

**31st SESSION**  
**Strasbourg, 19-21 October 2016**

## Adopted texts

### Recommendations

<i>Recommendation 388</i>	The situation of Roma and Travellers in the context of rising extremism, xenophobia and the refugee crisis in Europe
<i>Recommendation 389</i>	Local democracy in Cyprus
<i>Recommendation 390</i>	Women's political participation and representation at local and regional levels
<i>Recommendation 391</i>	Local and regional democracy in Croatia
<i>Recommendation 392</i>	Good governance in metropolitan areas

### Resolutions

<i>Resolution 399</i>	Verification of new members' credentials and official procedures for appointing national delegations to the Congress
<i>Resolution 400</i>	Follow-up to the Congress strategy to combat radicalisation at grass-roots level
<i>Resolution 401</i>	Preventing corruption and promoting public ethics at local and regional levels
<i>Resolution 402</i>	The misuse of administrative resources during electoral processes: the role of local and regional elected representatives and public officials
<i>Resolution 403</i>	The situation of Roma and Travellers in the context of rising extremism, xenophobia and the refugee crisis in Europe
<i>Resolution 404</i>	Women's political participation and representation at local and regional levels
<i>Resolution 405</i>	Gender budgeting
<i>Resolution 406</i>	Congress priorities for 2017-2020
<i>Resolution 407</i>	Good governance in metropolitan areas

*Resolution 408*

Rule of Law Checklist adopted by the Venice Commission at its 106th Plenary Session (11 and 12 March 2016)

*Resolution 409*

Revision of the Rules and Procedures of the Congress

## 31st SESSION

## The situation of Roma and Travellers<sup>1</sup> in the context of rising extremism, xenophobia and the refugee crisis in Europe

### Recommendation 388 (2016)<sup>2</sup>

1. In its declaration of 1 February 2012,<sup>3</sup> the Committee of Ministers of the Council of Europe expressed its concern over the rise of anti-Gypsyism, anti-Roma rhetoric and violent attacks against Roma in Europe. It called on governments and public authorities to swiftly and publicly condemn incidents of hate speech or hate crime, as well as to ensure national strategies for social inclusion in the field of housing, education, health care and employment have a strong component on anti-discrimination, for which it called on member States to implement anti-discrimination legislation.

2. In its Recommendation CM/Rec(2008)5 the Committee of Ministers recommended to member States to adopt coherent, comprehensive and adequately resourced national and regional strategies with short- and long-term action plans, targets and indicators for implementing policies that address legal and social discrimination against Roma and Travellers and enforce the principle of equality; to monitor the implementation of these strategies and to include relevant stakeholders such as regional and local authorities, self-governing bodies, Roma and Traveller organisations and the broader public in the implementation.

3. Resolution 1740(2010) of the Parliamentary Assembly on the situation of Roma in Europe called on member States to adopt national action plans and strengthen their efforts for their implementation, not least by ensuring implementation at the local level.

4. The Commissioner for Human Rights of the Council of Europe has underlined that he has “encountered one serious human rights problem in practically every member state - the prolonged exclusion and discrimination of the Roma population”, which he said could be reversed with a little political will.<sup>4</sup> In a recent statement, he called on member States to fight racism and discrimination against Travellers, whose way of life is still not respected in many member States of the Council of Europe.<sup>5</sup>

5. In light of the above, the Congress of Local and Regional Authorities of the Council of Europe, keeping in mind all recommendations issued by the Committee of Ministers and the Parliamentary Assembly of the Council of Europe and building up on its own recommendations to the member States, recommends that the Committee of Ministers invite member States to:

a. rise to the challenge set by the prevailing political and social situation exacerbated by phenomena such as violent extremism and the refugee influx by turning it into an opportunity to review their integration strategies in order to systematically address the Roma and Traveller inclusion dimension;

1 The term “Roma and Travellers” is being used to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies.

2 Debated and approved by the Chamber of Local Authorities on 20 October 2016 and adopted by the Congress on 21st October 2016, 3rd sitting (see Document [CPL31\(2016\)03final](#), rapporteur: John WARMISHAM, United-Kingdom (L, SOC)).

3 <https://wcd.coe.int/ViewDoc.jsp?p=&Ref=Decl%2801.02.2012%29&Language=lanEnglish&Ver=original&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383&direct=true>

4 <http://www.coe.int/en/web/commissioner/-/roma-inclusion-is-mission-possible>

5 <http://www.coe.int/en/web/commissioner/-/travellers-time-to-counter-deep-rooted-hostility>

- b.* adopt anti-discrimination legislation and policies which are in line with international and European human rights standards to ensure that Roma and Travellers as European citizens enjoy legal and social equality;
- c.* develop the legislative framework to overcome institutional anti-Gypsyism<sup>6</sup> and manifestations thereof such as segregation (spatial or in schools) and forced evictions, in order to facilitate local government policy making and action in support of Roma and Traveller inclusion;
- d.* provide legal remedies for victims of anti-Gypsyism, whether institutional or social, that grant victims compensation and satisfaction, and deter potential perpetrators from discriminating against Roma and Travellers;
- e.* provide local and regional authorities with own sufficient financial resources or transfers to enable them to address the Roma and Traveller communities' needs;
- f.* actively and publicly condemn and counter public manifestations of anti-Gypsyism in the form of hate speech, discrimination, threats, intimidation and racially motivated violence, whether by individuals or organised groups, and take steps to ensure that the law is enforced effectively and in a non-discriminatory manner by the police and other responsible agencies.

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<sup>6</sup> Anti-Gypsyism is a specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatisation and the most blatant kind of discrimination. – European Commission Against Racism and Intolerance (ECRI), GPR 13, 2011.

## 31st SESSION

## Local democracy in Cyprus

Recommendation 389 (2016)<sup>1</sup>

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\(2011\)2](#) relating to the Congress, which provides that one of the aims of the Congress shall be “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\(2011\)2](#) 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, in particular, that the principles of the European Charter of Local Self-Government are implemented”;

c. Resolution 307 (2010) REV2 on procedures for monitoring the obligations and commitments entered into by the Council of Europe member States in respect of their ratification of the European Charter of Local Self-Government;

d. the appended explanatory memorandum on local democracy in Cyprus.

2. The Congress notes that:

a. The Republic of Cyprus acceded to the Council of Europe on 24 May 1961. Cyprus signed the European Charter of Local Self-Government (ETS no. 122, hereafter “the Charter”) on 8 October 1986, and then ratified the Charter on 16 May 1988 which entered into force on 1 September 1988. Since the ratification of the Charter, the Republic of Cyprus has not considered itself bound by article 7 para. 2;

b. Cyprus acceded to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (CETS No. 106) on 18 December 2013. It acceded to the three Additional Protocols to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (CETS No. 159, 169 and 206) on 17 April 2014. Cyprus has also signed and ratified on 28 September 2012 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);

c. the Monitoring Committee decided to review the situation of local democracy in Cyprus in the light of the Charter. It appointed Mr Bernd Vöhringer, Germany (L, EPP/CCE) and Ms Randi Mondorf, Denmark (R, IDLG) as co-rapporteurs. They were tasked with drawing up a report on local democracy in Cyprus and submitting it to the Congress;<sup>2</sup>

<sup>1</sup> Debated and approved by the Chamber of Local Authorities on 20 October 2016 and adopted by the Congress on 21 October 2016, 3rd sitting (see Document [CPL31\(2016\)05final](#), explanatory memorandum), rapporteurs: Bernd VÖHRINGER, Germany (L, EPP/CCE) and Randi MONDORF, Denmark (R, ILDG).

<sup>2</sup> They were assisted by Mr Zoltan Szente, member of the Group of Independent Experts on the European Charter of Local Self-Government, and the Congress Secretariat.

*d.* the monitoring visit took place from 5 to 7 April 2016. During the visit, the Congress delegation met with representatives of various political institutions such as the Ministry of Finances, the Ministry of the Interior, the President of the Supreme Court, the State Audit Office, the Office of the Ombudsman and the local authorities of the Capital City of Nicosia, the Kokkinotrimithia Community and the municipalities of Ayios Dhometios and Paphos. The detailed programme of the visit is appended;

*e.* the delegation wishes to thank the Cypriot authorities at central and local level as well as the Cypriot delegation to the Congress and the national associations of local authorities and all the persons met during the visit for their readiness to assist and the information they supplied. The delegation also thanks the Ambassador of Cyprus to the Council of Europe who contributed to the organisation and smooth running of the visit.

3. The Congress notes with satisfaction:

*a.* the decision of the Republic of Cyprus to accept on 26 October 2003 to be bound by Article 5 of the Charter and to withdraw subsequently its declaration over this article in full accordance with the spirit of the Charter;

*b.* the signature and ratification by the Republic of Cyprus of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority which illustrate a political commitment toward the participation of citizens in local public affairs.

4. The Congress expresses its concern at:

*a.* the weakness and imprecision of the legislative basis for the powers and responsibilities of local authorities and for the conditions under which they are exercised as well as the absence of constitutional safeguards for the principle of local self-government and the status of local authorities (Articles 2, 4.2, 7.1, 7.3 and 9.2);

*b.* the fact that only minimal responsibilities are conferred by the relevant law to local authorities and particularly the lack of genuine local government functions that can be exercised fully and exclusively (art. 3.1 and 4.4);

*c.* the importance of government supervision on the exercise of the regulatory powers of local authorities and on the personnel, administrative and budgetary resources, and the current lack of clarity over the administrative authorities entitled to exercise such supervision over municipalities (Articles 8, 6.2 and 9.6);

*d.* the inadequacy of resources available to local authorities to exercise their powers, leading to a dependency on the State, in particular in the case of small communities (Articles 6.2, 9.4 and 9.5), as well as the differences between the municipalities and communities with regard to their personnel and other technical resources (Article 6.2);

*e.* the weak legal status of the Charter in the domestic legal system of Cyprus and, particularly, the absence of direct applicability of its ratified provisions.

5. In the light of this, the Congress asks the Committee of Ministers to invite the Cypriot authorities to:

*a.* provide clear recognition of the legislative and, if practicable, the constitutional status of local governments as well as the principle of self-government for all local authorities in order to strengthen their substantial role in regulating and administering local public affairs and to regulate the legal standing of local councillors allowing the free exercise of their functions;

*b.* strengthen the legislative basis of both the position of municipalities and communities as essential institutions and their substantial role in regulating and administering local public affairs and regulate the legal standing of the elected members of local councils to allow the free exercise of their functions;

c. assign substantial powers and duties to local authorities so that they can exercise them fully and exclusively in practice and, in accordance with the principle of subsidiarity, define the relevant tasks as genuine local government functions;

d. determine precisely, by way of legislation, which administrative authorities are empowered to exercise legal supervision over municipalities;

e. limit every kind of government supervision over local governments to an *ex post* control of legality of the operation and regulation of the municipalities and communities, and relinquish the power of government to give prior consent to the budget of each local government;

f. draw up legislation setting out formally the procedures for consulting local authority representatives and national local government unions to ensure that they are effectively consulted, that is in due time and in an appropriate manner, on all questions concerning those authorities directly, in particular on financial questions;

g. provide adequate financial resources for local authorities which should be commensurate with their responsibilities and which they may dispose of freely within the framework of their powers;

h. establish a transparent and predictable method to calculate central grants to local authorities based on a careful assessment of local needs and introduce a financial equalisation mechanism between local authorities;

i. ensure the direct applicability of the European Charter of Local Self-government within the domestic legal system and in particular, that the Charter be given due consideration in court proceedings.

6. The Congress calls on the Committee of Ministers to take account of this recommendation on local democracy in Cyprus and the accompanying explanatory memorandum in its activities relating to this member State.





## 31st SESSION

## Women's political participation and representation at local and regional levels

Recommendation 390 (2016)<sup>1</sup>

1. Achieving equality in political representation between men and women - who represent 50% of the world's population - is vital for the functioning and quality of representative democracy and a prerequisite of fair and equitable political participation.
2. All Council of Europe member States guarantee legal equality between women and men, including the right to stand for election and to be elected. In practice, however, there are numerous factors that hamper women's opportunities to take responsibility in public life and hold elected office. Women in Europe are often discriminated against and face negative attitudes which disempower them in public and political life.
3. The Council of Europe's pioneering work in the field of human rights and gender equality has resulted in a solid legal and policy framework which can considerably advance women's rights and bring member States closer to real gender equality.
4. In 2003 the Committee of Ministers defined balanced participation in its Recommendation (2003)3 as the minimum representation of 40% of both sexes in all decision-making bodies in political or public life. This requirement has been reaffirmed in the Council of Europe Equality Strategy 2014-2017.<sup>2</sup>
5. The Congress of Local and Regional Authorities of the Council of Europe ("the Congress") has based its policies on gender equality on the Committee of Ministers' Recommendation (2003)3 and the Council of Europe Equality Strategy 2014-2017 (which set the requirement of a minimum representation of 40% of both sexes in all decision-making bodies in political or public life) and Resolution 1706 (2010) of the Parliamentary Assembly of the Council of Europe which recommended that Member States to associate measures pertaining to electoral systems and gender quotas with gender-sensitive civic education and action geared to the elimination of gender stereotypes.
6. In its Recommendation 273 (2009) on equal access to local and regional elections, the Congress advocated the adoption of an electoral system at local and regional level in its member States, ensuring that men and women alternate on lists, with financial penalties in the event of non-compliance, and to enable the under-represented sex to attain positions of responsibility within the executive bodies of municipalities and regions.
7. By revising its Charter in 2007, the Congress undertook to respect the principle of equality between women and men within its own institution and committed to include 30 per cent of the under-represented sex in its delegations since 2008. In practice, the participation of a minimum of 30% of women has been achieved since 2011.

<sup>1</sup> Debated and adopted by the Congress on 20 October 2016, 2nd sitting (see Document [CG31 \(2016\)09final](#), rapporteur: Inger LINGE, Sweden (L, EPP/CCE)).

<sup>2</sup> <https://wcd.coe.int/ViewDoc.jsp?id=2229> and [https://www.coe.int/t/dghl/standardsetting/equality/02\\_GenderEqualityProgramme/Council%20of%20Europe%20Gender%20Equality%20Strategy%202014-2017.pdf](https://www.coe.int/t/dghl/standardsetting/equality/02_GenderEqualityProgramme/Council%20of%20Europe%20Gender%20Equality%20Strategy%202014-2017.pdf)

8. In light of the above, notably Committee of Ministers Recommendation (2003)3, with a view to improving women's political participation and representation, the Congress invites the Committee of Ministers to encourage the governments of member States to:

*a.* implement the Committee of Ministers' Recommendation (2003)3, taking stock of the changes and developments that have occurred since 2003 and discuss the results in the respective steering committees;

*b.* support local and regional authorities in the promotion and implementation of specific measures with a view to enhancing women's political participation in order to comply with the 40% threshold stipulated in Committee of Ministers Recommendation (2003)3 for a minimum representation of both sexes in all decision-making bodies in political or public life;

*c.* consider establishing gender-disaggregated official electoral statistics and tools in order to monitor the elections and nominations at local, regional and national level, based on good practice existing already in several member States, and support the local and regional authorities in this process;

*d.* encourage and support the establishment, within all levels of government, of gender equality committees networking with NGOs and women's groups that advocate women's political participation and support women candidates;

*e.* consider adopting legislative reforms in order to implement quotas for candidates in elections, with financial penalties in case of non-compliance, and where proportional systems exist, to consider the introduction of zipper systems;

*f.* consider the revision and adjustment of their electoral systems if these systems have a negative impact on women's political participation and representation.

9. The Congress also invites the Committee of Ministers to enter into a political dialogue with the Congress, in the appropriate format, to follow-up on this recommendation and the attached explanatory memorandum.

**31st SESSION****Local and regional democracy in Croatia**Recommendation 391 (2016)<sup>1</sup>

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\(2011\)2](#) relating to the Congress, which provides that one of the aims of the Congress shall be "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\(2011\)2](#) 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, in particular, that the principles of the European Charter of Local Self-Government are implemented";

c. Resolution 307 (2010) REV2 on procedures for monitoring the obligations and commitments entered into by the Council of Europe member States in respect of their ratification of the European Charter of Local Self-Government;

d. The appended explanatory memorandum on local and regional democracy in Croatia.

2. The Congress notes that:

a. Croatia acceded to the Council of Europe on 6 November 1996. Croatia signed and ratified the European Charter of Local Self-Government (ETS No. 122, hereafter "the Charter") on 11 October 1997, which entered into force in respect of this country on 1 February 1998. At that stage Croatia had not accepted to be bound by certain articles of the Charter however, on 1 October 2008, Croatia ratified these remaining articles, meaning that as from that date Croatia has declared itself to be bound by all of the articles of the Charter;

b. Croatia ratified the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (CETS No. 106) on 7 September 2003. However, it has not signed or ratified the Additional Protocols to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (CETS No. 159, 169 and 206). Croatia has also not signed or ratified 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);

c. the Monitoring Committee decided to review the situation with regard to local and regional self-government in Croatia in the light of the Charter. It appointed Ms Luzette Kroon (Netherlands, L, EPP/CCE) and Mr Ole Haabeth (Norway, R, SOC) as co-rapporteurs respectively on local and regional democracy in Croatia. They were tasked with drawing up a report on local and regional democracy in Croatia and submitting it to the Congress;<sup>2</sup>

<sup>1</sup> Debated and adopted by the Congress on 20 October 2016, 2<sup>nd</sup> sitting (see Document [CG31\(2016\)11final](#), explanatory memorandum), co-rapporteurs: Luzette KROON, the Netherlands (L, EPP/CCE) and Ole HAABETH, Norway (R, SOC).

<sup>2</sup> They were assisted by Mr David Melua, member of the Group of Independent Experts on the European Charter of Local Self Government, and by the Secretariat of the Monitoring Committee of the Congress.

d. the monitoring visit took place from 2 to 4 March 2016 in the Capital City of Zagreb, the cities of Rijeka and Krk, Zagreb county, Primorje-Gorski Kotar county and the municipality of Omesalj. During the visit, the Congress delegation met with representatives of various political institutions such as the Ministry of Public Administration, the Ministry of Finance, the Ministry of Regional Development and EU Funds, the Parliament, as well as representatives of the judiciary from the Constitutional Court; the State Audit Office, the Office of the Ombudsman and local and regional authorities. The detailed programme of the visit is appended;

e. the delegation wishes to thank the Croatian authorities at central, regional and local level and the persons met during the visit for their readiness to assist and the information they supplied. The delegation also thanks the Croatian delegation to the Congress and the national associations of local and regional authorities who contributed to the organisation and smooth running of the visit.

3. The Congress notes with satisfaction:

a. the status of the Charter which is fully integrated into Croatian domestic legislation pursuant to Article 141 of the Constitution of Croatia;

b. Croatia's ratification, on 1 October 2008, of the remaining articles of the Charter (Article 4, paragraphs 3, 5 and 6; Article 8, paragraph 3; Article 9, paragraphs 4, 5, 6, 7 and 8 and Article 10, paragraph 2) so as to be bound by the Charter in its entirety – which shows an inclination for full decentralisation;

c. the legislative protection of local and regional self-government which is rather high overall in Croatia;

d. the introduction of direct elections for mayors and prefects since the last monitoring visit in 2007, as well as the implementation of a financial equalisation policy;

e. the adoption in September 2015 of the legislation for voluntary mergers of local government units so as to rationalise the territorial divisions and the provision of public services;

f. the proposed fiscal decentralisation reform which is currently being prepared and analysed;

g. the commitment of the government to consult local and regional authorities on government initiatives that will affect them directly;

h. the introduction of the open data initiative incorporating *inter alia* the e-citizens and the e-consultations portals, providing easier access to public services and information for citizens.

4. The Congress expresses its concern at:

a. the fact that competences are often imprecisely allocated between the various levels of government, as already indicated in 1998 and 2007, and their exercise is hampered by a still over-centralised state organisation (Articles 4.4 and 8.3);

b. the inadequacy of resources available to local and regional authorities to exercise their powers, leading to a dependency on the state (Articles 6.1, 6.2 and 9.2);

c. the cut in local tax revenues – which provide the main source of revenue for local units – brought about by amendments to the Income Tax Act with effect from 1 January 2015, while the top rate chargeable for local surtax on income tax, a further own revenue for local units, was also reduced (Articles 9.1 and 9.3);

d. the lack of formal consultation with local and regional representatives, also indicated in 2007, notably on financial and fiscal matters (Articles 4.6 and 9.6);

e. the insufficient implementation so far of the legislation on voluntary mergers of local government units adopted by Parliament in September 2015;

*f.* the territorial disparities and the notion of a universal level of public service which is still far off.

5. In the light of this, the Congress asks the Committee of Ministers to invite the national authorities to:

*a.* revise the breakdown of responsibilities between the central and subnational levels of government so as to avoid all overlapping of responsibilities, by establishing a clear list of the allocation of powers to the different levels of government, in consultation with those concerned, and so as to keep state intervention proportional to the interests which it is intended to protect;

*b.* draw up legislation setting out the procedures for consulting local and regional authority representatives to ensure that they are effectively consulted, that is in due time and in an appropriate manner, on all questions directly concerning those authorities, in particular on financial questions;

*c.* provide adequate financial resources for self-governing authorities, in particular financial resources, to be commensurate with their responsibilities and which they may dispose of freely within the framework of their powers;

*d.* in respect to the current reform and revision of legislation concerning fiscal decentralisation to reconsider the conditions governing local taxation and, in particular, the setting of tax rates by local authorities in order to give these authorities greater freedom of action with regard to their own resources and thus to move away from dependence on the state in this regard;

*e.* re-consider the 2015 law on the voluntary merger of local government units with the aim of making voluntary mergers more attractive by disseminating information relating to the benefits of the mergers to communities, including their public services, or considering the implementation of other incentives;

*f.* sign and ratify in a near future the Additional Protocol to the Charter (CETS No. 207) on the right to participate in the affairs of a local authority insofar as the relevant legislative provisions in force in Croatia, as well as current practice, appear to render the situation consistent with the requirements of this Protocol.

6. The Congress calls on the Committee of Ministers to take account of this recommendation on local and regional democracy in Croatia and the accompanying explanatory memorandum in its activities relating to this Member State.



## Good governance in metropolitan areas

Recommendation 392 (2016)<sup>1</sup>

1. The growth of metropolitan areas has been a striking feature of urbanisation in recent decades. Across Europe, these areas are increasingly becoming the centre of political, economic and cultural activity, acting as engines of development and economic success.
2. This growth is typically accompanied by rapid development of the rural hinterlands of metropolitan areas, as people move out of the city in search of more affordable housing and better quality of life.
3. As metropolitan areas become indispensable economic actors, characterised by their dynamic and cosmopolitan nature, they are raising important issues with regard to the territorial dimension of democracy and their ability to ensure that they remain responsive to the needs of their citizens.
4. The complex and multilayered nature of the governance of metropolitan areas is a growing challenge to representative democracy and requires new model forms of territorial leadership.
5. The Congress therefore, considering:
  - a. The Council of Europe Reference Framework for Regional Democracy (2002);
  - b. Congress Recommendation 188 (2006) on good governance in European metropolitan areas;
  - c. The European Urban Charter (1992);
  - d. The Congress European Urban Charter II: manifesto for a new urbanity (2008);
  - e. Parliamentary Assembly Resolution 1964 (2013) on the good governance of large metropolises;
6. Observing that metropolitan governance in Europe is developing on an extremely diverse basis, with variations both within and between countries;
7. Concerned that the political development and governance of metropolitan areas is not always proceeding in optimal conditions, with appropriate political structures and dialogue with relevant stakeholders;
8. Concerned that the creation of metropolitan governance structures is sometimes used as a tool to recentralise competences and powers;
9. Concerned that the development of metropolitan areas may result in a reduction in the transparency of government decision-making processes;

<sup>1</sup> Debated and adopted by the Congress on 21 October 2016, 3rd sitting (see [Document CG31\(2016\)17final](#), rapporteur: Antonio EROI, Italy (L, EPP/CCE))

10. Convinced that the boundaries and political structures of metropolitan areas must be developed in the framework of consultations and political dialogue with all local stakeholders;

11. Reaffirming that all governance structures should be democratically accountable and that the creation of any new structures should not result in a reduction in local democracy;

12. Asks the Committee of Ministers:

*a.* to consider drafting guidelines for the creation and the management of governance structures of metropolitan areas, in view of the need to ensure proper accountability, transparency, consultation, political dialogue and citizen participation;

*b.* to invite member States to consider drafting guidelines for the cohesive development of their metropolitan hinterlands;

*c.* to encourage member States to facilitate the development of appropriate multilevel governance structures for metropolitan areas, with clearly defined competences for the different actors concerned.



## Verification of new members' credentials and new appointment procedures

Resolution 399 (2016)<sup>1</sup>

1. The rapporteurs on the verification of credentials point out that the 31st session is a session at which all the national delegations have been renewed and that said renewal has taken place in accordance with the criteria of the Charter and the *Rules and Procedures of the Congress*.

2. The delegations are appointed for a four-year term of office, from October 2016 to October 2020. In compliance with Article 2.1 of the Congress Charter, only those members who have lost their mandate or wish to resign may be withdrawn from the delegation before the end of this term of office, even if local or regional elections take place during those four years.

3. One of the main tasks of the rapporteurs on the verification of credentials is to ensure that the political breakdown of the members of the proposed delegation properly reflects the political situation in the country concerned. To that end, the national authority responsible for appointing the members must provide details either of the results of the most recent local or regional elections or of the actual distribution of elected representatives according to their political affiliation, in the relevant local or regional bodies.

4. The rapporteurs also have to ensure compliance with gender balance (minimum quota of 30%) in the delegations. In this connection, they welcome the efforts made by the national authorities: only a few delegations were asked to change their proposals in order to satisfy the Charter criteria in this respect.

5. Lastly, the rapporteurs wish to remind national authorities that Article 2.1 of the Congress Charter explicitly underlines that a Congress member must either:

a. hold a mandate resulting from direct elections, or

b. be politically accountable to a directly elected assembly, on the condition that they can be individually dismissed by, or following the decision of, the aforementioned assembly and that dismissal is provided for by law. This requirement is a vital aspect to be taken into account when appointing members.

6. On the basis of these criteria, a number of delegations altered their initial proposals.

7. The rapporteurs on the verification of credentials propose that the Congress approve:

a. the new official appointment procedures for the national delegations of Albania, Ireland, Portugal, the Republic of Moldova and Ukraine;

b. the credentials of the members of the national delegations set out in document CG31(2016)25.

<sup>1</sup> Debated and adopted by the Congress on 19 October 2016, 1st sitting (see Document [CG31\(2016\)02FINAL](#), rapporteurs: Gaye DOGANOGLU, Turkey (L, EPP/CEE) and Leen VERBEEK, Netherlands (R, SOC)).



## 31st SESSION

## Follow-up to the Congress strategy to combat radicalisation at grass-roots level

(Joint reflexion document of the Current Affairs and Governance Committees)

Resolution 400 (2016)<sup>1</sup>

1. Events in 2015 and the current tense European climate - characterised by growing radicalisation, stigmatisation of some of our communities, the dissemination of hate speech and the rise of xenophobic social and political movements - have reminded the Congress that violent extremism is still a threat to peace and security, undermining democracy and its institutions and fundamental values.

2. Responding to the invitation from the Secretary General of the Council of Europe to contribute to the Council of Europe effort in this field, the Congress Bureau adopted, on 2 February 2015, a "Strategy to combat radicalisation at grassroots level".

3. Since then, the Congress has been developing synergies and partnerships with other entities of the Council of Europe and external institutions, as well as awareness raising activities, notably with a view to combating religious radicalisation and radicalisation leading to violent extremism, and to stimulating and encouraging the development of intercultural and interreligious activities at local level.

4. One of the priorities set out in the Congress Strategy to combat radicalisation at grassroots level is to compile and reread the texts adopted by the Congress on citizen participation, living together in diversity, social inclusion and cohesion, and intercultural and interfaith dialogue in the last decade.

5. Article 9 of the European Convention on Human Rights provides a right to freedom of thought, conscience and religion, subject to certain restrictions that are in accordance with law and necessary in a democratic society. Citizenship in Europe requires knowledge and understanding of this philosophical, moral and political position. This concerns everyone born in Europe, whatever their origins, and everyone wishing to settle here.

6. The hallmark of democratic societies is that they allow and protect religious convictions and their manifestations within the limits of the law. However, another hallmark of democratic societies is that they protect the freedom of conscience of those who have no religious convictions or convictions that are atheistic. Those beliefs, however, are not necessarily devoid of philosophical, moral or spiritual convictions. Therefore it is appropriate to widen the concept of "interfaith dialogue" to one of "interconvictional dialogue".

7. The Congress therefore:

a. taking note of:

i. Congress Resolution 381 (2015) on "Combatting radicalisation at grassroots level: the role of local and regional authorities" adopted at its 28th Session, on 25 March 2015;

ii. Congress Resolution 384 (2015) on "Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at the grassroots level" adopted at its 29th Session, on 20 October 2015;

<sup>1</sup> Debated and adopted by the Congress on 19 October 2016, 1st sitting (see Document [CG31\(2016\)15final](#), co-rapporteurs: Josef NEUMANN, Germany (R, SOC) and Bert BOUWMEESTER, the Netherlands (L, ILDG)).

- iii. Congress Resolution 397(2016) on “Organising intercultural and interreligious activities: a toolkit for local authorities” adopted at its 30th Session, on 22 March 2016;
  - iv. The appointment of a Congress thematic spokesperson on radicalisation by its Bureau on 24 March 2016;
  - v. The Aarhus Declaration, adopted at the Conference of Local Authorities on the Prevention of Radicalisation Leading to Violent Extremism organised in co-operation with the European Forum for Urban Security (EFUS) in Aarhus, Denmark, on 18 November 2015;
- b. commits itself to:
- i. adopting, with respect to its future texts on citizen participation, living together in diversity and social inclusion and cohesion, a consistent methodology for promoting inclusive, pluralist and culturally diverse societies in Europe;
  - ii. introducing and developing the concept of “Interconvictional” dialogue in its future texts on intercultural and interfaith dialogue;
  - iii. disseminating the toolkit “Organising intercultural and interreligious activities” intended for the use of local elected representatives as widely as possible, and regularly updating the associated online database;
  - iv. strengthening its existing co-operation established with networks such as the European Forum for Urban Security, and seeking new partnerships with relevant networks and institutions;
  - v. supporting the proposed “Alliance of European cities against violent extremism”, including the digital platform that will underpin it;
- c. tasks the Congress Spokesperson on Radicalisation with:
- i. representing the Congress in all major events organised by the Council of Europe intergovernmental sector and external partners on the issue of radicalisation and violent extremism, presenting its activities in this matter, reporting to both the Governance and the Current Affairs Committees on these events and suggesting new developments as necessary;
  - ii. raising awareness of the toolkit “Organising intercultural and interreligious activities”, through meetings with different stakeholders;
- d. invites the local and regional authorities of Council of Europe member States to:
- i. promote and support intercultural and interreligious dialogue and initiatives, in particular through the use of the resources provided in the toolkit “Organising intercultural and interreligious activities”;
  - ii. join the “Alliance of European cities against violent extremism” and exchange knowledge and best practices, existing programmes and tools to tackle radicalisation and violent extremism, at both the political and the administrative levels, through events, training programmes and other initiatives.

**31st SESSION****Preventing corruption and promoting public ethics at local and regional levels**Resolution 401 (2016)<sup>1</sup>

1. In choosing “Ethics and transparency at local and regional level” as its theme for 2016, the Congress recognises that corruption continues to pose a major threat to local and regional governance and democracy in Europe, a threat which governments and parliaments at all levels urgently need to address.

2. As public awareness of the risks and scale of corruption in local and regional public life grows, partly spurred by the rapid developments in communications, there is a corresponding increase in impatience and intolerance with this situation. Citizens now expect higher standards of probity from public officials and trust in politicians and civil servants remains dangerously low, threatening the democratic process and encouraging the rise of various forms of political extremism.

3. Corruption, which has been described as a ‘multi-headed monster’, takes many forms and no single strategy can be expected to provide all the answers. The fight against corruption in all its forms needs to remain a long-term priority for local and regional governments and their associations. For this reason the Congress proposes to tackle this challenge on several fronts, using the whole range of its activities and tools.

4. The Congress therefore:

*a.* bearing in mind:

i. Congress Resolution 316 (2010) on Rights and duties of local and regional elected representatives: the risks of corruption;

ii. the Council of Europe’s Programme of Action Against Corruption, the Council of Europe Criminal Law Convention on Corruption (ETS No. 173) and the Council of Europe Civil Law Convention on Corruption (ETS No. 174);

iii. Parliamentary Assembly Recommendation 2019 and Resolution 1943 (2013) on Corruption as a threat to the rule of law;

*b.* adopts the roadmap appended to this resolution;

*c.* recommends that local and regional authorities:

i. develop and make public their own anti-corruption strategies, taking inspiration from the guidelines and examples of good practice highlighted by the Congress and other international bodies;

ii. put in place continuous training programmes for elected representatives and public officials to raise awareness of the risks of corruption and the strategies for tackling it;

*d.* calls on associations of local and regional authorities to develop their own anti-corruption strategies and to contribute to the Congress work in this respect;

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<sup>1</sup> Debated and adopted by the Congress on 19 October 2016, 1st sitting (see Document [CG31\(2016\)06final](#), rapporteur : Herwig VAN STAA, Austria (R, EPP/CCE))

*e.* agrees to strengthen its co-operation and work closely with its institutional partners in this respect, and in particular with the Committee of Ministers, the Group of States against corruption (GRECO) and the Committee of the Regions;

*f.* proposes the fight against corruption as a future annual theme for the European Local Democracy Week.

## Appendix: Roadmap of activities for preventing corruption and promoting public ethics at local and regional levels

The Congress,

1. undertakes to develop its fight against corruption at several levels, by developing its work in several thematic reports, by revising the 1999 European Code of Conduct on the political integrity of local and regional representatives and by continuing to develop its co-operation activities in this field with local and regional elected representatives of the member states of the Council of Europe and, if requested and appropriate, the countries of the Council of Europe neighbourhood policy;
2. resolves to apply these standards to its own structures and to continue to introduce greater transparency in its own activities and procedures;

### A Thematic reports

3. instructs its Governance Committee to prepare the following thematic reports:
  - i. Transparency;
  - ii. Conflicts of interest and clientelism;
  - iii. Protecting whistleblowers;
  - iv. Nepotism (recruitment of staff);
  - v. Public procurement;
  - vi. Abuse of administrative resources in election campaigns;

#### *i. Transparency*

4. Open methods of government are proving to be a powerful weapon in the fight against corruption. Opening up meetings, opening up decision-making processes and making information, documents and data available for public scrutiny, raise the levels of public accountability and act as an effective deterrent to abuses of the political process. Developments in information technology have vastly expanded the options and tools available to making government more transparent and lowered the costs. Local and regional governments need to take inspiration from the authorities which are setting the pace in this respect to transform their own governance processes.

#### *ii. Conflicts of interest and clientelism*

5. Elected representatives and public officials are required and expected to put public service ahead of their personal interests. Conflict of interest rules and procedures or codes of conduct are therefore necessary to prevent representatives and officials from making decisions in circumstances that could be perceived as violating this principle. A key tool to limit such risks is the maintenance of registers of the financial and non-financial interests of elected representatives and their close family members. The report will survey the wide variations in practice in this respect at local level, with a view to establishing some principles of good practice.

#### *iii. Protecting whistle-blowers*

6. The risk of corruption tends to be higher where the reporting of wrongdoing is not supported or protected. Public officials have access to information concerning their workplaces' practices, and are often the first to recognise malpractice. However, those who report such wrongdoings may be subject to intimidation, harassment, dismissal or violence by colleagues or superiors. Whistleblower protection is therefore essential to encourage the reporting of misconduct, fraud and corruption. This report will build on the 2014 Committee of Ministers "Protection of whistleblowers" recommendation and examine its application in the local and regional context.

#### *iv. Nepotism*

7. Nepotism, also known as cronyism and favouritism, includes hiring, or awarding contracts, on the basis of personal connections rather than merit. It is also linked to patronage, paying back those who may have helped elect the person to office. This can lead to low morale amongst staff, and a loss of efficiency by failing to recruit the most competent staff or award contracts to the most suitable providers. In some countries it is so deeply engrained in the political culture that it is taken for granted by large sections of the public. This report will examine the range of strategies that have been

introduced by European local governments to combat this problem, with the aim of providing guidelines for good practice.

v. *Public procurement*

8. Corruption in public procurement involves the allocation of government contracts for personal gain or third persons such as political parties. The risks of corruption in this sphere are huge, with procurement at local and regional level accounting for a large proportion of public spending. Standards and examples of good practice are already available in many countries, but a robust regulative framework is required to ensure that they are implemented. A multi-strategy approach is required to combat this problem, including proper staff training, strict regulation and full transparency of the procurement process.

vi. *Abuse of administrative resources in election campaigns*

9. The misuse of administrative resources during the electoral process involves unlawful or abusive behaviour on the part of politicians and civil servants, who use their positions or connections to influence the outcome of elections, and thus undermine the fairness of the election. The election observation experience of European bodies, including the Congress, suggests that this remains a significant problem in many European countries. This report will examine the application, in the local and regional contexts, of the 2016 Venice Commission/OSCE “Joint Guidelines for preventing and responding to the misuse of administrative resources”.

## **B Code of Ethics**

10. The 1999 European Code of Conduct on the political integrity of local and regional representatives has long served as a reference text for local and regional authorities in Europe. It will now be revised and updated, to extend its application to all local and regional officials and to take into account the developments of the last 20 years in the understanding of corruption issues and how best to tackle them.

## **C Events**

11. The Congress undertakes to organise the following events:
- i. Strategies for tackling corruption at local and regional level. Joint conference with the Committee of the Regions (Brussels, January 2017);
  - ii. Hearing with youth representatives on the role of youth in the fight against corruption (date and place tbc);
  - iii. Evaluation conference to be organised in autumn 2017 (date and place tbc.)

## **D Co-operation activities**

12. The Congress undertakes to pursue the work on the fight against corruption and the promotion of ethics through its co-operation activities. In 2016, a range of seminars and workshops will be organised in the framework of its projects in Armenia, Georgia, Republic of Moldova and Ukraine. Within the activities targeted at young local leaders, mayors and local councillors, specific sessions will be dedicated to the tools and best practices that can be used in the fight against corruption and the promotion of ethics at the local level.

13. A programme to support local initiatives with coaching and funding will be launched for the mayors from Armenia, Georgia, Republic of Moldova and Ukraine, who participated in the previous activities of the project. Their initiatives will aim at increasing transparency and accountability of local government in the targeted countries by introducing new tools and mechanisms addressing higher ethical standards and ensuring sustainable collection of feedback and public oversight.

14. The Congress Secretariat will work on the development of a methodology to assess the impact of its activities on a long-term perspective.



## 31st SESSION

## The misuse of administrative resources during electoral processes: the role of local and regional elected representatives and public officials

Resolution 402 (2016)<sup>1</sup>

1. Today, one of the most important and recurrent issues noticed by international electoral observers is the misuse of administrative resources during electoral processes. This phenomenon occurs both in emerging democracies and in countries with a long-standing tradition of democratic elections and seems to have found its way into the established political culture in Europe and beyond, evoking the perception that such malpractice is normal. Overall, international standards and rules to prevent misuse are broad and allow States a wide margin of appreciation. Therefore, best practices and soft-law instruments seem necessary to provide guidance for implementation locally.

2. In general, local and regional elections share many similarities with national elections as regards the problem of misuse of administrative resources. However, the specific role that local and regional elected representatives and public officials may have during electoral processes as well as the intrinsic link, at grassroots' level, between incumbents, candidates and public officials on the one hand and the electorate on the other, warrant tackling this problem from the local and regional perspective.

3. The Congress' political priorities 2013-2016 include measures to strengthen the commitment of local and regional elected representatives with regard to ethical conduct and combating corruption at the grassroots' level. In this view, the Congress prepared a comprehensive Strategy on preventing corruption and promoting public ethics at local and regional levels.

4. Congress Resolution 382(2015) commends to work in liaison with the Venice Commission in order to establish criteria for standing in local and regional elections, taking into account the rules of election campaigns and good practices inspired by concern for greater transparency in political life. It also proposes follow-up to the issue of conflict of interest and campaign resources at the local and regional level.

5. In the context of its co-operation with strategic partners in the field of election observation, the Congress has contributed to the compilation of the 2016 Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes of the Venice Commission and OSCE/ODIHR.<sup>2</sup>

6. Against this background, the Congress has examined the phenomenon of misuse of administrative resources from the specific angle of electoral processes at the local and regional level. As a consequence, it:

a. requests its Governance Committee to prepare a checklist for compliance with international standards and best practices preventing misuse of administrative resources during electoral processes at local and regional level;

<sup>1</sup> Debated and adopted by the Congress on 19 October 2016, 1st sitting (see Document [CG31\(2016\)07final](#), explanatory memorandum), rapporteur: Stewart DICKSON, United Kingdom (R, ILDG/GILD).

<sup>2</sup> Venice Commission/OSCE/ODIHR Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources During Electoral Processes (14 March 2016), CDL-AD(2016)004

*b.* asks the relevant instances of the Congress to develop a strategy for promoting the checklist among Congress' members, local and regional authorities and the respective national associations;

*c.* encourages the relevant instances of the Congress to make information about standards, rules and practices preventing misuse of administrative resources during electoral processes a priority in the framework of training seminars and awareness-raising activities;

*d.* invites associations of local and regional authorities in Council of Europe member States to engage in awareness-raising activities to develop a public ethos culture at the grassroots level, in particular with regard to the role and responsibilities of local and regional representatives in electoral processes;

*e.* calls on opinion leaders in the local and regional political context, to combat misuse of administrative resources during elections through appropriate declarations, leading by example and ensuring transparency;

*f.* invites local and regional authorities to encourage civil servants and public officials at community level to sign voluntary declarations of neutrality, specifically aiming at their role during electoral processes.

## 31st SESSION

## The situation of Roma and Travellers<sup>1</sup> in the context of rising extremism, xenophobia and the refugee crisis in Europe

Resolution 403 (2016)<sup>2</sup>

1. The current refugee crisis has shaken the political landscape in Europe, especially in the European Union, the member States of which are the main receiving countries for refugees. The priorities of politicians, institutions and civil society on all levels have focussed on managing the influx of refugees, organising their transfer to their destination countries, allocating those already on European soil between countries and settling them.

2. This development has not left European societies untouched. While many civil society organisations and individuals all over Europe tried their best to manage the situation by providing humanitarian aid and support for integration measures, large parts of European societies have felt anxious, disappointed by the inappropriate response by political leaders at all levels, developing xenophobic reactions towards what they perceived as foreign and a threat.

3. Roma and Travellers have been regarded as foreigners and outsiders in Europe for the longest time. Anti-Gypsyism<sup>3</sup> is one of the main reasons why their general situation is not improving, apart from small instances of progress in some countries.<sup>4</sup> Anti-Gypsyist policies harm inclusion efforts as deeply rooted stereotypes prevent politicians from committing to Roma and Traveller inclusion policies on all levels.

4. This unfortunate tradition of excluding Roma and Travellers from the majority society and thereby constructing the image of the societal outcast seems to have been exacerbated by the outbreak of the financial and economic crisis in 2008 that led to painful cuts in welfare budgets of many European States and subsequently to a corrosion of social cohesion. Not only were Roma and Traveller inclusion efforts one of the victims of the austerity measures, the need for scapegoats led to a rise in hate speech and violent attacks against them.

5. The Congress of Local and Regional Authorities of the Council of Europe had already expressed concern in 2011, in its Resolution 333<sup>5</sup> on the situation of Roma in Europe as a challenge for local and regional authorities, and stated that local and regional authorities have “a duty to take effective action at the local level and must show leadership and vision, as well as win support from all sections of the community for addressing Roma issues in order to remedy the situation of the social exclusion of Roma.

1 The term “Roma and Travellers” is being used to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies.

2 Debated and approved by the Chamber of Local Authorities on 20 October 2016 and adopted by the Congress on 21st October 2016, 3rd sitting (see Document [CPL31\(2016\)03final](#), rapporteur: John WARMISHAM, United-Kingdom (L, SOC)).

3 Anti-Gypsyism is a specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatisation and the most blatant kind of discrimination. – European Commission Against Racism and Intolerance (ECRI), GPR 13, 2011.

4 See, for example, <http://www.osce.org/odihr/107406?download=true>

5 <https://wcd.coe.int/ViewDoc.jsp?p=&id=1855297&direct=true>

6. The current refugee situation has impacted a continent that has not yet recovered from the crisis. Roma and Traveller inclusion policies that were already affected by the financial and economic crises are now even more at risk of being demoted and losing the priority status that these inclusion policies for Europe's largest minority enjoyed on the European and national levels. There is a risk that political commitment for the inclusion of Roma and Travellers might be regarded as secondary, and Roma and Travellers discarded in the current context of rising racism and xenophobia that has been exacerbated by the inadequate response to the refugee situation. This risk of Roma and Travellers being deprioritised persists in spite of international commitment for their inclusion.

7. However, the arrival of one million refugees in Europe should not be seen exclusively as a threat. Many studies suggest that a good proportion of the newcomers are young, well-educated and willing to build a new life with their own hands. European states should be aware that the refugee crisis might yield economic advantages for all sides. This observation holds also partially true for Roma and Travellers. Like the majority of refugees, the average age of Roma and Traveller populations is lower than that of the majority population. In some member States Roma constitute around 10% of the population. Given that a great part of this Roma population is very young, Europe has a considerable economic asset at its disposal, which is yet to be mobilised.

8. In the Strasbourg Declaration of 2010, the Council of Europe reinforced its long-standing commitment and urged member States to strengthen their efforts to make this inclusion a reality in Europe. In March 2016, the Committee of Ministers adopted the Thematic Action Plan on the Inclusion of Roma and Travellers (2016-2019),<sup>6</sup> which lists the fight against anti-Gypsyism, the support of vulnerable groups and solutions at the local level as priorities.

9. The local and regional authorities have a responsibility to implement policies that will ensure access for Roma and Travellers to social rights in the fields of housing, education, employment and healthcare, as well as empowerment and political participation through numerous activities that can be implemented on the local and regional level.

10. In light of the above, the Congress of Local and Regional Authorities calls on local and regional authorities to:

a. implement measures suggested by Congress Resolution 333 (2011);

b. address the social, economic and security needs of Roma and Traveller citizens by specific measures that include the following:

i. with regard to social and economic rights, to implement measures that will ensure access for Roma and Travellers to social rights in areas that fall within the competence of local authorities including education, employment, housing and health services, and to encourage local authorities to make use of the available social funding instruments to provide special education and vocational training opportunities for Roma and Traveller youth;

ii. with regard to the safety and well-being of Roma and Traveller citizens to:

- publicly condemn, identify and implement measures to combat public manifestations of anti-Gypsyism that can take the form of hate speech, discrimination, threats, intimidation and racially motivated violence, whether by individuals, organised groups or by local elected representatives themselves;

- design specific measures to guarantee the safety and well-being of Roma and Traveller women, children and youth as especially vulnerable groups.

iii. with regard to the fight against anti-Gypsyism and the access to justice to:

- take action to combat ignorance, myths and stereotypes concerning Roma and Travellers among the non-Roma population;

- discontinue all discriminatory practices which can be regarded as manifestations of institutional anti-Gypsyism, such as school segregation, forced evictions and expulsions;

- set up specialised institutions, such as local legal clinics to, effectively and at little or no cost support victims of anti-Gypsyism in the pursuit of justice;

<sup>6</sup> [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805c5a1d](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c5a1d)

- provide training for local government personnel such as administrative staff, social workers, municipal police forces or other security forces, that are likely to deal with cases related to anti-Gypsyism to acknowledge it, report it, and effectively and sensitively help the victims;
- develop local educational and intercultural initiatives bringing together Roma and Traveller and non-Roma youth, to facilitate cultural exchange, to spread knowledge and awareness of Roma and Traveller culture, language and history;
- c. make efforts to turn the prevailing political and social crisis situation exacerbated by phenomena such as violent extremism and the refugee influx into an opportunity for local communities to review their integration strategies and policies in order to systematically address the Roma and Traveller inclusion dimension;
- d. exchange information on and implement or adapt the successful examples of Roma and Traveller integration across the continent with particular emphasis on participation, engaging with the leaders of the Roma community to work in partnership with local and regional authorities, as well as establish structures to ensure the voice of Roma and Travellers is heard (including the voice of women and young people), either in the form of specific consultative bodies, or by involving Roma and Travellers in representative bodies for minorities and community groups generally;
- e. in the same spirit, promote and support the development or strengthening of local Roma and Travellers associations that can mobilise and articulate this voice in appropriate forums as well as act as partners for the local authority;
- f. seek collaboration with local and regional authorities in other member States to promote mutual learning through networks such as the European Alliance of Cities and Regions for the Inclusion of Roma and Travellers, set up as an initiative of the Congress.



## 31st SESSION

## Women's political participation and representation at local and regional levels

Resolution 404 (2016)<sup>1</sup>

1. Achieving equality in political representation between men and women – who represent 50% of the world's population – is vital for the functioning of representative democracy and a prerequisite of political participation. All Council of Europe member States guarantee legal equality between women and men, including the right to stand for election and to be elected. In practice, however, there are numerous factors that hamper women's opportunities to take responsibility in public life and hold elected office.
2. Unequal access to education and/or employment, the political institutional system, party systems, the degree of party support and negative attitudes and stereotypes are amongst the most important factors that restrict women's political participation. Along with the fact that today women in Europe face difficulties in finding a balance between their private and professional lives; they are also often discriminated against and face negative attitudes which disempower them in public and political life and prevent them from becoming role models for younger generations of women to follow in their steps.
3. The effective implementation of gender quotas, associated with an electoral system favourable for women's representation in politics, is a factor of paramount importance which can lead to more balanced gender participation and thus to a fairer system of political and public decision-making, thereby improving the quality and credibility of the political process.
4. The electoral systems and gender quotas are not the only factors that influence women's representation. In order to increase effectively both the descriptive and substantial representation of women in politics, a much broader and more comprehensive approach that goes beyond a change in electoral legislation is necessary.
5. The Council of Europe's pioneering work in the field of human rights and gender equality has resulted in a solid legal and policy framework which can considerably advance women's rights and bring member states closer to real gender equality. In all Council of Europe bodies, there is the same demand for balanced participation, gender mainstreaming, specific action and monitoring of results.
6. In 2003, the Committee of Ministers defined balanced participation in its Recommendation (2003)3 as the minimum representation of 40% of both sexes in all decision-making bodies in political or public life. This requirement has been reaffirmed in the Council of Europe Equality Strategy 2014-2017.<sup>2</sup>
7. The Parliamentary Assembly of the Council of Europe (PACE), in its Resolution 1706 adopted in 2010, underlined that the equal participation of women and men in political life is one of the foundations of democracy and recommended that Member States associate measures pertaining to electoral systems and gender quotas with gender-sensitive civic education and elimination of gender stereotypes.<sup>3</sup>

<sup>1</sup> Debated and adopted by the Congress on 20 October 2016, 2nd sitting (see Document [CG31 \(2016\)09final](#), rapporteur: Inger LINGE, Sweden (L, EPP/CCE)).

<sup>2</sup> <https://wcd.coe.int/ViewDoc.jsp?id=2229> and [https://www.coe.int/t/dgh/standardsetting/equality/02\\_GenderEqualityProgramme/Council%20of%20Europe%20Gender%20Equality%20Strategy%202014-2017.pdf](https://www.coe.int/t/dgh/standardsetting/equality/02_GenderEqualityProgramme/Council%20of%20Europe%20Gender%20Equality%20Strategy%202014-2017.pdf)

<sup>3</sup> <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17809&lang=en>

8. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”), when it carries out its electoral observation missions, refers as a baseline to the Code of Good Practice in Electoral Matters (adopted by the “Venice Commission” of the Council of Europe in 2002) which leaves the choice of electoral systems to the discretion of the respective country as long as certain principles such as equal voting rights and equal voting power are respected. Nevertheless, the Venice Commission has also stipulated that “Legal rules requiring a minimum percentage of persons of each gender among candidates should not be considered as contrary to the principle of equal suffrage if they have a constitutional basis”.<sup>4</sup>

9. As regards quotas, by revising its Charter in 2007, the Congress undertook to respect the principle of equality between women and men within its own institution and committed itself to including 30% of the under-represented sex in its delegations since 2008. In practice, the participation of a minimum of 30% of women has been ensured since 2011, and has proven to be a very successful initiative for women’s representation, not only as members of national delegations, but also as presidents and vice-presidents of Congress bodies. There is, however, room for improvement to ensure that representation of either women or men in any decision-making body in political or public life should reach the 40% threshold and to apply this to the rules concerning representation in leadership positions in the Congress.

10. In light of the above and with a view to improving women’s political participation and representation, the Congress invites local and regional authorities of the member States of the Council of Europe and their national associations to:

a. put into practice the Committee of Ministers Recommendation (2003)3 on balanced participation of women and men in political and public decision-making to ensure that the representation of either women or men in any decision-making body in political or public life should not fall below 40%”;

b. ensure, in line with Congress Resolution 393 (2015) on the conditions of office of elected representatives, that the way in which political business in local and regional authorities is conducted does not deter women from standing for election, for instance by implementing family-oriented meeting hours and providing support for childcare;

c. evaluate and report progress in achieving balanced participation in political and public life by developing gender-disaggregated statistics and tools for gender monitoring of nominations and elections analysing their evolution;

d. develop and implement specific actions with a view to enhance women’s political participation, such as capacity-building programmes, candidate training, recruitment programmes, systems for mentoring new members or public speaking training;

e. support the establishment of gender equality committees, networks among women’s groups and other NGOs that advocate women’s political participation and women candidates;

f. integrate and apply the concept of gender budgeting into their working processes, as an instrument of gender equality through the integration of gender as a category of analysis and control in the budget;

g. comply with quota regulations where they exist and introduce reliable monitoring mechanisms to ensure that women are included in the lists on an equal basis with men;

h. sign and implement the European Charter for Equality of Women and Men in Local Life initiated by the Council of European Municipalities and Regions (CEMR).

11. Recalling its Resolution 303 on achieving sustainable gender equality in local and regional political life, the Congress commits itself to:

a. working towards compliance with Committee of Ministers Recommendation 2003(3) so that the representation of either women or men in any decision-making body in political or public life does not fall below 40%;

b. monitoring the gender distribution within the Congress and continuing to publish the relevant data (covering full and substitute members, chairs of committees, political and working groups and rapporteurs) upon the renewal of delegations every four years;

c. integrating and applying the concept of gender budgeting into its work processes;

<sup>4</sup> <http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD%282002%29023rev-e>



*d.* calling on political groups represented in the Congress to lobby with their respective political (national or regional as appropriate) parties to adopt specific action plans for the recruitment of women based on an analysis of the causes of their under-representation, given the vital role political parties play in the promotion of women in politics, by recruiting, selecting and nominating candidates.



**31st SESSION****Gender budgeting**Resolution 405 (2016)<sup>1</sup>

1. The struggle to achieve gender equality, one of the key rights enshrined in the European Convention on Human Rights, remains a huge challenge for Council of Europe member states at all levels of government. In 2006, the Ministers on Equality between Women and Men of the Council of Europe member states, stated that one of the main goals of any democratic society must be to achieve de facto gender equality and that there can be no sustainable economic development without the full participation of women.

2. In the Council of Europe 2014-2017 Gender Equality Strategy, the national and, where applicable, regional governments of the Member States have committed themselves to pursuing greater gender equality in all areas, with a particular emphasis on specific fields, notably local government, and call on the Congress to contribute to this strategy through its policies and activities (Strategic objective 5.)

3. To make measurable progress in this area requires the introduction and application of tools and institutional mechanisms, as recognised by the Committee of Ministers in its 2007 Recommendation. In this respect gender budgeting has proven to be one of the most effective tools to mainstream gender equality and to ensure a balanced gender approach to public services.

4. Gender budget analysis relies on the availability of sound data. To enable local and regional authorities to apply this tool on a wide basis requires the compilation and analysis of reliable gender-disaggregated data on a nationwide level. Officials charged with drawing up local and regional authority budgets also require gender analytic skills in order to be able to apply this data.

5. The Congress therefore,

a. Bearing in mind:

- i. the 2014-2017 Council of Europe Gender Equality Strategy;
- ii. Recommendation CM/Rec(2007)17 of the Committee of Ministers to member states on gender equality standards and mechanisms;

b. recommends that associations of local and regional authorities:

- i. encourage ministers of finance and other senior personnel engaged with budget policy and its implementation to ensure that national or, as applicable, regional, equality strategies allocate funds for implementing gender budgeting at local and regional levels;
- ii. encourage national governments to ensure that their statistics offices compile sex disaggregated data in all policy areas;
- iii. encourage the exploration and dissemination of tools of analysis, tools for the gender-related organisation of the budget and tools for budget accountability;
- iv. encourage and support local and regional authorities to develop pilot projects to introduce gender budgeting;
- v. provide or encourage training in gender analytic skills for officials charged with drawing up local and regional authority budgets;

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<sup>1</sup> Debated and adopted by the Congress on 20 October 2016, 2nd sitting (see Document [CG31\(2016\)10final](#), rapporteur: Cathy BENNETT, Ireland (L, NR))

c. recommends that local and regional authorities:

- i. introduce gender budgeting methods in their annual budgets, using appropriate tools such as gender-aware policy appraisal, gender-disaggregated public expenditure and tax incidence analysis, gender-disaggregated beneficiary assessments and gender-aware budget statements;
- ii. ensure that they put in place mechanisms to monitor this;
- iii. exchange experience and good practice with those cities and regions which already practice this approach;
- iv. devise mechanisms to consult with civil society, which has been the driver of many gender budget initiatives across and beyond Europe, so as to avail themselves of its expertise in this subject.

**31st SESSION****Congress priorities 2017-2020**

Resolution 406 (2016)<sup>1</sup>

The Congress of Local and Regional Authorities, as an assembly of the local and regional authorities of the Council of Europe member States;

1. represents the local and regional communities and their elected officials and helps to ensure their participation in the Council of Europe action aimed at promoting and defending democracy, the rule of law and human rights;
2. defines its new priorities and the direction of its activities at each renewal session of the Congress;
3. consults the national associations of local and regional authorities to define the strategic orientations of its work;
4. has considered the project on priorities for 2017-2020 that aims at:
  - a. enhancing the quality of local and regional democracy and governance, human rights and the rule of law in Council of Europe member States;
  - b. helping local and regional authorities and national governments to face the challenges resulting from the many crisis affecting Europe;
  - c. promoting, sharing and exchanging knowledge and experiences as well as co-operation between elected members of communities of all member States;
  - d. developing citizen participation in the political process and in the creation of a European continent that respects common values;
  - e. developing co-operation with its institutional partners;
5. adopts its 2017-2020 priorities and instructs its Bureau to overview their implement action by the Congress chambers and committees.

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<sup>1</sup> Debated and adopted by the Congress on 21 October 2016, 3rd sitting (see Document [CG31\(2016\)13final](#)), rapporteurs: Anders KNAPE, Sweden (L, EPP/CCE) and Gudrun MOSLER-TÖRNSTRÖM, Austria (R, SOC).

## APPENDIX I

### Table of contents

A. Introduction.....	38
B. The priorities.....	41
I. Enhancing the quality of local and regional democracy.....	41
II. Building safe and inclusive societies that respect diversity .....	45

### A. Introduction

1. The preparation of the priorities for 2017-2020 constituted a key moment for the Congress to reflect on its role, its work and the strategic lines of approach for the years ahead.

2. The Congress is committed to pursuing its action in the spirit of the reform it began in 2010 and to working with the aim of increasing its political and operational responsibilities and enhancing the impact of its recommendations and the associated co-operation activities.

3. In setting its priorities, the Congress sought to ensure that it provided a response to the needs of the authorities it represents and continued to improve the relevance and effectiveness of its action on the ground.

4. Furthermore it enhanced its institutional role as the third political body of the Council of Europe and the only political Assembly to defend the interests of the local and regional authorities across the greater Europe. It will continue to provide these authorities a platform where they may present their know-how and experience in addressing the challenges they are facing and share good practices and solutions to common problems at all levels of governance.

5. As a representative body of local and regional authorities, the Congress can provide answers to the difficulties they face and identify the tools necessary for the proper functioning of local and regional democracy. It also helps strengthen the voice of the local and regional level vis-à-vis central and federal governments, within the Council of Europe and other European organisations.

#### 1. The role of the Congress in the Council of Europe

6. The Congress implements the local and regional dimension of the Council of Europe's action in the field of democracy, human rights and the rule of law.

7. In its present form, it was established in 1994. Its terms of reference and functioning are based on the Congress Charter and Statutory Resolution, adopted by the Committee of Ministers in 1994 and recently amended in July 2015 (see Appendix 1).

8. The role of the Congress is to promote local and regional democracy, strengthen authorities' self-government and improve local and regional governance. It monitors the application of the European Charter of Local Self-Government and the Reference Framework on Regional Democracy by the Council of Europe member States and the holding of free and fair elections at local and regional level.

9. The Congress provides its members and its institutional partners in the Council of Europe and beyond with a platform to exchange ideas, experiences and good practices. It encourages these exchanges and partnerships and seeks to strengthen dialogue between all players in the field of local self-government and regional democracy.

10. In addition to its role as a forum for exchange, the Congress is a consultative body for the Committee of Ministers and the Parliamentary Assembly of the Council of Europe as well as a monitoring body and it carries out co-operation and thematic activities.

11. In 2014, Secretary General Thorbjørn Jagland set out his priorities for the Council of Europe during his second term of office. These "seven imperatives" were aimed at increasing the relevance and effectiveness of the Organisation.

12. Top priority was given to strengthening the European Court of Human Rights and the principle of shared responsibility. The second imperative was the strengthening and expansion of co-operation with member States. The third priority was the upholding of democratic principles. The fourth priority was to provide assistance to neighbouring countries by introducing the next generation Neighbourhood Partnership. The fifth imperative was to strengthen the Social Charter and the sixth

was to make the Organisation stronger and more cohesive. Lastly, the seventh imperative was to enhance the Council of Europe's operational capacity.

13. On the basis of these "seven imperatives" and the Council of Europe's programmes and budget, the Congress will continue to support the values and standards of the Council of Europe, defending respect for human rights, the rule of law and democracy while contributing to the building of more inclusive societies for the citizens of Europe. It will focus in particular on implementing the Council of Europe's policies, conventions and campaigns, seeking, amongst other things, to incorporate a gender dimension, children's rights and the rights of civil society into all its activities and texts.

14. The Congress will continue to work closely with other entities of the Council of Europe in areas of common interest and with its external institutional partners, such as the EU Committee of the Regions and the national and European associations representing local and regional authorities.

## **2. Implementation of 2013-2016 priorities**

15. The previous Congress priorities adopted at the October 2012 session for the period 2013-2016 focused on three key areas:

- Raising the quality of local and regional democracy and human rights in Europe,
- Rising to the new challenges resulting from the economic and financial crisis,
- Developing co-operation and partnerships.

16. In order to implement these priorities, the Congress has strengthened its monitoring activities, refocused its work in line with the authorities' needs and enhanced its political dialogue with governments and institutional partners while at the same time putting in place tools aimed at ensuring visible and sustainable results in the field. It has also sought to identify and anticipate trends and developments and continued to adapt to political and societal changes in member States and at European level.

17. As part of the monitoring of the European Charter of Local Self-Government and the observation of local elections, the Congress has increased the number and the quality of its missions and adopted new rules in this respect in order to maintain a high standard in its work. It has paid special attention to following up its recommendations and their implementation by the member States and stepped up its co-operation with other organisations. It has in particular strengthened dialogue with governments by adopting post-monitoring procedures to give practical follow-up to its recommendations, and implemented co-operation and partnership activities in several member States, in particular to respond to recurring issues identified during its monitoring activities and its observation of elections.

18. The Congress has raised awareness among local and regional authorities of the importance of upholding human rights by including this dimension in the role and activities of its Monitoring Committee and by developing performance indicators. It has promoted the networking of cities and regions for the reception of migrants and refugees and has drawn up a number of strategies and tools, in particular in the field of fighting violent extremism and radicalisation.

19. It has contributed to the projects and campaigns undertaken by the Council of Europe such as the 1 in 5 Campaign which it has promoted at local level with its Pact of Cities and Regions against sexual violence towards children. It has also supported the No Hate Speech Campaign and the Campaign against domestic violence.

20. It has encouraged its members to seek to protect the most vulnerable population groups, including the Roma, and in this connection, it set up the Alliance of Cities and Regions for Roma inclusion. It has promoted greater citizen participation in local and regional life, especially through its European Local Democracy Week. It has encouraged local and regional authorities to guarantee the rights of LGBT people.

21. As part of its strategy against radicalisation at local level, it has issued guidelines on the prevention of radicalisation leading to terrorism for local and regional authorities and begun devising tools to promote interfaith dialogue at local level.

22. Its work has been undertaken and led by the Congress members, with the support of its Secretariat and in co-operation with other institutional partners both within the Council of Europe – in particular the Committee of Ministers, the Parliamentary Assembly, the Commissioner for Human Rights, the Venice Commission and the operational Directorates General – and outside, in other international organisations, such as the European Union and its Committee of the Regions, and with

national and European associations of local and regional authorities and partners such as the European Forum for Urban Security.

23. During the October 2015 session, the President of the Congress and the Presidents of the Chambers presented a mid-term evaluation of the work carried out under these priorities. The adoption of the new priorities for the next Congress term during the October 2016 session will be an opportunity for the Congress President and the Presidents of the Chambers to present a global assessment of the work carried out and implementation of the 2013-2016 priorities.

### **3. Outlook for 2017-2020**

24. The economic and financial crisis of recent years has had a broad national and European impact which has also had a huge influence on the functioning and quality of local and regional democracy. Local and regional authorities have been faced with the consequences of the crisis, in terms of loss of autonomy, lack of resources and indebtedness. A recentralisation trend has, moreover, been observed in several member States.

25. Furthermore, authorities have also been facing new challenges such as the difficulties associated with the management of high numbers of refugees and migrants, the long-term integration of these new population groups, and the rise of various forms of extremism, rejection, nationalism and terrorism in European societies.

26. The new priorities for 2017-2020 take these developments into account and reflect the particular local and regional consequences of national, European and international developments. They also look at how new technologies will impact and change political life at local level over the coming years and how access to these new technologies – the internet in particular – can be promoted in rural areas and for the elderly.

27. They build on the work already achieved during the period 2013-2016 and represent in this regard continuity in the action of Congress. They form the general framework in which the Congress will be able to undertake its statutory and specific activities and develop its tools in order to help authorities face up to the challenges and deal with the specific difficulties they meet in the exercise of their responsibilities towards their citizens.

28. The Congress will enhance its close co-operation with its institutional partners inside the Council of Europe and outside, in particular with the Committee of the Regions and the European associations of local and regional authorities.

29. It will pursue its dialogue with the national associations of local and regional governments, to involve them in Congress activities and to advocate their role with the member States' governments.

30. The Congress will continue its efforts to give its work more visibility, in particular by promoting and circulating its reference documents and texts and developing new working tools for its members and stakeholders.

31. When identifying and drafting the priorities, between October 2015 and October 2016, the rapporteurs consulted widely with members of the Congress and the national and European associations of local and regional authorities. They have incorporated the specific contributions of the members of the Plenary Bureau, the Bureau of the Chamber of Local Self Government and the Bureau of the Chamber of Regions and of the three Congress committees – Monitoring, Governance and Current Affairs.

32. The priorities of the Congress will be implemented by its two chambers and three committees and be reflected in their work programmes.

33. The Bureau of the Congress will be responsible for ensuring implementation of the priorities in the activities of the Congress. It will make a mid-term assessment of the priorities and their relevance in the light of political developments in Europe and in the member States and will, where necessary, update them.



## **B. The priorities**

### **I. Enhancing the quality of local and regional democracy**

34. Democracy is one of the basic European values and local and regional democracy is nearest to the citizens.

35. The primary role of the Congress is to promote and defend local and regional democracy in keeping with the values and priorities of the Council of Europe. In this respect, the Congress promotes multilevel governance throughout Europe.

36. In Article 3 and 4 of the Congress Statutory Resolution, the Committee of Ministers of the Council of Europe entrusts the Congress with monitoring activities in connection with the European Charter of Local Self-Government and with the observation of local and regional elections. The full wording is reproduced in Appendix I.

37. At its 1112th meeting in April 2011, the Committee of Ministers encouraged the governments of member States to take account, when implementing governance policies and territorial reforms, of the Reference Framework for Regional Democracy, adopted in Utrecht in November 2009 by the Ministers responsible for local and regional autonomy.

38. In carrying out its work, the Congress contributes to reinforcing and guaranteeing local and regional democracy, in the context of the economic crisis and its consequences for local authorities. In the coming years, the Congress will pay special attention to new trends and will combat any reduction in the powers and autonomy of municipalities.

39. In particular, it will continue to work towards compliance with the concomitance principle between the competences of local authorities and the financial resources which are allocated by central governments, as provided by Article 9 of the European Charter of Local Self-government. It will also continue to look for overall incentives aimed at continuing the processes of decentralisation and strengthening of local and regional democracy.

#### **1. Promoting local democracy**

40. As Europe's populations become increasingly urbanised, the management of towns and cities is becoming more and more critical for citizens' quality of life. At the same time, Europe's populations are changing fast, becoming increasingly mobile and diverse, which itself brings new tensions, issues of living together and security problems. These trends also affect the relations between rural and town communities which the Congress will continue to follow.

41. Fundamental to the principle of subsidiarity is the conviction that it is local authorities which are best placed to meet the needs of citizens and to put forward solutions to their problems. A few years ago (in 2008) the Congress adopted its "European Urban Charter II - Manifesto for a new urbanity", setting out these challenges and giving guidelines for how they should be tackled.

42. In 2015 the Chamber of Local Authorities adopted a report on "New forms of local governance".

*43. The Congress, and in particular its Chamber of Local Authorities, will continue to debate, share experience and put forward solutions to the problems facing Europe's towns and cities, including in areas of urban development, environment and the preservation of cultural and architectural heritage. It will promote quality and accessibility of public services delivered by local communities.*

*44. It will continue to identify changing trends of local public services, local governance and central-local relations.*

*45. It will pursue its work to improve local democracy through enhanced citizen participation at local level and support for local authorities in their work to build safer and more inclusive societies.*

#### **2. Promoting regional democracy**

46. The Congress is convinced that regional democracy is a factor for political and territorial stability in Europe. It keeps a close watch on trends in regionalisation in its member States and stands ready to provide its support and expertise wherever needed. In recent years, it adopted three important reports on "Regions with special status" (October 2013), "Trends in regionalisation in Council of Europe member States" (October 2015) and "Autonomy and borders in an evolving Europe" (March 2016).

47. *As a follow-up to this work, the Congress will continue to act as a strong advocate of regional democracy throughout Europe. It will further promote, including through its monitoring, post-monitoring and co-operation activities, the Reference Framework for Regional Democracy, which will have its 10th Anniversary in 2019, as an instrument promoting political stability and territorial integrity.*

48. *It will pursue and strengthen its co-operation with European regional associations, in particular through its Chamber of Regions, and develop the regional dimension of its co-operation with the Committee of the Regions of the European Union.*

### **3. Monitoring local and regional democracy**

49. Monitoring of local and regional democracy and the observation of local and regional elections are among the core activities of the Congress. Over the last few years, the Congress has developed a coherent practice, streamlined its procedures and consequently introduced new rules and procedures.

50. The quality of local and regional democracy requires compliance with international law, which generates obligations for those states that have ratified related treaties such as the European Charter of Local Self-Government and its Additional Protocol on the right to participate in the affairs of a local authority.

51. In addition to these texts which impose a number of legal obligations on member States and local and regional authorities, the Reference Framework for Regional Democracy is also a collection of guidelines that states can learn from when they are in the process of reform or reflecting on regional democracy.

52. Lastly, the recommendations made by the Congress to the authorities of the states concerned are also a reference basis and a key vehicle for strengthening the quality of local and regional democracy.

53. On a regular basis, the Congress draws up country-by-country reports on the situation of local and regional democracy in all member States and ensures, in particular, that the principles of the European Charter of Local Self-Government are implemented in domestic law. It submits its recommendations to the Committee of Ministers which forwards them to the governments concerned.

54. *The Congress will continue to promote the implementation of these texts by states and monitor the policies and reforms pursued in the field.*

55. *The Congress will continue to organise monitoring visits to all member States on a regular basis and adopt recommendations on improvements to be made in law and in practice.*

56. *Considering the consequences of the economic crisis for the local and regional communities, it will in particular pay attention that necessary and adequate financial support is given for municipal activities and services, in accordance with the principles of the Charter.*

57. *The Congress will elaborate, at least once during each mandate, a compilation of the main findings of the monitoring of the situation of local and regional democracy in the member States which would identify recurring issues in the light of the Charter and on which the Congress should focus its action in order to better assist member States. The result of this process of scrutiny will serve the dialogue with the Committee of Ministers of the Council of Europe and the member States.*

### **4. Applicability of the Charter in the member States**

58. In 2013, the Congress enumerated the recurring issues identified in its monitoring recommendations submitted to states. This work makes it possible to pinpoint the main challenges that are common to all national authorities in terms of local democracy issues and enables the Congress to target its actions and its assistance more accurately and meet the needs of states more effectively. It informed the Committee of Ministers of these recurrent issues and decided to present an update every three years.

59. The Charter is one of Council of Europe Conventions that offer a particular system of ratification “à la carte”. In ratifying the Charter, States undertake to comply with a hard core of basic principles whose ratification is compulsory. At the same time, Article 12 enables States to refrain from ratifying specific provisions of the Charter. This flexibility makes it possible to accommodate the diversity and specific features of local government structures in member States. But Article 12 also lays down that each State which ratifies this text considers itself to be bound by it. Consequently, the Charter is applicable and thus can be directly invoked before courts.

60. *The Congress will continue to advocate the implementation of all provisions of the Charter, encouraging, particularly through political dialogue as part of its monitoring and/or post-monitoring activities, the ratification of provisions not yet ratified by certain states, so that 100% of the Charter will as far as possible cover 100% of the territory of Europe.*

61. *In addition, the Congress will pay a particular attention to the applicability of the Charter in order to curb any reluctance or denial in applying it.*

62. *It will on a regular basis take stock of the situation, including identifying which member States have not fully ratified and/or transposed the Charter into domestic legislation and will submit its updates to the Committee of Ministers.*

63. *It will also continue to keep a close watch on trends in regionalisation and to promote the development and strengthening of regions, on the basis, in particular, of the Reference Framework for Regional Democracy. It will also continue its reflection on the potential of regional structures and institutions for reducing regional tensions.*

## **5. Dialogue with member States**

64. The Congress maintains a regular political dialogue with member States through the Committee of Ministers as well as through bilateral meetings with governments of member States in the framework of post-monitoring activities. This dialogue seeks to promote local self-government principles and to work directly with governments to better implement the European Charter on Local Self-government which they ratified. This co-operation with national authorities is a precondition for strengthening the implementation of Congress recommendations on local and regional democracy. It is based on a constructive discussion on the main challenges that national, local and regional authorities have to deal with and is a key to the discovery of relevant solutions.

65. *The Congress will pursue its regular dialogue with the Committee of Ministers, its Rapporteur Groups and its steering committees.*

66. *It will continue to share its expertise with those states which so request and to offer its support for reforms on the basis of a roadmap drawn up jointly with the authorities of the states concerned, containing a timetable for implementation of the measures on which they have agreed.*

67. *As part of this effort it will continue to promote a structured and regular political dialogue with those member States that have either not fully ratified the Charter (and/or its additional Protocol) or not transposed it into national legislation to identify ways they can be supported in ensuring the implementation of Congress recommendations for full compliance with the Charter.*

## **6. Observing local and regional elections**

68. In addition to its monitoring activities of the European Charter of Local Self-Government, the Congress observes local and regional elections upon invitation by the national or regional authorities responsible for the organisation of elections. Through these missions which lead to reports and recommendations, the Congress helps to improve electoral processes based on international standards, and more generally, foster greater democratic stability in Europe.

69. In recent years, the Congress has enhanced its co-operation with strategic partners working in the field of election observation, in particular the OSCE-ODIHR, the EU Committee of the Regions and the Venice Commission whose Council for Democratic Elections is currently being chaired by the Congress. This has enabled the Congress to have a greater impact and a higher profile within the Council of Europe and beyond.

70. *The Congress will continue to organise missions to observe local and regional elections, where appropriate in co-operation with other European institutions. It will develop country-specific recommendations based on specific observations in the field together with reports on recurring across-the-board electoral issues including the quality of voters' lists, misuse of administrative resources during campaigns and voting rights at local and regional level.*

71. *In addition, it will pursue the dialogue with stakeholders in the respective countries for a more consistent implementation of its recommendations in the interest of further democratic development.*

## **7. Awareness-raising of human rights at local and regional level**

72. The Congress has undertaken to make local and regional elected representatives more aware of their human rights responsibilities in carrying out their responsibilities vis-à-vis the daily lives of local residents. This includes the social dimension of Human Rights enshrined in the European Social Charter.

73. It has collected data and examples of good practice on implementation of policies by local and regional authorities. In May 2015, it organised an international Forum, with the participation of the Council of Europe Commissioner for Human Rights, during which the Graz Declaration was adopted.

*74. The Graz Declaration sets out the parameters of a series of activities that the Congress will implement within an Action Plan in the coming years. These will include an international symposium in 2017 and the drawing up of a practical handbook to provide elected officials with the tools enabling them to take appropriate decisions which are in full compliance with human rights in areas which have an impact on fundamental freedoms (for example in the fight against radicalisation and terrorism).*

*75. The Congress will continue and intensify its awareness-raising work, in co-operation with other partners.*

## **8. Promoting ethics and transparency at local and regional level**

76. Good political governance is based on the population's trust and elected representatives at all levels must therefore act as role models for society as a whole. In a resolution adopted in 2015, the Congress states that "People who occupy public office must have a high level of integrity and should ignore, in their decisions, their personal interests or other considerations related to their personal position".

*77. The Congress will work on means to prevent corruption, which requires the strengthening of values based on ethics and transparency, including transparency in declarations of interest and public procurement. It will in particular promote rigorous governance frameworks and the development of common standards, as part of an overall and cross-sectorial strategy which will also involve other international organisations and specialised entities. The Congress will also support the development and the widening of the use of e-democracy tools on a local and regional level, as this can help to increase transparency and better involve citizens.*

*78. Reports will be drawn up and the 1999 European Code of conduct for the political integrity of local and regional elected representatives will be revised and extended to cover executive staff and officials in local and regional government.*

## **9. Implementing co-operation programmes**

79. Fully involved in the preparation of Council of Europe Action Plans, the Congress Secretariat develops and implements co-operation projects at local and regional level. These activities are taking into account the Congress monitoring reports and elections observations reports as well as its thematic priorities, and are driven by the demand of the member States themselves. The guidelines adopted in March 2015 on "Improving the impact of the recommendations of the Congress – Guidelines for co-operation activities in member States of the Council of Europe" serve as a basis for implementation.

*80. The co-operation projects will consist mainly of series of peer-to-peer exchanges and interactive sessions with the participation of Congress members and experts. Easily adaptable to specific target groups, relevant themes and local contexts, these projects aim at accompanying local and regional authorities as well as other relevant stakeholders to take action in the field to further implement the principles of the Charter and the Congress recommendations. Roundtables, seminars and workshops are conceived as an experience of mutual learning and sharing of know-how and knowledge.*

*81. By accompanying the implementation of the principles of local and regional democracy, developing the competencies of local elected representatives (women and men) and enhancing their institutional capacity, promoting consultation among local and regional authorities, and increasing citizen participation, these co-operation programmes will support the Congress in ensuring the full application of democratic principles at local and regional levels in Europe.*

*82. Well established synergies with the activities of the Council of Europe's Directorate General of Democracy and its Centre of Expertise for the Reform of Local Administration will be reinforced.*

## **II. Building safe and inclusive societies that respect diversity**

83. The aim of good local governance is to create an environment and living conditions that will help citizens to open up. The Congress is convinced that local and regional authorities are more and more responsive to the expectations of their citizens in this respect and must find ways of nurturing more diversified societies increase the intergenerational balance of interests and ensure safe and prosperous living conditions.

84. The purpose of representative democracy is to ensure that all groups have an equal opportunity to voice their opinions and influence decision-making. Interaction between local residents and decision-makers and improved communication both serve to strengthen inclusion, joint responsibility of and co-operation between citizens, decision-makers and local-governments as well as non-governmental organisations. It creates pre-conditions for the strengthening of local vitality and viability.

85. The Congress will assist municipalities in exercising their powers, ensuring quality and accessibility of public and municipal services, increasing civic engagement of citizens, and searching for solutions to face a range of challenges, particularly in terms of security, integration, dialogue and respect for fundamental human and social rights.

86. The implementation of the Council of Europe Action Plan on "Building Inclusive Societies" at local and regional level will be at the centre of its action.

### **1. Combating radicalisation and violent extremism**

87. Radicalisation and violent extremism have resulted, since the end of 2014, in an upsurge of deadly terrorist acts in many cities around the world. These attacks highlight the urgent need for cities to undertake more initiatives to combat extremism and radicalisation,

88. As part of the Council of Europe's comprehensive Action Plan for 2015-2017 on the fight against violent extremism and radicalisation leading to terrorism, the Congress drew up a strategy to combat this phenomenon in cities and regions. As part of this strategy, it produced "Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at grass-roots level" and launched a platform for exchanges to facilitate co-operation between cities with regard to the prevention of radicalisation: the "Alliance of European cities against violent extremism".

*89. It is this strategy that the Congress will continue to develop in order to find lasting responses, based in particular on prevention and education. Prevention measures and education can increase youth inclusion and strengthen their own capabilities to resist violence provoking propaganda. The Congress will help by promoting the exchange of good practices in this field.*

*90. In a general manner, the Congress will continue fighting all forms of violent extremism and manifestations of hate at local level.*

### **2. Integration of refugees and migrants**

91. In most cases national governments and parliaments have the main responsibility for immigration policy, including the policy on refugees. The humanitarian responsibility is shared by local and regional authorities. Municipalities and regions also have an important role in promoting the integration, the participation and non-discrimination of immigrants and in advancing good relations between them and local residents. Local authorities should thus be actively involved in the drafting and implementation of the state's immigration policy.

92. In 2015, the Congress held several debates on the refugee and migrant crisis during its plenary sessions and adopted a Declaration in which it stated that, faced with a humanitarian emergency on this scale all local and regional authorities must play a major role in refugee reception arrangements, regardless of their geographical position in Europe. It also underlined the Congress's deep commitment to social cohesion and harmonious co-existence in a pluricultural society and highlighted the rich contribution made by migrants to European societies.

*93. The Congress will help with the networking of cities in order that their activities and initiatives for the reception of refugees and the long-term integration of migrants can be co-ordinated more*

*effectively. It will promote in particular the exchange of good practices and peer-to-peer training within European networks which have been working on these subjects for a long time.*

*94. It will also work to strengthen solidarity and burden-sharing in the reception and integration of migrants between authorities in all European states.*

*95. It will in particular promote good practices concerning children and young people, whose integration in the new culture and the daily life must be particularly favoured.*

### **3. Promoting intercultural dialogue**

96. Cities, regions and states should work together to promote respect and tolerance in European societies. It is important to bridge the gaps and ignorance that divide cultures, and to promote the role of education in the acquisition of the skills needed for democratic culture. Local authorities should create public spaces that bring together citizens and allow the expression of freedom of religion or non-religious beliefs in a spirit of dialogue and exchange.

*97. The Congress will further promote dialogue between the different population groups. It will support mutual adaptation and acceptance by local residents of other groups such as migrants.*

*98. It will be closely involved in the Council of Europe Action Plan on “Building inclusive societies” and, in this context, the No Hate Speech campaign. In particular, it will develop a local and regional dimension of the campaign.*

*99. Furthermore, it will help local and regional authorities to facilitate interfaith dialogue, in particular by devising educational tools that they can use to organise intercultural and interfaith activities.*

### **4. Active participation of citizens**

100. The quality of democracy depends above all on citizens’ trust in their institutions and their participation in the democratic process. Citizen participation is the bridge and vehicle for achieving the twin goals of quality of local democracy and building more inclusive societies.

101. The involvement of citizens and increased dialogue with their elected representatives must be integrated at all levels of governance. In this respect, the Congress relies on the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority which was opened for signature in 2009.

102. Furthermore, in October each year since 2007, the Congress has called on all member and several non-member States to hold European Local Democracy Week (ELDW), encouraging the participating authorities to organise events for and with citizens around annual themes decided upon in line with the Congress’s priorities.

*103. The Congress will continue, particularly in its monitoring activities, to encourage national authorities to sign and ratify the Additional Protocol, especially as a number of countries that have not yet ratified it do already apply its provisions in practice.*

*104. The Congress will continue to support the development of activities and initiatives to promote the active participation of citizens, such as European Local Democracy Week.*

*105. It will also continue to be involved in the preparation and follow up of the World Forum for Democracy which has been held by the Council of Europe since 2012, and to actively participate in the event.*

### **5. Youth empowerment**

106. The Congress makes great efforts to enhance the participation of young people in the decision-making process and the public life of their communities. It promotes in particular the Revised Charter on the Participation of Young People in Local and Regional Life adopted in 2003.

107. Since 2014, it has involved youth delegates in its work, especially during plenary sessions. The Congress has created an ad hoc reflection group on how to encourage young people to participate in decision-making processes at European level and has adopted reports on specific issues that affect the daily lives and the future of young people.

108. *Active participation in the sessions and the working group's reflection will continue. Based on this work, the Congress will continue to lead targeted activities to enhance young people's trust and interest in political institutions and to promote their active participation*

109. *The reflection engaged should help creating the vision of 'A Young European in the 2020s' and map out the opportunities which must be created.*

110. *The Congress will also encourage greater engagement and dialogue between local and regional authorities and the education systems across Europe in order to enhance civic commitment encourage greater youth participation and combat radicalisation of young people.*

## **6. Rights and protection of minority, underprivileged and vulnerable populations**

111. The role of local, regional and national authorities is to protect their citizens, with due regard for their diversity, especially when they are a minority or in vulnerable situations. They must adopt and implement policies to secure respect for their fundamental rights and ensure their integration in society. They must in particular ensure that people in vulnerable situations get information on their fundamental and human rights effectively and understandably.

112. *The Congress will participate in the implementation of the Council of Europe Action Plan on Child Rights 2016-2017 and encourage exchange of best practices in the field of children's rights protection among its members.*

113. *It will continue to develop action to be taken at local level for Roma inclusion, in particular under the "Alliance of Cities and Regions for Roma Inclusion" set up in 2013 by the Congress.*

114. *It will continue to promote equality between women and men and encourage measures taken to prevent violence against women.*

115. *It will continue to defend the rights of LGBT people and fight their discrimination.*

116. *It will contribute to the Council of Europe strategy 2016-2022 to promote the rights and full representation and participation of people with disabilities in society.*

117. *It will continue to promote regional and minority languages, in particular the Council of Europe's European Charter of Regional and Minority Languages.*

118. *It will promote better access to proximity services and to new technologies such as the internet for elderly people so that they are not isolated or disconnected from society.*

## **7. Empowering rural areas**

119. For decades, the trend in many European countries has been the development of cities and urban centres to the detriment of rural areas. The disappearance of public services and transports, small businesses and jobs causes people in remote areas to migrate to the capitals or cities with the hope of finding jobs, a better quality of life and services such as hospitals, medical professionals, schools, transport, means of communication etc. This exodus leads to a dramatic depopulation and exclusion of rural areas as well as to the abandonment of whole sectors of the population who cannot undertake such migration, especially because of their age, their inability to pay the cost of living and housing in cities or simply because they do not want to leave their land.

120. With predominantly rural regions representing over a third of the European territory, it is urgent for national as well as for regional and local authorities to develop comprehensive policies ensuring that the European standards of living that are praised as a model across the world are applied equally to both urban and rural areas.

121. *The Congress with the support of national associations of local and regional authorities will help to promote the potential of rural areas and to highlight their strengths and qualities.*

122. *The Governance Committee will prepare a report on "A better future for Europe's rural regions" that will be presented in October 2017 and that will focus on the issues mentioned above by looking at territorial cohesion, social sustainability, employment, capacity building and infrastructure development.*

123. *The Congress will also support initiatives to repopulate and revitalise these areas.*

## APPENDIX II

**Extract from Statutory Resolution CM/Res(2015)9 relating to the Congress of Local and Regional Authorities of the Council of Europe** adopted by the Committee of Ministers on 8 July 2015

### **Art. 1**

The Congress of Local and Regional Authorities of the Council of Europe [...] is a consultative organ composed of representatives of local and regional authorities.

### **Art. 2**

1. The Congress, in addition to its consultative functions, furthermore undertakes activities the aims of which shall be:

*a.* to ensure the participation of local and regional authorities in the implementation of the ideal of European unity [...], as well as their representation and active involvement in the Council of Europe's work;

*b.* to submit proposals to the Committee of Ministers in order to promote local and regional democracy;

*c.* to promote co-operation between local and regional authorities;

*d.* to maintain, within the sphere of its responsibilities, contact with international organisations as part of the general external relations policy of the Council of Europe;

*e.* to work in close co-operation, on the one hand with the national, democratic associations of local and regional authorities, and, on the other hand, with the European organisations representing local and regional authorities of the member States of the Council of Europe, and notably with the Committee of the Regions of the European Union.

2. The Committee of Ministers and the Parliamentary Assembly shall consult the Congress on issues which are likely to affect the responsibilities and essential interests of the local and/or regional authorities which the Congress represents.

3. 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.

4. The Congress shall also prepare reports and recommendations following the observation of local and/or regional elections.



**31st SESSION****Good governance in metropolitan areas**Resolution 407 (2016)<sup>1</sup>

1. Metropolitan areas are becoming an increasingly important feature of Europe's urban landscape and an increasingly dominant force in terms of political, economic and cultural activities, engines of development and economic success.

2. The governance of these areas is also undergoing rapid change, with an increasing role being played by non-governmental and non-elected actors. Complex partnerships are emerging, involving actors from several tiers of government as well as the business sector. These changes are bringing new challenges to traditional forms of representative democracy.

3. While some metropolitan areas are seeing dynamic new forms of participation and political accountability develop, others are suffering an increasing democratic deficit, with a shift of power and decision making away from the politicians and a growing roll back of decentralised democracy.

4. ICTs and new media are providing new opportunities to the elected representatives of these areas and enabling new forms of transparency and accountability.

5. The Congress therefore, considering:

- a. The Council of Europe Reference Framework for Regional Democracy (2002);
- b. Congress Recommendation 188 (2006) on good governance in European metropolitan areas;
- c. The European Urban Charter (1992);
- d. The Congress European Urban Charter II: manifesto for a new urbanity (2008);
- e. Parliamentary Assembly Resolution 1964 (2013) on the good governance of large metropolises;

6. Observing that the rapid development of metropolitan areas in Europe is resulting in an increasing divergence of models of governance, with variations within and between countries ;

7. Concerned that the political development and governance of metropolitan areas is not always proceeding in optimal conditions, with appropriate political structures and dialogue with relevant stakeholders;

8. Affirming that the development of metropolitan areas should take the form of an organic evolution decided and agreed by local partners and not imposed by central governments;

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<sup>1</sup> Debated and adopted by the Congress on 21 October 2016, 3rd sitting (see Document [CG31\(2016\)17final](#), rapporteur: Antonio EROI, Italy (L, EPP/CCE))

9. Convinced that the creation of metropolitan governance structures should not be used as a pretext to recentralise competences and powers;

10. Believing that all new governance structures should be democratically accountable and not involve any erosion of local democracy;

11. Reaffirming that a clear division of competences is a prerequisite for effective governance;

12. Commits itself to:

*a.* supporting and encouraging the establishment of appropriate multilevel political structures in order to enable metropolitan areas to be governed effectively with maximum political accountability, while respecting the principle of subsidiarity;

*b.* encouraging local stakeholders in metropolitan areas to work together, with a genuine commitment to co-operation based on the recognition of common interests;

*c.* continuing to work to improve the quality of governance of metropolitan areas;

13. Calls on local authorities in metropolitan areas to work together to ensure a clear division of labour, tasks and responsibilities between:

*a.* the metropolitan area and its components;

*b.* the mayor and councillors of the metropolitan area and the mayors and councillors of the component municipalities;

14. Calls on local authorities in metropolitan areas to work together with local authorities in metropolitan hinterlands to ensure their cohesive development in terms of the provision of public services;

15. Invites associations of local and regional authorities to:

*a.* support metropolitan areas in their development of innovative and appropriate forms of governance that respect the principle of subsidiarity;

*b.* foster the use of local and regional media to promote transparency, accountability and a sense of collective identity in metropolitan areas;

16. Invites metropolitan authorities to:

*a.* establish partnerships with chambers of commerce, professional organisations, private economic actors and civil society organisations, in order to ensure harmonious development of the metropolitan area;

*b.* develop metropolitan-wide planning, involving all relevant stakeholders and levels of government;

*c.* provide a clear division of tasks, responsibilities and power in decision making between and within different institutions, with responsibilities being attributed according to the principle of subsidiarity;

*d.* guarantee democratic accountability and legitimacy through direct elections of the metropolitan bodies or by appointment of the elected representatives from the component local governments;

- e. increase the transparency of the decision-making processes through online access to public information and communication strategies using a variety of media formats to inform the public ;
- f. work together to develop new forms of accountability and citizen participation.



## 31st SESSION

## Rule of Law Checklist adopted by the Venice Commission at its 106th Plenary Session (11 and 12 March 2016)

Resolution 408 (2016)<sup>1</sup>

1. As part of its monitoring of the European Charter of Local Self-Government and the observation of local and regional elections, the Congress has adopted a body of recommendations and resolutions setting forth principles for compliance with legislation and treaties in the field of local and regional democracy.
2. The rule of law checklist was drawn up by the European Commission for Democracy through Law (Venice Commission) of the Council of Europe, and adopted at the Commission's 106<sup>th</sup> plenary session on 11 and 12 March 2016. It is the first reference document in this area.
3. Alongside democracy and human rights, the rule of law is one of the three fundamental principles of the Council of Europe. It is a constituent element of democracy and ensures that the exercise of public powers is rigorously circumscribed and subject to independent control. It is furthermore applicable to all levels of governance in Europe: European, national, regional and local.
4. The criteria laid down in this checklist are: legality, legal certainty, prevention of abuse (misuse) of powers, equality before the law and non-discrimination, and access to justice. All of these principles are applicable to the criteria for evaluating local and regional democracy in the member states.
5. The checklist drawn up by the Venice Commission is of clear relevance to the activities of the Congress: local and regional authorities, and in particular, regions with legislative powers, are key players in ensuring compliance with this rule of law checklist.
6. The Congress's Monitoring Committee expresses its gratitude to Mr Jan Helgesen, member of the Venice Commission, who presented the "Rule of law checklist" at the meeting of 28 June 2016 and took part in an exchange of views with members of the Commission.
7. The Monitoring Committee therefore welcomes the drafting and adoption of this document as a pioneering reference text, which provides a missing practical tool in this area for the Council of Europe member states.
8. Consequently, it calls on the Congress and its members to embrace and use the rule of law checklist as it is a relevant tool offering all levels of governance, and notably local and regional authorities, guidelines that can enable them to consolidate their political and legal culture and prompt them to adopt mechanisms and procedures to ensure respect for the rule of law in their law-making and standard-setting work.
9. It has identified recurring issues and problems of the functioning of local democracy and of the application of the European Charter of Local Self-Government, which are common to a significant number of member States.

<sup>1</sup> Debated and adopted by the Congress on 21 October 2016, 3rd sitting (see Document CG(2016)24final, rapporteur : Jos WIENEN, Netherlands (L, EPP/CCE).

10. This list of recurring issues was presented by the Congress President to the Committee of Ministers in 2013 and an update is being prepared for end 2016. This list provides the elements for a kind of check list for different articles of the European Charter of Local Self-Government.

11. The Monitoring Committee also believes that it would be worthwhile for the Council of Europe to give thought, pursuing a similar approach of the Venice Commission, to the concept of democracy in general, and more specifically the concept of local and regional democracy

## 31st SESSION

**Revision of the *Rules and Procedures of the Congress***Resolution 409 (2016)<sup>1</sup>

1. At its 29th Session the Congress adopted revised rules and procedures which reflect the political dimensions of its work and the evolution of its functioning.
2. After their implementation, the rapporteurs deem some further modifications and adjustments to be necessary in order to clarify certain procedures without changing the substance.
3. The Congress adopts the revised *Rules and Procedures of the Congress*, as appended<sup>2</sup>, which replace the *Rules and Procedures of the Congress* that were adopted on 22 October 2015 (Resolution 395 (2015)) and which enter into effect immediately after the 31st Session.

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1. Debated and adopted by the Congress on 21 October 2016, 3rd sitting (see Document [CG31\(2016\)16FINAL](#), co-rapporteurs: Marc COOLS, Belgium (L, ILDG), and Gunn Marit HELGESEN, Norway (R, EPP/CCE)).

2 The appendix to this resolution is not included in this compendium. It is available (in English and French) online.