

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 280 (2010) Revised¹ Role of local and regional authorities in the implementation of human rights

1. The Congress of Local and Regional Authorities of the Council of Europe recalls that:

a. the primary aim of the Council of Europe is to create, throughout the European continent, a common area based on respect for human rights, democracy and the rule of law;

b. democracy and human rights are interdependent. Democracy, including at the local and regional level, cannot exist without an unconditional respect for human rights;

c. local and regional authorities must comply with the human rights duties which stem from the international commitments of the member states, albeit only within their local/regional competences;

d. local and regional authorities are not only agents of central government: they secure human rights at the same time as they fulfil local self-government;

e. good governance is rights-based governance. Complying with human rights duties is a challenge with the potential of strengthening democracy at the local level.

2. The Congress has a distinctive role to play within the Council of Europe, as it provides a forum where elected representatives can discuss common problems, share their experience and develop policies. It works to strengthen democracy through its monitoring activities.

3. In order to better secure the concrete implementation of human rights by local and regional authorities, the Congress recommends that the Committee of Ministers call on all member states to:

a. ensure that the allocation of financial resources to local and regional authorities is set at an appropriate level so that these authorities have the means to properly implement human rights and review and develop their own activities for compliance with these rights;

b. involve representatives of local and regional authorities in the drafting of national human rights strategies, policies and

indicators, in order to have their input and make them aware of their responsibilities in the implementation of human rights;

c. encourage local and regional authorities to promote respect for human rights through awareness-raising initiatives and through local and regional action plans;

d. encourage the setting-up of independent complaints mechanisms at local and regional level and, in particular, to create independent bodies, such as local or regional ombudspersons, able to find remedies in cases where human rights are not fully respected, in particular in the delivery of local public services;

e. involve civil society organisations in the planning and implementation of activities for the protection of human rights at all levels.

4. The Congress notes that the best way to secure the effective protection of human rights is to take action on the basis of a regular, comprehensive and accurate review of the situation. Therefore, the Congress asks the Committee of Ministers to invite member states to consider ways of encouraging local and regional authorities to create appropriate structures and procedures in order to carry out both the implementation and the review of human rights in their communities. There is no standard solution for implementing human rights at local and regional level, but a criterion of good governance should be to provide citizens with sufficient support and advice to exercise their rights.

5. The Congress also asks the Committee of Ministers to urge member states to ensure that local and regional authorities comply with the principle of non-discrimination in the implementation of human rights.

6. The Congress stresses that education and benchmarking are crucial to the improvement of the situation of human rights in Europe at all levels. It recommends that the Committee of Ministers:

a. encourage a systematic multi-level dialogue between the political levels of all member states in order to promote the human rights dimension in local self-governance;

b. foster respect for human rights through the training of local and regional elected representatives and their staff.

1. Adopted according to the tacit adoption procedure (Rule 25 of the Rules of Procedure) by the Congress on 19 October 2011 (see document CG(21)15).