and legislative sphere, which are seriously reflecting the jurisdiction shortcomings and the difficulty to act using measures around the hierarchy of values, we should have, as in some Nordic countries, the option of trial and error provisional legislation that allows unsuccessful formulas to be corrected"*.

The set of lessons to be drawn from these two years of pandemic may ideally be considered in the future Basque Public Health Act or in any other legislative tool adopted in the future. After this pandemic contingency, the instruments to provide the legislative cover in an emergency situation should be included in the Provisions that give content to the future parliamentary agreement on the new self-government status.

3.8. The Response of the Public Services

This section does not seek in just two pages to provide an exhaustive appraisal of the response of the public services and of the instruments and institutions to Basque self-government to the pandemic. However, it is

sufficient space to highlight some general considerations and pinpoint the strengths and what may be the main needs and areas for improvement.

Analysing the public services implies weighting the outcome of the interaction of three factors. First, their structures, organisation, oversight, along with their material and economic resources, in what could be known as their infrastructure; second, the contribution of the professionals that make up and run those public services; and, third, the contribution of citizen participation, both in its assessment and in the contribution to their functioning.

After two years of pandemic, Basque public services can be said to have responded reasonably well. Therefore, this assessment is equivalent to deeming that the synergy combination of those three factors (infrastructure, professionals and citizens) have provided a good result. On this basis, five essential public services - health, social, healthcare & residential care, education, safety and social policies - are going to be cursorily considered.

The public health services, its structures, management and team of professionals took on a Herculean task. During these two years, 5.5 million tests were conducted and the response managed for the 666,762 people who tested positive. 32,470 people were hospitalised and 3,350 admitted to ICU. Around 4.7 million vaccines were administered. In tandem, and just to give a few examples, patients with other illnesses and diseases were treated and medical appointments kept. Except at specific moments, preventive screening for different types of cancer continued to be run, there were two flu vaccine rollouts and the healthcare system responded to the care priorities of the general public.

This extraordinary effort to provide a service, in the midst of a huge healthcare storm, was not without consequences or impacts. Non-urgent appointments or surgery were postponed. In-person care had to be restricted. Primary healthcare, ICUs, emergency or mental health services reached saturation point at times. More nurses or general practitioners could not be contracted as there were no professionals available in the job pools. Health professionals as a whole were suffering from burnout and exhaustion.

Those problems are proof of the serious crisis that we have faced. A real crisis and with real impacts on the normal and ordinary running of the health system. They are a reflection of an extraordinary situation: we are immersed in a pandemic that has lasted for over two years and that has consequences. Acknowledging that fact allows both the healthcare strengths and areas for improvements revealed by the pandemic to be pinpointed.

The most outstanding needs can be summarised as follows: rethinking and reinforcing the infrastructure of the public health area within the system overall; and adapting, reorganising and raising the prestige of primary care and family medicine. In this vein, the report prepared by the University of the Basque Country and commissioned by the Basque Health Ministry performed an exhaustive assessment of the Basque Health System's response to the pandemic in 2020. That document went further into those questions and helped to pinpoint the strengths and areas of improvement.

Transparently acknowledging the difficulties encountered and the fields for improvement revealed is compatible with a significant general taking stock of the response by the public health service. That favourable assessment of Osakidetza and the Basque Health System overall fully coincides with the view expressed by the citizens in the different opinion surveys that were conducted throughout the pandemic (<https://www.euskadi.eus/gobierno-vasco/estudios-sociologicos/>).

In this regard, providing an external and independent benchmark is of interest. The Federation of Association for the Defence of Public Healthcare publishes annual reports that take stock of the situation of healthcare in the Autonomous Communities. In the 2020 and 2021 reports, the Basque Country, followed by Navarra, ranked highest in terms of financing, waiting lists and citizen perception. The 2021 report (<https://fadsp.es/los-presupuestos-sanitarios-de-las-ccaa-para-2022/>), published in early January 2022, notes that the highest budget per capita is that of the Basque Country (€1,991.21) and the lowest is that of Madrid (€1,300.65).

Social and healthcare have been particularly vulnerable to the impact of this virus, in the Basque Country, in Spain, in the European Union and many countries around the world. One of the most serious problems has been the inroad of COVID-19 in residential care homes. In the early months, its consequences were particularly heart-breaking and painful as they impacted the most vulnerable elderly and their families.

From the moment that the problem emerged, additional prevention and intervention protocols and resourc-

es were activated in the residential care homes. Specific Covid care centres were set up for people in homes, along with accommodation for the homeless who needed to be in lockdown. That was all carried out in a framework of coordination and cooperation between the Basque Government's Ministry of Health, Provincial Councils and the local councils. The initial impact could be reduced and limited as each month went by.

At the end of December 2020, with the arrival of the first vaccines, the elderly and people with disabilities in care homes were the first to be vaccinated. The vaccines were administered to the residents and the staff. The spread of the virus among the residents and staff fell to minimum levels within two months.

On 22 October, 2021, the Basque Social and Healthcare Strategy 2021-2024 was presented. It is the road map for Basque institutions to work in coordination to improve the care and services for the most vulnerable.

Three findings could be made based on that experience. First, the structure and organisation of the social and healthcare residential model was not ready to face a public health crisis on such a scale as the pandemic. Second, the competent institutions rapidly responded and adopted measures that helped to ease the initial challenging situation. Third, the new social and healthcare strategy is an opportunity to reinforce the model preemptively. The priority moving forward is to optimise prevention in healthcare in social care residential homes.

·Education is an essential public service which has successfully overcome the main challenge, namely, how to provide face-to-face teaching in classrooms. The lockdown at home of the first wave highlighted the impact and gaps that could occur from online education. Face-to-face education is counterbalancing. It is essential to counter the inequality of the most vulnerable students. Consequently, it is inalienable from the point of view of the principle of equality. Once the first lockdown had ended, the Basque educational system has managed to always ensure classroom-based teaching at all levels, from infant's, primary and secondary education to vocational training or university.

It should be noted that this achievement was not the case either in all Autonomous Communities or in all the countries in our vicinity. Apart from the three factors mentioned - infrastructure, professionals and contribution of the families -, the achievement has also been possible in the Basque Country thanks the outstanding cooperation between its ministries. From the perspective of the areas for improvement, this pandemic has highlighted the importance of expanding and mainstreaming access to the technological resources among students to avoid divides and strengthen inclusive education.

·The Ertzaintza, as a public law enforcement service, along with Civil Protection, Local Police, Fire Brigade and Volunteers that make up the Basque Emergency System, played an important mentoring role in the institutional response to the pandemic. They had to undertake the tasks of ensuring the greatest compliance possible of the public health rules and of the preventive and restrictive measures.

The Basque Ministry of Homeland Security was always represented on the Scientific-Technical Committee and contributed its point of view regarding the feasibility of the measures and rules being introduced. It has also contributed to their compliance and understanding by preparing documents with "Application Criteria for the Ertzaintza and Local Police Forces regarding the Health Emergency", which apart from being published were shared by both the Ertzaintza and by the local police forces, after the approval of each Order or Decree.

In the case of the police service, the great complexity of their work should be recognised. The aim has always been to search for a constructive balance between their duties to detect and fine anti-social behaviour, and an educational and preventive role to support society. The pandemic has revealed the need to establish a more streamlined and structured system to improve communication with the general public to answer queries about the rules and their application at the different moments and phases of the pandemic.

·Social services have continued to operate in all areas and from all the Basque institutions. During the pandemic, a set of responses and measures, focused on meeting the needs of the most vulnerable and disadvantaged individuals and families were added to the ordinary deployment of their services. A good number of programmes and actions could be cited, but we have highlighted three examples to show how these things were handled.

The "Aterpeak" Programme whose goal during the first lockdown was to provide shelter and support for the homeless. Second, "Azken Sarea Indartzen", a programme of financial support for individuals and families who lost their jobs or their earnings were not enough to live on as the result of the impact of the

pandemic. Three, the setting up of “Guztion Artean”, the network of volunteers to help the elderly shielding or in lockdown.

These initiatives are just some of those implemented by ways of collaborative “governance” with the other institutions and with entities of the Social Third Sector of the Basque Country. During these two years of pandemic, the social services have fulfilled their main mission. Precisely the lesson to be drawn from this area of the public services is the need to reinforce the importance of the interinstitutional and social cooperation and coordination.

This pandemic has put public policies to the test and from which three consequences can be pinpointed. First, the importance of the public services has come out stronger, along with the investment in their ongoing adaptation. Second, the pandemic crisis has tested the strength and solvency of Basque public services and the outcome is clearly positive: even though the essential public services have been affected by the tensions and difficulties of the crisis, they have shown great capacity for resilience and adaptation. Third consequence, this health crisis has highlighted the needs and areas for improvement required for the future focus of our public services. They provide a roadmap for the reforms needed.

The pandemic has been an intense and unplanned stress test for all public services of the Basque Country and of all countries around the world. No public service system was ready to face such a crisis and for such a long period.

The yardstick to measure the response of the public services is not to gauge whether or not they have suffered serious problems. It would have been a miracle to have come through this contingency without doing so. It would not have been possible to do so without facing great strains. Once this premises has been included in the analysis, the yardstick to measure the strength of the public services is to check how they managed to overcome the problems and in what state they have been left.

From this point of view, it should be pointed out that the brawn of the public services of the Basque Country and of its self-government has responded reasonably well and that, after two years, they are in a robust and solvent position for the future.

3.9. Socio-economic emergency response

Alleviating, compensating and helping to recover from the impact on the most vulnerable individuals and families, as well as on jobs, companies and the economy. This has been, from the first wave and the lockdown at home, an immediate and sustained line of action of the Basque Government in the response to the pandemic and to its consequences.

The strict lockdown at home and the shutdown of all activities decreed by the Spanish Government in the first wave had a huge impact and repercussion on personal, family and social life; and also, consequently, on all economic activity and on employment. The Basque Government responded right from the start.

The Lehendakari proposed to the Spanish Government that priority be given to furloughing workers (ERTE - temporary redundancy), based on the German model. The Basque Government passed two Decrees to supplement the support for the affected workers in the Basque Country. Given the industrial mothballing measure raised at the end of March, the Basque Government approved a protocol to safeguard the industrial, commercial and economic activity which was accepted and implemented through the Spanish State to avoid the “economic coma”.

On the 26 March 2020, the Socio-Economic Panel was set up and met. Its members were representatives of different ministries of the Basque Government, the Provincial Councils, employers’ organisations, chambers of commerce, trade unions, and other economic and business stakeholders. The forum was to contribute to the contrast and consensus of some of the social and economic measures and policies, which had to be implemented in the context of the response to the pandemic. The Panel, chaired by Lehendakari Iñigo Urkullu Renteria, met again on 6 and 27 May.

The Basque Government proceeded to reallocate the 2020 budgetary items. An initial emergency plan was approved and direct support for sectors, including hospitality, tourism, culture, industry and retail, was set up. The crisis generated by the pandemic aggravated the situations of vulnerability. The Basque Government

introduced a series of programme, support and resources focused on alleviating the situations of vulnerability and uncertainty compounded by the crisis.

During these two years, the Basque Government launched eight programmes from which over 17,000 highly vulnerable families and individual benefitted. Programmes that were run during lockdown, such as "Aterpeak" (1,635 people) and "Guztion artean" (915 people), and the rest were run for two years: "Adi" (397 people); "Betirako" (784 people); "Erdu" (1,280 people); "Lehen urratsa" (694 people); "Azken sarea indartzen" (11,321 people); "Aukerak suspertzen" (1,114 minors in 2020 and 2,123 minors in 2021).

The Social Emergency Benefits were also increased by €31 million (16 in 2020 and 15 in 2021), which, together with €27.5 million a year, meant a total of €86 million. In addition, benefits were established to help families balance their work and family commitments, and the budgetary items were increased in that regard

The Basque Government and other institutions had budgetary resources and the opportunity to resort to borrowing, thanks to the accredited solvency and to the agreements reached by the Basque Economic Agreement Joint Committee. That forum agreed with the Spanish Government the deficit and debt targets for 2020 and 2021. Furthermore, in March and November 2020, the Basque Government proceeded to carry out two emissions of the Basque Country Sustainable Bond to the total value of €1.1 billion.

Not only was a health care response strategy needed, but a socio-economic response was essential. The pandemic threatened to widen the inequality gaps worldwide. The social cohesion had to be upheld and strengthened as we emerge from this healthcare crisis. Thus, the measures and actions summarised below in chronological order were some of those implemented.

·At the end of March 2020, financial support was given to small and medium-sized companies by means of a line of financing worth €500 million through Elkargi. The repayments of grants and investment and job generation timelines were postponed for the beneficiaries of the "Gauzatu Industria", "Bideratu" and "Bideratu Berria" programmes; measures were adopted to advance payments in the "Indartu" programme; and measures to protect rent were introduced to exempt vulnerable tenants from paying rent and community charges.

·In April 2020, grants were awarded for the restructuring and relaunching struggling companies through the "Bideratu" programme. Funding was allocated to the farming, food and fishery sectors to help keep their businesses operating. Special funding was available for employees and the self-employed who had to cease working. Subsidies were established to support families for workers on leave of absence or working shorter hours in order to care for children under 14, dependant adults or the sick. Aid was available to help people unable to pay their rent. Social emergency funding was increased by €16 million given the increased in demand arising from the health emergency situation.

·In May 2020, lines of financing were announced for the commercial sector and tourist sector, each worth €7.5 million. The Elkargi line of financial support was increased by €500 million, along with more extraordinary funds being available for employees and self-employed, and the permanent COVID-19 Humanitarian Action line.

·In June 2020, €66 million were earmarked to drive funding programmes for social renting and for refurbishing housing. Funds to the tune of €50 million were contributed to the direct funding COVID Line for the self-employed and companies. €2 million were allocated to companies and associations of the culture sector with micro-company category. Subsidies were announced to modernise commercial establishments. Financial aid was set up for the beverage and wine sector (Nekafin programme). The SPRI Group's "Innobideak-Lehiabide" programme awarded innovation grants to prepare for the post-pandemic scenario. In the sector of the social economy, aid worth €2,400,000 was announced.

A subsidy was granted to the "Reactivate" programme to get young human capital into jobs. In the industrial sector, the grants for the "Vehicle Scrappage" scheme were increased. The "Household Appliance and Windows Scrappage" grants were announced. A few weeks later, the "Machinery Scrappage" scheme was added. Each was worth €5 million.

·On 8 July 2020, the announcement of extraordinary support for people on furlough (ERTE) was approved. Thus, the benefits for workers earning under €20,000 a year were supplemented to the maximum tune of €150 per month. These lines of funding were extended 3 times up until September 2021. The economic resources allocated to that funding came to €31.5 million.

In July 2020, extraordinary support worth €6 million was also announced for job placement companies and special employment centres, affected by the pandemic. Financial aid was established in the form of guarantees for the artisan brewery, cider and wine making sector (“Nekafin Programme”). Economic resources were allocated to the “Hirigune” programme to drive the zonal strategies of urban commercial cooperation, revitalisation and competitiveness to deal with the consequences of COVID-19. Direct subsidies were authorised to finance R&D project to fight against COVID. Extraordinary support was announced for cooperatives, worker-owned companies and associations affected by the COVID-19 crisis. The programme of aid for Technical Trade Offices was convened. The “Euskadi Tourism Voucher” and “Euskadi Denda Shopping Voucher” programmes were set up and worth €2 and €3.7 million respectively.

·In November 2020, the Basque Education Ministry granted subsidies worth €36,689,760 to finance additional costs arising from the application of prevention protocols and a sum of €3,934,121 to help with the digitalisation of the three Basque universities. Financial resources were earmarked for the hospitality sector (€30,450,000), with non-repayable subsidies according to the number of workers in the establishment.

·In December 2020, the awarding of a direct subsidy of €500,00 to Ikerbasque was approved to finance six research projects into COVID-19 and a direct subsidy to CTB to finance the Metro Bilbao deficit due to COVID.

·In January 2021, the aid programme worth €17,700,000 was approved to support the tourist sector and to offset the consequences of the restrictions during the second wave. In order to facilitate the balancing of work and family life, grants worth €3 million were announced to help contract child care for 3 - 14 years old during the 2020-2021 school year.

·In March 2021, an aid programme of €15,800,000 was set up and convened to support the personal equipment subsector of Basque retail trade. Grants worth €1,100,000 were convened for professionals of the cultural sector aimed at compensating drops in turnover. Subsidies were announced for sports clubs that had participated in national and/or international competitions. The social emergency aid was increased by €15 million. A further €500 million were added through Elkargi to the 2021 line of financing for small and medium-sized enterprises and for individual entrepreneurs and self-employed professionals.

·In April, open market rent support was announced for 2021 to help people in situations of economic and social vulnerability.

·In May 2021, the programme to support the modernisation of commercial establishments was convened.

·In June 2021, the “Bilakatu” Programme was allocated €11 million for companies to diversity their activity towards new business lines, products, services and markets and skills relocation. There was also the “Bateratu COVID-19” Programme, with grants for companies affected by COVID-19 to embark on consolidation measures. Extraordinary aid worth €10 million was likewise approved for the wine, txakoli wine, natural cider and bottled water sectors.

·In July 2021, the “Hirigune” programme was convened with grants to drive the zonal strategies of urban commercial cooperation, revitalisation and competitiveness to deal with the consequences of COVID-19.

·In September 2021, support worth €12.6 million was announced for owners of nightlife establishments affected by the closures and restrictions on activity. The Euskadi Denda Shopping Voucher programmes (€7.15 million) were launched to revitalise the small local store.

·In October 2021, aid was announced in the retail sector for running the Technical Trade Offices when dealing with the consequences of COVID-19. In the cultural sector, subsidies were awarded to the “Beste Bat-Berritzen” living arts programme, worth €1.5 million. Aid to the tune of €12 million was announced in the primary sector for livestock farms with dairy cattle, meat cattle, sheep, goats, poultry for meat and eggs, pork, rabbits and horses of the Basque Autonomous Community (BAVC).

·In November 2021, as support for the cultural sector, direct subsidies worth €5 million were awarded to the radio and press with headquarters or delegation in the Basque Country. In the industrial sector, given the flood of applications, the budget for the Bilakatu programme, for companies affected by COVID-19, was increased by €33 million.

·On 25 January 2022, the Cabinet passed a further support programme for the hospitality and the nightlife sectors, with €22 million allocated. Maintaining employment was the main goal. The amount of each subsidy

was based on the number of workers using a formula that rewarded stable over temporary jobs.

As has been seen, from the start of the pandemic, the Basque Government, working closely with the other public institutions, has implemented, in addition to the social and healthcare measures needed to contain the virus, a broad and varied package of ministerial programmes and lines of aid to meet the social and healthcare needs of the citizens, safeguard income and revive the economy.

The monitoring of the measures, encompassed in the "COVID-19 Expenses" concept, was mainly conducted by means of analysing the budgetary programme (1229-COVID programme) of the Basque Government. The programme was set up in 2020 exclusively for the purpose, and in a circumstantial manner, of meeting the costs and investments directly associated to COVID-19. It also sought to channel external and own funds to the sectors and economic players. The heading was maintained in 2021, and given the current status of the pandemic, continues in place for 2022.

The amounts made available by the Basque Government, from the start of the pandemic to the end of 2021, and only in Covid funds and direct aid, was remarkable: €1,597 million. The healthcare system (54.8%), support for companies and jobs (25.4%), reinforcing the educational system (13.5%) and extraordinary social benefit programmes (5%) have been the main recipient of that global amount.

These percentages were 5.7% of the Basque Government's budget in both years. In addition to these amounts, there are also the funding programmes that are already being set up in 2022, along with the credit line of €1.5 billion for companies and the self-employed and the €180 million for the revival of disadvantaged supra-municipal districts. There is no doubt that however much support there is in a global crisis, it is never enough. What is equally true is that the available resources are limited and that a government in power cannot turn its back on its responsibility not to mortgage the future of the coming generations.

A starting point for reflection about this aid policy is the slowness in its formalities. In ordinary times, the management of any expense of the public administration is subject to meticulous reporting and control processes, which are also highly time consuming. That has to be the case, there is no question about it. In any event, in extraordinary times when an emergency has been declared such as the current one, it is important to consider the need for urgent processing mechanisms that can envisage formulas to finance the cost a posteriori, without delaying the aid getting to the people who need it and when they need it.

In general, the different types of measures implemented in the Basque Country are similar to the ones that

have been used by the most advanced countries of Europe. There is reason to conclude that this socio-economic rapid response is part of the positive assets that the response to the pandemic has had in the Basque Country.

Extraordinary resources of the Basque Government in 2020 and 2021 in response to the COVID crisis

COVID direct aid and budgetary expenses	1,597.0
HEALTH	765.5
Basque Health Ministry	18.4
Osakidetza	747.1
EDUCATION	153.9
Basque Ministry of Education	147.4
Universities	3.0
Haurreskolak	3.5
SOCIAL POLICIES	65.8
Social policies	57.5
Emakunde (Basque Institute for Women)	0.064
Basque Development Cooperation Agency	2.7
Open housing rent support	4.2
Extraordinary rent payment exemption	1.4
ECONOMIC DEVELOPMENT	549.1
Tourism, Retail and Hospitality	116.1
Primary Sector	43.7
Business support	16.3
Economy and the Treasury	347.4
Transport and mobility	25,6
EMPLOYMENT AND SELF-EMPLOYED (*)	31.5
CULTURE AND SPORT	12.9
CROSS-CUTTING MEASURES	18.3
Basque Government COVID funds and direct support subtotal	1,597.0
Credit lines available to companies and self-employed	1,500.0
Disadvantaged supramunicipal district revival programme	180.0
BASQUE GOVERNMENT TOTAL	3,277.0

(*) Includes €150 a month as supplementary benefit for people on furlough with income under €20,000 a years.

3.10. Information and Transparency

On the home stretch of the first quarter of the 21st century, a deciding factor in today's society and when faced with a crisis such as this is the management of the information and transparency, both in the description of the situation and in the disseminating of the responses and of their rationale. The Basque Government's performance over these two years has been to ensure its commitment to information and transparency was taken to 100% of its capacity.

The regular publishing of the Epidemiological Bulletin by the Basque Government's Health Ministry has been a particularly useful initial instrument for society, the media and the Parliament. It was first published on 18 March 2020. The circular was published every working day from that day until 8 October 2021. In October

2021, it was published weekly as the situation had improved. It has continued to be published twice a week with the arrival of the sixth wave, from 15 November 2021 onwards.

In total, 470 bulletins were published over two years. This publication provided a comprehensive daily snapshot of the epidemiological situation and the impact on hospitals. Furthermore, the Data Bulletin on the vaccine rollout in the Basque Country has been published since 22 February 2021. It was published three times a week up until 25 October, from when two weekly bulletins have been published. In total, 143 vaccine bulletins were published during those twelve months. Furthermore, publication of a bulletin on the impact of COVID on the classrooms began on 16 September 2020. (All the bulletins are available at <https://www.euskadi.eus/boletin-de-datos-sobre-la-evolucion-del-coronavirus/web01-a2korona/es/>)

Another important information and communication tool was to make the “Answers to Frequently Asked Questions” documents available to the public. The aim of this publication was to seek to respond to the queries that the successive decrees with restrictive or preventive measures could raise in society, both regarding their content and their interpretation or application. In total, 28 updates of the publication have been released.

Additionally, there was the appearances before the media. Over the two years, the Lehendakari answered questions on the Covid situation in each and every one of his appearances before and interviews with the media. Additionally, he took part in 15 press conferences expressly convened, after the LABI meetings, to report on the measures and actions in response to the pandemic.

Apart from the countless number of interviews offered to the media, Nekane Murga, the Basque Government’s Minister for Health of the XI Parliamentary Term, and Gotzone Sagardui, the Basque Government’s Minister for Health of the XII Parliamentary Term, offered a total of 144 press conferences. Mention needs to also be made of a further 45 appearances before the media of other members of the Basque Health Ministry. These figures do not include the press conferences with representatives of the other Basque Government Ministries who appeared to report on sectoral aspects related to the impact or the responses to the pandemic.

This managing of the information has been complemented with dissemination campaigns in the media, articles in the press and messages through the social media. From the start of the pandemic, the Basque Health Ministry has run 17 information campaigns and the Lehendakaritza a total of 22.

The Government’s relationship with Parliament has to likewise be considered. The Lehendakari appeared before the Basque Parliament to address single issues three times. Furthermore, every two weeks, the Lehendakari systematically answered the questions on the pandemic raised by the parliamentary groups in each of the parliamentary control plenary sessions. There were also the questions and challenges linked to the Covid situation that the Basque Government’s Health Minister and the other Ministers addressed in all the parliamentary control plenary sessions.

In the first wave and throughout the period when the Parliament was dissolved for the first electoral process, its suspension and the new process convened, the Basque Health Ministry had weekly information meetings with all the political groups in which representatives of that Ministry and others took part to provide specific information on the sectoral or healthcare situation. A total of 16 meetings were held. The Lehendakari convened two meetings with the political parties prior to adopting the decisions to suspend the first electoral process and to kick off the second.

After the Parliament of the XII Parliamentary Term was convened, the Basque Health Minister, Gotzone Sagardui, had appeared before the Basque Parliament a total of 30 times at the time of completing this report. There were also the appearances before Parliament of the LABI Coordinator, Jonan Fernandez, in 2021, along with other officials and representatives of the Ministries of the Basque Government.

Information and transparency have been strengths of the pandemic response strategy of the Basque Government. All the information available has been given in real time.

The areas for improvement to be considered can be divided into three points. The first thing to be considered is the loss of impact that the information and campaigns have with the passing of time in such an ongoing crisis. Something that has been seen in recent months coinciding with the sixth wave. The factors that can influence that loss of communicative efficiency can be put down to pandemic fatigue, information satura-

tion, and personal and social exhaustion, or also the disparity of expert criteria regarding the interpretation of the situation or the appropriateness of one or other measures. In this regard, the emphasis should be on constantly reinforcing the sources who act as expert spokespeople. Therefore, the bewilderment must be taken that is sometimes caused by the clash between the institutional information and any other opinion and resources used when they are put on a level footing.

Second, the difficulty to adapt and get the campaigns and information to reach the communication codes of younger people. This has been sector least badly hit by the disease, but whose lives have been most affected by the limitations. And third, the social media that allow a greater communication outreach. In this field, the dissemination of the messages has been less intense than in the other media.

From the point of view of the information offered to society, to the media and to Parliament, the Basque Government's performance can be assessed as being a transparency and communication good practice. Something that can also be objectively assessed according to the results obtained, for example, to the high degree of understanding, support and compliance of preventive measures by society; or to the magnificent public response to the vaccine rollout.

3.11. Governing Pressing and Important Matters

The impact of the pandemic has been all encompassing. It has practically occupied all spheres of communicative, political, social and personal life. COVID-19 became the sole topic. It monopolised most conversations for two years. In the dynamics of a government's actions, this omnipresence of the pandemic implied the risk that the executive action would be practically absorbed and reduced to the response to COVID-19.

In the Basque case, the criteria established by the Lehendakari was clear right from the start. There had to be a response to the urgency of a present dominated by the severity of the pandemic, and at the same time, the Government had to continue to focus on what was fundamental: to drive the decisions and transformations that the future of the Basque Country needed in the short, medium and long term. Some of the decisions driven from this perspective by the Basque Government, from the start of the XII Parliamentary Term and after the first meet of its Cabinet, on 8 September 2020, are summarised briefly but not exhaustively below.

2020

- On 15 September, the Government approved expenditure of €623.54 million to run 7,159 classrooms of non-university education centres for the 2020-2021 academic year.
- On 29 September, student scholarships and grants, to the tune of €60 million, were approved for non-university levels and €14 million in subsidies for different educational activities.
- On 13 October, the Government agreed to refer the Government Programme of the XII Legislature (2020-2024) to Parliament.
- On 14 October, 60 apartments in the Arangoiti neighbourhood (Bilbao) were unveiled as rental properties for young people. The forthcoming construction of a further 55 housing units was announced.
- On 3 November, the "Berpiztu" Plan, an interministerial framework for the Economic and Employment Revival of the Basque Country 2020-2024. The aim was for over 22,000 jobs to be created in 2021.
- On 15 December, the 2021 draft budget was approved. Its allocations came to €12,442 million and was 7.1% up on the previous year.
- On 29 December, "Euskadi Next 2021-2026", the investment programme for the recovery, transformation and resilience of the Basque Country, worth €13.25 billion, was approved.

2021

- On 26 January 2021, the Basque Police Control and Transparency Committee was set up.
- On 8 February, "Ekiola Energia Sustapenak", a company to promote citizen sustainable energy generation cooperatives, was created.
- On 23 February, the 2030 Basque Science, Technology and Innovation Plan (PCTI) was approved. Its goal is to place the Basque Country among the Europe's most advanced regions within the coming ten years. It involves public investment of over €6 billion.

- On 16 March, the V Youth Justice Plan of the Basque Autonomous Community 2020-2024 and the Basque Public Security Plan 2020-2025 was approved.
- On 30 March, the “2025 Strategy for the Digital Transformation of the Basque Country” was approved and involves investment of €1.4 billion. Its goals: to enhance competitiveness, reduce social and economic divides, and make digitalisation an asset for territorial and social cohesion.
- On 13 April, the 2030 Basque Employment Strategy was approved. Its goal is to open up a new stage in employment policies aimed at quality, inclusion and equality.
- On 21 April, the Decree was passed to create “Finkatze Kapitala Finkatuz, S.A”, the publicly-owned company with share capital of €160 million. Its corporate purpose is to acquire financial states in large corporations based in the Basque Country to secure their territorial rooting and drive their trailblazer impact on the whole of the Basque productive fabric.
- On 26 April, the first project of the “Citizen and Social Pact for Equality and Against Male-Based Violence in the Basque Country” was unveiled.
- On 27 April, the 2021 SME Grant Plan, with a budget of €433 million, was launched; along with the 2024 Interinstitutional Entrepreneurial Plan with a budget of €259 million, to which a further €130 million would be added in tax incentives.
- On 18 May, the “Euskadi Next Programme 2021-2026” was approved, with feasible projects in the time frame established by Europe. They would have a total investment impact of €18,286 million, including European funds and private and public resources.
- On 15 June, the Places and Centres of Worship and Religious Diversity in the Basque Autonomous Community Bill was passed.
- On 18 June, the Decree concerning unoccupied housing and measures for compliance of the social function of housing was passed.
- On 23 June, the Basque Government signed a new 3-year partnership agreement with the Government of Bavaria.
- On 29 June, the Basque Priorities of the 2030 Agenda Programme and the Rural Development Bill were approved.
- On 5 July, the 2021 Basque Plan to Combat Tax Fraud, prepared by the Tax Coordination Body with the Provincial Councils.
- On 6 July, the Public Employment Bill was approved. The legislation organises and regulates the activity of over 100,000 employees of the public administrations.
- On 7 July, the Decrees were approved to transfer the jurisdiction over prisons to the Basque Country; along with port assets; the assets, budgets and personal resources of certain powers regarding road transport; and functions and services related to the ISSN.
- On 20 July, the Industrial and Internationalisation Plan and the “Finkatze Kapitala Finkatuz, S.A 2021” budget were approved. (Allocated funds: €162 million). The allocation would be increased by a further €50 million on 28 October 2021.
- On 27 July, the Contributions Bill and the Basque Democratic and Historical Memory Bill were passed.
- On 31 August, the Bill was passed to set up “AUKERAK - the Basque Social Reintegration Agency” to support the rehabilitation role of prisons.
- On 21 September, the “2024 Udaberri Plan” for coexistence, human rights and diversity was unveiled. It will be in force between 2021 and 2024. It continues along the path of the previous peace, coexistence and human rights plans.
- On 28 September, an Extraordinary Investment Programme, worth €250 million, was approved. This amount was in addition to the more than €1 billion earmarked for investment in the 2021 Budget. The programme drives the three main transition: technological & digital, energy & climate, and social-demographic and healthcare.
- On 1 October, the Basque Government took over the management of the three prisons of the Autonomous Community.

- On 13 October, the Circular Economy and Bioeconomy Plan was passed. Goals: efficiency in consumption of raw materials, reducing waste and optimising clean production.
- On 22 October, 2021, the Basque Social Care and Healthcare Strategy 2021-2024, the interinstitutional route to improve the care and services for the most vulnerable, was unveiled.
- On 26 October, the Energy Transition and Climate Change Plan 2021-2024 was approved. The following day, Basque industry undertook to achieve net zero emissions and would join the World Economic Forum (WEF) at the Glasgow COP26.
- On 2 November, the Basque Language Strategic Agenda was approved.
- On 9 November, grants to the tune of €32 million were awarded to development cooperation projects in 2021. The 2030 Agenda and Social Transition Multistakeholder Forum was set up. It will interinstitutional and socially coordinate the Basque Country's public policies regarding the Sustainable Development Goals.
- On 16 November, the 2021-2023 Housing Master Plan was referred to Parliament.
- On 23 November, the Bill concerning the authority to impose penalties of the Public Administrations was passed. It simplifies the process and strengthens civic guarantees.
- On 7 December, measures were approved to promote rented housing with formulas to foster affordable rents.
- On 13 December, the Lehendakari took over the Chairship of the Pyrenees Work Community (CTP). A cross-border cooperation body consisting of the governments of Andorra, Nouvelle Aquitaine, Navarra, Aragón, Occitanie, Catalonia and the Basque Country.
- On 14 December, four agreements were adopted by the Cabinet: the 2030 Basque Strategy for the Demographic Challenge; the 2025 Euskadi Basque Country Internationalisation Framework Strategy; and the 2030 Strategic Governance, Public Innovation and Digital Government Plan.
- On 21 December, the Basque Government approved the 2021 Public Employment Offer with 4,000 places: 435 in General Administration; 1,856 in Education; 424 in Ertzaintza; and 1,274 in Osakidetza. On that same day, the 2021-2026 Basque Occupational Health and Safety Strategy was approved.
- On 23 December, the 2022 Budget was passed. It totalled €13,107 million. The highest ever budget in the history of the Basque Country, 6% up on the previous year.
- On 28 December, the Bill amending the Anti-Doping in Sport Act and the Decree to set up the Delegation of the Basque Country in France were passed.

2022

- On 20 January 2022, the 2021-2024 Strategic Culinary and Food Plan was implemented.
- On 25 January, the first Strategic Social Economy Interministerial Plan was presented. Public investment of €328.5 million is envisaged over four years.
- That same day, the 2022 aid programme for hospitality and nightlife sectors affected by the pandemic restrictions, with a budget of €22 million, was approved.
- On 1 February, the Basque Special Aeronautical Emergency Plan was passed. It was first of the type to be approved in the Spanish State by the National Civil Protection Council.
- On 8 February, the Cabinet authorised borrowing operations for 2022 up to a maximum amount of €1,429 million.
- On 22 February, the Cabinet approved the VI Intercultural Plan which will govern migration and asylum policies over the coming decade.
- On 23 February, the Basque Government closed an agreement with the Spanish Government for the full transfer of the subsistence income (Ingreso Mínimo Vital - IMV). The Basque Government will thus take over the management of this non-contribution benefit.

Crises certainly have a destructive aspect. The toll in terms of damages of two years of Covid reflects this relentless effect. However, it is equally true that each crisis opens up the way for transformative opportunities. Both

have to be understood and addressed. The first and more pressing is to respond to the destruction with palliative, preventive and remedial measures. In tandem, it is essential to understand the priorities of the future that will emerge from this crisis.

Right from the very start, the Basque Government deemed that the future priority was the economy and employment recovery, along with the response to the pandemic and to its immediate effects. At the time of finishing this report, the Basque Country posted an unemployment rate of 10% (according to the January Labour Force Survey (EPA), the lowest of the Spanish State). This target had been achieved prior to the pandemic and was once again the priority goal of the parliamentary term.

Precisely, with this priority to revive the economy, transform the productive fabric and generate job opportunities, the Basque Government approved the "Berpiztu Programme to revive the economy and generate jobs, and the "Euskadi Next" project to opt for the European funds.

In the midst of the pandemic, the Basque Government argued that it is essential to actively give momentum to an ecological, economic and social transformation in line with the 2030 Agenda and its Sustainable Development Goals. In this regard, European funds are a favourable framework. The projects prepared by the Basque Government are focused on driving the three major strategic transitions - digital & technological, energy & climate, and social-demographic & health - in the Basque Country.

During these two years, the Basque Government has adopted programme and strategic commitments in these three focal areas. This intense government activity barely reached the public. Its reporting in the media was very limited due to the total prevalence of the pandemic. However, that is not relevant. What is important is the Basque Government has continued governing with its sights set on the future and to undertake the transformation that the Basque Country needs.

This is a good practice that must be highlighted in the appraisal of lessons learnt. The intensity and severity of the crisis must not make us lose sight of the perspective of governance encompassing both the response to the urgent and immediate, and the response to the important and strategic. This learning for the future is a fundamental aspect to be in the best conditions for recovery during and following the crisis.

3.12. Criteria and the Prevailing Aim in Decision Making

Having reached this point, after two years of steering the management of the crisis caused by the COVID-19 pandemic and after a government experience marked by trial, errors and successes, as well as by a myriad of decisions adopted, we still need to set our sights on what probably will be the most important factor when extracting lessons learnt from the governance of this crisis.

Everything discussed in the first part of this memory and in the first twelve sections of this second part are of fundamental importance. However, apart from all of this, the factor that is finally most decisive is which criterion is prioritised as the final method, rule, or guideline to adopt decisions of such severity as those that must be taken in a pandemic crisis.

This section does not seek to assess the LABI process, the Bizi Berri plans or the Opinions of the Scientific-Technical Committee, as a repeated and recognisable procedure prior to each measure, but rather the ultimate test that each decision has to pass, in addition to all the above. In short, it is about the guiding principles of the decision making and their own hierarchy. This last key is political or, if you will, political accountability, because it defines principles, intent and will. The criteria and the prevailing aim of political accountability decision making.

The first aspect to be assessed is whether or not a criterion has existed in the decision making. As will be seen below, the Basque Country, the Basque Government and the Basque institutions in the LABI have followed a method and a hierarchy of criteria that, within a sense of unity, have determined the decision making. This, of course, does not guarantee the success of all the decisions adopted, but does place them on a level of coherency.

The Lehendakari has often summarised it as follows: "the decisions adopted by the Basque Government seek to protect the greater good of health, causing the least possible harm to the economy, jobs, families, people and the most affected sectors". This is the heart of the criteria followed. Starting here, we should proceed to a more detailed reflection of its content.

It is first necessary to take something into consideration which conditions everything. Most of the public health and preventive measures that had to be adopted over these two years inevitably caused hardship or negative impacts

to some or other sectors of society. Furthermore, it can probably be argued that there is no sector – and if there are, they will just be a handful –, that have not suffered the rigours of the pandemic or the preventive measures.

In ordinary times, the implementation of the institutional policy is aimed at adopting decisions to improve the life, progress and wellbeing of people and of society overall. This is the main objective and desire of whoever is politically accountable in an institution.

In the midst of a pandemic such as the one caused by SARS-CoV-2, this paradigm is shot down and is replaced by another: protecting the health of the people and society overall means it is imperative to adopt decisions that, in the short term, are going to be detrimental, limit or restrict the normal course of life, culture, sport and socio-economic activities.

This is the reality principle. From this base line and after two years on the firing line, the Lehendakari, the Basque Government and the LABI can be said to have acted by weighting, in a stable way, four major guiding principles. They are as follows:

·First, health. Saving lives, relieving serious suffering and protecting Public Health. This benchmark has been and continues to be the primary criterion and the most important in the decision making. It is the most pressing and the most serious. Undeniably, this has been the figurehead in the decision making. It has therefore been essential to listen, embrace and give preference to the instructions and recommendations of the health and scientific authorities.

·Second, the hospitals. Containing the impact on the ICUs and on the Osakidetza healthcare and hospital system and of the Basque Health System overall. The sense of this criterion, of huge qualitative importance, has been and continues to be to avoid the healthcare system becoming overwhelmed or inundated and could not continue to comply with its essential mission of being a health service for the whole of society. The preventive and daily monitoring of the evolution data of the pandemic and of its impact on the healthcare system has been fundamental in the application of that criterion.

·Third, the reversibility (or no meltdown). Avoiding industrial, business, commercial, economic, educational, healthcare or social meltdown situations with irreversible consequences. This criterion was used to discard measures whose effects could have been to produce effects from which it would have been difficult to recover. This criterion has meant ruling out returning to lockdowns at home, closures affecting industrial activity, suspending the public transport service or closing schools and centres, for example. Expressed positively, this criterion has meant that a skeleton service could be guaranteed for the essential activities for society. Luckily, the system managed to avoid being inundated in the Basque Country.

·And fourth, cushioning. Assessing the severity of the impacts of each measure, along with its cushioning and recovery. Each preventive or restrictive led to negative impacts. In each event, they were assessed and taken into account. The way to cushion them has been studied, as well as to compensate the damage caused by means of aid and other support measures. This criterion has also been fundamental to ensure that the measures were applied for the short possible time and could be overturned when the epidemiological situation made it possible. That could not be accurately implemented as epidemiological interpretation is not an exact science. On occasions and also according to other circumstances and contexts, the measures ended up being adopted later than necessary or too soon; in some cases, they were lifted earlier or later than appropriate, and on many others, the measures were implemented or repealed at the right time.

These four criteria have been the guiding principles in the decision making of the Basque Government during the pandemic. Those have been the beacons for adopting measures and guiding the response to the crisis. After two years' experience, it should be noted that the criteria are a good basis as a benchmark for the future.

However, there is still more to be said about decision making. It should be noted that they had to be adopted in a climate of controversy and adversity. Apart from the difficulties, as discussed in the previous section, arising from the shortcomings of the legal framework, from the disparity of legal rulings, from the deficits in interterritorial and state coordination or from the limitations of science, the backdrop to the decision processes were characterised by a further three factors at that time. They had influence potential and were as follows:

·Active defence of legitimate specific or sectoral interests; but not necessarily coinciding with what, at any given moment, was the defence of the general interest or the priority to defend the public health of society overall.

·The diversity of points of view, opinions and assessments of every type of influencers, editorials, the media, and social leaders, politicians or trade unions on each of the measures or decisions to be adopted; finding for one side or the other.

·And the articles, interviews, opinions or assessment, public or published and of opposed and conflicting content, of scientist, university professors, or experts and proponents of different disciplines.

In this pressurised and confusing climate, it was necessary to separate the chaff from the wheat and not to lose perspective in the direction of the decision-making process. Maintaining the priority objective of public health, not forgetting those who were really most suffering, acting with humility, assuming the consequences, recognising the real impact and differentiating between the overreaching actions or other type of strategies or instrumentalizations.

Finally, balance is the word that summarises everything in decision making. That has been the prevailing aim: pursuing balance in the weighting of the four guiding principles explained. It is not the aim here to establish as a conclusion whether or not this balance has been achieved. That should be a conclusion to be reached by society, or it could be the subject of a retrospective appraisal that may be carried out at some time.

The aim here is to put on record the decision-making process led by the Lehendakari, the Basque Government and the set of the Basque institutions within the Lehendakari was based on the four guiding principles: (1) defending life and public health, (2) preventing the hospital and healthcare system from becoming overwhelmed, (3) avoiding irreversible meltdowns (4) cushioning the socio-economic impacts of the measures by analysing their appropriateness and opportunity of each of them at any given time. And likewise, to record that the prevailing aim of each decision and in every process overall has been to seek balance in the weighting of those four guiding principles, by maintaining sensitivity, accountability, empathy and farsightedness.

4. Summary of Lessons Learnt and Reflections for the Future

As a postscript to this report, an outline is provided to summarise the learns learnt and the experiences of these two years and reflections and proposals for the future.

Identifying and structuring the priority sphere of influence in the management of this crisis. The work hypothesis on which this memory is based is that there are, at least, five fields of capital importance in the direction of the response to the pandemic. They cut across the governance, co-governance and collaborative governance, such as, ultimately, the exercising of Basque self-government expressed through its main institutions and public services. Those five fields are the following:

- Governance instruments.
- Scientific advice.
- Legal certainty.
- Commitment to society and general interest.
- The criteria and the prevailing aim in political decision making.

Logically, there are many different types of spheres that come into play in governing such a crisis. However, the working hypothesis of this report is that these five categories encompass and summarise the most important issues at play. Therefore, this final section is organised according to this five-sphere structure.

4.1. Governance Instruments

Spheres	Lessons learnt	Reflections for the future
I. LABI (See Point 3.1.)	<p>The Basque Civil Protection Plan and its forecasts have been seen to meet the needs for managing the crisis. This meant that pandemic governance and management model has had a clear interministerial and interinstitutional framework right from the start.</p> <p>The role of the Provincial Councils, City Councils of the Basque capitals and EUEDEL has been fundamental. The LABI has contributed to a momentum for consensus between the Basque Government and local and provincial institutions.</p>	<p>During such a health emergency situation, maintaining and, as applicable, optimising the structure of the LABI Advisory Council and of its Scientific-Technical Committee can be useful to steer the institutional response to the crisis.</p> <p>In a pandemic, the response to the problems facing an institution cannot be addressed in isolation. Interministerial and interinstitutional coordination and the pooling of criteria are essential. This cooperation is a good practice that deserves to be highlighted.</p>
II. Bizi Berri Plan (See Point 3.2.)	<p>The Bizi Berri Plan has provided a benchmark to assess the situation and apply appropriate measures at any given time. It has been useful for the instructions, the media and society. Experience has proven that the criterion to update every four months was right.</p>	<p>In the case of another acute health emergency situation, a similar control and monitoring panel to one for the Bizi Berri Plan should be set up again. Logically, it should be adapted to the relevant improvement and adaptation proposals, according to the situation.</p>

Spheres	Lessons learnt	Reflections for the future
III. Conferences of Regional Leaders (See Point 3.3.)	The Conference of Regional Leaders provided the opportunity to share the points of view of each Autonomous Government and also allowed each regional leader to put on record their positions, requests, complaints and proposals. However, the way it was run did not allow for real co-governance. Its Regulations were not followed regarding how it was convened, the preparatory committee and how it was run.	In the context of a pandemic, the Conference of Regional Leaders could be a useful exercise in the multilateral management of the crisis; a clear methodology is essential that, while respecting self-governance and the different devolved powers, allows effective co-governance: shared deliberation, dialogue, interaction, coordination and, as applicable begetting consensus.

4.2. Scientific Advice

Spheres	Lessons learnt	Reflections for the future
IV. International arena: WHO and ECDC (See Point 3.4.)	Despite the logical exercising of trail-error, the WHO and ECDC offered a framework of certainty regarding the uncertainty. Along with their strengths, weaknesses have also appeared at certain moments, particularly regarding foresight, coordination, incidence and unification of criteria.	In the international arena, it is essential to reinforce the international and multilateral healthcare institutions, both in terms of economic, material and human resources, and in mechanisms for greater and better coordination among the scientific and political arenas to improve the general criteria and coordinate application guidelines.
V. Level of Spanish State: Spanish Coordination Centre for Health Alerts and Emergencies (CAES) and Carlos III Institute (See Point 3.4.)	The State scientific advice from the CAES and the Carlos III Institute was channelled through the Public Health Committee and Interterritorial Council of the National Health System. Those bodies provided a coordination framework between the Spanish Government and the Autonomous Communities. However, its excessively radial functioning has limited the usefulness of a more effective and horizontal coordination with the Autonomous Communities.	The coordination framework provided by the Public Health Committee and the Interterritorial Council are necessary in a health emergency. Its radial functioning must be improved, by means of consensus and taking into account that health management is the devolved power of the Autonomous Communities. Both bodies require effective co-governance: shared deliberation, dialogue, interaction, coordination and, as applicable begetting consensus.
VI. The Basque Country: LABI Scientific-Technical Committee (See Point 3.4.)	The Scientific-Technical Committee has provided a useful framework for the institutions, the media and Basque society. It has followed a regular and recognisable procedure and guided by a method that has helped to make decisions based on data and scientifically sound assessments. In the same way as expert entities worldwide, it has exposed the limitations of science when anticipating how the virus would behave.	In health emergency situations, it is highly recommendable to have a Scientific-Technical Committee in which multidisciplinary expertise is converged, from the medical and scientific point of view and from the management, security, social and legal perspective. A future challenge is the systematisation of harnessing and coordination of all the scientific skills of both the Basque health system and of the whole of the Basque Country's science, technology and research ecosystem.

4.3. Legal certainty

Spheres	Lessons learnt	Reflections for the future
VII. The legal framework in the Spanish State (See Points 3.5 and 3.6.)	<p>The legal framework of the Spanish State has proven to be insufficient to provide legal cover to an adequate response. During the pandemic, no action was taken to adapt the legal framework. The Autonomous Communities did not have the legal tools that the situation required. Each Autonomous Community had to assume different legal rulings. Furthermore, trends towards recentralising flourished, along with a lack of focus on the distribution of powers within what a composite state means.</p>	<p>Such a serious crisis as the one suffered requires an appropriate legal framework that offers legal certainty and prevents radically opposed legal rulings occurring between different Autonomous Communities. The minimum required would be to amend Organic Law 3/1986 on special public health measures, so that the scope for action in ordinary legislation to deal with a health emergency is clarified for the Autonomous Communities.</p>
VIII. The Basque legal framework (See Point 3.7.)	<p>The Basque legal framework, within its sphere of competence, has not offered sufficient legal resources. In fact, the need was observed to have specific anti-pandemic legislation. Neither do the Basque Statute of Autonomy nor the current health legislation contain legal mainstays adapted to a situation such as the one experienced.</p>	<p>The Basque Public Health Act, in the pipeline, is an opportunity. It must include the lessons learnt from this historical contingency and include them in its provisions and articles. In the same way, the future debate and possible parliamentary agreement on the new self-government status should envisage this need for legal cover in emergency contexts.</p>
IX. Basque Legislation (See Point 3.7.)	<p>The availability of this legislation has been a practical instrument with positive influences and utility. It has clarified and reinforced, as far as it was possible to do so, the legal certainty of the actions within the jurisdictions of the Basque institutions. However, its cover is insufficient as it cannot cover the loopholes and shortcomings outside its sphere of competence.</p>	<p>Should the legal framework show chronic shortcomings in a health crisis, approving legislation by means of an urgent procedure to strengthen the legal cover of the healthcare response, is a resource that must be considered. In emergency situations, it would be desirable to have the possibility of trial-and-error legislation, as has been the case in some Nordic countries. The Omicron variant has overwhelmed all the world's "traffic lights". This experience must be taken into account when setting, within the law, modulation criteria and indicators in establishing risk levels and measures.</p>

4.4. Commitment to Society and General Interest

Spheres	Lessons learnt	Reflections for the future
<p>X. Information, transparency and communication (See Points 2.3 and 3.10.)</p>	<p>As regards the information offered to society, to the media and to Parliament, the Basque Government's performance can be assessed as being a good practice in transparency and communication. Its result can be assessed according to indicators regarding the understanding, support and compliance of the preventive measures or the citizen response to the vaccine rollout.</p> <p>The surveys reflect that the vast majority of society have complied with and supported the measures. However, minority attitudes of disaffection have been echoed so disproportionately that they seemed to be far more representative than they were. This distortion would require critical reflection by all communication stakeholders.</p>	<p>The transparency and information model followed can be replicated. There are three areas for reflection: (1) the loss of impact of the information and campaigns with the passing of time in such an ongoing crisis and pandemic fatigue; (2) the need to adapt the campaigns to the communication codes of younger people; and (3) the desirability of optimising communication through social media.</p> <p>The pandemic has highlighted the importance of the sense of community, Auzolana. Shared civic values and solidarity need to be preserved and reinforced in order to deal with the stridency and messages calling for individualism and social breakdown. The pandemic has highlighted the importance of solidarity. It has been a strategic value to be preserved.</p>
<p>XI. Governing pressing and important matters (See Point 3.9.)</p> <p>(See Point 3.11.)</p>	<p>·What is pressing: socio-economic response. The Basque Government's Covid aid and funds stood at €1,597 million as of the end of 2021. The programmes for 2022 and the credit lines to the tune of 1,500 million for companies and the self-employed.</p> <p>The measures implemented in the Basque Country were similar to those of the most advanced countries of Europe. However, much support there is in a serious crisis, it is never enough. Nonetheless, the resources are limited and the current government must not mortgage the future of the coming generations.</p> <p>·What is important: transformations. Despite the crisis, the Basque Government has continued governing for the future and for the transformations that the Basque Country needs. The priorities have been the economic and jobs recovery and for progress to be made in the three transitions and in a model of sustainable human development. This is a good practice that must be highlighted in the appraisal of lessons learnt.</p>	<p>·What is pressing: socio-economic response. The socio-economic rapid response in the form of aid is part of the assets that the response to the pandemic has had in the Basque Country. A point to be improved is its processing. In emergency situations, legislation must contemplate emergency processing mechanisms that, without delaying the distribution of the aid, allows, a posteriori, the correct fiscalisation of the expenditure.</p> <p>·What is important: transformations. The severity of a crisis must not make us lose sight of the perspective of management encompassing both the response to the urgent and immediate, and the response to the important and strategic. This lesson learnt is a fundamental aspect to be in the best conditions for recovery during and following the crisis.</p>

Spheres	Lessons learnt	Reflections for the future
XII. Public services (See Point 3.8.)	<p>Three lessons learnt. (1) the importance of public services has come out in a stronger position, along with the investment of its permanent adaptation; (2) the pandemic crisis has tested the solvency of our public services. They have faced difficulties, but they have shown their ability for resilience and adaptation; and (3) this health crisis has highlighted areas needing improvement that have to be harnessed.</p> <p>The Basque public services and the self-government institutions have stepped up. After two years, they are in a stronger and more solvent situation for the future.</p>	<p>Public services continue to need to be boosted. Each sphere of the public policies must extract lessons for the future.</p> <p>There are two lines in the healthcare field: reinforcing the public health areas, and strengthening and prestige of primary care and of family medicine. In the residential field, the new social and healthcare strategy is an opportunity. The priority is to optimise the healthcare of social and residential areas.</p>

4.5. The criteria and the prevailing aim in political decision making

Spheres	Lessons learnt	Reflections for the future
XIII. Criteria hierarchy (See Point 3.12.)	<p>Four guiding principles were used in the decision-making process followed by the Lehendakari and the different Basque institutions in the LABI (1) defending life and public health, (2) preventing the hospital and healthcare system from being overwhelmed, (3) avoiding irreversible meltdowns, and (4) cushioning socio-economic impacts.</p>	<p>After two years of experience, it should be noted that those four guiding principles are a good basis as a benchmark for the future in situations during a serious healthcare crisis. This framework does not guarantee the success of all the decisions adopted, but does place them on a level of coherency and sense of unity.</p>
XIV. The discernment of the conditioning factors (See Points 2.3 and 3.12.)	<p>Apart from the coordination or legal difficulties, three influencing factors have coexisted in the decision making:</p> <ul style="list-style-type: none"> ·Defending legitimate specific interests; not always coinciding with the general interest of public health. ·The diversity of opinions of all the different type of influencers regarding each decision. ·And the diverse assessments of scientists, university professors or experts from different fields. 	<p>In climates of pressure and confusion; the need to detach the essential from the accessory and not to lose the perspective in the direction of the decision-making process is clear. It is fundamental to keep the public health goal above all, not to overlook those who are really suffering most to acknowledge the real impacts and differentiating between the overreaching actions and other type of instrumentalizations.</p>
XV. The keystone (See Point 3.12.)	<p>The Basque Country, the Basque Government and the Basque institutions in the LABI have followed a method and a hierarchy of criteria that have determined the decision making. Its fundamental aspect has been to pursue balance in its weighting. The lack of this framework of method, criteria and key elements fosters confusing and contradictory contexts in the management and oversight of the response to the pandemic. In the Basque case, the keystone has been the search for balance.</p>	<p>In a prolonged and serious crisis, a hierarchy of criteria is needed to determine, ultimately, the decision making. Along with this, the prevailing aim of each decision and of every process, along with the more complex objective, is to achieve balance in the weighting of the criteria set, while upholding sensitivity, accountability, empathy and farsightedness. This is a political key or, if you will, political accountability, because it defines principles, intent and will.</p>

Epilogue

Final Considerations Looking Forward

The Basque Country, like the rest of the world, is also suffering - has suffered - the consequences of a serious pandemic and impacts that were unimaginable just days before 27 February 2020 when the Interministerial Committee met to coordinate the Contingency Plans, and on the 28 February, the day on which two first COVID-19 positive cases were detected in our country. Its impact has been devastating and heart-breaking for humanity, societies, families and people, particularly for those in situations of great vulnerability; as well as for countries, governments, businesses, companies or activities of every type.

Right from the start, answers had to be improvised to unknown problems, mainly in developed countries, or measures applied that were unprecedented in the lives of our generations. The measures included lockdowns at home, restrictions on night-time mobility, gatherings limited to 4 or 6 people, family and social bubbles, perimeter lockdowns and closure of non-essential socio-economic activities. The pandemic was unforeseen and its behaviour could not be predicted with, so far, six consecutive waves of rises and falls in the spread of cases.

The methodology to take stock

This document seeks to submit a report and assessment that, after two years, put forward a set of lessons learnt for the future of the Basque Country.

From a methodological perspective, the question raised is where the assessment has to be focused to establish some type of conclusion. A simplistic view could be to set as the assessment benchmark the absence, or greater or lesser presence, of difficulties, errors or shortcomings.

Thus, the highest scoring indicator would have the greatest merits in the set of responses. Insofar as there were problems, the conclusion of the appraisal, in this case, would always be merely negative. Apart from the fact that no country or government in the world would pass this exam, this approach is basically blurring as it does not take into consideration what such a pandemic has meant.

One of the main effects of the pandemic, apart from the human consequences, has been precisely, to generate problems and bring weaknesses to the surface, because nobody was ready for an economic, social and healthcare tsunami of this type. This virus has stripped bare the human or political craving for control, omnipotence and invulnerability. It has forced us to face the reality principle of the limitation both of our human condition and of our political condition.

The benchmark indicator for taking stock cannot be the lack of difficulties, shortcomings or errors in the management and in the oversight of the response to such a pandemic. The assessment must be made taking as given that, in a context such as the one that has been experienced, imperfection and vulnerability are an inherent part of the very process.

Under no circumstances should this reflection, focused on the Basque Country be interpreted to be playing down or minimising the blunders. Quite the contrary, as a premise of this report is not to avoid, but rather address the weaknesses that the pandemic has shown in any of the fields, because those weaknesses are the best agenda to drive a strategy for improvements and strengthen public policies.

Neither should this argument be interpreted by solely focusing on institutional policy. This critical reflection on all the weaknesses revealed by the pandemic "affects" all cultural, business, economic, media, scientific, academic, political and social stakeholders intervening in public life. Logically, they do not all have the same responsibility; but they have all been affected to some extent by this reality check regarding the imperfection of the responses offered and the attitudes shown in each case.

As regards the institutional oversight of the management and governance of the response to the pandemic, we should not only argue that we were ready for an emergency of this type. We should acknowledge that we have needed to act based on trial and error. We stumbled as we move forward and at the rate of the progressive scientific evidences and discoveries. There is still a great deal today that science does not know about the virus. We do not know how it will behave in the coming months, whether or not there will a seventh wave; or whether or not we are moving from a pandemic to an endemic. Any taking stock must be based on this principle of reality and modesty.

Four indicators

Having said all this, the question is now what the indicators are to be used to take stock. The hypothesis put forward at the end of this report is that those benchmarks have to, at least, to do with four diagnoses that complement each other. They are the answers to four questions: *Resistance*, how have we resisted the blow? *Resilience*, what has been our capacity of adaptation to and recovery from the adversity? *Solidarity*, how have the social cohesion and community mainstays worked? And *prognosis*, in what condition are we in to continue progressing as a country?

·**Resistance**, how have we resisted the blow? We have suffered and experienced tension, difficulties and serious suffering, both from community, family and human points of view, and from the socio-economic perspective, institutions and of the public services. The pandemic has highlighted the weaknesses and areas for improvement that must be addressed (and which have already been detailed in the previous points of this report). It is equally true that our public services have withstood the blow and have responded to the citizens' needs. The vaccine rollout or continuing with face-to-face classroom teaching, to give just two examples, are a good indication of resistance and *auzolana*. As a society, we have withstood extremely hard tests, from strict lockdown at home to severe and long restrictions. Each family and each person, each company, each entity has had to accept limitations and constraints in their everyday activity. We have suffered; but the Basque Country has clearly resisted.

·**Resilience**, what has been our capacity of adaptation to and recovery from the adversity? The timeline chronicle of what happened in the Basque Country during these two years is the history of overcoming serious, complex and successive problems. An alternative was found for each upheaval, whether it was governance or legal, healthcare, social and healthcare, socio-economic, education or of any other type. A reasonable effective response was found in reasonable time for each problem, each error, each crisis or each shortcoming. Despite the lack of respirators or PPEs at the start, to the social benefits or the furlough, along with each Decree, contingency plan or reorganisation of the healthcare or public services in each circumstance. In short, a solution channel has been found for each difficulty at each given moment. Solutions, often imperfect, but which have allowed obstacles to be overcome without stalling or melting down. Despite the suffering, this resilience is making the emotional, economic, social and healthcare recovery of our society possible.

·**Solidarity**, how have the social cohesion and community mainstays functioned? All the sociological studies conducted coincide in reflecting the acceptance by most of Basque citizens with the public health measures adopted. Special mention should be made of their degree of compliance. Society's response regarding testing and tracking, and, in particular, the vaccine rollout is an objective reflection of this solidarity. Another good proof of this sense of community was the emergence in the first wave of volunteering initiatives to help the elderly or most vulnerable. "Guztion Artean", the organised solidarity network, was its main exponent. On the other hand, all Basque institutions, local councils, provincial councils and the different ministries of the Basque Government set up aid lines aimed at people, families, entities or companies facing great difficulties. Social cohesion has been a priority that has clearly been manifested.

·**Prognosis**, in what condition are we in to continue progressing as a country? The "storms" that have ravaged us over two years have resulted in impacts that have to be remedied, but it is not only about redress, but also transformation. The Basque Country must now embark on a time of recovery, revival and progress. This is the challenge. We have strengths to keep advancing. The recovery of the economy and of employing is a reality. We have a robust and stable political, institutional, budgetary and public services situation. Perhaps the most important is that the Basque Government not only has governed during the pandemic to respond to the urgency of the pandemic, but also to prepare the future. The three transitions - technological-digital, energy-climate and demographic - have not been overlooked. They are all part of the 2030 Agenda and the Sustainable Development Goals, the "Berpiztu Programme" for the economic revival and job recovery, and the "Euskadi Next" project to opt for European funds. The conditions are in place to continue progressing as a country and the prognosis is positive.

Without being at all self-complacent, this analysis allows a positive appraisal of the result of the governance of the response to the pandemic in the Basque Country. A constructive assessment, not because we did not commit errors, not because we did not have shortcomings, difficulties and serious problems. A good assessment as a county that is based on analysing the indicators of *resistance*, *resilience*, *solidarity* and *prognosis*.

First, we have withstood the blow, *resistance*; second, we have managed to respond, adapt to and recover from each problem, *resilience*; third, we have acted with a sense of community and protecting social cohesion, *solidarity*; and fourth, we are in a good position to continue progressing as a country, with a good *prognosis*.

The Bottom Line of the Lessons Learnt

Points 3 and 4 of this report have described in detail the lessons learnt and the reflections for the future that should be drawn from this stress test. We should now conclude by succinctly highlighting the one that has had the most favourable or unfavourable impact on the governance of the pandemic in the Basque Country. In other words, the bottom line of what should be improved as it has shown shortcomings; and the bottom line of what must be promoted as it has been a good practice.

• There are four main areas that have revealed weaknesses and which must be addressed in order to be improved. They represent fields of public policies where we must strive, more intensely, to reform and adapt them:

· The scientific advice of the international institutions. Along with their strengths, which they clearly have had, they have shown weaknesses at certain times regarding anticipation, coordination, incidence and unification of general criteria and coordinated application. Reinforcing the multilateral and international health institutions, both with economic, material and human resources and with mechanisms for greater and better coordination between the political and scientific arenas.

· Improving own services. The health crisis has pinpointed areas of weakness in the public services. As regards healthcare, the infrastructure of the public health area needs to be rethought and reinforced within the system overall. Furthermore, primary care and family medicine needs to be adapted, reorganised and given greater recognition. The social and healthcare strategy needs to reinforce the care model, along with optimising prevention in healthcare in social and residential areas.

· Legal uncertainty. The lack of legal certainty has been a serious added value for governing this crisis. The reforms of the state legal framework must be addressed to correct the distortions created. In the Basque Country, the Basque Public Health Act, in the pipeline, shall have to take into account the lessons learnt from this historical contingency. In the same way, the parliamentary agreement on the new self-government status should envisage this need for legal cover in emergency contexts.

· Co-governance. There is room for improvement as regards interterritorial coordination. First, it is essential that the bilateral relationship channels between the Basque Government and Spanish Government work. As regards multilateral cooperation, the Conference of Regional Leaders and the Interterritorial Councils need a methodology that, respecting the devolved powers, allow effective co-governance: preparation beforehand, shared deliberation, dialogue, interaction, coordination and, as applicable, begetting consensus.

• There are also four main areas that have made the most positive contribution of the governance of the pandemic in the Basque Country and which be considered and promoted as a good practice:

· The architecture of the LABI. From the point of view of the parties that have overseen the governance of the pandemic in the Basque Country, the LABI Advisory Council, its Scientific-Technical Committee and the “Bizi Berri” plans have been a fundamental asset and support for decision making in an ordered, recognisable and useful framework for the parties involved. This architecture has also made interinstitutional co-governance possible between all Basque institutions. This can all be considered a good practice that can be replicated in emergency situations.

· The response of the public services of the Basque Country. After two years, their importance has been consolidated and there is great investment in their ongoing adaptation. The pandemic crisis has tested our public services. Apart from facing and overcoming the difficulties suffered, Basque public services have responded to citizens’ needs. It is approaching the future from a robust position. We find a strength of our self-government institutions that explain an overall constructive assessment.

· Governing pressing and important matters. First, the pressing: the healthcare response and the socio-economic reaction to help the neediest. Second, in tandem, to continue governing for the future and for the transformations that the Basque Country needs: job and economic recovery, and to progress in the three transitions. When it comes to the appraisal of lessons learnt, this combination of responding to pressing and immediate matters, and governing the important and strategic is part of the assets of the Basque governance.

·The hierarchy and weighting criteria in the decisions. Four criteria were used in the decision making of the LABI: defending life and public health, preventing the hospital and healthcare system from being overwhelmed, avoiding irreversible meltdowns, and cushioning the socio-economic impacts. Therefore, the core approach has been to pursue BALANCE in the weighting of those criteria with sensitivity, accountability, empathy and farsightedness. The constant upholding of this model has been a decisive validity factor.

Finally, the assessment of the governance of the pandemic and the good prognosis for the future could not be sustained without highlighting four objective data of clarifying importance. (1) The Basque Country - its healthcare system and its citizens - has been among the Autonomous Communities that have performed the largest number of tests. (2) The Basque Country - its healthcare system and its citizens - has had one of the highest vaccine rollouts in Europe. (3) The commitment of the vast majority of Basque society in compliance of the preventive measures. (4) Finally, and according to INE data, the Basque Country is one of the Autonomous Communities with the lowest excess deaths during the Covid period. These data reflect an objective result and contribute to the configuration consistently sustained assessment.

Reflections for a Future and Social Transformation

From the start of the pandemic, we have often wondered if we will come out worse or better as people and society from this global experience. The conditions are probably in place to argue either way. Facts have legislative power and this pandemic does have it. It is irreversible. It has happened. It has changed us, it is changing us... even though we do not know for certain how that is happening.

From a political perspective, it is not high-handed to claim that to come out of this global crisis better, the efforts on the energy-climate and ecological transition, on the economic, technological and digital transition, and on the healthcare, demographic and social transition need to be stressed. This is, at least, the roadmap of the Basque Government. It was before 2020, it has been during the pandemic and, with more reason and intensity, it will continue to be so from now onwards. The commitment to the Sustainable Development Goals can help to improve the planet, the world and also the Basque Country.

However, when we wonder if we will emerge better or worse from this crisis, we are not only considering political issues. It is also calling on society and each person. We need to sketch four lines of reflection and improvement for the future in order to delve further into this community and human dimension.

·First, accept our vulnerability. The pandemic has shown the fragility of the human condition. Self-sufficiency or arrogance has crumbled away. Humility is the recognition of our limitations and acting according to that knowledge. This principal places us in reality. Sustainability requires awareness of limitation. The resources and abilities are not unlimited.

·Second, assessing the positive that is available. The pandemic has helped to appreciate what we had and what we have. It has made us realise what we could lose. Facing reality is always something precious and which must not be ignored or overlooked. Sustainable development is based on harnessing the good and positive that is available. Maximising opportunities from among the difficulties

·Three, delving further into an ethical community awareness. The harshness of the pandemic has stressed the importance of the sense of community and of co-responsibility. The common good or *auzolana* are not pleas, they are real needs. In the face of individualism, ethics of solidarity for the community needs to be shared. We are aware of choosing responsibility and from an ethical stance. We can all make our contribution.

·Four, fostering economic and social progress tailor-made for human dignity. The pandemic has reminded us that the person is at the heart of progress and that human dignity is linked to the right to health, education, social protection and public services. It is embodied in cohesion and Sustainable Human Development. A commitment with a global, local and also personal dimension. Human dignity is the foundation of human rights and represents the meaning of what it is to be a person.

Two years on from the start of the pandemic, the Basque Country is focusing on embarking on a stage of recovery, revival and transformation. The resistance, resilience and solidarity shown are the basis of a good prognosis for the future. Given this current situation and future outlook, the Basque Government is expressing and sharing its confidence and determination.

On 24 February 2022, four days after completing this document, the Russian Government began its military invasion of Ukraine. Uncertainty yet again threatened the world. Once again, the significance of *resistance*, *resilience* and *solidarity* becomes apparent as the basis for a good outlook and hope.

Annexes

Annex 1. Fortnightly retrospective summary

2020

Fortnightly	Main key points
1-15 March	·First cases in the Basque Country. The health emergency was declared. The lockdown at home and the State of Alarm began.
16-31 March	·The spread of the virus is very high. Not enough capacity to track or trace the infected cases. The Basque elections scheduled for 12 April suspended.
1-15 April	·The virus continued to be spread. The results of the lockdown measures were still not being seen, as at least 2 weeks would be needed for them to be effective.
16-30 April	·The infection curve began to slow down. The first results of the restrictive measures began to be seen.
1-15 May	·The infection curve flattened out. The first measures to relax and make the lockdown more flexible were applied.
16-31 May	·The infection rate began to improve. Mobility was made more flexible and restrictions reduced. The Basque elections were called for 12 July.
1-15 June	·The positive trend lay the way to prepare the "new normality" scenario. General mobility was made more flexible.
16-30 June	·Thanks to the good figures, the State of Alarm was ended and the Basque Country entered the so-called "new normality".
1-15 July	·The good figures coexisted with outbreaks in specific locations. The mandatory use of the mask was introduced. The elections to the Basque Parliament were held.
16-31 July	·De-escalation, holiday mobility, "non-parties", nightlife and gathering led to a spike in infections.
1-15 August	·The dynamics of the same factor meant that infections continued to rise.
16-31 August	·The health emergency was declared again in the Basque Country. The LABI established opening hour restrictions on the hospitality and nightlife sectors.
1-15 September	·Tracking cases, use of masks, social distancing and nightlife restrictions began to show results.
16-30 September	·The main transmission and stress on the healthcare system indicators started to stabilise.
1-15 October	·The II Bizi Berri Plan was unveiled. The 14-day Cumulative Incidence Rate began to rise.
16-31 October	·The data became significantly worse. More restrictive measures were necessary. The State of Alarm was declared again.
1-15 November	·New spike in infections that required measures such as closing hospitality to be taken. A new peak with 1,420 positives in one day was reached.
16-30 November	·The new restrictions improved the evolution of infections. The figures continued to be alarming, but were tending to improve.
1-15 December	·The significant improvement in the evolution allowed some of the hardest restrictions to be relaxed. The conditions to be applied for Christmas and the festive season were approved.
16-31 December	·Infections continued to drop. However, the relaxing of some measures was modulated as prevention against new spikes.

2021

Fortnightly	Main key points
1-15 January	·There was a new change in trend. The surge meant that the whole of Europe began to talk of the third wave.
16-31 January	·The upward trend was consolidated. The LABI approved new and severe restriction measures to invert the curve.
1-15 February	·The epidemiological curve began to drop. The TSJPV overruled the closure of hospitality in municipalities with rates over 500/100,000.
16-28 February	·The downward trend continued steadily. However, the incidence of the British variant of the virus was increasingly greater.
1-15 March	The downward trend slowed down. The LABI kept in place the main restrictive measure and lifted the constraints on municipal mobility.
16-31 March	·The figures began to rise again. Given this new scenario and in the run-up to Easter, the LABI tightened some restrictions.
1-15 April	·The figures continued to rise. Prime Minister Sánchez announced that he would not extend the State of Alarm beyond 9 May.
16-30 April	·The cumulative incidence rate peaked on 26 April with 546.89 cases per 100,000 inhabitants.
1-15 May	·End of the State of Alarm. The TSJPV dismissed restrictions such as the "curfew" or regarding gatherings of people. The Basque Government passed a new Decree.
16-31 May	·The numbers continued to fall. The Beta and Gamma variants of concern accounted for a minority of the incidence. The Delta variant, detected in April, was on the rise.
1-15 June	·All evolution indicators offered the best figures since summer 2020. The Delta variant was of concern and was leading to setbacks in other countries.
16-30 June	·The LABI approved a new decree making measures more flexible. The lowest figures of the fourth wave were reached.
1-15 July	·A new upward phase began. It coincided with events linked to the end of the school year, end of exams and parties. The Delta variant reached 70%.
16-31 July	·The cumulative incidence rate peaked on 30 July with 873 cases per 100,000 inhabitants.
1-15 August	·The problems with street drinking and celebrations linked to the badly named "non-parties". In mid-August, the Delta variant exceed 90%.
16-31 August	·After the steady downturn in the incidence rates and the high percentage of the vaccine rollout, a new Decree made the measures more flexible on 30 August.
1-15 September	·The consolidation of the downward trend meant that some of the measures in force could be significantly relaxed.
16-30 September	·The Scientific-Technical Committee assessed whether the circumstances were right to declare the end of the health emergency and their opinion was favourable.
1-15 October	·On 7 October 2021, the health emergency was declared to be over. The restrictive measures were revoked and the LABI was disbanded.
16-31 October	·On 12 October, the 14-day incidence rate hit its lowest rate in this period: 54/100,000. There was a slight rise from then onwards.
1-15 November	·On 9 November, a rate of 125/100,000 was reached. The rate then began to increase more intensely from then onwards.
16-30 November	·The sixth wave broke out throughout Europe. On 26 November, the rate reached 436/100,000. The first news of the Omicron variant arrived from South Africa.
1-15 December	·On 2 December, the health emergency was decreed. The requirement for the Covid Pass was introduced. Limits on opening hours and venue capacity were reactivated.
16-31 December	·Omicron accounted for over 80% of cases. The LABI activated new measures: closing time at 01.00 a.m., nobody served when standing and maximum of 10 customers per table in hospitality.

2022

Fortnightly	Main key points
1-15 January	·On 4 January, 14,063 positive cases. On 11 January, the Incidence was 7,038. Record figures of the pandemic and peak of the sixth wave. The downward phase began.
16-31 January	·The figures began to drop. There began to be less pressure on hospitals. It was much lower in proportion than in previous waves. The preventive measures were extended for 15 days.
1-15 February	·The improvement was significant in the Basque Country and throughout Europe. The health emergency was lifted and most of the restrictive measures in place were relaxed.
16-28 February	·All the figures continued to fall: is it the transit to an endemic? Even though the future is a conundrum, it is the time for recovery, revival and transformation.

Annex 2. List of LABI meetings with Cumulative Incidence Rate, orders or decrees approved and main measures adopted

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 14/03/2020	23,59	ORDER 13 March 2020, of the Basque Minister for Health ORDER 13 March 2020, of the Basque Minister for Health	<ul style="list-style-type: none"> -Activation of the Basque Civil Protection Plan, Larrialdiei Aurreritateko Bidea (LABI), to address the epidemiological alert situation generated by the spread of COVID-19. -Cleaning intensified on public transport and transit or living areas. -Professional and non-professional sport events behind closed doors. -Cancellation of collective activities held in closed spaces and which involved over 500 people. -Face-to-face classroom teaching suspended in all private or public entities providing any type of teaching and training at all levels, including the university. -Closure of day centres for the elderly. -Visiting the elderly in residential homes stopped. -End of any type of activity in museums, hospitality, sport centres, gaming venues, txokos (gastronomic societies) or places of worship.
LABI 20/03/2020	67,78	ORDER 14 March 2020, of the Basque Minister for Health	<ul style="list-style-type: none"> -The LABI analysed consolidating three lines of action: <ul style="list-style-type: none"> -Sharing the information available and the priorities at any given moment. -Coordinating the social care programmes and policies. -Activating all the economic measures.
LABI 27/03/2020	198,39		<ul style="list-style-type: none"> -The LABI established five priorities: <ul style="list-style-type: none"> -Healthcare response to protect public health and overcome the crisis. -Social response to help the neediest individuals and families. -Economic response to support companies and protect employment. -Communicative response to provide society with information with transparency and faithfully. -Collaborative response so as not to waste any energy on what was not relevant.
LABI 03/04/2020	293,49	ORDER 6 April 2020, of the Basque Minister for Health	<ul style="list-style-type: none"> -Temporary suspension of traditional markets and fairs directly selling food and farming products in the Basque Country.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 08/04/2020	277,90		<ul style="list-style-type: none"> ·The LABI began on the process to prepare what would be the Bizi Berri Plan.
LABI 17/04/2020	159,38		<ul style="list-style-type: none"> ·The LABI agreed to prepare the following social and economic measures to relax the restrictions: <ul style="list-style-type: none"> ·Children and groups with special needs allowed outside. Always with time limits, social distancing and not allowed to gather in groups. ·Preparing the limited and staggered opening of stores and small businesses, with strict safety measures and social distancing. ·Authorising individual physical activities, with time limits and strict ban on people gathering together in groups. ·Establishing a specific protocol for Education, once the educational community had been consulted. ·Organising the progressive return to the normal running of the public administration.
LABI 29/04/2020	69,96		<ul style="list-style-type: none"> ·The LABI analysed an initial draft of the Bizi Berri Plan.
LABI 07/05/2020	41,73		<ul style="list-style-type: none"> ·The LABI set out the proposals to pass to Phase 1 in the Spanish Government's plan to gradually lift the restrictions: <ul style="list-style-type: none"> -Interterritorial mobility between adjacent municipalities of usual transit and ordinary socio-economic activities. -Face-to-face classroom teaching for students in the 4th year of compulsory secondary education; first and second year of upper secondary education and students in vocational training. -Work could restart on refurbishing homes. -Opening of small stores with individual services, in the municipality of residence, for a limited time and with the use of masks. -Public transport frequency increased to 100%. Venue capacity of 60%, more flexible at rush hours, particularly in high rail capacity. Mandatory use of masks. -Limited opening and with restrictions in hospitality. Take away from the establishment and home deliveries to order. -Incorporation of 33% of staff in morning and afternoon shifts in courts.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 14/05/2020	25,50	<ul style="list-style-type: none"> ·ORDER 14 May 2020, of the Basque Minister for Health ·DECREE 9/2020 of 15 May of the Lehendakari 	<ul style="list-style-type: none"> ·Ask the Lehendakari to modulate the Basque Civil Protection Plan, Larrialdiei Aurrigitoko Bidea (LABI) and adapt it to the health monitoring phase. ·Mobility allowed within the province. ·Sport and physical activity allowed within the province.
LABI 18/05/2020	18,23		<ul style="list-style-type: none"> ·End of the health emergency. Winding up of the Basque Civil Protection Plan, Larrialdiei Aurrigitoko Bidea (LABI), but an Advisory Scientific Committee kept active for this new “health monitoring” phase. ·75% capacity of places of worship. ·Hospitality: ten people per table and indoor capacity of 60%. Closure at 01.00 a.m. ·60% capacity at sports events. ·Closure of nightlife establishments. ·Closure of youth associations. ·60% venue capacity at gaming and gambling establishments.
LABI 18/08/2020	257,63	<ul style="list-style-type: none"> ·ORDER 19 August 2020, of the Basque Minister for Health 	<ul style="list-style-type: none"> ·Main measures regarding the start of the academic year in the Basque Country.
LABI 28/08/2020	365,91		<ul style="list-style-type: none"> ·Presentation of the Il Bizi Berri Plan.
LABI 02/10/2020	263,76		<ul style="list-style-type: none"> ·Maximum gathering of groups reduced from 10 to 6 people. ·The venue capacity reduced to 50% in all areas of activity; hospitality (except pavement cafés), stores, cultural or religious events. ·As regards limits on attendance at events, a maximum of 400 people indoors and 600 outdoors. ·The closing time for hospitality brought forward to midnight. Activity in txokos and societies prohibited. ·Closing time for parks, gardens and the use of playgrounds established at 11.00 p.m. ·Non-federated sport competitions suspended.
LABI 17/10/2020	322,09		

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 22/10/2020	416,05	<ul style="list-style-type: none"> ·ORDER 22 October 2020, of the Basque Minister for Health 	<ul style="list-style-type: none"> ·Municipal lockdown for locations affected by outbreaks. ·Limit on social gatherings outside the household. ·Suspension of any group sports activity. ·Ban on using playgrounds, public parks and squares between 9.00 p.m. and 6.00 a.m. ·Ban on selling alcohol between 9.00 p.m. and 6.00 a.m. ·Latest closing time for hospitality and retail establishments at 9.00 p.m. ·Ban on being served at the bar at hospitality establishments.
		<ul style="list-style-type: none"> ·ORDER 22 October 2020, of the Basque Minister for Health 	<ul style="list-style-type: none"> ·50% capacity of places of worship. ·Hospitality: venue capacity of 50% indoors, maximum of 6 people per table and people always served seated. Closing time at midnight. ·Ban on any activity in txokos and gastronomic societies. ·Sports: maximum groups of 6. Venue capacity of 50% at sports competitions and events, with maximum of 400 people indoors and 600 outdoors. ·Gaming and gambling establishments: closure at midnight.
LABI 26/10/2020	547,47	<ul style="list-style-type: none"> ·DECREE 36/2020, of 26 October of the Lehendakari 	<ul style="list-style-type: none"> ·Night-time mobility restricted from 11.00 p.m. to 6.00 a.m. ·Municipal lockdown and perimeter lockdown of the Basque Country. ·Maximum of 6 people allowed to gather in groups.
LABI 05/11/2020	789,25	<ul style="list-style-type: none"> ·DECREE 38/2020, of 6 November of the Lehendakari 	<ul style="list-style-type: none"> ·Night-time mobility restricted from 10.00 p.m. to 6.00 a.m. ·Mandatory use of masks at work posts. ·Closure of all commercial establishments and premises at 9.00 p.m. ·Venue capacity reduced to 35% in places of worship. ·Total closure of hospitality, catering, txokos and gastronomic societies, and gaming and gambling establishments. ·Non-professional performances and rehearsals of music-voice and dance groups suspended, except in formal training. ·Any group sports activity suspended, either training or competing, except for professional and semi-professional.
LABI 19/11/2020	753,60	<ul style="list-style-type: none"> ·DECREE 39/2020, of 20 November of the Lehendakari 	<ul style="list-style-type: none"> ·The set of measures approved in Decrees 36/2020 and 38/2020 extended.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 30/11/2020	443,51	·DECREE 42/2020, of 1 December of the Lehendakari	<ul style="list-style-type: none"> ·Maximum of 60% capacity in commercial premises of over 150m²; and 75% in those over 150m².
LABI 09/12/2020	317,23	·DECREE 44/2020, of 10 December of the Lehendakari	<ul style="list-style-type: none"> ·The night-time curfew was raised to 01:30 a.m. on the night from 24 to 25 December and from 31 December to 1 January. ·The municipal lockdown was lifted. ·Between 23 and 26 December and 30 and 2 January people were allowed to travel in and out of the Basque Country. ·On 24, 25 and 31 December and on 1 January, the maximum number of people allowed to gather together was raised to 10. ·Hospitality was re-opened to the public. The latest closing time was set at 8.00 p.m.
LABI 22/12/2020	282,77	·DECREE 47/2020, of 22 December of the Lehendakari	<ul style="list-style-type: none"> ·The night-time curfew was lowered to 00.30 a.m. on the night from 24 to 25 December and from 31 December to 1 January. ·The number of days that people were allowed to leave and enter the Basque Country is restricted to 31 December and 1 January. ·On 24 and 25 December the maximum number of people gathering together was limited to 10 people. Six people on 31 December and 1 and 6 January. ·Retail and hospitality had to close at 6.00 p.m. on 24, 25 and 31 December and on 1, 5 and 6 January. They could not open until 9.00 a.m. on 25 December and on 1 and 6 January. ·New customers were not allowed to enter camping sites between 30 December and 2 January. Holding parties and receptions were banned on 31 December, 1, 5 and 6 January.
LABI 11/01/2021	305,40	·DECREE 1/2021, of 12 January, of the Lehendakari	<ul style="list-style-type: none"> ·Perimeter lockdown of the province of residence. ·Municipal perimeter lockdown of the locations with over CIR of $\geq 500/100.000$. ·Return to non-professional dance rehearsals. ·Return to school sport training in municipalities with a CIR $< 500/100.000$. ·Return to federated sport. ·Gaming and gambling establishments allowed to reopen under the same restrictions as for hospitality.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 22/01/2021	507,48	·DECREE 4/2021, of 22 January, of the Lehendakari	<ul style="list-style-type: none"> ·Perimeter lockdown of all municipalities of the Basque Country. ·Gatherings limited to a maximum of 4 people. This limit also applied to the maximum number of people per table in hospitality. ·Mandatory use of mask for indoor sport.
LABI 12/02/2021	536,48	·DECREE 7/2021, of 12 February, of the Lehendakari	<ul style="list-style-type: none"> ·Mobility allowed to the adjacent municipality. ·People allowed to leave and enter the municipality for professional and semi-professional training and competition. ·The rules were established for mobility for sports activity to be allowed between municipalities with rates under 500/100,000 inhabitants.
LABI 05/03/2021	225,03	·DECREE 13/2021, of 6 March, of the Lehendakari	<ul style="list-style-type: none"> ·Municipal perimeter lockdown lifted. ·Cross-cutting criterion established for infant and youth educational free time activities to be held, by means of stable groups of six people for any type of activities in that sphere.
LABI 26/03/2021	253,76	·DECREE 16/2021, of 27 March, of the Lehendakari	<ul style="list-style-type: none"> ·Municipal perimeter lockdown activated for locations with an Incidence Rate of over 400/100,000. The same criterion applied should a province overall exceed that same rate. ·Only households could gather in groups in private spaces between 26 March and 9 April 2021. ·In municipalities with a Cumulative Incidence Rate equal or over 400/100,000 inhabitants, measures were established to restrict stays and timetables inside hospitality. That also applied to all indoor sport, except for training and competitions of federated and professional team, where groups could not be larger than 4 people. Changing rooms and showers were not to be used in any type of sport facilities, except swimming pools. ·Gaming and gambling establishments had to follow the rules for hospitality in locations with rates over 400.
LABI 07/05/2021	462,65	·DECREE 23/2021, of 7 May, of the Lehendakari	<ul style="list-style-type: none"> ·State of Alarm lifted. A TSJPV court ruling overturned measures such as perimeter lockdowns, the “curfew” or the limit on gatherings of groups of people. ·The time of all social, cultural or commercial activity to end was set at 10.00 p.m. ·Rules were established for weddings, first communions, baptisms and other similar celebrations. ·Protocol requirement as per Public Health directives to conduct different social and cultural activities. ·Rules were established for summertime activities, including beaches, swimming pools, sport competitions and free time activities.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 31/05/2021	208,48	·DECREE 26/2021, of 31 May, of the Lehendakari	<ul style="list-style-type: none"> ·The closing time for all commercial, social and cultural activities was raised to midnight. ·The maximum number of the stable groups for infant and youth educational free time activities was raised to 10 people. ·The restrictions were lifted on the groups of people doing sports outdoors.
LABI 18/06/2021	125,47	·DECREE 30/2021, of 18 June, of the Lehendakari	<ul style="list-style-type: none"> ·The closing time for all commercial, social and cultural activities was raised to 02.00 a.m. ·As regards hospitality, the number of people per table was increased, in addition to the longer hours. ·The maximum venue capacity allowed for the different activities was set at 60%. ·The maximum allowed were staggered according to the capacity to the premises. The maximums set were the same for sport and culture events, as the spectators were allowed to attend sport events. ·The txokos and gastronomic societies could be opened according to similar rules to those set of hospitality.
LABI 07/07/2021	203,15	·DECREE 33/2021, of 7 July, of the Lehendakari	<ul style="list-style-type: none"> ·The general preventive rules were kept in place. ·The Decree was adapted to RD 13/2021 of 24 June regarding the use of masks. ·The time restrictions, the venue capacities, the limitations in hospitality and gambling establishments and for txokos set in the previous Decree remained in place. ·The duty was established not to attend meetings, gatherings or events, neither inside or outdoors, which meant crowds of people without applying the preventive measures and protocols in force.
	415,55	·DECREE 34/2021, of 15 July, of the Lehendakari	<ul style="list-style-type: none"> ·The legally envisaged measures were kept in place and people reminded of the mandatory use of masks as the main prophylactic tool to help to limit transmission of the virus. ·Groups of people not from the same households or large gatherings of people were not allowed, from midnight to 06.00 a.m., in parks, gardens, beaches, sports facilities, skateparks, or similar outdoor public recreational spaces, along with public spaces in ports and promenades.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 22/07/2021	682,64	·DECREE 25/2021, of 23 July, of the Lehendakari	<ul style="list-style-type: none"> ·The use of masks in busy urban areas was deemed to be mandatory whenever social distance of 1.5m could not be constantly maintained. ·The closing time for all commercial, social and cultural activities was set at 1.00 a.m. ·The maximum venue capacity allowed for the different activities was set at 35%. ·The maximum capacities established for sport, cultural or social events were also lowered. ·A new article with health responsibility obligations was added to support and consolidate the tracking and tracing of cases and contacts, with a reminder that it was a health responsibility. ·A new article with specific pleas to the public asking the citizens to exercise self-responsibility and self-limitation.
LABI 30/08/2021	340,45	·DECREE 36/2021, of 30 August, of the Lehendakari	<ul style="list-style-type: none"> ·The maximum venue capacity allowed for the different activities was raised to 60%. ·The maximum capacities established for sport, cultural or social events were also increased. ·The indoor capacity was set at 50% in hospitality and catering. Up to eight people per table could be seated indoors and on pavement cafés.
LABI 17/09/2021	138,84	·DECREE 38/2021, of 17 of September, of the Lehendakari	<ul style="list-style-type: none"> ·The closing time was extended for all activities until 03.00 a.m. ·The maximum venue capacity allowed for the different activities was set at 75% in general. ·The number of people per table on pavement cafés in hospitality was also increased to 12 people. ·The reopening of youth associations was postponed until the vaccination rate reached 85% in the 16-29 age bracket. ·The nightlife sector was allowed to reopen with 50% capacity, dancefloors with masks and all the other aspects similar to the conditions set for hospitality. ·Organisation of sports in groups indoors was increased to 16 people. ·Return to the workplace for people whose jobs not regulated by remote working.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 05/10/2021	62,05	<ul style="list-style-type: none"> ·DECREE 39/2021, of 6 October of the Lehendakari (ORDER of 6 October 2021, of the Basque Minister for Health, and Order of 6 October 2021, of the First Deputy Lehendakari and Basque Minister for Homeland Security) 	<ul style="list-style-type: none"> ·The health emergency was declared to be over. ·All the measures envisaged in Decree 38/2021, of 17 September, immediately overturned. ·The call-back of the LABAI coordination and oversight powers of the Lehendakari was repealed and the power was once again return to the Basque Minister for Homeland Security. ·Winding up of the LABIC Advisory Council. ·The Basque health authority, led by the Basque Minister for Health, was empowered to adopt the measures. ·At the same time that this Decree was signed, an Order was signed by the Basque Minister for Homeland Security was signed and which overturned the oversight and coordination call-back; and an Order by the Basque Health Minister that established the measures that are still in force.
LABI 03/12/2021	663,59	<ul style="list-style-type: none"> ·DECREE 44/2021, of 2 December of the Lehendakari 	<ul style="list-style-type: none"> ·The whole of the Autonomous Community of the Basque Country was returned to health emergency status. ·An extraordinary LABI Advisory Board was set up and its members appointed to co-help in the management of the COVID-19 pandemic.
After the ruling of the Supreme Court 04/12/2021	232,08	<ul style="list-style-type: none"> ·ORDER of 17 November 2021, of the Basque Minister of Health, published on 4 December 2021 	<ul style="list-style-type: none"> ·The requirement for a Covid Pass was established as an own additional prevention and containment measure for monitoring and controlling public health, in the following establishments: -Establishments aimed at providing the public with recreational and dancing activities, including discoteques, dance halls, nightclubs with shows, musical bars, karaoke. As regards the special pubs and bars, the measure will only be applicable up to 10.00 p.m. -Restaurants with authorised seating for over 50 diners.
	6.658,87	<ul style="list-style-type: none"> ·DECREE 47/2021, of 14 December of the Lehendakari 	<ul style="list-style-type: none"> ·The type of establishments, events, activities and places where access required a Covid Pass, as established by the Order of 17 November 2021, of the Basque Minister for Health, was extended. The new venues were: -Concert halls or other closed spaces for concerts, musical festivals and other artistic and cultural events. -Hospitality and catering establishments. -Sports centres, gymnasiums and other indoor venues for physical and/or sport activity. The pass had to be shown by all people wishing to enter. -Enclosed sports premises, such as stadiums, Basque pelota courts or similar, in the case of competitions with an entry control system and attendance over 100 people. -Hospital and healthcare centre, along with prisons.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 28/12/2021	2.547,24	·DECREE 51/2021, of 28 December of the Lehendakari	<ul style="list-style-type: none"> ·The closing time for activities was set at 01.00 a.m. at the latest. ·In general, venue capacities indoors were set at 60%. ·As regards events, maximum of 600 people indoors and 800 outdoors. Maximum of 800 people indoors and 1,200 people outdoors in venues with capacity of between 1,600 and 5,000 people. Capacity of 50% in venues with capacity over 5,000, regardless of whether a different limit is set and applicable in the Spanish State. ·Ban on people being served standing in hospitality and nightlife establishments, long with a maximum of 10 people per table. The same rules applied to txokos and youth associations. ·Sports allowed indoors in groups of up to 10 people. 50% use of changing rooms. ·Establishments not allowed to open to the public before 8.00 a.m. on 1 and 6 January 2022. ·Recommended that family gatherings be limited to ten people and a maximum of two-family units on 31 December 2021 and 1 January 2022, and on 5 and 6 January 2022. ·Likewise recommended that there were no changes to the people gathering together for different celebrations and care be taken to people particularly vulnerable to COVID-19.
LABI 28/01/2022	3.246,34	·DECREE 2/2022, of 28 January, of the Lehendakari	<ul style="list-style-type: none"> ·The following measures in force from 28 December extended until 13 January: <ul style="list-style-type: none"> ·The closing time for activities set at 01.00 a.m. at the latest. ·In general, venue capacities indoors set at 60%. ·As regards events, the maximum 600 people indoors and 800 outdoors. Maximum of 800 people indoors and 1,200 people outdoors in venues with capacity of between 1,600 and 5,000 people. Capacity of 50% in venues with capacity over 5,000, regardless of whether a different limit is set and applicable in the Spanish State. ·Ban on people being served standing in hospitality and nightlife establishments, long with a maximum of 10 people per table. The same rules applied to txokos and youth associations. · Sports allowed indoors in groups of up to 10 people. 50% use of changing rooms.
After TSJPV ruling	2.762,64	·ORDER 3 February 2022 of the Basque Minister for Health	<ul style="list-style-type: none"> The TSJPV did not authorise the extension of the use of the Covid Pass and therefore DECREE 47/2021, of 14 December, of the Lehendakari, was overturned. Therefore, a subsequent Order of the Basque Minister of Health overturned the requirement for a Covid Pass to enter nightlife and restaurants establishments with capacity for over 50 diners that had been established in the Order of 17 November 2021.

LABI MEETINGS	14-DAY CI RATE	DECREE / ORDER	MAIN MEASURES ADOPTED
LABI 10/02/2022	1.778,78	<p>·DECREE 5/2022, of 11 February, of the Lehendakari</p> <p>(ORDER of 11 February 2022, of the Basque Minister for Health, and Order of 11 February 2022, of the First Deputy Lehendakari and Basque Minister for Homeland Security)</p>	<p>·The health emergency was declared to be over.</p> <p>·The LABI Advisory Board set up to co-help in the management of the COVID-19 pandemic was disbanded.</p> <p>·The measures in Decree 51/2021, of 28 December, of the Lehendakari, were overturned.</p> <p>·An Order was signed by the Basque Minister for Homeland Security was signed and which overturned the oversight and coordination call-back of the Lehendakari; and an Order by the Basque Health Minister that established the measures that were still in force.</p> <p>·Therefore, the Basque health authority, led by the Basque Health Minister, was empowered to adopt the prevention, monitoring and control measures applicable in the Basque Country.</p>

Annex 3. List of dates of Conferences of Regional Leaders, with Accumulated Incidence Rate and proposals submitted by the Lehendakari at those meetings

CONFERENCES OF REGIONAL LEADERS	14-DAY CI RATE	SUBMISSIONS BY THE LEHENDAKARI
Video-conference 15/03/2020	32,86	<ul style="list-style-type: none"> -“Approve the package of ‘Extraordinary proposals and measures signed by the business and trade union officials’ on the table of the Spanish Cabinet.” -“Prioritise the measures to support the self-employed and trade, particularly those affected by the restrictions imposed.” -“Subsidise companies that protect jobs and do not lay off people. I have proposed the German Government model that pays 60% of the hours not worked and assume 50% of Social Security costs.” -“Ask the European Union to implement an ambitious economic stimulus plan. It is fundamental to adopt effective decisions to avoid the recession.” -“Recognise and compensate the healthcare professionals and essential services for the extra effort, dedication and commitment that they are showing in this crisis.”
Video-conference 22/03/2020	107,49	<ul style="list-style-type: none"> -“The Spanish Ministry of Health should establish uniform criteria for conducting the diagnosis tests and posting the number of people recovered. This information is fundamental to duly scale and address the problem.” -“I call for greater unity of action in the framework of the European Union, when adopting the set of strategic decisions that must be implemented.”
Video-conference 29/03/2020	245,29	<ul style="list-style-type: none"> -As regards the total shutdown of industrial activity: “The decision adopted by the Government (...) was not the only possible one. There were other alternatives (...). For example, from the point of view of the calendar, starting a fortnight of greater restrictions one week later would have had less of an impact on the economy, on industry and, above all, on protecting employment. We would also been able to better assess the impact of the lockdown in its initial phase.” -“Yesterday I submitted in writing an option that, unlike a counterproductive standard application of the new restrictions, would allow them to be adapted to the industrial and healthcare reality of each Autonomous Community.”
Video-conference 05/04/2020	292,05	<ul style="list-style-type: none"> -“A ‘Return to Normality Plan’ is needed that would allow the emergence from lockdown and shutdown to be staggered. We have a further two weeks to make progress to prepare a Plan to return to cultural, social, economic and educational activity. We need to anticipate scenarios for the gradual revival for circulation, transport, reopening of companies, education and leisure centres, sports complexes of cultural activity...”

SUBMISSIONS BY THE LEHENDAKARI		
CONFERENCES OF REGIONAL LEADERS	14-DAY CI RATE	
Video-conference 12/04/2020	211,93	<p>-“We need to manage certainties and, particularly, to pass on certainties to society. Certainty is sure and clear knowledge, that does not lead to doubts. This is the key to our coordination; because each time we manage or communicate based on uncertain and unproven guesswork, problems are aggravated, our cooperation suffers and we confuse society. First, coordination and, then, communication. Not the other way round. We need to share certainties.”</p> <p>-“Certainties about masks, tests, the arrival and distribution of supplies. Certainties about the evolution data of the pandemic and the information that, I stress, must be based on uniform criteria and methodologies. (...) regarding the de-escalation or “Return to Normality Plan.”</p> <p>-“Certainties about the aid plans aimed at employment... About social policies. I refer, for example, to the lack of response about active employment policies; or the new proposals regarding the subsistence income (Ingreso Mínimo Vital - IMV) and its complementarity with the Minimum Income Scheme (Renta de Garantía de Ingresos) that we apply in the Basque Country and, also, in other Communities.”</p> <p>-“Certainties about we must ask and offer to the European Union. We are Europe and we need a common policy. Certainties in the implementation of the general measures that have been announced. Certainties about the State Agreements that are being considered. Prior to discussing the wrapping, we should work on the specific content to help us assess effective proposals and response with our sights on the medium and long term.”</p> <p>-“Take into consideration the UNICEF and Save the Children recommendations to allow the children to go outside, with time constraints, social distancing and no gatherings.”</p> <p>-“Prepare the limited and staggered opening of stores and small businesses, with strict safety measures and social distancing.”</p> <p>-“Authorise individual physical activity, outdoors with time constraints and without gatherings of people.”</p>
Video-conference 19/04/2020	134,41	<p>-“Protecting professionals continues to be essential. And it would likewise be timely to know the Spanish Government’s plan to distribute health supplies over the coming six months. Knowing this planning will help to determine how our supply horizon should be set up.”</p> <p>-“Having a clear budgetary horizon that allows us to plan the new economic measures to be adopted. (...) the forecast for the financing horizon and the framework of aid from the European Union needs to be shared. And also, how those lines of financing and aid are going to flow to the Autonomous Communities and their public sectors.”</p> <p>-“In the Basque case, I am putting forward a specific proposal: to agree a new path for budgetary stability as soon as possible and in the framework of the Basque Economic Agreement Joint Committee.”</p> <p>-“I am returning clarification returning the subsistence income proposal. We need to know its implementation calendar, its terms and conditions and amounts envisaged. (...) The model of Nordic countries is a benchmark.”</p> <p>-“I should particularly stress the social and economic impact and on employment: the progressive opening up of the retail sector with the same limitations as for food stores. The German model is a benchmark.”</p> <p>-“I propose sharing criteria regarding the main social issues this summer: cultural activity, events, popular festivities; physical activity sport; or managing beaches and swimming pools.”</p> <p>-“As regards asylum and vulnerable migrants, there is a pressing need to adopt common criteria, to be applied in each Autonomous Community, regarding the extensions in the different programme and residency and work permits. The Portuguese model is a benchmark.”</p>
Video-conference 26/04/2020	83,41	

SUBMISSIONS BY THE LEHENDAKARI		
CONFERENCES OF REGIONAL LEADERS	14-DAY CI RATE	
<p>Video-conference 03/05/2020</p>	<p>52,92</p>	<p>-“As regards the Subsistence Income, (...) this benefit must be coordinating with the existing models, which include our Minimum Income Scheme, a benefit aimed at contributing to social inclusion and employability.”</p> <p>-“I believe it to be right that an agreement is sought with social and economic stakeholders to trigger an extension of the current furlough on the grounds of force majeure. (...) Furthermore, and in accordance with the negative economic and job outlooks, particularly in industry, there should be a streamlined and flexible transition to new furloughs on economic and organisational grounds.”</p> <p>-“I also welcome the agreement reached in the Spanish Parliament this week. It channels the interpretation of co-governance, as we have called for from the Autonomous Communities, and which we now have to apply properly.”</p> <p>-“The key for us regarding this stage is to plan to invest and revive. As institutions, we have a key role in the reconstruction. Public investment is a fundamental tool and we believe it is the right time to invest in the healthcare system, in social and equality cohesion and, likewise, in job and economic revival.”</p> <p>-“We propose an European ecosystemic response, which allows the initiatives to be streamlined in the decade’s two major challenges: new green deal and digital transition. This European Recovery Fund has to serve to undo the serious consequences of the pandemic, in order to embody the principle of solidarity, to safeguard the internal market and to foster productive investment and employment.”</p> <p>-“I propose the use of masks in all activities outside home in closed spaces or in situations where the recommended minimum distance cannot be maintained between people.”</p> <p>-“Reconsideration (of the time slots) by the Spanish Government, even in this Phase 1, by keeping the time slots for the elderly and for the groups most at risk that we have to specifically protect.”</p> <p>-“Strengthening the social distance measures between people and use of masks, on the one hand; and relaxing, on the other hand, the restrictions on venue capacities in the second phase up to 50% for cultural events and hospitality.”</p> <p>-“I propose that we allow those activities (outdoor and active tourism) freely and safely in the natural environment. Those activities include, for example, hiking.”</p> <p>-“Fostering face-to-face classroom activity (...) In-person education, complying with the strict protocols that we have sent to the centres, is essential to counteract the inequality of the most vulnerable students. The Basque Government is going to pursue this goal by abiding by the reports of organisations such as UNICEF, Save the Children and the Spanish Paediatric Association.”</p>
<p>Video-conference 10/05/2020</p>	<p>31,35</p>	<p>-“We have multilateral cooperation forums, such as the European Union Affairs Committee which will meet this Thursday, the Basque Country will stress the need to consider mobility proposals of the Basque Country, Navarra and Nouvelle Aquitaine Euroregion.”</p>
<p>Video-conference 17/05/2020</p>	<p>18,69</p>	<p>-“I stress the need to convene the Basque Economic Agreement Joint Committee to redefine the Basque Country’s public debt and budgetary stability targets.”</p> <p>-“Cooperation and coordination are going to continue to be necessary, without question. That said, we have sufficient bilateral and multilateral forums to embark on a new stage. Therefore, I submit to the consideration of all of you the opportunity to change the continuity and format of those meetings.”</p>
<p>Video-conference 24/05/2020</p>	<p>11,52</p>	<p>-“I stress the need to convene the Basque Economic Agreement Joint Committee to redefine the Basque Country’s public debt and budgetary stability targets.”</p> <p>-“Cooperation and coordination are going to continue to be necessary, without question. That said, we have sufficient bilateral and multilateral forums to embark on a new stage. Therefore, I submit to the consideration of all of you the opportunity to change the continuity and format of those meetings.”</p>

CONFERENCES OF REGIONAL LEADERS	14-DAY CI RATE	SUBMISSIONS BY THE LEHENDAKARI
Video-conference 31/05/2020	5,85	<p>-“I should repeat the request of 3 May to extend the application of the force majeure furlough, with discounts on the payment of Social Security contributions to September, for the most affected sectors at State level, such as retail, hospitality and tourism. Likewise for the industrial sectors that are suffering, and are going to suffer, the drop-in activity. I am referring to the car industry, which is in a perilous state, aviation and machine tool sectors.”</p> <p>-“Furthermore we propose that the payment of the Social Security contributions of the people on furlough are discounted on productive, organisational, technical or economic grounds; at least for small and medium-sized companies, provided that the undertake not to lay their workers off. Basque institutions (...)in the Basque Social Dialogue Roundtable are going to consider a furlough supplement for the lowest wages. In this regard, we are considering applying the German model, in other words, a “shared effort” among the parties involved.</p> <p>-“Streamline the administrative regularization process of the migrant population to have work permits.”</p> <p>-“As regard the fund of €16 billion for the economic and social recovery, (...) a firm clarification of the timeline and procedures for this Fund to be available would be timely and necessary.”</p> <p>-“Facilitate, right now, cross-border transit, as we have asked in a letter address to your Mr. Prime Minister and to the French Prime Minister.”</p> <p>-“Consider making surgical and hygiene masks exempt from VAT for people who resort to the pharmaceutical co-payment.”</p> <p>-“Extending the date of Article 8 of LRD 15/2020 of 21 April(...) which applies the 0% VAT rate to the delivery of goods needed to overcome the impact of COVID-19 until 31 July 2020.”</p>
Video-conference 07/06/2020	3,61	<p>-“I repeat the need to make hygiene and surgical masks issued for the groups recognised in pharmacies exempt from VAT; as with the moratorium of Article 8 of Legislative Royal Decree 15/2020 that establishes the application of 0% VAT rate to the deliveries of essential goods to overcome the impacts of COVID-19 in order to continue planning the essential supply in the medium and long term.”</p> <p>-“Without industry, there is no reconstruction. Without Science and Research, there is no reconstruction. Without commitment to productive investment, there is no reconstruction. Without supporting the internationalisation of the business fabric, there is no reconstruction. The Basque Country is ready to cooperate in this endeavour and develop a strategy that consolidates these foundations for the recovery. Such a strategy requires a clear horizon in the availability of resources and borrowing possibilities.”</p>
Video-conference 14/06/2020	6,08	<p>-“On our side, and as a consequence of a ruling of the European Parliament, we are giving impetus in the Conference of European Regional Legislative Assemblies (CALRE) to a contribution on the “reinforced cooperation” in the future of the European Union. Our aim is to be frontline players in Europe and offer our added value in legitimacy, effectiveness, proximity and experience regarding the economic and job recovery. A community goal and a common good.”</p> <p>-“It is an essential and pressing matter to establish a reliable financial framework in the Spanish State. You know that this is a matter that concerns us. There is a series of unknowns, in our case relating to the methodology to update the debt and budgetary stability targets, along with the GDP deficit, which must be clarified. Economic certainty to invest and revive the internal market. It is now time for us to act and to act we must know the resources, tools and timeline that we have.”</p>

SUBMISSIONS BY THE LEHENDAKARI		
CONFERENCES OF REGIONAL LEADERS	14-DAY CI RATE	
In-person meeting at Yuso Monastery, in San Millán de la Cogolla 31/07/2020	93,74	<p>-“As regards these conferences, Article 146 of Act 40/2014 establishes that these meetings must be prepared and assisted by a preparatory committee made up of a minister and regional minister per Autonomous Community. Agreeing criteria on the matters to be discussed, agenda, communication, minutes and possible agreements seems to be logical. If there is no method, these meetings are a series of never-ending disjointed monologues that get nowhere.</p> <p>-“In addition to maintaining all the interterritorial councils, I believe there should be greater emphasis on direct communication between Autonomous Communities. In particular, in the case of neighbouring communities; but also, when an Autonomous Community is considering taking a decision that could affect another.”</p> <p>-“As regards the European funds (...). I should point out that, in my opinion and at the appropriate time, the debate will most likely not be focused on how much but on how. Access to the funds is going to require a clear strategy to adapt to the new healthcare challenges, the environmental energy transition and to the digital-technological transition.”</p> <p>-“I believe that the furloughs should be extended while we continue to be exposed to the effects of Covid. Furthermore, I propose setting up specific support measures for trail-blazing sectors, such as the car industry and the aviation and machine tool sectors, that are in a difficult situation. There is also a pressing need to streamline the processing of the social aid agreed and approved before the summer.”</p> <p>-“There is a strategic need to agree a coordinated line of action to activate the European Next Generation Funds.”</p> <p>-“Face-to-face education is counterbalancing and has to be indisputable from the point of view of the equality principle. The response to the vagaries of the pandemic is composure, consistency and adaptation to defend the fundamental right to education.”</p> <p>-“The Autonomous Communities need to know with greater clarity:</p> <ul style="list-style-type: none"> ·First, the general criteria of the European Commission to select the transformative projects; and if they can be adapted to each State; and they can be adapted to each State according to their technological, economic and social baseline situation. ·Second, the instruments and criteria that the Spanish Government will implement for the shared selection and management of the projects with the Autonomous Communities; defining the specific functions of the Sectoral Conference of the European funds; and ·Third, the project assessment, monitoring and oversight systems in the framework of the parameters established by the European Union.”
Video-conference 04/09/2020	399,73	
Video-conference 26/10/2020 (The President of the European Commission, Ursula von der Leyen, took part)	547,57	

CONFERENCES OF REGIONAL LEADERS	14-DAY CI RATE	SUBMISSIONS BY THE LEHENDAKARI
<p>In-person meeting at the San Esteban Convent of Salamanca</p> <p>30/07/2021</p>	<p>340,45</p>	<p>–“As regards the European funds, I would like to stress two ideas:</p> <ul style="list-style-type: none"> ·As regards the criteria, the funds of the recovery and resilience mechanisms must give greatest priority to the transformation of our socio-economic model. (...) ·As regards the method, I consider it to be fundamental that the decisions envisage the prior consultation of the Autonomous Communities, particularly regarding the devolved powers. The Autonomous Communities are empowered to make decisions and act in this area, as is the case in the management of other European funds. (...).” ·“As regards the demographic challenge, we agree for the need to give impetus to a strategy in this regard, which has different expressions and circumstances in different Autonomous Communities of the Spanish State and for the European Union overall. (...) I would like to stress that we are willing to drive the Common Agenda with the Autonomous Communities and Local Governments. (...).” ·“I would like to end with a question of procedure of the Conference of Regional Leaders. (...) My proposal is, first, that we abide by the Regulations of the Conference of Regional Leaders. Second, I suggest amending Article 2.1. to define this conference as a forum for dialogue, deliberation and shared reflection on global and strategic questions. (...) Bilateralism and multilateralism need to be embodied as envisaged in the Constitution and in the Statutes of Autonomy, as well as in content, procedures and coordination. Coordinated cooperative governance has to have a specific course, a clear methodology, real and practical targets, along with a recognisable framework for decision making that respects self-government and the different devolved areas.”
<p>Video-conference</p> <p>22/12/2021</p>	<p>1.495,38</p>	<p>With respect to the sixth wave, the Lehendakari called for a “common strategy” and to adopt a firm agreement that helps to reinforce the legal certainty of the measures that may be adopted. He suggested a series of ten general measures in response with an application timeline to the end of January and specific criteria for the Christmas season:</p> <ul style="list-style-type: none"> ·Mandatory use of masks outdoors ·The closing time for all commercial, social and cultural activities set at 1.00 a.m. ·Capacity indoors for all establishments and venues limited to 60% ·Limiting capacities at large sport, cultural and social events outdoors to 50% ·Prevent people being served standing and limit groups per table to a maximum of 10 people at hospitality and catering, and nightlife establishments ·Limit the groups to a maximum of 10 people for indoor sports ·Establish that, on specific day and public holidays during the Christmas season, commercial and hospitality establishments and social and cultural activity have to close at 9.00 p.m. ·Establish that on specific days and on public holidays, that commercial and hospitality establishments cannot open before 8.00 a.m. ·On specific day and public holidays during the whole Christmas season, hotels, rural accommodation, camping sites or any other type of accommodation with catering service may only serve dinners to 23.30 a.m. ·Recommend that there are no more than 10 people and from a maximum of two-family units at Christmas lunches and dinners. Recommend that the same people attend the different celebrations.

