

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 297 (2010)¹ Local and regional democracy in the Russian Federation

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

a. Article 2 paragraph 1*b.*, of Statutory Resolution CM/Res(2007)6 of the Committee of Ministers, which provides that one of the functions of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;

b. Article 2, paragraph 3, of Statutory Resolution CM/Res(2007)6, which provides 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, in particular, that the principles of the European Charter of Local Self-Government are implemented”;

c. its Resolution 299 (2010), which states that the Congress will use the Council of Europe Reference Framework for Regional Democracy in its monitoring activities;

d. its Recommendation 143 (2004) and Resolution 171 (2004) on local and regional democracy in the Russian Federation;

e. the explanatory memorandum on the situation of local and regional democracy in the Russian Federation (CG(19)11), presented by Mr Christopher Newbury and Mr Knud Andersen.

2. The Congress notes that:

a. the Russian Federation became a member of the Council of Europe on 28 February 1996 and on 5 May 1998 ratified the European Charter of Local Self-Government (ETS No. 122), which came into force for Russia on 1 September 1998;

b. the Institutional Committee of the Congress appointed Mr Christopher Newbury (United Kingdom, L, EPP/CD) and Mr Knud Andersen (Denmark, R, ILDG), as rapporteurs to prepare and submit a report on local and regional democracy in the Russian Federation;

c. the rapporteurs made two official visits to the Russian Federation on 16 and 17 December 2009 and on 14 and 15 April 2010, accompanied by Mr Ruşen Keleş (Turkey), consultant, member of the Group of Independent Experts.

3. The Congress thanks the governmental authorities, the Russian Congress delegation and its secretariat, the Council

of the Federation, the National Congress of Municipalities, elected representatives of municipalities of the Russian Federation, the Club of European Experts and the academics and representatives of the non-governmental organisations (NGOs) in the country for the information provided and comments made during and after their meetings with the delegation.

4. It acknowledges the progress made by the Russian Government with regard to legislative reforms until 2003 and recognises the advances made, in co-operation with the associations of local authorities, in implementing the new legislation on local self-government and the new structures that derive from it, in modernising local and regional government in the Russian Federation and in training local administrators and local elected representatives to exercise their new functions.

5. The Congress recommends that the Committee of Ministers invite the Russian authorities to:

a. revoke the recent amendments to Article 74 of Law 131-FZ concerning the dismissal of mayors, to ensure that mayors are free to carry out their elected mandates without interference or political pressure from municipal councils or governors;

b. prepare a legal framework to regulate the creation and operation of groups of municipalities, in accordance with the principles of the European Charter of Local Self-Government;

c. improve legal safeguards to ensure that local authorities are not subject to excessive levels of supervision by higher authorities;

d. consult the Congress and the European Commission for Democracy through Law (Venice Commission) before finalising any legislation authorising regional parliaments to pass laws which might be in contradiction with the European Charter of Local Self-Government;

e. reintroduce direct elections for regional governors in order to restore the level of regional democracy that the Russian Federation enjoyed prior to 2004;

f. facilitate the registration of new political parties at local and regional level, enabling groups of local or regional candidates to stand for election without the need for their parties to demonstrate an impractically large number of members;

g. take measures to prevent the use of closed lists in local and regional elections;

h. take measures to ensure that independent candidates may stand in all local and regional elections;

i. allow national NGOs freely to observe local and regional elections, including the vote count;

j. continue implementing the measures proposed in Recommendation 1897 (2010) of the Parliamentary Assembly on respect for media freedom, to ensure that journalists can work in safety and that freedom of expression

and healthy political debate are fostered at local and regional level;

k. continue to further improve the division of competences between federal, regional and local authorities and take measures to reduce the number and scope of shared competences;

l. provide local authorities with appropriate financial resources or authorise them to raise revenue, as required by the charter, to enable them to carry out their responsibilities in providing public services;

m. ensure that rural settlements receive financial resources commensurate with their responsibilities to avoid them transferring their competences to higher-level authorities;

n. improve equalisation arrangements for local authorities and rural settlements to ensure a more equitable distribution of revenues;

o. continue and accelerate the transfer of state property to local authorities, and enable them to raise revenue through relevant property taxes;

p. ensure that local authorities are consulted on all issues that concern them, by all means available, according to

Article 4 (6) of the European Charter of Local Self-Government;

q. ensure that settlements are only merged after full consultation with the elected assemblies concerned;

r. implement existing and wholly new measures to eradicate corruption at local level, such as forms of compulsory competitive tendering;

s. take steps to sign and 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) in order to extend participation of citizens in local governance;

t. expand and strengthen programmes and organisations for training local and regional officials and elected representatives in order to improve efficiency in the provision of public services at those levels.

1. Debated and adopted by the Congress on 28 October 2010, 3rd Sitting (see Document [CG\(19\)11](#), explanatory memorandum), rapporteurs: K. Andersen, Denmark (R, ILDG) and C. Newbury, United Kingdom (L, EPP/CD).