

Open Call for Legal Experts, Lawyers and Academics

Exchange of information, News and Analysis regarding COVID-19 related changes in Laws and Regulations concerning Cooperatives and other MSMEs

Background Note

Regulation of cooperatives, and in it, the translation of cooperative identity into instruments of law, is a crucial dimension to the relationship between 'cooperatives and the State'. Cooperatives and the State cross paths in their respective pursuits of taking care of communities and securing socio-economic and cultural needs and aspirations of people. The nature of their relationship has undergone changes in last two decades, and rests largely today, on their own (independent) yet common commitment to sustainable development.

COVID-19 has resulted in, among other things, a range of changes or/and adjustments and amendments to laws, regulations, and similar, that in/directly affect cooperatives in their governance (e.g. online Annual General Meetings) and their operations during the crisis, and recovery from the challenges posed by the pandemic (e.g. relief measures extended by the State and in it, the inclusion of cooperatives).

This was quickly understood by many cooperative lawyers and law makers, in particular our friends at the Greater Manchester Cooperative Commission who produced webpages and blogs to promote a cooperative recovery from the crisis Building a Cooperative Recovery and Coronavirus and the Greater Manchester Cooperative Commission and Building back better; and from friends at the Ontario Cooperative Association who have released this page to inform and support cooperatives during the pandemic, and like the Government of Western Australia dedicated a page of advice for cooperatives; and from the Cooperative Development Authority of the Philippines that brought out circulars to mark the changes in the way cooperatives operate their governance and administration. More recently, the Cooperatives of the Americas Committee on Cooperative Law organized a webinar to hear from cooperative lawyers on the topic.

ICA-CLC recently discussed the need to gather information concerning the most-recent changes to cooperative regulations, as the direct consequence of the ongoing pandemic, and assess the collected information from the lens of protecting the cooperative identity, while facilitating online discussions on the subject, among legal experts, particularly in-house counsels, engaged with ICA member organizations. This effort is expected to culminate in the form of a special report at the 33rd World Cooperative Congress, scheduled in December 2021, and in the run up to the same.

Please follow www.coops4dev.coop to learn about the legal framework analysis and mapping exercise conducted by the ICA-EU Partnership on Cooperatives in Development.