

40th SESSION
Second part

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40th SESSION
Second part**Recurring issues based on assessments resulting from Congress monitoring of the European Charter of Local Self-Government and election observation missions (reference period 2017-2020)**Recommendation 455(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. the European Charter of Local Self-Government (ETS No. 122) and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No. 207);

b. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;

c. Chapter XVIII, XIX and XX of the Rules and Procedures of the Congress,² respectively on the organisation of monitoring procedures, election observation missions, post-electoral political dialogue and on the implementation of the post-monitoring;

d. the Congress monitoring reports, resolutions and recommendations on the implementation of the European Charter of Local Self-Government in the Council of Europe member States;

e. the reports, resolutions and recommendations adopted by the Congress further to the observation of local and regional elections as well as reports, resolutions and recommendations on cross-cutting issues in electoral matters;

f. Congress Resolution 413 (2017) on the comparative analysis on the implementation of the European Charter of Local Self-Government in 47 member States.

g. Congress Recommendation 395 (2017) “Recurring issues based on assessments resulting from Congress monitoring and election observation missions (reference period 2010-2016)”.

2. The Congress strongly regrets that the recurring issues identified in the previous report – such as the inadequacy of financial resources available to local and regional authorities, the restricted definition, allocation and exercise of local competences, the shortcoming in consultation and the lack of direct applicability of the Charter – remain relevant for the period under review. Furthermore, the Congress has observed an increasing difficulty in the member States in meeting the requirements of Article 7 of the Charter on the conditions of office of local elected representatives.

¹ Debated and adopted by the Congress on 17 June 2021, 3rd sitting (see Document [CG\(2021\)40-10](#), explanatory memorandum), co-rapporteurs: Stewart DICKSON, United Kingdom (R, ILDG) and Leendert VERBEEK, Netherlands (R, SOC/G/PD).

² [CG-FORUM(2020)01] – Revised Rules and Procedures of the Congress
<https://rm.coe.int/rules-and-procedures-of-the-congress-of-local-and-regional-authorities/16809f0b0e>

3. The Congress reiterates that the Charter, ratified by 47 member States of the Council of Europe, as an international treaty should be applied in member States also in the situation of crisis such as the COVID-19 pandemic.
4. include the accuracy of voters lists, the misuse of administrative resources during electoral campaigns, the politicisation of the electoral administration at all levels and the voters confidence in electoral processes. Furthermore, over the past several years, the Congress has observed that compliance with the principle of equal level playing field for all candidates including independents has become increasingly problematic.
5. It reiterates the relevance of soft law instruments applicable in this respect, including the Congress recommendations on electoral observation and the Code of Good Practice in Electoral Matters issued by the European Commission for Democracy through Law (Venice Commission).
6. The Congress pursues post-monitoring and post-electoral dialogue with national authorities of the Council of Europe member States to assist them in fulfilling the Congress monitoring and election-related recommendations and resolutions, with a particular emphasis on tackling the recurring issues.
7. In the light of the above, the Congress invites the Committee of Ministers to call on the authorities of the members States to:
 - a. pursue their efforts to fully implement the ratified provisions of the Charter in particular as regards the identified recurring issues;
 - b. implement Congress recommendations related to cross-cutting electoral issues at local and regional level as well as soft law instruments issued by other Council of Europe bodies, notably the European Commission for Democracy through Law, in order to ensure that local and regional elections are in compliance with European standards in electoral matters;
 - c. strengthen their political dialogue with the Congress, including in the framework of post-monitoring and post-electoral procedures, with a view to setting up roadmaps to comply with their commitments under the Charter.

40th SESSION
Second part

Monitoring of the application of the European Charter of Local Self-Government in Armenia

Recommendation 456(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

- a. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;
- b. Article 1, paragraph 2, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1, stipulating that “The Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government”;
- c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;
- d. the Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goal 11 on sustainable cities and communities and Goal 16 on peace, justice and strong institutions;
- e. the Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;
- f. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;
- g. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities’ activities, adopted on 4 April 2019;
- h. Congress Recommendation 351(2014) on local democracy in Armenia and the 2016 Post-monitoring Road map (CG/MON/2015(295));
- i. the explanatory memorandum on the monitoring of the European Charter of Local Self-Government in Armenia.

2. The Congress points out that:

- a. Armenia signed the European Charter of Local Self-Government (ETS No. 122, hereinafter “the Charter”) on 11 May 2001 and ratified it on 25 January 2002, with entry into force on 1 May 2002;

¹ Debated and approved by the Chamber of Local Authorities on 15 June 2021 and adopted by the Congress on 16 June 2021, 2nd sitting (see Document [CPL\(2021\)40-02](#), explanatory memorandum), co-rapporteurs Bryony RUDKIN, United Kingdom (L, SOC/G/PD) and Gunn Marit HELGESEN, Norway (R, EPP/CCE).

b. the Committee on the Honouring of Obligations and Commitments by Member States of the European Charter of Local Self-Government (hereinafter referred to as Monitoring Committee) decided to examine the situation of local democracy in Armenia. It instructed Bryony RUDKIN, United Kingdom (L, SOC/G/PD) and Gunn Marit HELGESEN, Norway (R, EPP/CCE), with the task of preparing and submitting to the Congress a report on the monitoring of the European Charter of Local Self-Government in Armenia. The delegation was assisted by Professor Zoltán SZENTE, member of the Group of Independent Experts on the European Charter of Local Self-Government, and the Congress Secretariat;

c. the monitoring visit took place from 12 to 15 May 2019. During the visit, the Congress delegation met the representatives of various institutions at all levels of government. The detailed programme of the visit is appended to the report;

d. the co-rapporteurs wish to thank the Permanent Representation of Armenia to the Council of Europe and all those whom they met during the visit.

3. The Congress notes with satisfaction that:

a. since the last monitoring report, Armenia has ratified all the articles of the Charter and is bound today by all the Charter's provisions;

b. despite the slowing down of the territorial reform due to recent political changes, the consolidation of communities through mergers has been relaunched and new legislative initiatives have been prepared by the government in areas such as local referendums, public hearings and financial assistance to municipalities.

4. The Congress notes, however, that several points raised in the previous monitoring report and the Road map for Armenia remain valid and expresses its concerns in particular about the following issues:

a. the powers and duties of the municipalities have not been extended to allow them to regulate and manage a substantial share of public affairs under their own responsibility (Article 3.1);

b. the municipalities have a limited role in delivering public services, which runs counter to the principle of subsidiarity (Article 4.3), and a number of local government powers are not full and exclusive (Article 4.4);

c. there is no legally guaranteed consultation procedure between the central government and municipalities or their national associations (Article 4.6); local authorities are not involved in an appropriate manner in the decision-making process concerning their finances (Article 9.6) and local communities are not consulted on the changes to their boundaries (Article 5);

d. poor work conditions for municipal employees exist in a number of local government offices (Article 6.2);

e. the administrative supervision is not limited to the legal control of local government decisions, and various state authorities have overlapping supervisory activities over municipalities (Article 8.2);

f. the level of financial autonomy of local authorities is low and in particular smaller communities lack adequate financial resources of their own to carry out their tasks (Article 9.1);

g. local authorities are not provided with the adequate and concomitant funding to exercise the delegated tasks (Article 9.2);

h. the financial equalisation system does not ensure in practice the effective reduction of the financial disparities between communities (Article 9.5);

i. municipalities receive only a small amount of central grants allocated as lump sums (in a non-earmarked way) to finance their investments (Article 9.7).

5. In light of the foregoing, the Congress requests that the Committee of Ministers invite the Armenian authorities to:

- a. ensure that the consolidation of the municipal system through amalgamations of smaller communities is accompanied by the allocation of new tasks and additional resources;
- b. increase the share of public affairs managed by local authorities under their own responsibility through decentralisation of competences, in line with the principle of subsidiarity;
- c. guarantee in law the right of local authorities to be consulted on matters that concern them directly, in particular on the changes to the local authority boundaries and on the allocation of financial resources, and ensure that consultation is held regularly and in an appropriate manner in practice;
- d. improve the working conditions of municipal employees;
- e. revise and clarify “own” competences of municipalities and limit the state supervision of their own tasks to the control of legality;
- f. ensure that local authorities have access to adequate financial resources of their own, given different local governments' own revenue-generating capacity, which should also allow them to cover municipal capital expenditures;
- g. accompany the delegation of the tasks from central to local level with adequate concomitant financial resources;
- h. make sure that in practice the financial equalisation system compensates the regional discrepancies and different financial capacities of the municipalities;
- i. review the calculation methods of central grants to adjust them to the real costs of the fulfilment of mandatory tasks and functions, taking into account the legitimate differences in the various municipalities, and increase the share of non-earmarked or block grants at the expense of the specific grants.

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the European Charter of Local Self-Government in Armenia and the explanatory memorandum in their activities relating to this member State.

40th SESSION
Second part

Territorial solidarity: the role regions can play

Recommendation 457(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe (hereinafter “the Congress”) refers to:

a. Article 9 (and in particular its paragraph.5), Article 3.1, and Article 4.6. of the European Charter of Local Self-government (hereinafter “the Charter”);

b. the Contemporary Commentary by the Congress on the Explanatory Report to the European Charter of Local Self-government adopted on 7 December 2020 by the Statutory Forum;

c. Congress Recommendation 455 (2021) on Recurring Issues Based on Assessments Resulting from Congress Monitoring and Election Observation Missions (Reference Period 2017-2020);

d. the Priorities of the Congress 2021-2026, in particular Priority a: Resilient societies: Effective local and regional responses to public health crises; and Priority c: Cohesive societies: Reducing inequalities in the field;

e. Recommendation Rec(2005)1 of the Committee of Ministers to member States on the financial resources of local and regional authorities;

f. Recommendation CM/Rec(2011)11 of the Committee of Ministers to member States on the funding by higher-level authorities of new competences for local authorities;

g. Congress Recommendation 362 (2014) on Adequate financial resources for local authorities;

h. Congress Recommendation 427 (2018) on Coping with the debt burden: local authorities in financial difficulty;

i. Congress Recommendation 438 (2019) on Fair distribution of taxes in transfrontier areas: Potential conflicts and possibilities for compromise;

j. the United Nations Agenda 2030 for Sustainable Development, in particular Goal 10: Reduce inequalities within and among countries; and Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

¹ Approved by the Chamber of Regions on 16 June 2021 and adopted by the Congress on 17 June 2021, 3rd sitting (see Document [CPR\(2021\)40-05](#), explanatory memorandum), rapporteur: Harald SONDEREGGER, Austria (R, EPP/CCE).

2. The Congress points out that:

a. States are facing different challenges of a social, economic and environmental nature which are affecting the traditional economic and social ties between and within regions. The COVID-19 pandemic has exacerbated many of these challenges, particularly with regard to public health care systems and economic repercussions impacting many European regions and their subdivisions unequally. The need for better territorial cohesion policy and greater territorial solidarity is therefore becoming more critical than ever, most notably between the central and peripheral regions;

b. while national governments have seen their scope of action limited due to economic difficulties, the increasing role of the EU and decentralisation, the redistribution of services and financial resources between regions can contribute to territorial development. In order to tackle the new challenges, it is necessary to promote new methods, by redefining the core sovereign powers of states, by strengthening their role in areas such as security and financial equalisation, while at the same time expanding the role of regional and local authorities in grassroots policy areas such as transport, healthcare, education and the environment;

c. in this context, regions play a crucial role as the intermediary between national and local levels in reducing territorial disparities by pursuing a wide range of (re-)distributive policies in interaction with various players at the sub-state and supra-national levels. While using new instruments of equalisation, the regional powers can effectively address the challenges that different territories are facing today in order to ensure a greater level of territorial solidarity within the regions.

3. In light of the above, the Congress requests that the Committee of Ministers invite the respective national authorities of member States of the Council of Europe to:

a. involve regions in the policies of territorial solidarity by delegating part of the competencies to the regional authorities in order to implement tailored financial equalisation procedures or equivalent measures as the conventional method of assistance for weaker territories, in line with the European Charter of Local Self-government and notably the provisions contained in Article 9;

b. protect financially weaker territories by introducing a system of financial support for specific local and regional authorities under certain conditions, through financial equalisation procedures based on clear and transparent criteria as provided by Article 9.5 of the Charter;

c. promote policies of territorial solidarity by consulting with local and regional authorities, as provided by Article 4.6 of the Charter in conjunction with Article 9.6, namely on common visions of territorial solidarity and the best strategies of achieving greater territorial solidarity between and within regions, putting into perspective interdependence and cooperation between the various territories;

d. support the strengthening of regional capacities to devise and implement territorial solidarity measures to bridge gaps in wealth and access to public services between and within territories, thus laying the basis for a sustainable model of development;

e. call on member States that made a reservation to Article 9.5 to ratify this provision where its application is relevant.

4. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation and the explanatory memorandum in their activities relating to Council of Europe member States.

Protecting LGBTI¹ people in the context of rising anti-LGBTI hate speech and discrimination: The role of local and regional authorities

Recommendation 458(2021)²

1. Sexual orientation, gender identity, gender expression and sex characteristics issues and the rights of LGBTI people have figured prominently on the Council of Europe's (CoE) agenda during the last decade and positive steps have since been taken in many member States to improve the rights of LGBTI people.
2. However, rising conservative and fundamentalist voices in Europe are increasingly politicising the issue of LGBTI identity and designating LGBTI people as scapegoats, questioning diversity in general, and LGBTI people's human rights and the legitimacy of their identity, in particular. Discourses that attempt to de-legitimise LGBTI identities have increased, in which derogatory language and speech are utilised as weapons to create an atmosphere that is hostile to both LGBTI people and to policy objectives. Attempts at creating a conceptual ambiguity around gender and LGBTI issues through the use of terms such as "propaganda of homosexuality", "gender ideology" or "LGBT ideology" contribute to this development.
3. The Council of Europe Committee of Ministers' [Recommendation CM/Rec\(2010\)5](#) on measures to combat discrimination on grounds of sexual orientation or gender identity established guidelines and standards in this area for public authorities in member States, stipulating that "neither cultural, traditional nor religious values, nor the rules of a 'dominant culture' can be invoked to justify hate speech or any other form of discrimination, including on grounds of sexual orientation or gender identity".
4. The same year, the Parliamentary Assembly of the Council of Europe (PACE) adopted [Resolution 1728](#) and [Recommendation 1915](#), addressing discrimination on the basis of sexual orientation and gender identity and calling on member States to develop policies to improve and secure LGBTI equality. Following on this, four other resolutions of PACE reconfirmed "full support" for continuing advancements in LGBTI persons' human rights and equality, focused specifically on advancing equality for transgender people in Europe, paid specific attention to the rights of intersex people, and drew attention to LGBTI people's rights in their private and family life.
5. The Commissioner for Human Rights, the European Commission against Racism and Intolerance (ECRI), the Sexual Orientation and Gender Identity Unit of the CoE (SOGI), the Venice Commission and the European Court of Human Rights (ECtHR) have in their respective documents touched upon different aspects of the rights of and equality for LGBTI people.

¹ The acronym LGBTI is more and more replaced with the term "Sexual Orientation, Gender Identity and Expression, and Sex Characteristics" (SOGIESC) when referring to issues related to LGBTIQ+ people. This being said, for ease of presentation and because it is better known by the public, the rapporteurs have decided to use the LGBTI acronym in this report, when referring to both the issues and the people concerned.

² Debated and adopted by the Congress on 16 June 2021, 2nd sitting (see Document [CG\(2021\)40-18](#), explanatory memorandum), rapporteur: Andrew BOFF, United Kingdom (R, ECR).

6. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) adopted resolutions for local authorities and recommendations for member States in 2007 and in [2015](#), drawing attention to the discrimination and challenges faced by LGBTI people, emphasising that it is the duty of local authorities to protect these rights, and inviting them to take note of good practice examples and strategies with proven success in this area.

7. In addition to the commitments made at the level of the Council of Europe, many members of the CoE are also members of the European Union (EU) which protects human rights in its treaties and laws. Article 21 of the Charter of Fundamental Rights of the European Union, which became legally binding in 2009, explicitly prohibits discrimination based on sexual orientation. In 2020, the European Commission developed an “[LGBTIQ Equality Strategy](#)”, pledging to “defend the rights of the LGBTI people against those who have now more and more an appetite to attack them from an ideological point of view”.

8. Finally, member States have commitments under the United Nations (UN) sustainable development goals (SDGs). The SDGs do not explicitly mention LGBTI people, but these goals are based on the principle of “leaving no one behind”, which implies combating the exclusion of minorities in society. In this perspective, LGBTI people, who are often excluded from society based on their real or perceived sexual orientation, gender identity or expression, and sex characteristics are concerned by these goals.

9. There are obligations at all levels of government to uphold these commitments and values. Public authorities must not only fight discrimination and raise awareness among the public and among elected representatives as to their responsibilities in this area; they must also cooperate among themselves to develop the policies and action necessary both to withstand backsliding in international obligations and to protect and promote the rights of minority groups.

10. Resisting backsliding in human rights, and further facilitating LGBTI persons’ human rights and equality is essential for strengthening democratic inclusion and accountability throughout Europe. Governments and elected representatives at all levels have a responsibility, as forces of cohesion, to prevent the creation of divided, polarised societies where the rights and psychological and physical integrity of their citizens are violated.

11. In light of the above, the Congress calls on Council of Europe member States to:

a. develop and implement national action plans to reinforce anti-discriminatory and human rights measures, including LGBTI people, ensuring consultation with local and regional authorities as well as NGOs and other civil society initiatives working for the rights and equality of LGBTI people;

b. assist local and regional authorities in developing strategies and policies aimed at improving LGBTI people’s human rights and equality;

c. include questions in national data gathering surveys regarding discrimination and hate crimes against LGBTI people;

d. implement the recommendations, resolutions and judgements of the institutions of the CoE concerning the rights and equality of LGBTI people and consult international organisations for assistance when necessary.

40th SESSION
Second part

Holding referendums at local level

Recommendation 459 (2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. the European Charter of Local Self-Government (ETS No. 122, 1985) and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No. 207, 2009);

b. the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144, 1992);

c. Recommendation 1704 (2005) of the Parliamentary Assembly of the Council of Europe on Referendums: towards good practices in Europe;

d. Resolution 2251 (2019) of the Parliamentary Assembly of the Council of Europe on Europe on Updating guidelines to ensure fair referendums in Council of Europe member States;

e. the Venice Commission Code of Good Practice in Electoral Matters (2002);

f. The Venice Commission's Revised Guidelines on the Holding of Referendums (2020);

g. the Priorities of the Congress for 2017-2020 and also the new priorities for 2021-2026 which put a great emphasis on promoting an increased and active participation of citizens in local and regional life in order to improve local democracy in the Council of Europe member States;

h. UN Sustainable Development Goal 16: Peace, Justice and Strong Institutions; Target 16.7: Ensure responsive, inclusive, participatory and representative decision-making at all levels.

2. The Congress points out that:

a. referendums have increasingly been used as a tool of direct democratic involvement for resolving issues which are of fundamental importance for peoples' lives. In this context, referendums can become a point of controversy due to the potentially divisive nature of their questions and the problems that may occur over the respective referendum campaign;

b. although national referendums have nowadays attracted much attention, it is in fact the local referendums that are most widespread in the Council of Europe member States. Yet, local referendums are essential for sounding out the citizens' will on concrete issues that directly affect their everyday lives;

c. bearing this in mind, effective guidelines are needed for member States to use local referendums responsibly in the framework which is in line with Council of Europe standards, most notably the European Charter of Local Self-government, as well as with the international standards and best practices.

¹ Debated and adopted by the Congress on 16 June 2021, 2nd sitting (see Document CG(2021)40-11, explanatory report), rapporteur: Vladimir PREBILIC, Slovenia (L, SOC/G/PD).

3. In light of the foregoing and against the background of principles and standards anchored in the European electoral heritage, the Congress invites the Committee of Minister to call on member States to:

a. implement existing guidelines and good practices regarding the holding of referendums, in particular as defined by the Venice Commission in the Code of Good Practice in Electoral Matters and in the Revised Guidelines on the Holding of Referendums, at the national level and, when applicable, also to the local level;

b. make more use of citizens' assemblies and similar deliberative democracy tools to accompany the holding of local referendums in order to alleviate tensions and enhance citizens' informed decisions;

c. by analogy with the provisions on participation in local elections as contained in the Convention on the Participation of Foreigners in Public Life at Local Level, to grant the right to vote in local referendums to foreigners who have been residing legally in their country for a period of five years.

4. The Congress commits itself to taking into consideration guidelines included in the explanatory memorandum as well as other relevant standards when observing local referendums in the member States.

40th SESSION
Second part

Monitoring of the application of the European Charter of Local Self-Government in Bulgaria

Recommendation 460(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;

b. Article 1, paragraph 3, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that: “The Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government”;

c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;

d. the Congress priorities for 2021-2022, in particular priority 6b that concerns the quality of representative democracy and citizen participation;

e. the Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goals 11 on sustainable cities and communities and 16 on peace, justice and strong institutions;

f. Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;

g. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;

h. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities' activities, adopted on 4 April 2019;

i. Congress Recommendation 310(2011) on the monitoring of the European Charter of Local Self-Government in Bulgaria 310/2011;²

j. the explanatory memorandum on the monitoring of the application of the European Charter of Local Self-Government in Bulgaria.

¹ Debated and adopted by the Congress on 17 June 2021, 2nd sitting (see Document [CG\(2021\)40-20](#), explanatory memorandum), co-rapporteurs: Bryony RUDKIN, United Kingdom (L, SOC/G/PD) and Randi MONDORF, Denmark (R, ILDG).

² Debated and adopted by the Congress on 18 October 2011, 1st sitting (see Document CG(21)14, explanatory memorandum), rapporteurs: A. Torres Pereira, Portugal (L, EPP/CCE) and J. Sauwens, Belgium (R, EPP/CCE).

2. The Congress points out that:

a. Bulgaria joined the Council of Europe on 7 May 1992, it signed the European Charter of Local Self-Government (ETS No. 122, hereinafter "the Charter") on 3 October 1994 and ratified it on 10 May 1995, declaring itself bound by all the provisions of the Charter except for Article 7, paragraph 2. The Charter entered into force in Bulgaria on 1 September 1995. Following the adoption of a Law by the National Assembly of the Republic of Bulgaria on 11 July 2012, the Republic of Bulgaria has withdrawn its declaration with regards to Article 7, paragraph 2 and is henceforth bound by all the paragraphs of Part I of the Charter;

b. The Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (hereinafter referred to as Monitoring Committee) decided to examine the situation of local democracy in Bulgaria in the light of the Charter. It instructed Ms Bryony RUDKIN, United Kingdom (L, SOC/G/PD) and Ms Randi MONDORF, Denmark (R, ILDG), with the task of preparing and submitting to the Congress a report on the implementation of the Charter in Bulgaria;

c. The monitoring took place on 14 and 15 December 2020 remotely. The Congress delegation met the representatives of various institutions at all levels of government. The detailed programme of the remote visit is appended to the explanatory memorandum;

d. The co-rapporteurs wish to thank the Permanent Representation of Bulgaria to the Council of Europe and all those whom they met during the meetings.

3. The Congress notes with satisfaction:

a. considerable progress made in Bulgaria through the implementation of a decentralisation strategy, the devolution of powers and the transfer of responsibilities to local level, especially in the fields of education, public health and social services;

b. the ratification of Article 7.2 of the Charter, which means that Bulgaria is now bound by all articles of the Charter;

c. the institutionalisation of several consultation procedures on matters related to local authorities and the active participation of the National Association of Municipalities of the Republic of Bulgaria in the consultation;

d. the ratification of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority;

e. the establishment of regional development councils where representatives of local authorities participate in decision making on regional development.

4. The Congress expresses its concerns on the following issues:

a. the overlapping of competences and fragmentation of responsibilities that reduces decision-making powers of local authorities in delivering the public services under their own responsibility (Article 4.4);

b. the lack of discretion of local authorities with regard to adapting the exercise of delegated powers to local conditions (Article 4.5);

c. a low level of local financial autonomy as a result of a strong dependence of Bulgarian municipalities on financial transfers from the State budget and the lack of municipalities' discretion in defining spending priorities when the relevant activities are financed through the State transfers (Articles 9.1, 9.7);

d. the lack of commensurate financial resources available to local authorities to perform their functions, while in practice the municipalities carry a heavy burden of tasks without sufficient funding. The system of local finances cannot be characterised as buoyant enough to ensure that delegated tasks are matched with necessary funds (Articles 9.2, 9.4);

- e. a low share of municipal resources deriving from local taxes and charges (Article 9.3);
- f. the restrictive rules applied to local budgeting that constrains budgetary autonomy of local self-government (Article 9.1);
- g. the lack of specialised qualified staff in particular in smaller municipalities (Article 6.2).

5. In light of the foregoing, the Congress requests that the Committee of Ministers invite the authorities of Bulgaria to:

- a. clarify the distribution of competences allocated to different levels of government in order to eliminate overlapping of responsibilities;
- b. increase local authorities' discretion to adapt the exercise of delegated powers to local conditions;
- c. reduce local authorities' dependence on financial transfers from the State budget by increasing the share of local taxes (or local shares of taxes) and charges in local revenue;
- d. introduce an objective, adaptive, reliable, and accurate system to calculate commensurate resources that should cover the cost of performing the municipal tasks;
- e. revise legislation to increase local government fiscal autonomy by enlarging local tax-levying powers;
- f. simplify the rules applied to local budgeting in order to lighten the budgetary supervision and by doing so provide more budgetary autonomy;
- g. provide for an efficient and accessible system for training of local employees to strengthen the administrative capacity of municipalities;
- h. introduce the right of a constitutional recourse for local authorities to be able to directly address the Constitutional Court whenever a law violates their constitutional status, the Charter or both.

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the application of the European Charter of Local Self-Government in Bulgaria and the accompanying explanatory memorandum in their activities relating to this member State.

Monitoring of the application of the European Charter of Local Self-Government in Azerbaijan

Recommendation 461(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;

b. Article 1, paragraph 2, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that “The Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government”;

c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;

d. The Congress priorities set up for 2021-2026, in particular priority 6b that concerns the quality of representative democracy and citizen participation;

e. Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goals 11 on sustainable cities and communities and 16 on peace, justice and strong institutions;

f. Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;

g. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;

h. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities’ activities, adopted on 4 April 2019;

i. previous Congress Recommendation 326 (2012) on the monitoring of the European Charter of Local Self-Government in Azerbaijan, adopted on 17 October 2012;

j. the explanatory memorandum on the monitoring of the European Charter of Local Self-Government in Azerbaijan.

¹ Debated and adopted by the Congress on 17 June 2021, 3rd sitting (see Document CG(2021)40-21, explanatory memorandum), co-rapporteurs: Bernd VÖHRINGER, Germany (L, EPP/CCE) and Stewart DICKSON, United Kingdom (R, ILDG).

2. The Congress points out that:

a. Azerbaijan joined the Council of Europe on 25 January 2001, signed the European Charter of Local Self-Government (ETS No. 122, hereinafter "the Charter") on 21 December 2001 and ratified it with reservations on 15 April 2002 (Articles 4.3; 7.2; 9.5; 9.6; 10.3). The Charter entered into force in Azerbaijan on 1 August 2002;

b. The Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (hereinafter referred to as Monitoring Committee) decided to examine the situation of local and regional democracy in Azerbaijan in the light of the Charter. It instructed Bernd Vöhringer, Germany (L, EPP/CCE) and Stewart Dickson, United Kingdom (R, ILDG), with the task of preparing and submitting to the Congress a report on local and regional democracy in Azerbaijan;

c. The monitoring visit took place remotely from 23 to 25 February 2021. During the visit, the Congress delegation met the representatives of various institutions at all levels of government. The detailed programme of the visit is appended to the explanatory memorandum;

d. The co-rapporteurs wish to thank the Permanent Representation of Azerbaijan to the Council of Europe and all those whom they met during the visit.

3. The Congress notes with satisfaction that in Azerbaijan:

a. On 13 November 2013 Article 10.3 has been included in the list of Charter provisions that are binding in the country;

b. in the last decade, the legislation relevant to local self-government has been partly amended introducing some improvements, including in the system of financing municipalities and in the merit-based selection of municipal staff;

c. an Automated Municipality Information System has been introduced, making payments to and by municipalities electronic and thereby enhancing transparency and improving the collection of local taxes and fees;

d. for the first time, in 2020 the government made use of the opportunity to delegate functions to municipalities, allocating corresponding funds;

e. the process of amalgamation of smaller municipalities continues in an uncontroversial way; in the last municipal elections in 2019 the number of female and young representatives in the municipal councils has significantly improved.

4. The Congress expresses however its concerns on the following issues:

a. municipalities remain unable in practice to exercise the basic functions attributed to them by legislation; in particular, the distribution of powers and functions between municipalities and local executive authorities as well as their factual relations remain ill-defined and this is detrimental to the development of democratically accountable local self-government as prescribed by the Charter;

b. local social, economic and environment programmes may be aimed at resolving issues not covered by the relevant state programmes and this makes the powers of municipalities not full and exclusive as required by the Charter;

c. no separate law exists on the capital city, which remains the only capital city in the Council of Europe area which has no directly elected governance;

d. land maps indicating precise borders of municipalities are not yet available in some municipalities, giving rise to some controversy as to the resources produced on a piece of land whose classification is not clear;

e. consultation of municipalities and their national associations, while taking place informally, is not an established practice and is not regulated in detail in the legislation;

f. conversely, legislation provides for several instruments that would allow citizens' participation in the life of municipalities, but they are only sparingly used; the ratification of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS No. 207) could help improve the practice of citizens' participation in the country;

g. it remains difficult to hire qualified staff for municipalities, which offer less attractive jobs than the state administration, also due to non-competitive salaries and limited personal development opportunities;

h. the procedure for dismissal of the chair of the municipalities for the cases in which he/she can be removed from office is not sufficiently specified in legislation;

i. despite previous calls on the authorities to repeal the provision, and despite an amendment that restricted the cases in which this happens, the legislation still provides that municipalities must report to Parliament on their activities; at the same time, a comprehensive law regulating reporting by municipalities has not yet been adopted;

j. municipal own revenues remain largely insufficient to fulfil the functions entrusted to municipalities by legislation and prevent municipalities from taking up activities in areas formally open to them; municipalities also have no power to determine the rate of their own taxes and are overall financially dependent from the state;

k. the right to judicial protection is provided against, rather than for, municipalities, as in practice municipalities rarely challenge acts in court, while are sometimes suited for violation of rights of citizens, especially on property and land issues, due to the unclear division between state-owned and municipal-owned land;

l. in the context of the COVID-19 pandemic, municipalities have been completely sidelined and their budget has been considerably reduced.

5. In light of the foregoing, the Congress requests that the Committee of Ministers invite the authorities of Azerbaijan to:

a. unambiguously recognise municipalities as state institutions exercising public power as part of the overall public administration; clarify in legislation the relations between municipalities and local state executive bodies, as well as the overlapping responsibilities between municipalities and local executive authorities which currently create a condition of de facto subordination of the former to the latter;

b. amend the Law on the Status of Municipalities and the other laws transferring tasks and functions to municipalities by ensuring that the powers and duties entrusted to municipalities are full and exclusive and that the municipalities have full discretion to exercise their initiative with regard to any matter not excluded from their competence;

c. adopt a law on the status of the capital city and establish a unified and democratically elected municipal government in Baku;

d. complete the process of drawing maps of the municipal lands and resolve the remaining issues related to the division between state-owned and municipal-owned land, indicating size and borders of each municipal territory;

e. create a legislative framework for consultation of municipalities and their associations in the process of drafting legislation relevant to them and more broadly to local issues;

f. support the use of instruments of citizens' participation, including when continuing the process of amalgamation of municipalities and when addressing the issue of local government in the re-integrated territories; ratify the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS No. 207) ;

g. improve the working conditions for municipal staff, including in terms of salaries and liability, in order to make civil service in the municipalities attractive for qualified personnel;

h. specify the dismissal procedure of the chair of the municipalities for the cases in which he/she can be removed from office;

i. complete the process of repealing from legislation the obligation for municipalities to report to parliament on their activities and adopt a law regulating reporting by municipalities, in line with Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities' activities;

j. reduce financial dependence of municipalities from the state by increasing and making sustainable their own revenues, by allowing municipalities to determine the rates of their taxes and by granting that the principle of concomitant financing be ensured in case of state transfers;

k. ensure that the right to judicial protection of municipalities is guaranteed in practice, in particular by resolving the pending land and property issues that give rise to claims for liability against municipalities and their representatives;

l. in dealing with the COVID-19 pandemic, make sure that municipalities are involved and that their financial resources are not disproportionately impacted.

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the European Charter of Local Self-Government in Azerbaijan and the accompanying explanatory memorandum in their activities relating to this member State.

Culture without borders: Cultural heritage management for local and regional development

Recommendation 462 (2021)¹

1. Cultural heritage includes assets inherited from past generations which people identify with and value as an expression of their own knowledge and traditions and as a legacy that enhances cultural identity. It is subject to continuous change and transformation while also aiming to retain the cultural significance of what exists.

2. As recognised by the UNESCO Conventions on the [Protection of the World Cultural and Natural Heritage \(1972\)](#) and on the [Safeguarding of the Intangible Cultural Heritage \(2003\)](#), it has a double character which consists of tangible and intangible assets. The first refer to artefacts produced, maintained and transmitted intergenerationally in a society and the second, to practices, expressions, knowledge and skills that communities recognise as part of their cultural heritage. As highlighted by the UNESCO [Convention on the protection and promotion of the Diversity of Cultural Expressions \(2005\)](#), cultural heritage also has an economic dimension.

3. The Council of Europe (“the CoE”) takes note of the great value of cultural heritage as a means to promote diversity and dialogue across its member States. By encouraging opportunities to access heritage, it aims at fostering a sense of identity, collective memory and mutual understanding within and between communities. In the last decades, the CoE has produced landmark documents on the subject, such as The European Landscape Convention [CETS No. 176\(2000\)](#) which promotes the protection, management and planning of the landscapes, and The Framework Convention on the Value of Cultural Heritage for Society of the Council of Europe (also known as the “Faro Convention”) [CETS No. 199\(2005\)](#) which emphasizes the important aspects of heritage as they relate to human rights and democracy.

4. The Parliamentary Assembly (“the PACE”) and the Committee of Ministers, have adopted several Recommendations to member States related to cultural heritage, respectively [Recommendation 2149 \(2019\)](#) on “The value of cultural heritage in a democratic society”, and [Recommendation CM/Rec\(2017\)1](#) on the “European Cultural Heritage Strategy for the 21st century”.

5. Building on the above, the Congress of Local and Regional Authorities of the Council of Europe (“the Congress”), has contributed to the subject, adopting resolutions, namely [Resolution 202\(2005\)](#) on “Intercultural and inter-faith dialogue: initiatives and responsibilities of local authorities” and [Resolution 379\(2015\)](#) on “Jewish cemeteries: the responsibility of local authorities” concerning local and regional authorities’ role in the protection, preservation, enhancement, management and maintenance of burial sites as part of local history.

¹ Debated and adopted by the Congress on 17 June 2021, 3rd sitting (see Document CG(2021)40-22, explanatory memorandum), rapporteurs: Eirini DOUROU, Greece (R, SOC/G/PD) and Barbara TOCE, Italy (L, SOC/G/PD).

6. In its priorities for 2017-2020, the Congress reiterated its intention to promote intercultural dialogue and preserve cultural and architectural heritage at the local and regional level as a means to implement the United Nations 2030 Agenda and its Sustainable Development Goals (SDGs). Targets 8. 9 and 12.b of the Agenda refer to the need to devise and implement policies to promote sustainable tourism, including through local culture and products, and to the need to develop suitable monitoring tools in this area. Target 11.4 highlights the need to strengthen efforts to protect and safeguard the world's cultural and natural heritage.

7. New digital technologies, the increasing environmental and climate-related risks and the massive changes to social life brought about by urbanisation, "over-tourism", globalisation and hypermobility have an impact how cultural heritage is perceived and necessitate the production of new tools and instruments to implement appropriate policies at all levels of government.

8. They also require cultural heritage policies to be adapted and transformed in order to assist economic and sustainable development and tourism in European cities and regions and to promote intercultural dialogue, aiming for social cohesion. A change of paradigm is needed which addresses the lack of bottom-up and inclusive governance schemes, inequalities and territorial differences between regions and city areas, the lack of data and indicators beyond strict economic considerations and the lack of efficient tools for the preservation of the intangible aspects of urban or rural landscapes.

9. In light of the above, the Congress calls on Council of Europe member States to:

a. promote an understanding of cultural heritage as an all-inclusive concept, bringing together tangible heritage objects as defined by the official authorities and intangible practices, knowledge, skills and experiences lived in communities;

b. continue to invest, support and promote cultural heritage, recognising it as an economic and social catalyser and a powerful tool for the sustainable development of society as a whole, acknowledging its potential for anchoring a European identity in concrete territorial landscapes, and as a means for reconciliation of diverging historical narratives;

c. support and provide guidelines to local and regional authorities for developing participatory governance as a means to achieve the structured and systematic inclusion of all stakeholders and civil society in developing strategies and policies for cultural heritage, including migrant populations and marginalised or disconnected communities, keeping in mind that cultural heritage management must be guided by the basic principles of local democracy, aiming for inclusion, diversity and respect for fundamental rights;

d. adopt and implement cultural heritage policies by integrating the care, protection and proper use of heritage in all related programmes and actions, with particular emphasis on educational programmes and school curricula, raising awareness among children and young people on cultural heritage as a medium linking the past and the future, recognising that heritage is a dynamic process and involving local and regional authorities in shaping and implementing these policies;

e. promote cultural tourism, recognising its beneficial nature from an economic point of view, in order to support the development of regions and urban areas, adopting at the same time a "responsible tourism" approach, based on lessons learned from cities suffering under "over-tourism" and in light of the challenges and changes brought on by the impact of crisis situations (climate change, refugees and migrants, COVID-19), particularly in urban areas;

f. mobilise resources (academic and administrative) and cooperate with local and regional authorities to develop both quantitative and qualitative indicators to measure the impact of cultural heritage that can showcase its cross-sectorial impact at all levels of governance and raise awareness of the benefits that investment in cultural heritage can bring across a wide range of policy areas;

g. support and reinforce major European initiatives on cultural heritage financially, developing a good governance framework followed with appropriate indicators.

10. The Congress invites all member States that have not yet done so, to sign and ratify the Framework Convention on the Value of Cultural Heritage for Society of the Council of Europe (also known as the "Faro Convention") and the European Landscape Convention.

40th SESSION
Second part

Recurring issues based on assessments resulting from Congress monitoring of the European Charter of Local Self-Government and election observation missions (reference period 2017-2020)

Resolution 467(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:
 - a. the European Charter of Local Self-Government (ETS No. 122) and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No. 207);
 - b. Chapter XVIII, XIX and XX of the Rules and Procedures of the Congress², respectively on the organisation of monitoring procedures, election observation missions, post-electoral political dialogue and on the implementation of the post-monitoring;
 - c. the Congress monitoring reports and recommendations on the implementation of the European Charter of Local Self-Government in the Council of Europe member States;
 - d. the reports, resolutions and recommendations adopted by the Congress further to the observation of local and regional elections as well as reports, resolutions and recommendations on cross-cutting issues in electoral matters;
 - e. Congress Resolution 413 (2017) on the comparative analysis of the implementation of the European Charter of Local Self-Government in 47 member States;
 - f. Resolution 412 (2017) "Recurring issues based on assessments resulting from Congress monitoring and election observation missions (reference period 2010-2016)".
2. The Congress notes that the recurring issues of compliance with the Charter identified in the previous report - the inadequacy of financial resources available to local and regional authorities, the restricted definition, allocation and exercise of local competences, the lack of consultation and of direct applicability of the Charter – remain relevant for the period under review.
3. In addition, the member States have become increasingly confronted with systematic shortcomings in meeting the requirements of Article 7 of the Charter on the conditions of office of local elected representatives. This can be regarded as an emerging issue of the Charter's application.
4. Similarly, in electoral matters, the Congress also highlights the relevance of the previously identified recurring issues regarding the accuracy of voters' lists, the misuse of administrative resources, the politicisation of the electoral administration and low public confidence in electoral processes.

¹ Debated and adopted by the Congress on 17 June 2021, 3rd sitting (see Document [CG\(2021\)40-10](#), explanatory memorandum), co-rapporteurs: Stewart DICKSON, United Kingdom (R, ILDG) and Leendert VERBEEK, Netherlands (R, SOC/G/PD).

² [CG-FORUM(2020)01] – Revised Rules and Procedures of the Congress
<https://rm.coe.int/rules-and-procedures-of-the-congress-of-local-and-regional-authorities/16809f0b0e>

5. Over the past several years, the Congress has also observed that compliance with the principle of equal level playing field for all candidates including independents has increasingly become an issue.

6. Therefore, the Congress of Local and Regional Authorities of the Council of Europe:

a. invites the Monitoring Committee to continue preparing – every three years – an updated analysis of the recurring issues based on assessments resulting from Congress monitoring and election observation missions carried out during the reported period;

b. encourages the rapporteurs of the Monitoring Committee to continue referring to the recurring issues when monitoring the implementation of the European Charter of Local Self-Government and conducting election observation in the Council of Europe member States;

c. asks the Monitoring Committee and/or other Congress Committees to continue preparing transversal reports on topics related to recurring issues detected during monitoring and election observation activities;

d. encourages all relevant Congress bodies to consider the recurring issues in their activities, design appropriate tools and policies to assist member States in responding to them and promote relevant good practices.

40th SESSION
Second part

Verification of new members' credentials

Resolution 468 (2021)¹

The Congress,

1. In accordance with the provisions of Article 7 of the Congress Charter and Rule 6 of the Congress Rules and Procedures,
2. Recalling that 508 of the 621 members proposed by the authorities of the member States have already signed the Code of Conduct for Congress members and submitted the Declaration of Interests in accordance with the provisions of Rule 6 of the Rules and Procedures of the Congress,
3. Regretting that the Portuguese authorities were unable to submit a delegation that met the criteria of the Charter and the Rules and Procedures of the Congress,
4. Recalling that 27 seats are still vacant,
5. Taking into account the Bureau decision and the opinion of the rapporteurs responsible for the verification of the credentials of new members, concluding that the 46 proposed national delegations comply with the criteria of the Charter of the Congress of Local and Regional Authorities of the Council of Europe,
6. Approves the credentials of members of national delegations as set out in Document CG40(2021)25 subject to the signature of the Code of Conduct and submission of the Declaration of Interests of Congress members,
7. Invites those members who have not yet done so to proceed without delay to sign the Code of Conduct and the Declaration of Interests of Congress members in accordance with the provisions of Rule 6 of the Rules and Procedures of the Congress,
8. Invites the authorities of the member States concerned to fill the vacant seats in accordance with the applicable provisions, as soon as possible.

¹ Debated and adopted by the Congress on 16 June 2021, 1st sitting (see Document [CG\(2021\)40-17](#)), Rapporteurs: Xavier CADORET, France (L; SOC/G/PD) and Aleksandra MALETIC, Serbia (R,EPP/CCE).

40th SESSION
Second part**Territorial solidarity: the role regions can play**Resolution 469(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe (hereinafter “the Congress”) refers to:

a. Article 9 (and in particular its paragraph 5), Article 3.1, and Article 4.6. of the European Charter of Local Self-government (hereinafter “the Charter”);

b. the Contemporary Commentary by the Congress on the Explanatory Report to the European Charter of Local Self-government adopted on 7 December 2020 by the Statutory Forum;

c. Congress Recommendation 455 (2021) on Recurring Issues Based on Assessments Resulting from Congress Monitoring and Election Observation Missions (Reference Period 2017-2020);

d. the Priorities of the Congress 2021-2026, in particular Priority a: Resilient societies: Effective local and regional responses to public health crises; and Priority c: Cohesive societies: Reducing inequalities in the field;

e. Recommendation Rec(2005)1 of the Committee of Ministers to member States on the financial resources of local and regional authorities;

f. Recommendation CM/Rec(2011)11 of the Committee of Ministers to member States on the funding by higher-level authorities of new competences for local authorities;

g. Congress Recommendation 362 (2014) on Adequate financial resources for local authorities;

h. Congress Recommendation 427 (2018) on Coping with the debt burden: local authorities in financial difficulty;

i. Congress Recommendation 438 (2019) on Fair distribution of taxes in transfrontier areas: Potential conflicts and possibilities for compromise;

j. the United Nations Agenda 2030 for Sustainable Development, in particular Goal 10: Reduce inequalities within and among countries; and Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

¹ Discussed and approved by the Chamber of Regions on 16 June 2021 and adopted by the Congress on 17 June 2021, 3rd sitting (see Document [CPR\(2021\)40-05](#), explanatory memorandum), rapporteur: Harald SONDEREGGER, Austria (R, EPP/CCE).

2. The Congress points out that:

a. States are facing different challenges of a social, economic and environmental nature which are affecting the traditional economic and social ties between and within regions. The COVID-19 pandemic has exacerbated many of these challenges, particularly with regard to public health care systems with economic repercussions impacting many European regions and their subdivisions unequally. The need for better territorial cohesion policy and greater territorial solidarity is therefore becoming more critical than ever, most notably between the central and peripheral regions;

b. While national governments have seen their scope of action limited due to economic difficulties, the increasing role of the EU and decentralisation, the redistribution of services and financial resources between regions can contribute to territorial development. In order to tackle the new challenges, it is necessary to promote new methods, by redefining the core sovereign powers of states, by strengthening their role in areas such as security and financial equalisation, while at the same time expanding the role of regional and local authorities in grassroots policy areas such as transport, healthcare, education and the environment;

c. In this context, regions play a crucial role as the intermediary between national and local levels in reducing territorial disparities by pursuing a wide range of (re-)distributive policies in interaction with various players at the sub-state and supra-national levels. While using new instruments of equalisation, the regional powers can effectively address the challenges that different territories are facing today in order to ensure a greater level of territorial solidarity within the regions.

3. In light of the above, the Congress invites the local and regional authorities of Council of Europe member States to:

a. identify and develop a common vision of solidarity policies within and between territories, through inclusive consultation and cooperation processes involving various actors concerned, to bridge gaps in wealth and accessibility to public services and to ensure a sustainable development;

b. strengthen regional capacities to coordinate and implement territorial solidarity policies, supporting territorial alliances united around a common vision and action of territorial solidarity;

c. ensure that the topic of financial equalisation is part of the discussion with the government in the framework of the consultation process that is required by Article 4.6 and Article 9.6 of the Charter;

d. promote sharing of best practices of territorial solidarity policies.

4. The Congress calls on the local and regional authorities and their national associations to take account of this resolution and the explanatory memorandum, on this specific issue.

5. The Congress asks its Monitoring Committee to take into account the present resolution and recommendation in the framework of the monitoring activities on the application of the Charter.

40th SESSION
Second part

Protecting LGBTI¹ people in the context of rising anti-LGBTI hate speech and discrimination: The role of local and regional authorities

Resolution 470(2021)²

1. Issues related to sexual orientation, gender identity, gender expression and sex characteristics and the rights of LGBTI people have figured prominently on the Council of Europe's (CoE) agenda during the last decade and positive steps have since been taken in many member States to improve the situation. However, rising conservative and fundamentalist voices in Europe are increasingly politicising gender issues and designating LGBTI people as scapegoats, questioning diversity in general, and LGBTI people's rights and the legitimacy of their identity, in particular.
2. The Recommendation of the Committee of Ministers [CM/Rec\(2010\)5](#) on measures to combat discrimination on grounds of sexual orientation or gender identity, established guidelines and standards in this area for public authorities in member States. The same year, the Parliamentary Assembly of the Council of Europe (PACE) adopted [Resolution 1728](#) and [Recommendation 1915](#), addressing discrimination on the basis of sexual orientation and gender identity and calling on member States to develop policies to improve and secure LGBTI equality. The Commissioner for Human Rights, the European Commission against Racism and Intolerance (ECRI), the Sexual Orientation and Gender Identity Unit of the CoE (SOGI), the Venice Commission and the European Court of Human Rights (ECtHR) have in their respective documents touched upon different aspects of the rights of and equality for LGBTI people.
3. The Congress of Local and Regional Authorities of the Council of Europe ("the Congress") adopted resolutions for local and regional authorities and recommendations for member States in 2007 and in [2015](#), drawing attention to the discrimination and challenges faced by LGBTI people, emphasising that it is the duty of local authorities to protect these rights, and inviting them to take note of good practice examples and strategies with proven success in this area.
4. Human rights and LGBTI issues have also increasingly appeared on local and regional government agendas reflecting the conflictual attitudes in society with regard to LGBTI issues. Both good and bad practice examples have been proliferating in several member States.
5. On the one hand, a significant number of cities and regions have adopted policies and legislation and taken action in defence of LGBTI people's rights and anti-discriminatory practices. On the other, discourses that attempt to de-legitimise LGBTI identities have increased and derogatory language has contributed to an atmosphere that is hostile to both LGBTI people and policy objectives. Attempts at creating a conceptual ambiguity around gender and LGBTI issues through the use of terms such as "propaganda of homosexuality", "gender ideology" or "LGBT ideology" contribute to this development.

¹ The acronym LGBTI is more and more replaced with the term "Sexual Orientation, Gender Identity and Expression, and Sex Characteristics" (SOGIESC) when referring to issues related to LGBTQI+ people. This being said, for ease of presentation and because it is better known by the public, the rapporteurs have decided to use the LGBTI acronym in this report, when referring to both the issues and the people concerned.

² Debated and adopted by the Congress on 16 June 2021, 2nd sitting (see Document [CG\(2021\)40-18](#), explanatory memorandum), rapporteur: Andrew BOFF, United Kingdom (R, ECR).

6. In light of the above,

a. reiterating that neither cultural, traditional nor religious values, nor the rules of a 'dominant culture' can be invoked to justify hate speech or any other form of discrimination, including on grounds of sexual orientation or gender identity;

b. recognising that the protection of LGBTI persons' human rights and equality are essential to strengthen democratic inclusion throughout Europe and to avoid the creation of divided, polarised societies where the rights and psychological and physical integrity of citizens are violated;

c. underlining that multilevel cooperation between public authorities fosters an effective exchange of expertise and is needed to develop the policies and action necessary to withstand backsliding on international obligations and to protect and promote the rights of minority groups;

d. recalling that local and regional authorities have substantial powers as political leaders, policy makers and legislators to take the lead in improving the situation of LGBTI people, and that whatever their political backgrounds, mayors and local and regional councilors have a responsibility vis-à-vis all their fellow citizens to establish inclusive societies based not on prejudice and the rejection of others, but on dialogue and concertation;

e. noting that a well-coordinated movement that has been referred to as the "anti-gender movement" is attempting to reframe measures taken to promote equality and to protect the rights of women and LGBTI people as "ideological";

f. noting an increase in hate speech against LGBTI people, notably online, and underlining that hate speech used by elected authorities and government actors is particularly harmful, given their representative functions;

g. stressing the serious and lasting effects of social and economic exclusion on LGBTI people and youth in particular, including on their mental health and their access to education and employment;

7. the Congress calls on local and regional authorities of its member States to:

a. mainstream LGBTI equality and human rights in local and regional public policies and monitor the implementation of existing legislation regarding anti-discrimination, particularly in the fields of education, employment and culture;

b. introduce local policy or regional legislation forbidding hate crimes, and implement clear codes of conduct for local administrations as well as for organisations that receive funding from local or regional authorities that forbid hate speech on the basis of sexual orientation, gender identity, gender expression and sex characteristics;

c. provide training programmes for civil servants, particularly those who interact with local residents directly, create liaison officers in the local police force to lower the barriers for reporting and collect information on good practices to develop LGBTI inclusive policies, monitoring progress by gathering data on occurrences of hate crimes and by including questions on sexual orientation, gender identity, gender expression and sex characteristics when collecting data;

d. promote LGBTI inclusion by involving a diversity of local LGBTI organisations through consultation structures and policy processes, adopting inclusive language in all publications and official documents and encouraging dialogue and awareness raising activities regarding human rights and discrimination against LGBTI people,

e. promote the social rights and well-being of LGBTI people by assisting in the creation of safe spaces in the fields of counselling, training, education and mental health support, ensuring adequate protection from violence for public LGBTI events and encourage dialogue with and support sports associations and fan clubs in developing awareness regarding discrimination against LGBTI people in sport;

f. ensure the safety and well-being of LGBTI youth at school, as far as it is within their mandate, by providing educational resources and training for educators, by promoting plans to address bullying and cyberbullying at school, and by involving organisations of parents of LGBTI youth;

g. consider appointing a “Local Expert on Equality and Diversity” to advise the local government on equality and non-discrimination policies and to establish the dialogue with local stakeholders and civil society at large;

h. make use of their national associations as a platform to exchange good practices and as a source of expertise for the implementation of international standards and national legislation as well as the development of local equality policies;

i. use the co-operation programmes of the Council of Europe and the Congress as a framework to improve LGBTI people’s human rights through concrete action and the UN Sustainable Development Goals as a framework to identify the different tools they provide to combat discrimination against LGBTI persons.

40th SESSION
Second part**The role of local and regional authorities with regard to the situation of LGBTI people in Poland**Resolution 471 (2021)¹

The Congress of Local and Regional Authorities of the Council of Europe,

1. Bearing in mind Congress [Resolution 380 \(2015\)](#) and [Recommendation 370 \(2015\)](#) on Guaranteeing lesbian, gay, bisexual and transgender (LGBT) people's rights;
2. Bearing in mind Recommendation [CM/Rec\(2010\)5](#) of the Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity;
3. Bearing in mind the Council of Europe's Commissioner for Human Rights' [Memorandum on the stigmatisation of LGBTI people in Poland](#), December 2020;
4. Recalling the UN Sustainable Development Goals, which call *inter alia* for the empowerment and promotion of the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status;
5. Recalling the role of local and regional authorities in ensuring human rights for the members of their communities;
6. Noting that since 2019, over 90 regions, counties or municipalities in Poland have passed resolutions declaring themselves free from so-called "LGBT-ideology" or adopted "Local government Charters of the Rights of the Family";
7. Noting that a number of such resolutions and declarations have been annulled by the Administrative Courts on the grounds that they were incompatible with rights enshrined in Polish and international law;
8. Concerned about the negative impact such resolutions and charters may have on the LGBTI people in Poland, their safety and wellbeing, and in particular on young people;
9. Concerned about the polarised division within Polish communities on the issue and the increasingly hostile climate against the LGBTI community in Poland;
10. Concerned about the increase in anti-LGBTI crimes and the violence against LGBTI people;
11. Welcoming the efforts of some Polish municipalities to foster more inclusive societies through the adoption of policies supporting LGBTI citizens or through the establishment of a coalition of cities against discrimination;

¹ Debated and adopted by the Congress on 16 June 2021, 2nd sitting (see Document [CG\(2021\)40-19](#), explanatory memorandum), rapporteur: Andrew BOFF, United Kingdom (R, ECR).

12. Taking into account the Current Affairs Committee's report on the remote fact-finding mission on LGBTI issues in Poland on 2 and 3 November 2020;
13. Calls on local and regional authorities in Poland to:
 - a. withdraw "anti-LGBTI ideology" resolutions and analogous texts regardless of their title;
 - b. protect the rights of minority and vulnerable groups, including LGBTI people, by developing and revising the necessary policies as well as ensuring efficient enforcing mechanisms;
 - c. invest financial and human resources to guarantee the physical and mental integrity of LGBTI people amid growing hate speech, especially as regards children and youth;
 - d. develop partnerships with other authorities, their associations and civil society, and open consultations to jointly develop informed and inclusive non-discrimination plans;
14. Encourages Polish associations of local and regional authorities to take the lead and act as platforms of dialogue for local and regional authorities about the safety and well-being of LGBTI citizens in their communities;
15. Resolves to continue closely following the state of progress of the situation of LGBTI people in Poland and the role of local and regional authorities in this respect.

40th SESSION
Second part

Holding referendums at local level

Resolution 472(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

- a. the European Charter of Local Self-Government (ETS No. 122, 1985) and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No. 207, 2009);
- b. the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144, 1992);
- c. Recommendation 1704 (2005) of the Parliamentary Assembly of the Council of Europe on Referendums: towards good practices in Europe;
- d. Resolution 2251 (2019) of the Parliamentary Assembly of the Council of Europe on Europe on Updating guidelines to ensure fair referendums in Council of Europe member States;
- e. the Venice Commission Code of Good Practice in Electoral Matters (2002);
- f. the Venice Commission's Revised Guidelines on the Holding of Referendums (2020);
- g. the Priorities of the Congress for 2017-2020 and also the new priorities for 2021-2026 which put a great emphasis on promoting an increased and active participation of citizens in local and regional life in order to improve local democracy in the Council of Europe member States;
- h. UN Sustainable Development Goal 16: Peace, Justice and Strong Institutions; Target 16.7: Ensure responsive, inclusive, participatory and representative decision-making at all levels.

2. The Congress points out that:

- a. referendums have increasingly been used as a tool of direct democratic involvement for resolving issues which are of fundamental importance for peoples' lives. In this context, referendums can become a point of controversy due to the potentially divisive nature of their questions and the problems that may occur over the respective referendum campaign;

¹ Debated and adopted by the Congress on 16 June 2021, 2nd sitting (see Document CG(2021)40-11, explanatory report), rapporteur: Vladimir PREBILIC, Slovenia (L, SOC/G/PD).

b. although national referendums have nowadays attracted much attention, it is in fact the local referendums that are most widespread in the Council of Europe member States. Yet, local referendums are essential for sounding out the citizens' will on concrete issues that directly affect their everyday lives;

c. bearing this in mind, effective guidelines are needed for member States to use local referendums responsibly in the framework which is in line with Council of Europe standards, most notably the European Charter of Local Self-Government, as well as with the international standards and best practices.

3. In light of the foregoing, the Congress invites local and regional authorities in Council of Europe member States:

a. when holding referendums in their respective areas of responsibility, to observe the guidelines and good practices as contained in the explanatory memorandum, in order to counter some of the negative tendencies;

b. to implement existing guidelines and good practices regarding the holding of referendums, in particular as defined by the Venice Commission in the Code of Good Practice in Electoral Matters and in the Revised Guidelines on the Holding of Referendums, when applicable to the local level;

c. to make more use of citizens' assemblies and similar deliberative democracy tools to accompany the holding of local referendums in order to alleviate tensions and enhance citizens' informed decisions.

4. The Congress commits itself to taking into consideration guidelines included in the explanatory memorandum as well as other relevant standards when observing local referendums in the member States.

40th SESSION
Second part**Monitoring of the application of the European Charter of Local Self-Government in Azerbaijan**Resolution 473(2021)¹

1. The Congress of Local and Regional Authorities of the Council of Europe recalls that:
 - a. Azerbaijan joined the Council of Europe on 25 January 2001, signed the European Charter of Local Self-Government (ETS No. 122, hereinafter "the Charter") on 21 December 2001 and ratified it with reservations on 15 April 2002 (Articles 4.3; 7.2; 9.5; 9.6; 10.3). The Charter entered into force in Azerbaijan on 1 August 2002;
 - b. The Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (hereinafter referred to as Monitoring Committee) decided to examine the situation of local and regional democracy in Azerbaijan in the light of the Charter. It instructed Bernd Vöhringer, Germany (L, EPP/CCE) and Stewart Dickson, United Kingdom (R, ILDG), with the task of preparing and submitting to the Congress a report on local and regional democracy in Azerbaijan;
 - c. The monitoring visit took place remotely from 23 to 25 February 2021. During the visit, the Congress delegation met the representatives of various institutions at all levels of government. The detailed programme of the visit is appended to the explanatory memorandum;
 - d. The present resolution is elaborated in accordance with Congress priorities set up for 2021-2026, in particular priority 6b that concerns the quality of representative democracy and citizen participation.
2. The Congress expresses its concern that its previous reports in 2003 and 2012, respectively, raised recurring shortcomings regarding the situation of local and regional democracy in Azerbaijan and the limited implementation of the European Charter of Local Self-Government which make these recommendations still valid.
3. In the light of the above, the Congress:
 - a. resolves to continue closely following the state of progress of the local and regional democracy in Azerbaijan, through a regular item on the agenda of the Monitoring Committee meetings;
 - b. undertakes to expand its political dialogue with the Azerbaijani national authorities in the framework of a post-monitoring process, so that they comply with the provisions set out in the Charter, in particular when implementing Congress recommendation on local and regional democracy (2021).

¹ Debated and adopted by the Congress on 17 June 2021, 3rd sitting (see Document CG(2021)40-21, explanatory memorandum), co-rapporteurs: Bernd VÖHRINGER, Germany (L, EPP/CCE) and Stewart DICKSON, United Kingdom (R, ILDG).

40th SESSION
Second part**Culture without borders: Cultural heritage management for local and regional development**Resolution 474(2021)¹

1. Cultural heritage includes assets inherited from past generations which people identify with and value as an expression of their own knowledge and traditions and as a legacy that enhances cultural identity. It is subject to continuous change and transformation while also aiming to retain the cultural significance of what exists.
2. As recognised by the UNESCO Conventions on the [Protection of the World Cultural and Natural Heritage \(1972\)](#) and on the [Safeguarding of the Intangible Cultural Heritage \(2003\)](#), it has a double character which consists of tangible and intangible assets. The first refer to artefacts produced, maintained and transmitted intergenerationally in a society and the second, to practices, expressions, knowledge and skills that communities recognise as part of their cultural heritage. As highlighted by the UNESCO [Convention on the protection and promotion of the Diversity of Cultural Expressions \(2005\)](#), cultural heritage also has an economic dimension.
3. The Council of Europe (“the CoE”) takes note of the great value of cultural heritage as a means to promote diversity and dialogue across its member States. By encouraging opportunities to access heritage, it aims at fostering a sense of identity, collective memory and mutual understanding within and between communities. In the last decades, the CoE has produced landmark documents on the subject, such as The European Landscape Convention [CETS No. 176\(2000\)](#) which promotes the protection, management and planning of the landscapes, and The Framework Convention on the Value of Cultural Heritage for Society of the Council of Europe (also known as the “Faro Convention”) [CETS No. 199\(2005\)](#) which emphasizes the important aspects of heritage as they relate to human rights and democracy.
4. The Parliamentary Assembly (“the PACE”) and the Committee of Ministers, have adopted several recommendations to member States related to cultural heritage, respectively [Recommendation 2149 \(2019\)](#) on “The value of cultural heritage in a democratic society”, and [Recommendation CM/Rec\(2017\)1](#) on the “European Cultural Heritage Strategy for the 21st century”.
5. Building on the above, the Congress of Local and Regional Authorities of the Council of Europe (“the Congress”), has contributed to the subject, adopting resolutions, namely [Resolution 202\(2005\)](#) on “Intercultural and inter-faith dialogue: initiatives and responsibilities of local authorities” and on “Jewish cemeteries: the responsibility of local authorities” concerning local and regional authorities’ role in the protection, preservation, enhancement, management and maintenance of burial sites as part of local history.

¹ Debated and adopted by the Congress on 17 June 2021, 3rd sitting (see Document CG(2021)40-22, explanatory memorandum), rapporteurs: Eirini DOUROU, Greece (R, SOC/G/PD) and Barbara TOCE, Italy (L, SOC/G/PD).

6. Local and regional authorities have a major role in determining how the past shapes the present and the future of their cities and regions. Their policies and actions related to cultural heritage, engaging with diverse communities within and across borders, reconciling conflicting narratives, boosting the economic strength of their territories to achieve higher living standards, bringing different stakeholders together, will contribute to improving sustainable economic development, social inclusion and participatory governance.

7. In its priorities for 2017-2020, the Congress reiterated its intention to promote intercultural dialogue and preserve cultural and architectural heritage at the local and regional level as a means to implement the United Nations 2030 Agenda and its Sustainable Development Goals (SDGs). Targets 8. 9 and 12.b of the Agenda refer to the need to devise and implement policies to promote sustainable tourism, including through local culture and products, and to the need to develop suitable monitoring tools in this area. Target 11.4 highlights the need to strengthen efforts to protect and safeguard the world's cultural and natural heritage.

8. In light of the above,

a. considering that cultural heritage creation, preservation and promotion is part of local and regional competences and that local communities are bearers of heritage values as custodians of the survival of cultural diversity, as recognised by the above-mentioned conventions;

b. taking into account the advent of digital technology, the increasing environmental and climate-related risks and the massive changes to social life brought about by urbanisation, globalisation and hypermobility which have an impact on how cultural heritage is perceived and dealt with;

c. cognizant of the need to adapt and transform cultural heritage policies in order to assist economic and sustainable development, urban regeneration and tourism in European cities and regions and to promote intercultural dialogue, aiming for social cohesion by involving local citizens and improving cooperation with disconnected communities;

d. mindful of the responsibility that falls on local and regional authorities to take measures in terms of acquiring information and improving their knowledge-base, developing policies, taking action and networking to promote and preserve cultural heritage, highlighting emerging issues (such as climate change, "over-tourism" or public health emergencies) for which it is urgent to produce new tools and instruments or more actively implement policies on the basis of existing studies;

e. mindful also that in order to overcome the current European identity crisis, action needs to be taken on the basis of pluralist and diversified cultural heritage management tools, created and deployed by local and regional governments in cooperation with professionals and citizens;

f. recognising that youth engagement is important in protecting and safeguarding cultural heritage and promoting cultural diversity as a vital element of preventing violent extremism and that young people are powerful peace-builders;

g. acknowledging that a change of paradigm is needed which addresses the lack of bottom-up and inclusive governance schemes, inequalities and territorial differences between regions and city areas, the lack of data and indicators beyond strict economic considerations and the lack of efficient tools for the preservation of the intangible aspects of urban or rural landscapes;

9. the Congress calls on local and regional authorities of its member States to:

a. promote an understanding of cultural heritage as an all-inclusive concept, bringing together tangible heritage objects as defined by the public authorities and intangible practices, knowledge, skills and experiences lived in communities;

- b.* continue to invest, support and promote cultural heritage, recognising it as an economic and social catalyser and as a powerful tool for the sustainable development of society as a whole, keeping in mind that cultural heritage management must be guided by the basic principles of local democracy, aiming for inclusion, diversity and respect for fundamental rights and that social inclusion harnesses our diversity as a fuel for small business formation, creativity and innovation;
- c.* promote sustainable cultural tourism given its beneficial nature from an economic point of view to contribute to the development of European regions and urban areas while at the same time adopting a “responsible tourism” approach, based on lessons learned from cities suffering under “over-tourism” and in light of the challenges and changes brought on by the impact of crisis situations (climate change, refugees and migrants, COVID-19) in all localities, but particularly in urban areas;
- d.* adopt and implement cultural heritage policies by integrating the study, care, protection and proper use of heritage in all related policies, programmes and actions such as urban planning, public spaces and educational programmes, monitoring their sustainability and connection to existing projects;
- e.* develop both quantitative and qualitative indicators to measure the impact of cultural heritage that can showcase its cross-sectorial impact at regional and local governance level, in order to raise awareness of the benefits that investment in cultural heritage can bring across a wide range of policy areas;
- f.* reinforce participatory governance as well as the structured and systematic inclusion of all stakeholders and civil society, including migrant and marginalised or disconnected populations, in developing strategies and policies for cultural heritage, in close co-operation with the work carried out by public agencies and professionals at local and regional level, providing them with training and research tools and focusing on local capacity building for cultural operators and artists;
- g.* raise young people's awareness of the importance of heritage diversity, its conservation, enhancement and transmission, giving them a chance to voice their concerns and to become involved in the protection and promotion of the common cultural and natural heritage, supporting their engagement and participation, and co-creating with them projects that will contribute to exchanges and sustainable local and regional development;
- h.* acknowledge cities as main players of cultural diplomacy, supporting and fostering the development of networks of diaspora/migrant communities on cultural heritage cooperation and contribute thereby to realising the potential of cities as international cultural actors;
- i.* reinvent public spaces as platforms for cultural heritage, favouring their communal function to counteract the increasing dominance of their commercial function, promoting them as platforms for collective expression, democratic discourse and problem solving;
- j.* rethink contested heritages in Europe, by encouraging public debate, welcoming different historical perspectives and reconstructing the discourse around these issues in order to help to decrease conflict escalation;
- k.* make effective use of cultural heritage management at local and regional level to develop remote and peripheral areas as a means for achieving territorial justice, to save remote areas from the negative spiral of deindustrialisation, desertification and marginalisation;
- l.* develop new city networking initiatives within Europe and expand the current European Capital of Culture programme to other countries to encourage sharing of cultural influences and bridging cultural heritage programmes;

m. create university networks on European cultural heritage, given that they work closely with local and regional authorities and are well connected with the local communities, and are important players for the implementation of projects and initiatives aiming to use heritage as a tool for promoting and sharing the core values of democracy, human rights and the rule of law;

n. join the “Cultural Routes of the Council of Europe” networks crossing their territories promoting local cultural heritage, sustainable cultural tourism and community participation in a pan-European perspective.