

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 345 (2012)¹ Local and regional democracy in Azerbaijan

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

a. that Azerbaijan joined the Council of Europe in January 2001 and in doing so, committed itself to contributing to the creation of a common democratic and legal area throughout the whole of the European continent, ensuring respect for the fundamental values of the Organisation – human rights, democracy and the rule of law – and to complying with European standards;

b. that Azerbaijan ratified the European Charter on Local Self-Government (ETS No. 122) on 15 April 2002, which entered into force in its respect on 1 August 2002, thereby committing Azerbaijan to embedding the principle of local self-government in its domestic law in order to guarantee its effective implementation and, notably, to transferring competences to local communities with concomitant financial resources and to ensuring a full implementation of the principle of subsidiarity to guarantee the establishment of local self-government as provided by the above-mentioned charter;

c. its previous Recommendation 126 (2003) and Resolution 151 (2003) on local and regional democracy in Azerbaijan.

2. The Congress welcomes the creation of three national associations of local authorities, but wishes that they could play a more active role in representing municipal interests.

3. In addition, it observes that most of the recommendations addressed in 2003 to the national authorities have not been implemented; nor has a timeline been set to take them on board in the foreseeable future, making these recommendations still eminently relevant.

4. It refers to the explanatory memorandum, which reiterates its recommendations and expresses serious concerns as regards, in particular, the non-compliance with most of the provisions of the European Charter of Local Self-Government ratified by Azerbaijan.

5. In the light of these considerations, the Congress:

a. invites its Bureau to consider inviting the Minister of Justice of Azerbaijan, in his capacity as Minister for Local Authorities, to address the Congress during its October session in 2013, and to discuss the developments envisaged by Azerbaijan's authorities;

b. invites its Monitoring Committee to:

i. organise urgently in Baku a seminar on the implementation of the European Charter of Local Self-Government in Azerbaijan in co-operation with national, regional and local authorities, and relevant non-governmental organisations (NGOs) in the field of local democracy;

ii. carry out a mid-term monitoring visit in order to assess the situation of local and regional democracy in the light of this adopted recommendation, and to evaluate the progress made in the meantime.

1. Debated and adopted by the Congress on 17 October 2012, 2nd Sitting (see Document [CG\(23\)12](#) explanatory memorandum), rapporteurs: J. Wienen, Netherlands (L, EPP/CD) and G. Mosler-Törnström, Austria, (R, SOC).