

ACTIVITY REPORT

(Mid-April to end-November 2015)



Communication of the Secretary General of the Congress

At the 1242th meeting of the Minister's Deputies
1st December 2015

CG/2015/29/26

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TABLE OF CONTENTS

Introduction	6
Statement by Andreas Kiefer, Secretary General of the Congress.....	7
I. 29th SESSION OF THE CONGRESS – 20 to 22 OCTOBER 2015.....	10
II. AGENDA.....	11
A. POLITICAL STATEMENTS.....	11
B. CONGRESS ACTIVITIES IN UKRAINE.....	12
C. CHAIRMANSHIP OF THE COMMITTEE OF MINISTERS.....	13
D. YOUTH PARTICIPATION.....	14
III. ACTIVITIES OF THE CONGRESS BODIES	14
A. BUREAU.....	14
B. CHAMBER OF LOCAL AUTHORITIES	15
C. CHAMBER OF REGIONS.....	16
D. COMMITTEES	17
IV. MONITORING OF LOCAL AND REGIONAL DEMOCRACY	18
A. MONITORING ACTIVITIES	18
B. POST MONITORING	19
C. OBSERVATION OF LOCAL AND REGIONAL ELECTIONS	21
V. THEMATIC ACTIVITIES.....	22
A. HUMAN RIGHTS	22
B. RADICALISATION.....	22
C. CHILDREN'S RIGHTS.....	22
D. EUROPEAN LOCAL DEMOCRACY WEEK	23
E. WORLD FORUM FOR DEMOCRACY.....	23
F. ROMA INCLUSION.....	24
VI. INSTITUTIONAL CO-OPERATION WITHIN THE COUNCIL OF EUROPE ..	24
A. THE INTERGOVERNMENTAL SECTOR	24
B. THE PARLIAMENTARY ASSEMBLY	25
C. THE COMMISSIONER FOR HUMAN RIGHTS	25
D. EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW	25
VII. EXTERNAL COOPERATION AND PARTNERSHIPS.....	26
VIII COOPERATION PROGRAMMES AND ACTION PLANSGRAMMES AND ACTION PLANS	28
APPENDICES.....	31
Appendix 1: Post-monitoring Ukraine – Roadmap.....	31
Appendix 2: Joint Declaration by the Polish and Ukrainian Delegations Representatives to the Congress.....	38
Appendix 3: Declaration by the Monitoring Committee of the Congress on the situation of local democracy and human rights in Azerbaijan	39
Appendix 4: Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at the grassroots level	40
Appendix 5: Agenda of the 29th Session of the Congress (20-22 October 2015)	48
Appendix 6: Declaration on the reception of refugees in Europe	49
Appendix 7: Revised Rules and Procedures of the Congress.....	51
Appendix 8: Final Declaration “Towards an alliance of European cities against violent extremism”	62

Introduction

This annual report outlines the activities of the Congress of Local and Regional Authorities of the Council of Europe. It covers the period from mid-April to late November 2015 and covers political, thematic, field and cooperation activities, which are at the heart of the mission of the Congress.

It illustrates the role of a forum for exchange and sharing of experience for local and regional elected representatives that the Congress plays, particularly during its two annual sessions. The sessions offer, indeed, the opportunity of debate between members and with external partners and stakeholders on current issues in European societies.

This report also reflects the presence of the Congress in the field, both to ensure the quality of local and regional democracy and the situation of human rights in European countries and to contribute concretely to find answers to the challenges faced by local authorities.

The two reports produced annually are published on the occasion of the exchange of views held by the Secretary General of the Congress with the Committee of Ministers of the Council of Europe. They are also made available on the Congress website (www.coe.int/Congress) and in print version.

Statement by Andreas Kiefer, Secretary General of the Congress

1242th Meeting of the Ministers' Deputies, Tuesday, December 1st, 2015

This exchange of views twice a year is a very good opportunity to provide update on Congress activities to the Committee of ministers.

The current activity report covers the period from 15 April to end November and is available on the websites of the Committee of Ministers and the Congress. I will only focus on some relevant topics.

Today's exchange is complementary to the annual meeting with the President of the Congress.

On 10 September 2015 the President of the Congress, Jean-Claude Frécon, focused on the issues of refugees and migrants, radicalisation and Congress activities in Ukraine and gave an overview of the 29th Congress Session in October.

The debates and results of the 29th Session are covered at the beginning of the present report (pages 9 and 10).

Many of you attended the discussions about the situation of refugees and the challenges for national, regional and local authorities as well as for the European Union and the Council of Europe. Our members will continue to work on this key issue and the March Session will be the next opportunity to exchange experiences and formulate recommendations to enable municipalities and regions to perform properly, help those in need and facilitate integration for those who are entitled to stay.

Since September and your exchange with the Congress president, new developments, in particular terrorist attacks in several cities, have taken place, with the horrific events in Paris leading to a state of highest alert in Brussels until very recently. And of course the terrorist attacks against peaceful civilians all over the world.

After the Paris attacks the Congress President published a declaration to underline that "We need, more than ever before, both courage and determination to bring the spirit of resistance alive wherever we are attacked. In the face of the forces of barbarism in our cities, in our towns and everywhere, we will uphold our model of society which consists of democratic freedom and respect for each human being."

It was by coincidence – but also due to the fact that we started work immediately after the *Charlie Hebdo* attacks in January - that the Congress was able to respond quickly to the dramatic relevance of the challenges facing our societies: five days after the massacres in Paris the Congress organised in Aarhus (Denmark), (on Wednesday, 18 November 2015), a conference on the different strategies that mayors can employ or are already employing to prevent radicalisation leading to violent extremism in their communities. The conference was held jointly by the Congress (and the European Forum for Urban Security (EFUS)) in partnership with the cities of Aarhus and Rotterdam. This forms part of the broader initiative of the Congress "Towards an alliance of European cities against violent extremism". The Congress will support the existing initiatives and networks of cities and regions by adding its capacity and know-how and its institutional role as a Council of Europe body.

The participants in the Conference adopted a Declaration which is reproduced in an appendix to my activity report (appendix 8).

Furthermore the Congress guidelines on preventing radicalisation and manifestations of hate at the grassroots level adopted at the October Session are reproduced in Appendix 4 (p 39/46). Examples of concrete action on the ground: "what can local authorities do?" are mentioned there as well and I invite you to draw the attention of your authorities notably to this very practical and concrete overview when you report to your capitals.

The current situation is a threat to security and to democracy you will discuss tomorrow in the thematic debate.

The Congress has a special role to play in the context of “de-radicalisation activities” to be conducted in all our member States. We know that some governments will establish national centres for de-radicalisation. This is an interesting approach but we are convinced that activities and action at grassroots level and carried out by small structures are needed. Local authorities have to, want to and will deliver on prevention, early warning and de-radicalisation via the work of small, multi-agency units on the ground.

We heard about a number of interesting initiatives and successfully applied strategies in our Aarhus conference a few days ago and we will include them in our findings and activities.

On this basis we will work on awareness-raising campaigns and tools in order to help local elected representatives and their administrative staff to find the balance between security imperatives and respect of fundamental rights and values and to encourage them to be sensitive to this aspect in the field of prevention.

The Congress will shoulder its part in the CoE Action plans on “building inclusive societies” and “Fighting against violent extremism and radicalisation leading to terrorism”. I would like to thank the Committee of Ministers for having voted appropriations for operational activities of the Congress in this field of € 150.000 in 2016 and 2017 (each). This will enable us to organise a second conference of mayors and to prepare material and toolkits and to disseminate them.

In the Aarhus conference we were reminded that the key to a successful sharing of good practices is accessibility. We are looking for additional resources to be able to translate the examples of good practice and the guidelines and toolkits into the languages of our politicians in the 47 member States and I encourage you to support this with Voluntary Contributions or to provide language versions. Even small amounts will have a significant impact.

May I also invite you to see whether support can be given through the temporary secondment of experts in this field or via resources to recruit qualified and experienced people to ease the difficult staff situation we are facing. You are aware that no additional staff is planned for the Congress, on the contrary, 2 positions were suppressed in the budget for 2016.

Democratic security is closely linked to the quality of democracy. Regular monitoring of local and regional democracy is therefore more important than ever.

Two years ago I presented to this Committee the Congress’ strategy of offering member States a “post-monitoring dialogue” in order to trigger a concrete follow-up to our Monitoring and election observation reports and recommendations. This post-monitoring process is based on dialogue with governments. In 2015, the Congress signed what we call “roadmaps” with Ukraine and Portugal and the third signing ceremony with the authorities of Georgia will take place on 16 December in Tbilisi. Preparations for roadmaps are under way in the Republic of Moldova and in Armenia.

I would like to thank the Ambassadors and their staff here in Strasbourg for their support.

The implementation of roadmaps shall and will lead to a process of discussing policies, legislation and implementation and also feed into the co-operation activities of the Congress which we perform in the framework of CoE Action Plans in close co-operation with the Office of the Directorate General of Programmes (ODGP), the Directorate General Human Rights and Rule of law (DGI) and especially our colleagues in the Directorate General of Democracy (DGII) and its Centre of Expertise for local government reform.

Congress members supported by the Secretariat take part in this new and enhanced area of CoE activities supported by our member States and partners like the EU and the permanent observer Japan.

The Congress will continue its work in this spirit of forward looking and of partnership (as I was able to say also in the GR-DEM this morning concerning elections) and focus on core business. The

Secretariat is working in a mind-set of continuous improvement and we are taking seriously the spirit of ongoing reform, which was introduced by the Secretary General of the Council of Europe, Thorbjørn Jagland.

One example of our striving for quality and delivery is the substantial change in the Congress' Rules and Procedures adopted in October: the updating of the rules governing the monitoring of the European Charter of Local Self-government, on the observation of local and regional elections and on the post-monitoring and post-observation dialogue reflect the fact that these modus operandi are an integral part of the methodology and procedure of the Congress as a whole. They provide both Congress members and authorities in the member States concerned with transparent rules and procedures which are applied in all monitoring and election observation activities.

As this Committee saw, from the changes we made, and which you adopted earlier this year, to our fundamental text, the Congress Charter, the Congress is in a constant process of sharpening its tools, refining its procedures and redefining its priorities. Our two-way flow of dialogue with national governments, stemming in part from these excellent exchanges with the Committee of Ministers, feed into this process.

Thank you for your attention.

I. 29th SESSION OF THE CONGRESS – 20 to 22 OCTOBER 2015

During its 29th Session, the Congress considered several reports, in particular on fostering active citizenship, fighting the increasing poverty among women, children's rights in times of austerity, creating a lingua franca for local and regional authorities and young people, voting at 16 and consequences on youth participation at local and regional level, new forms of local governance, trends in regionalisation in member states, new e-tools, the conditions of office of local and regional elected representatives and the new Rules of Procedure of the Congress.

A thematic debate on "Regional or Minority Languages in Europe: recent developments, challenges and good practices" was held in the Chamber of Regions, with the participation of the Chair of the Committee of Experts on the European Charter for Regional or Minority Languages, the Minister for Reconciliation and Civic Equality of Georgia, a member of the Committee on Equality and Non-Discrimination of the Parliamentary Assembly of the Council of Europe and a Vice-President of Alsace Regional Council.

A debate on radicalisation, focusing on prevention and the reintegration of radicalised individuals, was held, with the participation of the president of the European Forum for Urban Security, the president of Val d'Oise Département Council and the General Rapporteur on Local and Regional Authorities of the Parliamentary Assembly of the Council of Europe. Guidelines on preventing radicalisation and manifestations of hate at the grassroots level were adopted at the end of the debate. The Congress also launched an initiative towards an "Alliance of European cities against violent extremism", which will provide a forum for political and technical exchanges. The first event under this activity was held jointly with the European Forum for Urban Security and the mayor of Aarhus, in the form of a conference of Mayors on the prevention of radicalisation leading to violent extremism in Aarhus (Denmark) on 18 November 2015 (see Radicalisation under VI Thematic activities)

The refugee and migrant crisis was debated under the heading, "What is the role of local and regional authorities?", with the participation of the Deputy Mayor of Strasbourg, the First Vice-Chair of the Conference of State Ministers of the Interior (Germany), the Mayor of Sanliurfa (Turkey), the Mayor of Kos (Greece) and the Chair of the Working Group on Irregular Migrants of the Council of Europe's European Commission against Racism and Intolerance (ECRI). At the close of the debate, Congress members adopted a declaration reiterating their commitment to the principles of solidarity and social cohesion and the values defended by the Council of Europe and the Congress. It underlines in particular, that "European states must assume a shared responsibility for hosting refugees on their territory in respect of the asylum law in force, and human dignity." The text adopted asks the Committee of Ministers of the Council of Europe to work together with the EU on the question of migration and asylum which should be subject to comprehensive European policies. The Congress invited local and regional authorities to establish a "European network of cities of solidarity", thereby responding to the European appeal launched on 3 October 2015 by the municipalities of Strasbourg, Catania and Rovereto (see appendix 6).

In implementing its task of monitoring the application of the European Charter of Local Self-Government, the Congress considered reports and adopted recommendations on the situation of local and regional democracy in Montenegro and in Luxembourg, in the presence of the Minister for Home Affairs, the Civil Service and Administrative Reform of Luxembourg. It also adopted recommendations on the observation of local elections in Albania and in the Republic of Moldova and held a debate about the election of the Governor and the partial elections in Gagauzia in the Republic of Moldova.

The Congress welcomed a group of 38 youth delegates, invited to take part in the session. Again, the Congress set up a Twitter wall in the assembly chamber, thanks to which the general public was able to follow and comment on the thematic debates under the hashtag #youthsession (see Youth participation under II. Agenda.)

The Minister for Foreign Affairs of Bosnia and Herzegovina, Igor Crnadak, addressed the Congress on behalf of his country's Chairmanship of the Committee of Ministers. He congratulated the Congress on its commitment to promoting the participation of youth delegates in the session, stressing that the voice of the younger generation can be enlightening and can make a most valuable contribution to decision-making. Referring to the need to build inclusive societies, he said that the

Committee of Ministers was currently considering an action plan focusing on three main areas: education, combating intolerance and anti-discrimination. He also mentioned the Council of Europe's new Strategy for the Rights of the Child currently being prepared and the Secretary General's Thematic Action Plan on the Inclusion of Roma and Travellers.

In his address, Thorbjørn Jagland, Secretary General of the Council of Europe, stressed that, given the sheer scale of the refugee crisis, the principles of the European Convention on Human Rights "apply to all citizens, including refugees or undocumented migrants, as soon as they set foot in Europe". He also underlined the need to counter extremist movements of whatever persuasion, radical Islam or extreme right wing, and to take concrete action at local level.

Anne Brasseur, President of the Parliamentary Assembly, told the Congress members that the migration and refugee crisis required a global solution and global solidarity, as well as action at a local level. She reminded member states of their responsibility to integrate refugees by helping to understand their rights and responsibilities, notably through education. She also stressed the importance of policies which say "no" to hatred, intolerance and extremism, which she said represented some of the gravest dangers for democratic institutions and "living together".

The 5th Congress Dosta! Prize for municipalities was awarded to four winning towns for their projects promoting Roma integration. Ghent (Belgium) came first, Kragujevac (Serbia) and Reggio nell' Emilia (Italy) tied on second place, while Madrid (Spain) came third. As a joint prize between the Council of Europe's Dosta! Campaign and the Congress of Local and Regional Authorities, the prize is awarded during Congress sessions.

On the basis of the Statutory Resolution and Charter of the Congress as amended by the Committee of Ministers on 8 July 2015 Congress members adopted new rules and procedures.

II. AGENDA

A. POLITICAL STATEMENTS

Congress President concerned by resurgence of regional tension in Georgia

Reacting to the moving of the Administrative Border Line (ABL) between South Ossetia and the rest of Georgian territory, the President of the Congress made a statement, on 28 July 2015 in which he recalled in particular that "the Congress has always been in favor of establishing regions with a special status which respect the territorial integrity of states. Consequently, the only reasonable solution is for South Ossetia to once again come under the control of the Tbilisi authorities."

President statement on Constitutional Reform in Ukraine

The President of the Congress Jean-Claude Frécon welcomed the fact that, on 31 August, the Ukrainian Parliament had approved the reform of the constitution and the law on decentralisation. He was satisfied with the Congress' contribution to the work of the Constitutional Committee which had drafted the legislation.

Joint declaration by Polish and Ukrainian representatives to the Congress on co-operation consistent with the values of the European Charter of Local Self-Government

Meeting in Warsaw on 17 September 2015, as part of an exchange of political views held outside the meeting of the Monitoring Committee of the Congress, Nataliya Romanova (Ukraine, ILDG), Councillor of the Chernigiv District, Andrzej Pruszkowski (Poland, ECR), Regional Councillor of the Lubelskie Region, and Bernadeta Hordejuk (Poland, EPP/CCE), Councillor of the Warminsko-Mazurskie Region, adopted a joint statement in which they affirm their commitment to "sharing the values of the proper working of local democracy and the necessary decentralisation of powers" and "developing their co-operation in order to improve the situation of local and regional democracy in their respective countries, drawing inspiration from their own good practices" (see appendix 2)

Declaration of the Monitoring Committee on the deterioration of local democracy in Azerbaijan

The Monitoring Committee, meeting in Warsaw on 17 September 2015, said that it was deeply concerned by the situation of human rights at local level in Azerbaijan. It regrets in particular the detention of its partners, which notably include Ilgar Mamadov, Director of the School of Political Studies in Baku, who is still being held in detention despite the judgment of the European Court of Human Rights demanding his release, and Leyla and Arif Yunus, who were recently given an eight-year prison sentence. It also denounces the difficulties in functioning experienced by the alliance for municipal development (BINA) (see appendix 3)

30 years of the Charter of the Local Self-Government

On 15 October 2015, the Congress celebrated the 30th anniversary of the opening to signature of the European Charter of the Local Self-Government. The Polish authorities marked this anniversary by organising a conference in Warsaw, on 18 September, with the participation of the President of the Congress who stated that " Our objective is to ensure Europe-wide compliance with all the Charter provisions: 100% of the Charter on 100% of European territory".

A conference to mark the anniversary was held also in Tirana (Albania) on 29 October. On this occasion, the President of the Chamber of Local Authorities and Vice- President of the Congress, Anders Knape, stated: "Through the 30th anniversary of the Charter, we celebrate democracy, because there can be no democracy without local democracy". The 30 years of the European Charter of Local Self-Government will also be celebrated in Kyiv (Ukraine) on 14 December 2015.

Statement of the President of the Congress following the terrorist attacks in Paris

Reacting to the terrible events on 13 November in Paris, the President of the Congress said that "a nameless barbarism has struck the capital of France massacring dozens of innocent people. The whole of Europe is demonstrating its complete solidarity with the victims, their families, their loved ones and above and beyond that, its solidarity with the French people as a whole and with their public authorities. By targeting Paris, by targeting France, it is the free world that is being targeted and it is the free world that must respond as one".

B. CONGRESS ACTIVITIES IN UKRAINE

Post-monitoring dialogue

Ukraine received two monitoring visits in 2012 and 2013, which gave rise to a recommendation adopted in October 2013 (REC 348 (2013)). The follow up of this recommendation has been carried out as part of a post-monitoring dialogue which resulted in the signing by the Congress and the Ukrainian national authorities of a roadmap for implementation of the decentralisation reform in Ukraine. The road map was presented by the President of the Congress, accompanied by a delegation made of the President of the Chamber of Regions and the Congress rapporteur on Ukraine, among others. It was signed by the President of the Congress and Hennadiy ZUBKO, Vice Prime Minister, Minister of Regional Development and encourages the Ukrainian authorities to adopt the constitutional amendments relating to local self-government as soon as possible in order be able to hold local elections in October 2015.

On 31 August 2015, the Ukrainian parliament adopted the reform of the constitution and the law on decentralization. Congress has contributed to the work of the Constitutional Commission that prepared the text of this law.

Local Elections Observation

Upon invitation of the Ukrainian authorities, a delegation led by Congress' Vice-President Gudrun Mosler-Törnström (Austria, SOC) observed the local elections held on 25 October 2015. The enlarged Congress delegation was composed of 57 observers from 25 Council of Europe member states, including members of the Congress, the EU Committee of the Regions and, for the first time, the Parliamentary Assembly. Already on 1st October, the Congress organised a pre-electoral mission, whose conclusions were a working basis for the main mission (22-26 October).

The 2015 Ukrainian local elections took place in a challenging security, economic and political environment, not least due to the decentralisation reform currently under discussion in Parliament. This vote was also the first to be held under the new legislation on local elections adopted on 14 July 2015, which, among other things, introduced a complex multi-member constituency proportional system for regional, district and city councils.

The international observers assessed the elections as competitive and well organised overall. Also the campaign showed, in general, respect for the democratic process. However, the complexity of the legal framework, which contains gaps and inconsistencies and led to inconsistent interpretation from various election commissions and courts, confirmed the need for a proper Electoral Code. The ability of citizens to form an independent opinion was not fully ensured. There were widespread allegations of vote-buying and misuse of administrative resources. The dominance of powerful economic groups, supporting candidates and paying campaign coverage in the media, was also a concern in this respect.

Cooperation activities

The 2015-2017 Council of Europe Action Plan for Ukraine, adopted on 21 January 2015 by the Committee of Ministers, includes an important chapter on decentralisation and local government reform. Since August 2015, the Congress is implementing a new project on promoting local democracy in Ukraine, based on the results of activities carried out between April 2014 and May 2015, as part of two previous projects.

This project aims to support the development of local and regional democracy through actions with all its stakeholders: local and regional representatives, Ukrainian youth involved in territorial democracy and representatives of the central government in charge of regional development.

The Congress organized a first regional seminar of young Ukrainians in Kiev from 15 to 17 September 2015. Twenty-three young leaders of local NGOs, representatives organisation of youth and political activists, as well as young local politicians and representatives of civil society and the media shared their perceptions of local democracy and ethical governance issues..

The Congress also organised a study visit aimed to support young local leaders to strengthen local democracy in Ukraine, in Strasbourg from 16 to 21 November 2015, on the sidelines of the fourth World Forum on Democracy. This activity allowed participants to have an overview of the inter-municipal and cross-border cooperation and identifying good practices of local and regional democracy. They met with representatives of the Eurometropolis of Strasbourg, the Eurodistrict of the Alsace Region, the Economic Development Agency of Bas-Rhin and took part in the fourth World Forum for Democracy.

See also: [CG/BUR/INF/2015\(28\)35 – Congress cooperation activities](#)

C. CHAIRMANSHIP OF THE COMMITTEE OF MINISTERS

The Congress contributed actively to several events organised by the presidency of Belgium of the Committee of Ministers. It took part in the 6th Council of Europe Conference of Ministers responsible for Cultural Heritage, on 23 and 24 April 2015 in Namur, at which the Congress reaffirmed its role to play in the preservation of cultural heritage as a means of building more inclusive societies.

The Congress President also took part in the 125th session of the Committee of Ministers in Brussels on 19 May 2015, at the close of which Belgium passed the chairmanship of the Committee of Ministers to Bosnia and Herzegovina for the next six months

As part of Bosnia and Herzegovina's chairmanship, the Congress participated in the annual Council of Europe Exchange on the Religious Dimension of Intercultural Dialogue held in Sarajevo, from 2 to 3 November 2015. Congress President Jean-Claude Frécon particularly drew attention to the strategy developed by the Congress for local elected representatives, which includes guidelines for combating radicalisation.

On 10 November 2015, during the handover meeting between Bosnia and Herzegovina and Bulgaria, the President of the Congress Jean-Claude Frécon welcomed the commitment of Bosnia and Herzegovina during the six-month Chairmanship and assured Bulgaria of its active co-operation in the priority areas with a local and regional dimension.

D. YOUTH PARTICIPATION

In co-operation with the Council of Europe Youth Sector, and in particular the European Youth Foundation, the Congress invited a number of youth delegates to take part in its 29th session. Thirty-eight young people – youth activists, youth workers, and elected representatives – participated in the plenary and chamber sittings as well as the committee meetings. The aim was to create a space for dialogue between the youth delegates and local and regional elected representatives and to enable young people to express their views on the issues being debated. The youth delegates were very active, taking the floor on numerous occasions to contribute to the debates.

In addition, they prepared a group contribution to two of the debates, on “Guidelines for local and regional authorities on preventing radicalisation” and on “E-media: game changer for local and regional politicians”, and elected speakers from amongst them to deliver these speeches. Again, the Congress set up a Twitter wall in the assembly chamber, thanks to which the general public was able to follow and comment on the thematic debates under the hashtag #youthsession.

The ad hoc group on youth participation in the Congress’ work set up last February held its first meeting in May. The group, which is composed of two vice-presidents (one from the Chamber of Regions, one from the Chamber of Local Authorities), the Congress’ Thematic Spokesperson on Youth and two members of the Advisory Council on Youth, discussed at length different proposals for improving the participation of young people in a sustainable manner, thereby enabling the mainstreaming of youth issues in the Congress’ work and texts. It will meet again in February 2016 to continue its work. The group hopes to submit its proposals to the Congress Bureau in the first half of 2016.

The Congress is continuing its co-operation with the Council of Europe Youth Sector. It is contributing to DG II’s contact group on the transition of young people to autonomy and working life, the results of which will inform a new Congress report on “Forever young? The role of youth policies and youth work at local and regional levels in supporting young people’s transition to autonomy and working life”.

The Congress’ Thematic Spokesperson on Youth took part last July in the Enter! Youth Meeting in view of the role local and regional authorities play in defining policies to facilitate young people’s access to their social human rights.

III. ACTIVITIES OF THE CONGRESS BODIES

A. BUREAU

Strasbourg, 29 June 2015

The bureau adopted the timetable for the preparation of its priorities for 2017-2020, which provide in particular, two working meetings in December 2015 and December 2016, and a consultation of national and European associations of local and regional authorities.

In addition, the Bureau held an exchange of views with the Chair of the Group of Independent Experts on the European Charter of Local Self-Government and discussed the agenda for the Congress’s second session in 2015 (20-22 October), in particular the participation of youth delegates, preliminary information on the observation of recent local elections in the Republic of Moldova and Albania and the contribution by the Congress to the World Forum for Democracy.

Strasbourg, 14 September 2015

The Bureau held an exchange of views with Thorbjørn Jagland, Secretary General of the Council of Europe. They discussed the situation regarding human rights and freedom of expression in various countries and the problem of corruption, radicalisation and the tendencies towards a recentralisation of powers observed in several countries.

The Secretary General and the members of the Bureau recalled that the refugee and migrant crisis was also, over and above the humanitarian and human aspect, a challenge for the democratic security of the continent. This crisis was also the subject of a current affairs debate within the Bureau, which underlined the need for states to implement harmonised legislation on refugees, asylum-seekers and migrants, so that local and regional authorities could carry out their reception and integration role in the field.

The Bureau approved an agreement with the European Forum for Urban Safety (EFUS, signed on 17 September 2015, fixing a framework for co-operation on matters relating to the security and the fight against violence at local level.

Strasbourg, 19 and 22 October 2015

The Bureau approved a declaration on “the reception of migrants in Europe” which was later on adopted by the Congress, during the debate “Refugee and migrant crisis: what is the role of local and regional authorities?”, held on 21 October at the 29th Session (see appendix 6).

The Bureau also exchanged views on the priorities of the Congress for 2017-2020.

In addition he discussed a letter from the Union of Municipalities of Anatolia and a letter from the Democratic Regions Party (DBP) on the situation of several mayors suspended from their duties and decided to consider this issue at its next meeting in Sofia, on 10-11 December 2015. The Bureau also considered several documents relating to the situation of local democracy in Azerbaijan and asked the Secretary General to prepare an information report on the recent developments of the political situation of the country to be examined at the next meeting.

The Bureau was informed about the bilateral projects in Armenia, Albania and Ukraine and about regional activities as part of the Programmatic Framework for Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus, financed by the European Union and implemented by the Council of Europe.

It took note of the dissolution of the Contact Group/Committee of the Regions and noted the creation of a new Contact Group composed of the Congress President and the Presidents of the two Chambers, regarding the Congress, and composed of the President and the 1st Vice-President and CIVEX President, regarding the Committee of the Regions.

B. CHAMBER OF LOCAL AUTHORITIES

During its 29th Session on 21 October 2015, the Chamber of Local Authorities elected Hanna Zdanowska (Poland, PPE/CCE) and Breda Pecan (Slovenia, SOC) as 6th and 7th vice-presidents respectively.

The Chamber chaired by Anders Knape (Sweden, EPP/CCE) and later by Barbara Toce (Italy, SOC) began its Session with a debate on the report on local elections in Albania, held 21 June 2015. These elections were the first to be held after the adoption of the territorial-administrative reform in July 2014, which included new legislation with regard to female candidates. The report underlines the improvements made since previous elections, notably the peaceful and civilized campaign and voting.

The second debate was devoted to a Recommendation on the local elections held in Republic of Moldova on 14 June 2015. The Congress recalled that these elections took place in a difficult political and socio-economic environment and the Congress observers recognized the efforts made by the Moldovan authorities to improve the legal framework for elections. Jerry Lundy, (Ireland, ALDE), speaking on behalf of the members of the delegation of the Committee of the Regions who participated in the observation mission, underlined the constructive participation of civil society in the

election monitoring process as well as the enhanced familiarity of the electoral commissions of the country with the procedures.

A recommendation on the situation of local democracy in Montenegro was presented by co-rapporteurs Gaye Doganoglu (Turkey, EPP/CCE) and Henrik Brade Johansen (Denmark, ILDG). The report draws attention to the on-going reform AURUM in the field of public administration, public services, and local self-government. It points out some issues concerning the workforce capacity of municipalities in Montenegro. He called on national authorities to implement a sustainable system of development of human resources in municipalities in close cooperation between local and state level.

The Chamber debated the situation of local democracy in Luxembourg. The report was presented by co-rapporteurs Dorin Chirtoacă (Moldova, EPP/CCE) and Marianne Hollinger (Switzerland, ILDG). It observes that Luxembourg was a good example of de facto and legal recognition of local self-government as laid down in the European Charter of Local Self-Government. It points out, however, that it was necessary to clearly demarcate the powers of the State and the communes and to relax state administrative supervision of the communes' activities. The debate was followed by a presentation by Dan Kersch, Luxembourg Minister of the Interior, Civil Service and Administrative Reform.

Finally, the members of the Chamber of Local Authorities debated a report and a resolution on "New forms of local governance". The resolution highlights the new forms of local governance that are emerging across Europe, bringing a new flexibility in methods of governance and enabling local authorities to improve the efficiency and quality of their services. It calls for more exchanges of best practice across Member States and calls on local authorities to work together to develop better methods of public service delivery while increasing citizen involvement and ensuring full accountability.

C. CHAMBER OF REGIONS

The Chamber of Regions, under the Presidency of Gudrun Mosler-Törnström (Austria, SOC), implemented its priorities 2015-2016 dealing in particular with political developments at regional level and regional elections, regionalisation trends, regional or minority languages issues and interregional co-operation initiatives.

During its 29th Session (21 October 2015), the Chamber discussed and adopted the information report on the observation of the regional elections of the Governor of Gagauzia (Moldova) held on 22 March 2015. The report was presented by Andrée Buchmann (France, SOC).

As a major item of the session, the Chamber discussed and adopted the report on "Trends in regionalisation in Council of Europe member States" presented by the Rapporteur, Marie-Madeleine Mialot-Muller (France, SOC) which gives an overview of the main regionalisation trends in the Council of Europe member states since 2007. The report focuses on the institutional and administrative organisation of regions, their competences and financial autonomy. The adopted resolution recalls the need for territorial solidarity within the framework of national states and reaffirms the importance for regions to have sufficient resources to exercise their powers effectively and efficiently.

At the same session the Chamber held a debate on "Regional and minority languages in Europe: recent developments, challenges and good practices". The speakers - Vesna Grnic-Grotic, Chair of the Committee of Experts of the European Charter for Regional or Minority Languages, Paata Zakareishvili, State Minister of Georgia for Reconciliation and Civic Equality, Damien Thiéry, Member of the Committee on Equality and Non-Discrimination of the Parliamentary Assembly of the Council of Europe and Justin Vogel, Vice President of the Council of the Alsace Region from France – made a remarkable contribution to the debate. In her conclusions, the President of the Chamber Gudrun Mosler-Törnström (Austria, SOC) recalled that local and regional authorities have to play a greater role in the promotion and protection of minority languages. The debate is a starting point for the preparation, by the Current Affairs Committee of the Congress, of a report on "Regional and minority languages in Europe" (Rapporteur Line Skoii Vennesland Fraser, Norway, ECR) to be adopted in October 2017, on the occasion of the 25th Anniversary of the ECRML.

D. COMMITTEES

Monitoring Committee

The Committee met in Warsaw (Poland) on 17 September 2015 and approved the draft recommendations on local democracy in Luxembourg and Montenegro, which were submitted to the Congress for adoption at its October 2015 session. The Committee also discussed and approved the draft resolution and recommendations based on the observation of the local elections in the Republic of Moldova (held on 14 June 2015) and the observation of the local elections in Albania (held on 21 June 2015) and approved the draft resolution and recommendation on “Voting at 16 and consequences on youth participation at local and regional level”, which were also submitted for adoption at the October 2015 session.

The Committee considered two complaints, concerning the situation of French-speaking mayors in municipalities with special language arrangements on the outskirts of Brussels and the arrest in Turkey of mayors of municipalities in south-western Anatolia. It also debated the situation of local democracy in Greece, in particular in connection with the reception of refugees, and adopted, on the proposal of the Congress rapporteurs on Azerbaijan, a declaration on the situation of local democracy and human rights in Azerbaijan (see Appendix 3).

Lastly, the members of the Committee held exchanges of views on post-monitoring activities concerning Portugal, for which a road map has been signed by the national authorities on 9 September 2015, and Armenia and the Republic of Moldova, for which road maps drawn up jointly with the national authorities will be sent to the authorities by the end of 2015 and the beginning of 2016.

On 18 September 2015, the members of the Monitoring Committee took part in a conference marking the 30th anniversary of the European Charter of Local Self-Government held by the City of Warsaw.

The Committee’s next meeting will be held on 11 February 2016.

Governance Committee

The Governance Committee held a meeting on 12 June 2015 in Strasbourg and approved several texts, notably a preliminary draft resolution and recommendation on conditions of office of local and regional elected representatives, which were subsequently adopted by the Congress at its 29th Session in October 2015. The Committee also approved draft resolutions on “New forms of local governance” and “Developments in regionalisation in Member States of the Council of Europe”, which were also adopted at the October Session.

Finally the Committee approved the draft terms of reference for a report on “Preventing corruption/promoting public ethics at local and regional levels”.

At its meeting on 20 October 2015, on the margins of the 29th Session of the Congress, the Committee elected Marie-Madeleine Mialot Muller (France, SOC), as Chair of the Committee and Philippe Leuba (Switzerland, ILDG), as 5th Vice-Chair of the Committee.

The Committee discussed and approved a preliminary draft recommendation on “Autonomy and borders in an evolving Europe”, which will be submitted for adoption to Congress at its 30th Session in March 2016. It then discussed and approved a draft report and preliminary draft resolution, jointly prepared with the Current Affairs Committee, on a “Pedagogical tool kit for use by local elected representatives when organising intercultural and inter-faith activities”, also to be submitted for adoption at the March 2016 Session. This activity is being carried out in the framework of the Congress strategy to combat radicalisation at grassroots level. The toolkit will be published shortly.

The Committee was also informed by the respective rapporteurs about the progress of work on the following subjects: “Good governance in metropolitan areas”, “Preventing corruption and promoting public ethics at local and regional level”, “Gender responsive budgeting” and “Open data for cities”.

A conference “Towards an alliance of European cities against violent extremism” was organised by the Governance and Current Affairs Committees, on 18 November 2015 in Aarhus, Denmark, (see Radicalisation under V.I Thematic activities).

The working programme of the Committee was presented to Congress members in a seminar held during the 29th session.

The next Committee meeting will be held on 22 March 2016 on the sidelines of the 30th session of the Congress in Strasbourg.

Current Affairs Committee

The Committee held its second meeting of 2015 on 1st July in 's Hertogenbosch in the Netherlands. It approved the draft resolution and recommendation on "Fighting the increasing poverty of women: the responsibility of local and regional authorities", "Championing children's rights in times of austerity," "Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at grassroots level "and "Bringing down barriers to youth participation ", subsequently adopted by the Congress during the 29th Session.

The Committee received information on the state of progress of reports regarding the participation of women in politics at local and regional levels and the development of a "toolkit" on intercultural and interfaith activities for local elected representatives.

The Committee also took note of the mandates on the role of youth policy in young people's transition to working life and autonomy, on regional and minority Languages and the holding of a conference on the fight against violent extremism in Europe.

The third and final meeting of the year was held on 20 October on the sidelines of the 29th session of the Congress in Strasbourg. The members of the Committee participated in a debate on the theme of on begging in urban areas during which they heard a presentation from a representative of the Regional Assembly of the Province of Salzburg (Austria) on issues related to begging in the streets and measures taken by the city of Salzburg.

The working programme of the Committee was presented to Congress members in a seminar held during the 29th session.

The next Committee meeting will be held on 22 March 2016 on the sidelines of the 30th session of the Congress in Strasbourg.

IV. MONITORING OF LOCAL AND REGIONAL DEMOCRACY

Following the adoption by the Committee of Ministers on 8 July 2015 of the amended Statutory Resolution and Charter of the Congress, the Congress members adopted during the 29th session new rules and procedure.

The updating and inclusion into the main body of the Rules and Procedures of the rules on the procedures governing the monitoring of the European Charter of Local Self-government, on the observation of local and regional elections and on the post-monitoring and post-observation dialogue reflect the fact that these modus operandi are an integral part of the methodology and procedure of the Congress as a whole (see rules 73 – 88 in Appendix 7)

They provide both Congress members and interlocutors in the member states concerned with transparent rules and procedures which are applied in all monitoring and election observation activities.

A. MONITORING ACTIVITIES

In the context of the evaluation of the application of the Charter, the Congress made 2 monitoring visits and 4 post-monitoring visits between April and November 2015.

Monitoring visits

France (26 to 29 May 2015)

A delegation led by the rapporteurs, Jakob Wiene (EPP/ECC, Netherlands) and Gudrun Mosler-Törnström (SOC, Austria), examined the action taken following the commitments entered into by France when it ratified the European Charter of Local Self-Government in 2007. This was the first visit to evaluate the application of the European Charter of Local Self-Government since it had been ratified by France. In particular the Congress rapporteurs examined the territorial reform currently taking place and especially the conditions governing consultation of regional elected representatives in the context of the changes to regional boundaries. The delegation met representatives from the Ministry of Decentralisation, State Reform and Public Services, the Senate delegation for local and regional authorities and decentralisation, the Ministry of Finance and Public Accounting and the President of the Regional Chamber of the Court of Audit and representatives of the main national associations of local and regional authorities and representatives of the Champagne-Ardenne Region. It also met the Minister for Overseas Territories and the municipal councillor responsible for European affairs with the City of Paris, and the Ombudsman.

Montenegro (9 to 11 June 2015)

A delegation led by the rapporteurs, Gaye Doganoglu (Turkey, EPP/ECC) and Henrik Brade Johansen (Denmark, ILDG), examined the action taken following the commitments entered into by Montenegro when it ratified the European Charter of Local Self-Government in 2008. Meetings were held with the Minister of the Interior, the Minister of Finance, and representatives of the Mayor of Podgorica, the Mayor of Nikšić and the Mayor of Danilovgrad. The delegation also met the Vice-President of the Parliament, the President of the Court of Audit, the Secretary General of the Constitutional Court, and the Ombudsman.

Recommendations adopted

Luxembourg

Recommendation 380 (2015) on Local democracy in Luxembourg was adopted during the 29th Session of the Congress. The rapporteurs, Dorin Chirtoacă, (Republic of Moldova, EPP/ECC) and Marianne Hollinger (Switzerland, ILDG), underlined the need to clearly demarcate the powers of the State and the communes and relax state administrative supervision of the communes' activities. They also stressed the need to provide the communes with enough of their own resources.

This was the second report concerning the monitoring of local democracy in Luxembourg since the country ratified the European Charter of Local Self-Government in 1987.

Montenegro

During the 29th Session, the Congress adopted Recommendation 379 (2015) on local democracy in Montenegro following a monitoring visit to the country by co-rapporteurs Gaye Doganoglu (Turkey, EPP/ECC) and Henrik Brade Johansen (Denmark, ILDG) in June 2015. The rapporteurs underlined the importance of the public administration reform (AURUM), launched in 2011, which sets a framework for major reforms in the field of public administration, public services, and local self-government. However, they drew attention to a number of some issues concerning the workforce capacity of municipalities in Montenegro and particularly stressed the need to ensure that the transfer of competences was accompanied by concomitant financial resources, which local authorities could dispose of freely within the framework of their powers. This was the second report concerning the monitoring of local democracy in Montenegro since the country ratified the European Charter of Local Self-Government in 2008.

B. POST MONITORING

Post-monitoring is a procedure established by the Congress to ensure a follow up to the monitoring and the implementation of its recommendations to member states on local and regional democracy, through enhanced political dialogue between the authorities of the state concerned and the Congress.

The procedure is initiated at the request of a state's authorities. It is essentially based on political dialogue with the Congress and only concerns the recommendations adopted by the Congress with regard to the countries that have accepted post-monitoring.

The post-monitoring exercises undertaken in Ukraine, Portugal, Georgia, the Republic of Moldova and Armenia are particularly significant examples and show how the political dialogue can lead to positive developments in a relatively short time.

Road maps signed

Ukraine (20 May 2015)

See Congress activities in Ukraine under III.Agenda

Portugal (9 September 2015)

The Vice-President of the Congress Gudrun Mosler-Törnström and the Portuguese Secretary of State for Local Administration António Leitão Amaro signed a road map for the implementation of the decentralisation reform in Portugal. The signing of the road map followed the adoption by the Congress of a recommendation on the situation of local democracy in Portugal (Recommendation 323(2012)) and a constructive post-monitoring dialogue on the European Charter of Local Self-Government started in 2013.

The Vice-President of the Congress said "this post monitoring in Portugal is the first one in the western part of the European continent, and it will remain exemplary". The Portuguese Secretary of State for Local Administration underlined that "the cooperation with the Congress is a demanding but very constructive exercise. We used its monitoring and post-monitoring procedures to improve our political situation to commit within the local democracy". "

Political dialogue under way

Republic of Moldova

As part of the post-monitoring dialogue that was launched in Chisinau on 2 July 2015, the rapporteurs of the Congress for the Republic of Moldova, Philippe Receveur (Switzerland, EPP/CCE) and Francis Lec (France, SOC) had a wide-ranging exchange of views with representatives of various Moldovan ministries, in which the Congress of Local Authorities of Moldova (CALM) and Dorin Chirtoaca, mayor of Chisinau and representative of the Moldovan delegation to the Congress, took part. The government representatives expressed their desire to implement the National Decentralisation Strategy by the end of the year. The discussions focused on the main recommendations adopted by the Congress in 2012 and on the dialogue between Chisinau and the Autonomous Territorial Unit of Gagauzia. The Congress expressed satisfaction with the declared willingness to pursue concrete and fruitful dialogue. A road map will soon be drawn up by the Congress and the Moldovan government to identify the steps that still need to be taken to implement the Congress Recommendation.

Armenia

A Congress delegation headed by the rapporteurs, Nigel Mermagen (United Kingdom, ILDG) and Gunn-Marit Helgesen (Norway, EPP/CCE), examined the action taken by Armenia in response to Recommendation 351(2014) on local and regional democracy in the country. The delegation met Vache Terteryan, First Deputy Minister for Territorial Administration and Emergency Situations. The key points raised by the delegation were subsidiarity (territorial governance, consultation and administrative supervision) and local finance (financial equalisation, tax mechanism and own financial resources). The delegation underlined the many steps taken by Armenia concerning most of the recommendations made to the authorities. The revision of the constitution currently in progress is also a fundamental element in developments in local democracy in Armenia. A road map will soon be drawn up by the Congress and the Armenian government to identify the steps that still need to be taken to implement the Congress Recommendation.

Georgia

A Congress delegation headed by the rapporteurs Helena Pihlajasaari (Finland, SOC) et Nigel Mermagen (United Kingdom, ILDG) examined the action taken by Georgia in response to Recommendation 334(2013) on local and regional democracy in the country. The Post-monitoring focused essentially on the revision of the Georgian Constitution in order to include the subsidiarity principle in the area of local administration, the strengthening of financial autonomy of local authorities and the establishment of a genuine procedure consultation between national and local authorities. The Congress rapporteurs on local and regional democracy in Georgia and the Georgian government have agreed on the text of the road map which sets out the various stages in the application of the recommendation. The official signing ceremony between the national authorities and the Congress is due to take place in Tbilisi at the end of 2015.

C. OBSERVATION OF LOCAL AND REGIONAL ELECTIONS

Observation mission in the Republic of Moldova (9-15 June 2015)

A delegation led by Congress member Amy Koopmanschap (Netherlands, SOC), composed of members of the Congress and the EU Committee of the Regions, observed the local elections organised in the Republic of Moldova on 14 June 2015. The delegation assessed the vote as efficiently administered overall and based on a legal framework generally in line with European standards. It also found that voters were offered a diverse choice, despite the fact that the respective law was changed after the official announcement of the elections. In addition, these elections were held in the context of political turmoil due to a massive financial scandal and the resignation of the Prime Minister two days before the ballot.

The Congress' delegation recognised measures taken by the Moldovan authorities to ensure accuracy of voters' lists, notably through the use of the State Automated Information System "Elections". However, the quality of voters' lists remains a matter of concern, not least due to the fact that approximately 1 million of voters – who are registered on the lists – are living de facto abroad. Furthermore, over-restrictive requirements for the registration of independent candidates and reports on intimidations against them have been among the issues highlighted by the Congress.

Observation mission in Albania (18-22 June 2015)

A delegation led by Congress member Stewart Dickson (United-Kingdom, ILDG), composed of members of the Congress and the EU Committee of the Regions, observed the local elections in Albania held on 21 June 2015. In general, the Congress expressed its satisfaction that these elections have contributed to the further "normalisation" of the political environment. The campaign was calm overall and voting took place, except isolated incidents, in an orderly manner. The delegation also welcomed that legislation was changed related to a 50 per cent quota of female candidates for municipal councils. A basic issue remains the deep political polarisation of the country along party lines. Consequently, the Congress suggested revising the modalities of appointment and dismissal of members of electoral bodies at all levels. The second key recommendation concerns the legal provision on residence requirements for voter registration at local level since voters' lists include some 1 million of people living de facto outside the country. Further recommendations include the creation of a level playing field for independent candidates, the reinforcement of the appeals system and the acceleration of the counting process.

In the context of the administrative reform adopted in July 2014 and the redrawing of electoral borders which led to complaints by political stakeholders, the Congress Monitoring Committee decided to deploy a fact-finding mission to Albania in the frame of its post-electoral dialogue to assess the situation of local democracy.

Observation mission in Ukraine (22-26 October 2015)

See Congress activities in Ukraine under II. Agenda

V. THEMATIC ACTIVITIES

A. HUMAN RIGHTS

First international Forum on the implementation of human rights at local level

The representatives of the Congress and local and regional decision-makers from 25 countries met at the International Forum “Focusing on human rights”, in Graz (Austria) on 28 and 29 May 2015. They adopted a declaration on the implementation of human rights which underlines the need “to respond to the threats to human rights and fundamental freedoms by means of enforcing the cooperation between authorities at all levels, exchanging best practices and assessing the outcomes of implemented actions in order to pursue a common strategy to enhance inclusion and make human rights a reality in Europe’s cities and regions”. This declaration will be the basis of the future Congress work in this field.

B. RADICALISATION

The terrorist attacks perpetrated this year in Europe and elsewhere heighten the urgent need for towns to take more initiatives for effective preventing and combating of extremism and radicalisation.

In May 2015, the Council of Europe instituted a comprehensive action plan for 2015-2017 on “the fight against violent extremism and radicalisation leading to terrorism”. In the context of this initiative, the Congress has devised a strategy to combat the phenomenon in towns and regions. On the basis of this strategy, it has prepared “Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at the grassroots level”, adopted on 20 October 2015 at the 29th Session during a debate on that theme.

The guidelines address matters of security and urban safety rely on two approaches, prevention and reintegration of radicalised individuals. They call upon European towns and regions to design local strategies between institutions, associating local partners (see Appendix 4).

The Congress has also launched an initiative “Towards an alliance of European cities and regions against violent extremism”, a platform of exchanges to assist co-operation between towns on prevention of radicalisation. In connection with this initiative, it organised a Conference of local authorities on the prevention of radicalisation leading to violent extremism, conducted jointly with the European Forum for Urban Security and organised with the mayor of Aarhus on 18 November 2015 in Aarhus (Denmark). The conference brought together mayors, local elected representatives, decision-makers and specialists from 22 European countries who in the concluding declaration adopted called for mobilisation of local authorities, in close consultation with the national governments, around an alliance of cities to counter the rise of radicalisation and the resultant acts of extreme violence (see appendix 8).

An educational toolkit for use by local elected at the organisation of intercultural and interfaith activities is being prepared and will be adopted in March 2016.

C. CHILDREN’S RIGHTS

Pact of Towns and Regions to Stop Sexual Violence against Children

The Current Affairs Committee of the Congress held a seminar in 's-Hertogenbosch (Netherlands) on 30 June 2015, for national associations of local and regional authorities on the ONE in FIVE Campaign of the Council of Europe and the Pact of Towns and Regions to Stop Sexual Violence against Children. The participants signed a declaration committing themselves to hold bi-annual meetings in the signatories cities in order to exchange information and good practices and increase the visibility of the pact to encourage new signatures. They also called on national associations to encourage local authorities in their countries to create municipal internet pages dedicated to the well-being of children.

D. EUROPEAN LOCAL DEMOCRACY WEEK

The 2015 edition of the European Local Democracy Week (ELDW) took place from 12-18 October, with the theme *“Living together in multicultural societies: respect, dialogue, interaction”*. The slogan was part of the key theme for 2015 Congress activities devoted to local responses to human rights challenges.

In total, 99 partners from 28 countries reported their participation in the 2015 edition of the European Local Democracy Week. To date, 205 related activities have taken place and more are planned.

Countries with the highest number of participating cities in 2015 are Greece, Russia, Ukraine and the United Kingdom, engaging 6 cities each in the ELDW. The participants organised a wide range of events on the theme of multiculturalism, such as: seminars on solidarity; debates on human rights; exchanges with migrants and visits of refugee camps; bilingual theatre performances; interviews with foreigners; exhibitions on recent armed conflicts and multicultural coffee mornings.

As for the contribution of the Associations, the strongest commitment was shown by France, where 6 associations took part in the initiative, by either organising events or carrying out a communication campaign on the ELDW.

23 partners representing 12 countries chose the “12 Star” status which was taken up in 2015 by: Amadora (PT), the Association of the City and the Municipalities of the Brussels-Capital Region (BE), Antalya (TR) Buyukcekmece (TR), Bydgoszcz (PL), Chania (GR), Falun (SE), Huddinge (SE), Iasi (RO) Ivano-Frankivsk (UA), Izmit (TR), Karsiyaka (TR), Katowice (PL), Kharkiv, (UA), Luleburgaz (TR), Medgidia (RO), Melitopol (UA), Mioveni (PL), Reggio Calabria (IT), Stockton on Tees Borough Council (UK), Strasbourg (FR), Sundbyberg (SE) and Tbilisi (GE).

Gaye Doganoglu (Turkey EPP/CCE), Congress Vice-President and ELDW Spokesperson, presented the ELDW at the LADDER launching conference (Brussels, 4-5 June 2015), organised by the European Association of Local Democracy (ALDA). Congress President Jean-Claude Frécon (France, SOC) stressed the strong connection between the ELDW and the Parliamentary Assembly “Europe Prize” when speaking at the 60th anniversary ceremony of the Europe Prize in Strasbourg on 22 June 2015.

The ELDW was also promoted in the framework of the Congress’ co-operation activities, as well as at various events of associated partners of the project.

E. WORLD FORUM FOR DEMOCRACY

The Congress has been closely involved in the preparation and organisation of the World Forum for Democracy (Strasbourg, 18-20 November 2015). At the opening and at the plenary sessions, the Congress was officially represented by Clemens Lammerskitten (Germany, EPP/CCE), Member of the Niedersachsen Parliament and Vice-President of the Congress, who led a delegation of 8 Congress members.

The Congress was the official sponsor of three working sessions (labs), - under the theme *‘Freedom vs. control: For a democratic response’* - to which it provided discussants selected from the Congress members: Dusica Davidovic (Serbia, SOC), Member of the City Council of Nis, spoke in Lab 9 on “Intercultural responses”; Andrée Buchmann (France, SOC), member of the Alsace Regional Council, addressed Lab 11 on “Freedom games” and Leen Verbeek (Netherlands, SOC), King’s Commissioner of the Province of Flevoland and Vice-President of the Congress, was a speaker in Lab 12 on “Countering radicalisation”.

Nawel Rafik Elmrini (France, SOC) Nataliya Romanova (Ukraine, ILDG), Dobrica Milovanovic (Serbia, EPP/CCE) and Angelika Kordfelder (Germany, SOC) also comprised the Congress delegation.

Three partners of the European Local Democracy Week, Falun (Sweden) and Katowice (Poland) and the NGO "Liga Molodi", qualified for participating in the “Democracy Innovation Hackathon”, a one-day

collective learning process for democracy innovators in order to share their best ideas and experiences with the local representatives. This event was organised during the fourth World Forum for Democracy in Strasbourg, on 20 November 2015

F. ROMA INCLUSION

During the last seven months, the Congress continued to develop its international network at local level for Roma inclusion: the European Alliance of Cities and Regions for Roma Inclusion.

In June 2015, the “Alliance” participants from Serbia met in Belgrade for a national seminar on Roma inclusion at local level. The seminar brought together representatives of the “Alliance” participants with government officials, experts and NGOs to discuss the role of local and regional authorities and share good practice. An informal network of local and regional authorities was created to promote the aims of the “Alliance”.

During the 29th Session, the Congress awarded the Dosta! Prize, which honours municipalities and regions that develop innovative ideas for Roma inclusion. The event was organized with the support of the Alliance Taskforce. (See I. 29th Session)

The Region of Andalusia (Spain) and the Metropolitan City of Reggio Calabria (Italy) joined the “Alliance” as new committed participants. About 50 % of the Spanish Roma population lives in Andalusia and the Region offers special consultation and inclusion initiatives. Reggio Calabria has a wide range of experiences in regional projects with regard to social inclusion, some of which are directly managed by the city.

With these new participants, the number of cities and regions supporting each other with their experiences and expertise through the “Alliance” is brought to 130.

As of 1 January 2016, the “Alliance” taskforce will be brought under the management of the Special Representative of the Secretary General for Roma Issues. This will ensure the implementation of the “Alliance” activities in closer connection with the programs ROMED and ROMACT, financed by the European Union and implemented by the Council of Europe. The Congress will maintain its political support to the Alliance.

VI. INSTITUTIONAL CO-OPERATION WITHIN THE COUNCIL OF EUROPE

A. THE INTERGOVERNMENTAL SECTOR

The Committee of Ministers

On 24 June 2015, Jean-Claude Frécon, President of the Congress, and Andreas Kiefer, Secretary General of the Congress, met the Chairman of the Presidency of Bosnia and Herzegovina, before his address to the Parliamentary Assembly. Mladen Ivanic invited the Congress to take a hand in implementing the programme of the Bosnian Chairmanship of the Committee of Ministers of the Council of Europe.

In his communication to the Committee of Ministers of the Council of Europe on 10 September 2015, Congress President Jean-Claude Frécon gave an overview of current Congress activities, focusing on three important areas of work: the refugee and migrant crisis, radicalisation leading to terrorism, and the decentralisation process in Ukraine. He also presented the concrete results of the post-monitoring dialogue with the authorities in several Member States.

Youth sector

See Youth participation under II. Agenda ”

Directorate General of Democracy

During this period, the Congress has continued to cooperate closely with the Directorate General of Democracy and its Centre of Expertise for local self-government, by implementing together the new regional project aimed at strengthening local democracy in the Eastern Partnership countries (2015-2017) and building synergies in existing bilateral projects in Albania, Armenia and Ukraine.

Regular coordination meetings continue to take place at Secretariat level. In addition, the President of the Congress participated in the Centre's Advisory Board meeting on 26 June 2015.

B. THE PARLIAMENTARY ASSEMBLY

The Congress has regular exchanges with the Parliamentary Assembly in areas of common interest in order to increase co-operation with the rapporteurs and the respective Secretariats, notably in the area of gender equality and the implementation of the ONE in FIVE Campaign.

The Congress thematic Rapporteur on children attended the meeting of the Network of contact parliamentarians to stop sexual violence against children, organised by PACE, which took place on 20 May 2015 in Chisinau, Republic of Moldova.

The President of the Parliamentary Assembly Anne Brasseur addressed the Congress during the 29th Session. Assembly members also participated in two debates of the Session, on the European Charter for Regional or Minority Languages and the refugees and migrant crisis. (see I. 29th Session)

The President and the Secretary General of the Congress attended a Parliamentary Conference on the implementation of the right to free elections on 4 June 2015. The President underlined in particular the excellent co-operation in this field between the Congress, the Parliamentary Assembly and the Council for Democratic elections of the Venice Commission.

The European Week of Local Democracy (ELDW), held every year around the 15th October and initiated by the Congress, was devoted to an enhanced co-operation with the Europe Prize of the Parliamentary Assembly. This cooperation has brought new partners into the ELDW. The President of the Congress emphasized the close relationship between the ELDW and the Europe Prize, during a ceremony to celebrate the 60th anniversary of the Europe Prize, in Strasbourg on 22 June 2015 (see ELDW under VI. Thematic activities)

12 members of the Parliamentary Assembly participated in the observation mission of local elections in Ukraine led by the Congress on 25 October 2015 (See Congress activities in Ukraine under II. Agenda)

C. THE COMMISSIONER FOR HUMAN RIGHTS

The Commissioner for Human Rights encourages the work of the Congress on the implementation of human rights at the local level and awareness-raising of local and regional authorities in this regard.

Nils Muižnieks participated in the International Forum on Human Rights, co-organised by the Congress and held in Graz from 28 to 29 May 2015. He recalled that as a provider of public services at the level closest to citizens, local and regional authorities should be aware that they have a unique opportunity not only to respect but also to implement human rights. He concluded that co-operation between the central and subnational levels will continue to be an essential aspect of visits conducted in the countries.

D. EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

The Congress has a close and deep co-operation with the Venice Commission, particularly in the fields of election observation and the monitoring of the European Charter of Local Self-Government, as well as in the programmes of co-operation with neighbouring regions.

Co-operation between the Venice Commission, the Parliamentary Assembly and the Congress in electoral matters mainly occurs by means of the Council for Democratic Elections (CDE). The Congress institutional representatives to the CDE are Jos Wielen (Netherlands, EPP/CCE) and

Stewart Dickson (United Kingdom, ILDG), Jos Wielen is currently Chair of the CDE. The President of the Monitoring Committee Philippe Receveur (Switzerland, EPP/CCE) is the institutional representative of the Congress at the plenary session of the Venice Commission.

The Congress has also strengthened its co-operation with the Venice Commission on issues of local and regional democracy. Its opinions are also taken into account by Congress rapporteurs during their visits and in recommendations adopted. The Congress and the Venice Commission worked closely, for example, on the territorial reform in Ukraine, and more specifically on the revision of the Chapter on Local Self-Government of the Ukrainian constitution. A further example of collaboration is the Congress' report on voters residing *de facto* abroad which has been taken up in the context of the Council for Democratic Elections in respect of national elections.

VII. EXTERNAL COOPERATION AND PARTNERSHIPS

The Committee of the Regions of the European Union

The Congress continued its co-operation with the Committee of the Regions of the European Union.

Vice-President of the Congress, Nataliya Romanova (Ukraine ILDG) presented the Congress/Council of Europe initiatives within the EU/CoE co-operation framework for the Eastern Partnership (2015-2017) at the 5th annual meeting of the Conference of the Regional and Local Authorities for the Eastern Partnership (CORLEAP), held on 23 April 2015 in Brussels. On 24 April 2015, the Executive Secretary of the Chamber of Regions took part in the meeting of the Commission for Citizenship, Governance, Institutional and External Affairs (CIVEX).

On 18 September 2015 Nataliya Romanova addressed the CORLEAP Bureau in Yerevan (Armenia), contributing to the preparation of the CORLEAP Action Plan 2016-2017.

On 16 November 2015, the Secretary General of the Congress took part in the meeting of the Commission for Citizenship, Governance, Institutional and External Affairs (CIVEX), held in Brussels and met the Secretary General of the Committee of the Regions, Jiří Buriánek, for a bilateral meeting with a view to discuss topical issues and prepare the forthcoming "Bipartite" meeting between the Congress and CoR Presidents. He also attended the "Enlargement Day" hearing, organised by the CIVEX Commission on 16 November.

By their respective decisions of 23 March 2015 and 7 July 2015 the Bureau of the Congress and the CoR decided to give a more effective composition to the Contact Group Congress/CoR: the Group will be composed of the President of the Congress and the Presidents of its two Chambers (representing the Congress) and by the President, the 1st Vice-President and the Chairperson of the Commission for Citizenship, Governance, Institutional and External Affairs (representing the Committee of the Regions). The first meeting of this new high level Contact Group will take place in early 2016.

European Associations of local and regional authorities

The Congress continued its cooperation with the main Associations and Organisations representing the regions and cities in Europe in particular with the Conference of European Regional Legislative Assemblies (CALRE), the Assembly of European Regions (AER) and the Association of European Border Regions (AEBR).

On 26 June 2015, Anders Knape participated in the debate “Towards a new European Neighbourhood Policy – What opportunities for local and regional authorities of Eastern Partnership countries?” as part of the Council of European Municipalities and Regions (CEMR) Governing Board meeting, in Munich. He recalled that the Congress is active in Council of Europe member states belonging to the EU “Neighbourhood Policy”, including Eastern Partnership countries. In this regard, the Congress has developed the project “Strengthening institutional frameworks for local governance”, in the framework of the EU-CoE Eastern Partnership Programmatic Co-operation Framework (PCF) for 2015-2017 for Armenia, Azerbaijan, Georgia, Moldova, Ukraine and Belarus.

Concerning cooperation with the AER, the Secretary General of the Congress participated on 21-23 April 2015 in Strasbourg in the AER Bureau and the Executive Secretary of the Chamber of Regions of the Congress contributed to the Forum on Equal opportunities.

The Congress participated on 10-12 June 2015 in Göteborg Västra Götaland (Sweden), at the General Assembly 30th Anniversary Celebration of the AER. The Congress was represented by the President of the Chamber of Regions, Gudrun Mosler-Törnström and the Secretary General.

On 9 July 2015 the President of the Chamber of Regions, contributed to the Standing Committee of the Conference of European Regional Legislative Assemblies (CALRE), in Brussels (Belgium) and Clemens Lammerskitten (Germany, EPP/CE) Vice-President of the Congress, participated in its General Assembly and “World Forum of Regional and Subnational Legislative Assemblies” held in Milan (Italy) from 22-24 October 2015.

Regarding cooperation with the Association of European Border Regions (AEBR), the Congress co-organised with this Association, on 13 November 2015 in Brussels (Belgium), the Conference on “the Future of Cross Border Cooperation in Europe” conveying - via its Rapporteurs and reports - the Congress’ experience on interregional and transfrontier cooperation.

Networks

Concerning the Association of Local Democracy Agencies (ALDA), the Congress participated in its General Assembly and Governing Board, as well as the Conference on “Capitalisation and relaunch” and the Celebration of their 15th anniversary held from 6-9 May 2015 in Podgorica (Montenegro). The Congress was represented by Barbara Toce (Italy, SOC), Vice-President of the Congress.

The Congress contributed on 18 May 2015 to the launching of the Local Democracy Agency in in Dnipropetrovsk (Ukraine). It was represented by Natalia Romanova.

The President of the Chamber of Regions Gudrun Mosler-Törnström also represented the Congress at the European Congress of Local Governments, organised by the Institute for Eastern Studies, 4-5 May 2015 in Krakow (Poland).

The President of the Chamber of Local Authorities, Anders Knape represented the Congress at the “High Level Conference on Migrants and Cities” held on 26 to 27 October 2015 in Geneva, organised by the International Organisation for Migration. He moderated Session II: Successful integration of migrants: recognizing the key role of local authorities.

On 18 November 2015 in Graz (Austria), Sherma Batson (United Kingdom, SOC) represented the President of the Congress at the inaugural ceremony of the European Youth Award conducted under the patronage of UNESCO and UNIDO and the auspices of the Secretary General of the Council of Europe.

VIII COOPERATION PROGRAMMES AND ACTION PLANS

In 2015 there was a substantial increase in the Congress Secretariat's co-operation activities, in addition to its statutory activities. The aim is to assist a number of member states in implementing the recommendations adopted by the Congress to provide a practical response to the problems identified in the course of monitoring and post-monitoring activities and the observation of elections and based. The framework of the cooperation activities is laid down in the guidelines adopted in June 2015 and named "Improving the impact of Congress recommendations - Guidelines for co-operation activities in Council of Europe member States".

Albania

Activities are being carried out in Albania in the context of the "Strengthening local government structures and co-operation between local and regional elected representatives" project, which contains a line of action to be implemented by Congress until June 2017. The aim of this line of action is to set up a unified platform for dialogue and co-operation between local and regional elected representatives.

In 2015, the four national associations held four regional encounters and a national conference. A jointly adopted final report entitled *Information on the points of view of the Albanian local authorities associations on a new law on the organisation and functioning of local authorities* was forwarded to the Ministry of Local Affairs for information and follow-up.

In response to the Albanian government's request to the Congress for assistance in setting up an Consultative Council to involve local and regional authorities in political decisions concerning decentralisation and local governance, on 2 April 2015 the Albanian Parliament adopted an amendment concerning the establishment of such a body.

A study on "*strengthening the role of local authorities and their associations in Albania*" was carried out in 2015 and subsequently discussed with the Albanian mayors with a view to the actual establishment of the Consultative Council. This study was presented at the national conference, held on 30 October 2015 in partnership with the Ministry of Local Affairs and the international institutions working in the field of local democracy in Albania, which was attended by 61 Albanian mayors who were elected following local and regional reorganisation. On this occasion Anders Knape, Vice-President of the Congress, stressed that the reform to be successful, will need transfer of all competencies and the transfer of corresponding financial resources. Prime Minister of Albania Edi Rama underlined the importance of consultation for the proper development of local and regional democracy. With this in mind, a study visit to Riga from 24 to 26 November 2015 was organised for a delegation of Albanian local elected representatives in close co-operation with the Latvian association of local and regional authorities to observe the consultation practices of the association and study its general functioning.

Finally, the Congress and the Albanian Government jointly organised a ceremony to celebrate the 30th anniversary of the European Charter of Local Self-Government on 29 October 2015, in the presence of Anders Knape, President of the Chamber of Local Authorities and of Andreas Kiefer, Secretary General of the Congress. It was also the 20th anniversary of Albania's accession to the Council of Europe and the 15th anniversary of its ratification of the Charter.

Armenia

On 16 September 2015 the Committee of Ministers of the Council of Europe adopted a new Action Plan for Armenia 2015-2018, including two projects aimed at supporting local democracy in Armenia, which had already been launched under the 2012-2014 Action Plan.

In the context of the Armenia 1 "Support to consolidating local democracy in Armenia" project, financed by the Danish Government, the Congress was responsible for a line of action on strengthening local elected representatives' leadership capacities. This line of action expired on 30 September 2015.

The aim of the Congress' activities was to strengthen local elected representatives' leadership capacities and thereby improve local political governance in Armenia, to instil trust in local authorities and to provide active support for local self-government reform.

Four local authorities, (Urtsadzor, Vardenik, Akhtala, and Artik) selected from among the group of mayors who had previously taken part in 6 workshops under the leadership programme, received subsidies and assistance from local and international experts in implementing their citizen participation initiatives. A documentary on these initiatives is available on Youtube¹.

A series of decentralised thematic seminars, held in July 2015, gave the mayors of these four local authorities the opportunity to present their projects to 150 mayors and municipal councillors, to discuss the positive impact of their initiatives and exchange views on the principles and good citizen participation practices.

The stocktaking conference held on 28 September 2015 gave the mayors involved in the project activities the opportunity to give an account of their experiences and to discuss them, while highlighting the practical changes made in their respective authorities.

The Congress, with the backing of the Armenian authorities, has proposed a new project in the context of the new Council of Europe Action Plan. It will be submitted to donors interested in contributing to the funding of the Action Plan.

The aim of the Armenia 2: "Institutional support to the Communities Associations of Armenia" project, which was launched on 18 and 19 February 2015 in Yerevan at a workshop on the role of local authorities associations, is to enhance the organisational capacities of the local authorities association of Armenia to become a key player in the governance system in Armenia. It is financed by the Swiss Government in the context of the "improving the system of local governance" programme and co-ordinated by the Swiss Agency for Development and Co-operation (DDC).

The Congress first gave its support to the statutory activities of the association, in particular the meeting of the Republican Council on 17 July 2015. The members of the association took part in a prior assessment of the association's institutional capacities, which has been carried out since June 2015 by a group of independent consultants. The preliminary results and recommendations were discussed with the governing board of the association, the Ministry of Territorial Administration and Emergency Situations and the Agency for Development and Co-operation on 29 September 2015 in Yerevan. Two workshops held on 8 and 9 October 2015 provided the opportunity to discuss these recommendations and outline future activities. The report was finalised on the basis of the contributions received during the consultation process and sent to the partners in early November.

The Association's functional development strategy is currently being drafted and on 20 November members of the project working group validated the draft action plan for its elaboration, which will be submitted to the Association's governing board on 10 December for approval.

Ukraine

See Congress' activities in Ukraine" under I. Agenda

EU/CoE co-operation framework for the Eastern Partnership (2015-2017)

Since January 2015 and for a period of three years, the Congress and the Council of Europe Centre of Expertise on Local Government Reform have been jointly implementing the "Strengthening the institutional framework for local governance" programme, with EU funding.

The Congress' activities, held both within a regional framework and in a bilateral manner, are aimed at supporting the process of local government reform in the participating countries and at promoting transparent and ethical local governance in the region.

¹ See: https://www.youtube.com/watch?v=S9B_QN7LBC0

A study on the role and responsibilities of local elected representatives in the six countries of the Eastern Partnership was carried out with the assistance of experts from each country in the partnership and of members of the Group of Independent Experts on the European Charter of Local Self-Government. The initial results were presented and discussed at the conference for launching the programme, which took place in Tbilisi, Georgia, on 10 and 11 July 2015. The national associations of local elected representatives and national authorities are currently being consulted.

Workshops entitled “Mayors, Leaders for Change” were held in the Republic of Moldova (5-7 October 2015), Georgia (24-26 November 2015) and Armenia (7-9 December 2015), for mayors selected following a call for national candidatures. The purpose of these workshops is to propose a platform of exchange on good practices in local democracy, particularly the reforms taking place in their countries, the role and responsibilities of local elected representatives, citizen participation, and ethics in politics and public decision-making processes.

The study and the leadership workshops will serve as a basis for the future activities of the project, which include support for local initiatives to promote ethics and citizen participation in the duly selected local authorities. The work done within the network and the validation of the results by peers will be the key features of the methods applied and will help disseminate the results throughout the region.

APPENDICES

Appendix 1: Post-monitoring Ukraine – Roadmap

Kyiv, 20 May 2015 – Roadmap adopted following the meetings held in Kyiv at the Ministry of Regional Development, responsible for implementing the decentralisation reform

I. General considerations

The Congress issued a first report on the state of local and regional democracy in Ukraine in 2001, followed by a second in 2013. This last report underlined the slow progress made by the country between 2001 and 2013 in matters of local and regional democracy.

The 2013 report called on the Ukrainian authorities to implement genuine decentralisation within the country, in particular through a clear allocation of competences and administrative activities between government departments and local authorities, to reinforce local authorities' financial autonomy, to put in place a fair and transparent equalisation system and for the organisation of elections in the cities where the office of mayor was vacant.

Since the Congress adopted this report and the recommendations, in October 2013, a great deal has happened in Ukraine:

The dramatic events on the Maidan square brought about a regime change. The country's territorial integrity was undermined by the Russian Federation's annexation of Crimea and Sebastopol. War broke out in the Donbas region. On 25 May 2014 a new President was elected. The same day elections were held to elect mayors in the cities where the office was vacant. Lastly, democratic parliamentary elections were held in October 2014, resulting in a significant renewal of the membership of the Verkhovna Rada.

The new Ukrainian authorities announced their wish to institute a political dialogue with the Congress with a view to the rapid implementation of Recommendation 348 (2013) on local and regional democracy in Ukraine, pursuant to Resolution 353 (2013) REV on "Congress post-monitoring and post-observation of elections: developing political dialogue".

A post-monitoring programme (PMP) was drawn up in partnership with the authorities, including three post-monitoring units (PMUs) based on the principal recommendations made to the authorities (REC 348 (2013)) following the visits in 2012 and 2013:

1. Paragraph 7d on the transfer of competences
2. Paragraph 7c on financial autonomy
3. Paragraph 7a on the merger of local government units and inter-municipal co-operation.

The rapporteur and the members of the delegation also took into account the Venice Commission's Opinion No.766/2014, which incorporated to a large extent the Congress's opinion of 11 July 2014 on the proposed amendments to the Constitution.

They expressed the desire to **ensure their work remains perfectly in line with the Council of Europe's action in respect of Ukraine, while implementing a Post-Monitoring Programme. The programme units (PMUs)** are aimed at drawing up, in agreement with the government and in co-operation with the other parties concerned, **a roadmap with a specific time-table**, for implementing the Congress recommendations.

PMU 1 consisted of sessions held in Kyiv on 11 and 12 December and resulted in an initial interim roadmap, which was submitted to the authorities on 18 December 2014. PMUs 2 and 3 were the subject of a full-day meeting held on 12 March 2015.

The rapporteur underlines that between the monitoring visits (2012 and 2013) and the three PMUs (2015) the political situation changed considerably and in dramatic ways making it all the more

remarkable that the Ukrainian authorities have been able to persist in their efforts to make the decentralisation of powers one of the principal objectives of the implementation of a new stage in the country's democratisation process.

The rapporteur would also draw attention to the fact that, between the PMU 1 meetings and the PMU 2 and 3 meetings, the governmental authorities showed a reinforced rather than a weaker determination, despite the growing threats and the continuing violence in the East of the country and near the border with Russia. This determination seemed to stem from a will to carry out far-reaching reforms in line with, but also ranging far beyond, the measures included in the so-called "Minsk II" agreements.

II. The stages in the post-monitoring dialogue

PMU 1 (10-12 December 2014)

The delegation first noted that none of the proposed amendments to the Constitution, which had been submitted to the Venice Commission for an opinion in July 2014 and concerning which the Congress had issued an official opinion on the decentralisation aspects, had as yet been submitted to the Verkhovna Rada. It informed its interlocutors that it deeply regretted this situation, since the tabling of the amendments would have been perceived as a very clear expression of the Ukrainian authorities' intention to pursue a far-reaching reform of territorial administrative structures, in accordance with the principles of the European Charter of Local Self-Government.

The Congress had moreover expressed a globally positive opinion on the preliminary draft amendments concerning decentralisation, as set out in its Opinion of 11 July, prepared under the aegis of the Congress's Monitoring Committee and incorporated in the Venice Commission's Opinion No. 766/2014.

The post-monitoring delegation also noted that:

- The parliamentary rules of procedure in force required the tabling of new draft legislation since the first draft submitted to the Venice Commission had not been adopted at first reading, and any constitutional amendment initiative could but originate from the President or from 150 members of parliament, with the government's role being confined to preparing or making proposals.
- Following the results of the most recent elections a new coalition had been formed in accordance with the constitutional provisions in force, and a very clear programme of action had been adopted on 21 November 2014. This "coalition agreement" included a Chapter VII on "Decentralisation and reform of public administration", which was particularly detailed. The document took into account not only the purely legislative aspects, but also their consequences in terms of territorial authorities' organisation, functioning and procedures. It also addressed the question of redeployment of the public services currently in the hands of central government and set a number of priority objectives regarding economic development and service provision to the population. The coalition's programme considerably expanded upon the Cabinet of Ministers' Directive 333-p of 1 April 2014 concerning "The concept of reform of local self-government and territorial organisation in Ukraine".
- The ministries concerned, and, first and foremost, the secretariats of the Cabinet of Ministers and the Ministry of Regional Development, had taken action to ensure that certain of the necessary legislative provisions which were not strictly dependent on the constitutional amendments could be submitted to parliament without delay. A law on co-operation between territorial communities had already been voted in June and had resulted in over 30 co-operation agreements by December.
- These positive steps were additional to those already taken in response to Recommendation 348 (2013) of 31 October 2013, such as the direct election of the mayor of Kyiv and the merger, under the mayor's authority, of the decentralised services and the former State-run services.

- Lastly, the delegation was able to see that a spirit of co-operation prevailed between the Prime Minister's office, the Ministry of Regional Development and the Ministry of Finance, which were at the heart of the reform process.

The delegation nonetheless raised a number of issues which required clarification:

- the maintenance of certain State ministerial services at the regional or district level;
- the role of the President's representative in the regions, as highlighted in the Venice Commission's opinion. This issue does not seem to have been settled, and the government departments do not seem to have arrived at any definitive position;
- the nature, form and extent of supervision of the decentralised authorities' activities;
- the form that could be taken by the executive bodies of the regions and districts. Under the current provisions of Article 141 of the Constitution, these executives may not be elected separately from the councils;
- the distribution of powers and responsibilities remained a subject of debate, although it seemed clear that, in accordance with the principles of subsidiarity and proximity that typify the organisation of local self-government bodies, priority would be given to the minimum services essential for the population (utilities networks, administrative formalities, spatial planning). This would make it possible to avoid the complete elimination of the notion of the village, which could prove useful in a country with a low population density.

Lastly, it should be noted that:

The delegation's meetings took place in the presence of the representatives of the main national associations of local authorities, which had come together in a "congress" and were determined to influence the legislation under preparation while also seeking means of support to enable them to play an effective role in the implementation of the reforms. The discussions with the representatives of these associations and the meetings with the newly elected mayors also enabled the delegation to gain an awareness of the conditions and difficulties under which the emerging local self-government bodies operated on a daily basis, in particular in the country's rural areas. It was able to see that the management approach of the local teams in place had given rise to the development of financial and non-financial practices which were incompatible with the requirements of transparency and equity of public management.

PMUs 2 and 3 (12 March 2015)

The further meetings held in Kyiv under the aegis of the Ministry of Regional Development made it possible to take stock of the trends in the political climate and the Ukrainian authorities' determination to pursue their decentralisation efforts. These efforts are naturally now being made in the light of the Minsk II recommendations, but it was clear that the basic will to implement a general decentralisation movement had become all the stronger as the difficulties posed by the military and economic contexts had increased.

The visit also took place against the background of the establishment, on 3 March 2015 by President Poroshenko, of a Constitutional Commission, with the objective of preparing amendments to the Constitution currently in force. Proposals concerning the Commission's members had to be made by 12 March, the very day when the delegation arrived in Ukraine, and it was generally acknowledged that the Speaker of Parliament, Mr Volodymyr Groysman, would agree to head this group of experts. The rapporteur considered this latter decision as positive for the cause of local self-government, since at the time of the monitoring visit he had already had a meeting with Mr Groysman, then Minister for Regional Development, who had shown himself to be a firm proponent of decentralisation.

It was also abundantly clear that, subject to the specific provisions to be proposed for certain eastern areas of the country, this part of the constitutional reform was one of the most consensual and, if it had been brought before the parliament, it would in all likelihood have obtained the necessary majority.

The government authorities appeared fully aware of this situation and, certainly with a view to consolidating the momentum, at the post-monitoring meeting of 12 March Deputy Minister Nehoda invited the Congress to participate in the work of the Constitutional Commission and to designate an expert.

Despite the political will mentioned above, this work may delay the entry into force of provisions which are essential for the implementation of a decentralisation reform to the full extent desired. According to the information given to the delegation, a preliminary draft document could be submitted to parliament in June before being referred to the Constitutional Court, as required by the Constitution.

A constitutional revision is still needed to give tangible form to the wide-ranging reform of local and regional self-government to which the Ukraine authorities aspire. The process that has been initiated, in accordance with the constitutional rules, should permit the adoption of this reform in September 2015, which is moreover in line with the Minsk II timeframe.

The resulting decentralisation, in conformity with the principle of subsidiarity, will have many positive consequences in terms of public administration, service provision to citizens and Ukraine's economic development.

It would be welcome if the new Constitution permitted the future amendment of the competences of the oblasts in general, or of certain oblasts in particular, through the passing of a special law, adopted by a two-thirds majority of parliament. This would make it possible to transfer to certain oblasts, where appropriate, competences compatible with the country's territorial integrity, while maintaining at central government level the essential competences of a sovereign State.

Despite the current constraints, the delegation was able to make good progress with items II and III on the agenda:

Concerning **item II (financial autonomy)** the delegation took note of the very considerable progress that has already been achieved through the adoption of a new Budget Code and it was given a presentation on its basic structure.

The principle of equivalence of financial resources transferred and competences delegated by central government seems accepted. Conversely, a further basic clarification effort is recommended, so as to make a clear distinction between "own" competences, those definitively transferred to the various tiers of local self-government, and "delegated" competences, which are competences vested in central government or certain local or regional government bodies but which can be exercised, under the terms of an agreement, by another authority than that to which they are allocated.

The key point is the introduction of a comprehensive system which would, in anticipation, correspond to the wording of the proposed constitutional amendments on local financial autonomy.

This includes both a very high level of fiscal decentralisation, in particular in favour of the municipalities, at least at the level of the capitals of the oblasts or districts, or of the future amalgamated territorial authorities, a liberalisation of borrowing conditions, the introduction of an ambitious system of "horizontal" equalisation based on personal income tax revenue (with only 25% of such tax revenue being retained by central government) and a system of State grants, intended to be distributed according to objective criteria in three essential fields: education, health care and vocational training.

The new decentralised tax system includes corporation tax, an environmental tax, excise duties and the land tax.

There are therefore the beginnings of a sound financial base, guaranteeing, at least in a context of growth in territorial authorities' economic activities, a degree of stability of their resources from one year to the next. However, guaranteeing that State grants will remain at the previous year's level is not enough to ensure the full attainment of this goal, since the decision largely depends on the resources available in the national budget, and the link between local authorities' own resources and economic development is another source of uncertainty. It is accordingly all the more necessary to

maintain some local taxes, as provided for in the new draft legislation, so as to guarantee the stability and continuity of own resources in local budgets.

The delegation also echoes the concerns of the small local authorities, which fear that the new system of own resources will be somewhat unfavourable to them.

This important reform of local government resources goes hand in hand with a simplification of the budgeting process, with increasing levels of responsibility and accountability according to the size of the municipalities. As a result the regional or district capitals and the so-called municipalities with oblast or district status could enjoy "direct inter-budgetary relations" with the Ministry of Finance during this process.

This financial component cannot really be dissociated from the separately pursued policy to promote voluntary mergers of municipalities, which can benefit from financial advantages for five years and, in a way, undergo a "change of category" by in turn becoming municipalities with oblast or district status and thus have access to the new "direct relations" recently introduced for the preparation and adoption of the 2015 budgets.

2015 will therefore be a key year of experimentation and transition.

The financial reform is also inseparable from another reform adopted in early February, that of State regional policy. The success of this reform is clearly staked on the revitalisation of urban "poles" or agglomerations with sufficient critical mass to support economic development initiatives.

The decentralisation policy can therefore quite clearly be seen to be more than a mere institutional reform and is being used as a "lever" to foster more harmonious local and regional development and civil society participation, particularly by economic operators.

The delegation thus felt that it was faced with a relatively complete, audacious development project, entailing far-reaching reforms and above all a change of mentalities.

Regarding **item III (mergers of municipalities)**, which calls for a degree of tact since the aim is to simplify and strengthen the local institutional landscape, the delegation took note of a new law on mergers passed on 5 February. Alongside the 27 *oblasts* or regions which continue to exist, and which were listed in the Constitution according to the first amendments transmitted, only about 150 districts (or *raions*) would remain instead of the 490 at present, and roughly 1500 municipalities instead of 458 town councils, 783 village councils and 10 279 communities. Article 24-1 of the Budget Code in force since January 2015 completes the provisions on the regional development fund offering additional resources for the support of economic development projects, which should further convince municipalities that are reluctant to envisage mergers or co-operation. The new legislation also includes measures aimed at sparing the sensitivities of the smallest local authorities and maintaining a fine coverage of the territory through the creation of authorities with "*starostat*" status.

Lastly, concerning the **structures and the conditions for their administrative functioning**, it was confirmed to the delegation that the Ukraine authorities henceforth wish to draw a clear distinction between supervisory powers and powers to determine and implement decentralised policies. Similarly, there should be a sharper distinction between the political responsibilities vested in the elected representatives alone and the execution and support responsibilities assumed by the administration. In this connection, draft common statutes are being drawn up for both State and local public employees so as to facilitate, in particular, the mass transfers of competences which decentralisation should entail, notably at the levels of the regions and districts.

In conclusion, the departments concerned seem to be well-prepared and to have used the three months between the delegation's two visits to bring about **a maturation and further development of the reform's objectives with, it should be highlighted, an educational approach on the ground during the implementation of the new budgetary procedures, and constant involvement of the associations of elected representatives.**

Elected representatives were present throughout the delegation's discussions and played an active role in them. Some even considered that "more had been done for local self-government in 18 months than over the previous 23 years".

Overall, 50 bills are in the process of being drafted and nearly 70% of them are said to be already completed, pending the adoption of the amendments to the Constitution.

III. Post-monitoring recommendations

1. It would seem a matter of priority, in order to both consolidate the political will expressed through the amendments to the Constitution and assure the local authorities' representatives that the reform process constitutes a reliable working environment, to insist that **the constitutional amendments relating to the decentralisation process should be resubmitted to Parliament at the very earliest opportunity**, since the Congress delegation did not have the impression, notably in the light of the coalition's programme, that there was any intention to call into question the content of these amendments. This should be clearly confirmed by the President of the Republic and the *Verkhovna Rada*, who alone are able to give a tangible impetus to the reform.

2. Before the first post-monitoring unit was held in December 2014, discussions were taking place in Ukraine as to the **advisability of bringing forward the date of the local elections** which, under the Constitution, are to be held in October 2015. The Congress delegation gave **no encouragements to do so** (as the nine months remaining before the normal date will be scarcely sufficient to implement the minimum absolutely essential reforms). A specific question could nonetheless arise concerning the mayors elected on 25 May 2014 (along with only one council, that of the city of Kyiv), who will have served only 16 months in office, which is not long enough to implement any policy in an effective manner, especially not at a time of great changes).

Following the creation of the Constitutional Commission, which will be formed and ready to begin its work by the end of March 2015, the time-table for adopting the constitutional amendments will be delayed. This time-table is in principle scarcely compatible with the proper preparation of the local elections scheduled for 25 October 2015, and the date of these elections must be set 60 days before polling day (that is to say during the last week of August 2015).

In common with the Ukrainian authorities, the delegation is aware that there is no entirely satisfactory solution, since at the same time it deems it logical that the principal pieces of legislation, notably concerning the amalgamations, should begin to be implemented before the new representatives are elected. However, in view of the urgent need to give a decisive impetus to the country, it is important that new local senior officials, who are aware of what is at stake, should very rapidly be able to take up their new responsibilities and, through their dynamic approach, offset the rigidities and bureaucracy inherited from the former Soviet Union.

Since postponing the elections requires the adoption of a constitutional legislative instrument, it would perhaps be appropriate to consider whether the separate adoption of the decentralisation part of the reform could not be envisaged by the new commission set up by the President of the Republic.

3. **Forward planning is necessary to develop a clear vision of the relations between the elected representatives, who must be fully accountable, and the new State administrations, which must not interfere with their management, in addition to the new decentralised administrations, which must clearly be placed under them.** To this end, a revision of their role and status should be included in the government's programme.

IV. Priorities to be addressed

- The electoral law, including the organisation of relations between the organs of local self-government (directly elected mayors for the municipalities, executive bodies for the municipal, district and regional councils) so as to reduce the scope for potential conflicts, ensure the future elected representatives' visibility and place them in a position to "demand" the necessary transfers in both legal and financial terms;

- The law on the State's representative at local level and the outlines of the future "supervision". This law can but result in a provisional system, aimed at preventing any attempts at flagrant legal violations (notably with regard to the question of secession) but taking care to leave the new territorial authorities a minimum degree of own initiative, since it is essential that confidence be placed in them if a satisfactory equilibrium is to be achieved in view of the specificities of the different territorial units;
- This confidence and experimentation should constitute the cornerstones of the future draft text on competences. It cannot be finalised immediately and will therefore need to be revised and doubtless supplemented, for example on the occasion of an annual meeting. At the same time, regardless of the pace at which competences are transferred, it seems necessary, to prevent any ambiguity, that preference be given to the transfer of own competences rather than delegated competences (since the exercise of such competences may indeed be delegated under certain conditions, but they remain attributed to the delegating authority – principally the State but also any autonomous territorial units larger in size than the municipalities.

V. The conditions for success

- There must be no underestimating the extent of the task, nor the **real "revolution" of structures and mentalities that it entails**. It would seem preferable to put in place a specific centralised steering body so that the ministries concerned can have at their disposal an additional capacity for action and so as to permit effective co-ordination.
- The introduction of a genuine, **permanent consultation system with the representatives of the national associations of elected representatives** so that the series of reforms can go be accompanied by a positive dynamicon the ground. To facilitate this, special attention must be paid to the conditions in which the mergers of territorial units take place, even when they are voluntary, so as to maintain local service provision.
- **The issue of training and mobility incentives for staff**, to ensure that the necessary transfers of skills take place as quickly as possible. The prompt development of competent local public services, committed to serving the population's needs, is vital to guarantee the success of the proposed reforms. An important aspect of the establishment of the new administrations will be to ensure that the necessary measures are taken in parallel so as to guarantee the probity and neutrality of the new public management.

Appendix 2: Joint Declaration by the Polish and Ukrainian Delegations Representatives to the Congress

Meeting in Warsaw (Poland) on 16 September 2015 to exchange political views, the Ukrainian and Polish delegations to the Congress declared that they:

- “sharing the values of the proper working of local democracy and the necessary decentralisation of powers;
- developing their co-operation in order to improve the situation of local and regional democracy in their respective countries, drawing inspiration from their own good practices”.

Furthermore, based on the two countries’ shared history, the delegations declared their mutual solidarity and support for the sound management of their territories based on the European Charter of

Local Self-Government and good practices in decentralisation, with due respect for the States’ territorial integrity and sovereignty.

Appendix 3: Declaration by the Monitoring Committee of the Congress on the situation of local democracy and human rights in Azerbaijan

Warsaw, Poland, 18 September 2015

The Monitoring Committee of the Congress of Local and Regional Authorities of the Council of Europe, meeting in Warsaw on 17 September 2015, said that it was deeply concerned by the deterioration of local democracy in Azerbaijan, the detention of its partners and the difficulties in functioning experienced by the alliance for municipal development (BINA), and more generally, by the situation of human rights at local level.

The Committee referred to its Recommendation (326)2012 on local and regional democracy in Azerbaijan, which the Committee of Ministers of the Council of Europe forwarded to the authorities but has remained a dead letter since it was adopted. It also condemns the arrest and sentencing of its main partners in Azerbaijan, including Ilgar Mamadov, Director of the School of Political Studies in Baku, who is still being held in detention despite the judgment of the European Court of Human Rights, and Leyla and Arif Yunus, who were recently given an eight-year prison sentence. It also regrets that BINA, its main partner in the field of local democracy, has been forced to give up its activities as a result of the blocking of its bank accounts.

The Congress Monitoring Committee,

asks the Azerbaijani authorities to reconsider the launching of a post-monitoring procedure as suggested in Recommendation (326)2012 with a view to establishing a political dialogue with the Congress based on the application of the European Charter of Local Self-Government ratified by Azerbaijan in 2002;

- invites the Azerbaijani authorities to co-operate with the Congress in keeping with the principles set out in Article 3 of the Statute of the Council of Europe, which Azerbaijan accepted when it became a member of the Council of Europe ;
- asks the Azerbaijani authorities to enable it once more to work with its close partners by releasing them and allowing local democracy NGOs to function normally;
- undertakes to regularly include this matter on the agenda of its meetings to ensure that the situation continues to be monitored;
- invite the members of the Azerbaijani delegation of the Monitoring Committee, to participate in a debate on the situation of Azerbaijan during the next meeting of the Committee.

Appendix 4: Guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at the grassroots level

29th SESSION (20-22 October 2015)

CG/2015(29)5FINAL

22 October 2015

Current Affairs Committee

Rapporteur: Leen VERBEEK, Netherlands (R, SOC)

Summary

The report discusses the concept of radicalisation and explores the various approaches to tackling the problem such as repression, prevention and reintegration of radicalised individuals, with concrete examples from local and regional levels of government in Council of Europe member States. It engages with urban security and safety issues, recognising that security is part of fundamental rights, and underlines the necessity to balance the measures taken to combat radicalisation against the precepts of human rights, the rule of law and the aim to build inclusive and cohesive societies.

The report recommends that local and regional authorities design strategies to involve civil society in their work against radicalisation and extremism in all its manifestations, including hate speech, anti-Semitism and anti-Muslim sentiment and action. It also recommends that they communicate their strategies to the general public in a balanced and responsible way, with a particular emphasis on a cohesive discourse, exchange of good practice information, and that they support exit programs for individuals willing to leave extremism and allocate the necessary resources to combat radicalisation. Finally, it insists on the necessity to build alliances with credible partners and to aim for co-operation and co-ordination of their actions with the regional and, where appropriate, the national level.

RESOLUTION 384 (2015)²

1. The terrorist attacks in Paris and Copenhagen, involving armed jihadists and leaving a total of 14 people dead and 10 wounded, highlighted the need for cities to do more in order to effectively tackle extremism. These attacks have thrown the spotlight on the issues at stake: Growing radicalisation leading to violent extremism and sectarianism within cities, the risk of increased polarisation in society and stigmatisation of some communities, hate speech in the social media as well as the risk of censorship and self-censorship are all current dangers facing cities.

2. In its Resolution 381 (2015), adopted at its March 2015 session, the Congress committed itself to updating the relevant texts of the Congress which promote citizen participation, living together in diversity, social inclusion and cohesion, intercultural and interfaith dialogue, to establishing guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at grass-roots level, and to creating a pedagogical toolkit for use by local elected representatives when organising intercultural and inter-faith activities.

3. Individuals can become radicalised for a multitude of reasons, such as a lack of integration into society, political disengagement or exposure to extremist individuals, groups or organisations. The local, cultural and social context affects the radicalisation process, which is reflected in the public authorities' response. Among these, prevention and de-radicalisation (i.e. action directed to reintegrating individuals who have become radicalised into society) rather than repression are actions that coincide with the scope and competences of local and regional authorities.

4. Tackling radicalisation requires carefully thought-out preventive measures. In the long run, prevention is more rational and cost-effective than combatting symptoms or full-blown crises. It is also the area of action *par excellence* for local authorities, where they can be most effective and where

² Debated and adopted by the Congress on 20 October 2015, 1st sitting (see Document CG/2015(29)5FINAL, explanatory memorandum), rapporteur: Leen VERBEEK, Netherlands (R, SOC)

their competences and mandates are most relevant. At the same time, recognition of this important role leads to the empowerment of local governments and enables them to better anticipate these challenges and opportunities.

5. It is critical, for the respect of human rights, to approach the issue of safety and security of citizens in a balanced manner, weighing the necessity and proportionality of each action. When introducing any measures that might jeopardise individual rights, public authorities must keep in mind that not only the rule of law but also the strategic aim to build an inclusive society must guide their actions.

6. Recognising that radicalisation can be best contained at a level closest to the vulnerable individuals in the most affected communities, the Congress calls on the local and regional authorities of the Council of Europe to:

a. design local multi-agency strategies, in co-ordination with different levels of government, involving local partners and develop a plan of action mapping the local situation, setting up coordinating bodies and allocating the necessary resources to combat radicalisation, and take concrete measures that can be followed up;

b. communicate their strategies and actions to the general public in a balanced and responsible way, with a particular emphasis on a cohesive discourse, aiming for a clear presentation of the message, without stigmatising specific groups, and ensuring that security concerns do not overshadow the duty of respect for human rights and the rule of law;

c. encourage the setting-up of local safety partnerships, providing adequate training to the different actors involved, including frontline practitioners working with individuals or groups at risk, prison staff, social workers, teachers, and healthcare workers, in order to develop their understanding of the radicalisation process and how to respond to it;

d. raise awareness among local authorities on existing good practice to show local authorities who may fear that they are not equipped to deal with such situations or that radicalisation is not their priority, that many cities throughout Europe have significant experience in projects which can serve as a good resource in the battle against extremism and exchange knowledge and best practices with other European cities, at both the political and the administrative levels, through regular meetings bringing together the different European local actors;

e. highlight the important role of education especially regarding families and schools, with particular attention to topics such as respect for cultural diversity, human rights and the harmfulness of hate speech, acknowledging that young people, although particularly vulnerable to discourses inciting to hate and violence since they are in a formative period of their lives involving a struggle forming their identity, are also strong allies in combating manifestations of hate through their strong social media ties;

f. involve civil society in their work against radicalisation and extremism in all its manifestations, including hate speech, anti-Semitism and islamophobia, by setting up partnerships with NGOs, religious community leaders, and, at the individual level, with former extremists;

g. support exit programs for individuals willing to leave extremism, especially religious oriented extremism, in co-operation with civil society organisations;

h. allocate the necessary funds to their activities in this sphere, cognisant of the fact that preventive work must be considered as ordinary budget items with stable long-term financing;

i. build alliances with credible partners, striving for well-established routines for transparency as to how allocated resources are spent in their dealings with ethnic or religious associations when granting them financial support and coordinate activities with the regional and, when appropriate, the national level of government;

j. develop co-operation with international bodies that share the values and concerns of the Congress and who are currently working on topics relevant to the aim to combat radicalisation, such as the European Forum for Urban Security.

7. Aware that the work against radicalisation is a lengthy process that needs to be managed on a long-term basis, the Congress reiterates its determination to keep this issue on its agenda and to follow up its resolutions and activities through regular assessments of progress in the member States.

EXPLANATORY MEMORANDUM³

I. INTRODUCTION

1. The terrorist attacks in Paris and Copenhagen involving armed jihadists leaving a total of 14 people dead and 10 wounded highlighted the need for cities to do more in order to effectively tackle extremism. These attacks have brought the issues at stake in full light: Growing radicalisation leading to violent extremism and sectarianism within cities, risk of increased polarisation in society and stigmatisation of some communities, hate speech in the social media as well as the risk of censorship and self-censorship are all current dangers facing cities.

2. The Congress has been working for the last two decades on themes that aim at establishing inclusive and resilient communities as a protective shield and element to prevent and fight radicalisation at local and regional level. In this context, it has produced recommendations on tackling terrorism, promoting integration and participation of people of migrants, intercultural and interfaith dialogue as well as resolutions on urban crime prevention, on the fight against racism at local and regional level and education for democratic citizenship.

3. The Congress Bureau adopted, on 2 February 2015, a “Strategy to combat radicalisation at grassroots level” followed by Resolution 381(2015) which proposes a series of activities to be carried out in the short, medium and long term at local and regional level, based on three pillars of action, namely awareness raising, synergies with Council of Europe bodies and synergies with other institutions.

4. Radicalisation is to some extent an “inclusion/cohesion” issue, but the ideological and even religious factors often underlying the process should not be neglected. An aspect of the necessity of a policy based on inclusion was, for instance, highlighted by former President of the Congress of Local and Regional Authorities of the Council of Europe, Giovanni Di Stasi, speaking on increased cooperation with local authorities to stem urban violence: “We can no longer tolerate parts of our cities becoming no-go areas and areas of social exclusion. A determined policy to integrate all members of the community is the only way of responding to these challenges”. Radicalisation is also a problem that requires preventive measures that local authorities are in a good position to deliver.

5. Even though the situation may appear grim, a positive perspective is needed to tackle this issue in the long run which underlines that, just as our societies are learning to live together in diversity, they will also learn to deal with the radicalisation of parts of their population. As noted in the Council of Europe’s action plan “Living Together”, “Diversity is here to stay. It is shaping Europe’s future in a fast-changing world, and will continue to do so. It is therefore vital that Europeans respond to its challenges in a more effective and wholehearted way – and, to be blunt, much better than they are currently doing.”

6. Today many cities in Europe bring together people from dozens of different nationalities. Learning to live together is a slow process that can be painful but also a joyful one. Local governments have a responsibility towards those suffering from the effects of radicalisation within their communities which not only lead to some members of the community embracing violence but also to speak and act in ways that violate the freedom of speech and religion. The Congress has actively supported the Council of Europe’s No Hate Speech campaign (2012 – 2014) to raise awareness about hate speech online and the risks it poses for democracy and to support and show solidarity to people and groups targeted by hate speech online.

³ This explanatory memorandum is based on the document prepared by the Council of Europe consultant Juul van HOOFF, Stichting Movisie, which is available from the Secretariat upon request.

1.1. Radicalisation: a definition

7. Radicalisation is generally viewed as a process, sometimes leading to violent extremism and terrorism. This definition has been used by, for instance, the Council of Europe, the European Commission (EC) and by many scholars. The EC, in its texts, defines radicalisation as the “phenomenon of people embracing opinions, views and ideas which could lead to acts of terrorism.”⁷ In this regard, radicalisation is not seen as a linear process passing fixed stages at a constant speed, but as a variable one depending on the local context and on individual factors.

8. There are multiple reasons that contribute to individuals becoming radicalised such as a lack of integration into society, political disengagement or exposure to extremist individuals, groups or organisations. The local, cultural and social context affects the radicalisation process which is reflected in the public authorities’ response. Among these, prevention and de-radicalisation (i.e. action directed to reintegrating individuals who have become radicalised into society) rather than repression are actions that coincide with the scope and competences of local and regional authorities.

9. Recognising that radicalisation can be best contained at a level closest to the vulnerable individuals in the most affected communities, the coordination and synergies between various government levels is an important dimension in protecting citizens against these threats; so is cooperation with civil society organisations, researchers and practitioners.

II. RESPONSES TO RADICALISATION: THREE COMPLEMENTARY APPROACHES

10. Several initiatives have been launched in Europe with the objective of tackling radicalisation. The European Urban Charter 1992 states that a coherent security and crime prevention policy must be based on prevention, law enforcement and mutual support. The approaches can differ in many aspects; in general though, they can broadly be sorted into three different categories already being used to deal with the problem.

11. Repression as a response to radicalisation is, traditionally, the responsibility of the national level and involves policing, legislation, and intelligence activities. It is an important aspect, but one over which local authorities in general have limited influence; it will therefore not be the focus of this report. It should also be mentioned that repression in a way “is always present” if enough evidence is gathered on an individual, so even if the same person is undergoing some kind of preventive approach, repressive measures are available depending on the circumstances. In that context, there is a link between repression and prevention.

12. Tackling radicalisation requires preventive measures, and in the long run, prevention is more rational and cost-effective than combatting symptoms or full-blown crises. It is also the area of action *par excellence* for local authorities where they can be most effective and where their competences and mandates are most relevant. Already in 2000, the Congress had, through its Resolution 99, invited local and regional authorities to develop “a more pro-active approach, anticipating and preventing problems rather than addressing them afterwards and favouring a long-term rather than a short-term approach”.

13. Such efforts can naturally take different forms. Indeed, what works in one city may not be the correct approach in another. Local dynamics play an important part in tailoring successful preventative work. It is also important to keep in mind that the prevention of violent radicalisation must be part of a global prevention strategy. It needs to be holistic but also integrated into other activities for urban security. This view has been summarised by the European Urban Charter in the following way: “Crime has a wide variety of causes. The responses must therefore be both diversified and coordinated.”⁴

14. Prevention also has benefits from a partnership approach. This is not just an issue for the police and the judiciary; to be effective it needs to include other sectors and civil society. For instance, former extremists with their unique insight can play a key role and be an important partner for local

⁴ European Urban Charter 1992

governments. Regarding Islamist extremism, partnerships with local mosques and religious community leaders can also be fruitful resources working together against extremism. However, it is important that such partnerships have a broader agenda than strictly security related ones. If trust and good partnerships are built over time working on various topics, bringing in security issues becomes more natural than if a partnership starts and ends with security related issues.

15. Reintegration of radicalised (and repented) people is the third category of possible responses. Just like prevention, this is an area where local governments have the capacity to play an important part. Indeed, in most cases, this will most likely be activities taking part on the local level. For instance, two such programmes are in place in the city of Aarhus in Denmark and in Berlin in Germany. These existing approaches provide other cities with experience to learn from.

a. The so-called Aarhus model of dealing with the problem has often been highlighted as a way for cities to work against radicalisation and extremism. This approach focuses on inclusion; provided an individual has done nothing criminal, the authorities will help them to find a way back to the community. However, it is important to keep in mind the importance of the local context for preventive work to be successful. What works best may well be different in different cities. Local governments know their own city best.

b. The European Commission's strategy of "Countering violent extremism" (CVE) reflects the growing international focus on preventive approaches to transnational violence. CVE is broader than only violent Islamism or IS-related manifestations of violence. It addresses all forms of violent extremism, regardless of ideology, and focuses not on radical thought or speech but instead on preventing violent attacks.

III. SECURITY AND SAFETY AS FUNDAMENTAL RIGHTS

16. In its Recommendation 80 (2000) on crime and urban insecurity in Europe, the Congress has noted that local authorities have a key role to play in crime prevention and reduction and that, accordingly, national authorities should strengthen local government responsibilities and resources allocated to local authorities to this effect.

17. In 2006, the Congress adopted a second recommendation (Recommendation 197) on urban security in Europe, where it is underlined that urban security requires involving numerous multidisciplinary areas and specialities relating not just to the police and the judiciary, but also to other sectors of the administration and the social sphere. It also invited member States to "guarantee the security of their citizens while fully upholding human rights and fundamental freedoms".

18. Security policies should be designed and constructed around the individual and collective needs of citizens, and not according to public institutions. To do this, citizen participation must be universally promoted and civil society must play a role at all stages. Bringing together all forces necessary to address the problems in their complexity is an essential part of this approach. In order to maximise efficiency, it is necessary to emphasise the importance of partnership. Equally important is the need to analyse problems in their complexity, evaluate and make use of evidence-based remedies. All policy should take into account the latest technical and scientific knowledge.

19. With respect to urban security, a multi-level governance approach is needed for developing, implementing and raising awareness of security measures. Although the definition of security strategies is a national level competence, local authorities can also play a crucial role in tackling the dilemma of "security versus freedom" because of their proximity to citizens; they can act as interfaces. They can work to achieve social cohesion and avoid conflicts exploding into violence by promoting citizen participation and dialogue among communities.

IV. MULTIAGENCY STRATEGIES: PARTNERS IN MAKING THIS WORK

20. Cities must have an overview (by identifying and mobilising the existing structures) of who can help to understand the issues in their domain in order to create functioning partnerships – we can call this a coalition of the willing – and to involve new actors such as citizens, NGOs, religious community

leaders, families, youth, schools, internet bloggers, social workers etc. Local authorities can do more to form local partnerships and work together on this issue and, for example in the case of Islamist radicalisation, create a common framework of values with Muslim organisations.

21. There are a number of promising local initiatives (Copenhagen, Aarhus, Berlin, London, Vilvoorde, Brussels to name a few) dealing with radicalisation that other cities can learn from.

22. For instance, the *Hayat* project (Arabic and Turkish for 'life') located in Berlin run by the Centre for Democratic Culture (ZDK GmbH), focuses on advice and support to individuals and families at risk of violent Islamist extremism. The project has four full-time employees, in addition to a number of people in the field working on an hourly basis. The project staff includes psychologists, criminologists and Islamologists.

23. An increasing part of their work has come to focus on family support to people who have travelled or intend to travel to Syria to fight for an al-Qaeda-inspired group. Their operations are state-funded by the federal office for migration und asylum seekers (*Bundesamt für Migration und Flüchtlinge*, BAMF). One purpose of the program is to empower relatives to better manage radicalisation within their own family. Their experience shows that there is often a conflict within the family that needs to be overcome before any support for de-radicalisation of the person in question can begin in a meaningful way. The project will thus also be a link between civil society and security authorities. In the spring of 2015, they had about 130 cases, 50 of which are completed and 21 are designated as clearly successful because of the support given. In only one case has the development has gone in the wrong direction after the counselling started.

24. A good resource for cities is EU's Radicalisation Awareness Network, linking practitioners all over Europe to share experiences and learn from each other. The network contains a growing collection of practices where initiatives against radicalisation are located and serve as a useful resource for cities. The collection of practices includes projects on the following topics:

- a. awareness raising of first line practitioners;
- b. exit strategies: de-radicalisation and disengagement;
- c. bridging gaps through dialogue;
- d. community engagement and empowerment;
- e. educating young people;
- f. supporting and empowering families;
- g. delivering counter-communication;
- h. creating an institutional infrastructure.

V. ACTION ON THE GROUND: WHAT CAN LOCAL AUTHORITIES DO?

25. As regards preventive measures, there exists a mosaic of interventions to tackle radicalisation that are available to local authorities, some of which are presented below. It is important for cities to keep developing in this area regardless of specific legislation in this regard.

a. *Designing holistic local multi-agency strategies*: On the local level, cities need to develop a plan of action (local mapping of the situation, determining lines of action and setting up coordinating bodies) as well as allocating resources to combat radicalisation, and take concrete measures that can be followed up, also coordinating with different levels of government. Concerning coordination and developing synergy effects among participating parties, a previous recommendation from the

Congress of Local and Regional Authorities stresses that “it is essential that data, information and thinking about urban security can be pooled in a common reservoir such that knowledge is enhanced and decision-making facilitated.”⁵

b. Raising awareness among stakeholders: It is important to raise awareness among stakeholders for a local safety partnership and provide adequate training to the different actors. For instance, one such group of actors is the frontline practitioners working with individuals or groups at risk. Other groups may include prison staff, social workers, teachers, and healthcare workers. Such training would help developing their understanding of the process of radicalisation and how to respond to it.

c. Raising awareness among local authorities on existing good practice: Some local authorities may fear that they are not equipped thoroughly to deal with the situation or that radicalisation is not their priority. They need to be shown that information and knowledge is available and that many European cities have significant experience of projects fostering democratic values which can serve as a good resource in the battle against extremism.

d. Education: The important role of education should be underlined, especially regarding families and schools. It has often been said that families have a unique possibility to detect radicalisation, but in order to act on it and confront it in a productive way, families often need information and support. Education towards youth on broad topics such as tolerance, the respect of others and human rights are also important. Schools have a role to play concerning building resilience and prevention of radicalisation regardless of ideology. Young people are particularly vulnerable to discourses inciting to hate and violence since they are in a formative period, involving a struggle forming their identity. Such identity crises can be used by recruiters for extremist groups skilled in providing youths with clear, black and white answers to life’s problems. On the other hand, vulnerable though they may be, young people are also strong allies in combating manifestations of hate, as is shown by their active participation through the social media for the Council of Europe No Hate Speech campaign.

e. Communication of strategies and actions towards the general public should be well-balanced, responsible and, in general, an integrating discourse should be privileged. At the same time, communication should not be too sensitive to call a spade a spade. A fine balance is required between keeping a clear message without stigmatising specific groups.

f. Supporting exit programs for individuals willing to leave extremism, especially religious oriented extremism. Such programs can play a key role in the process and can often benefit from being run locally. Local governments can help to set up and/or allocate resources to establish such programs.

g. Civil society has an important role to play in the work against radicalisation and extremism in all its manifestations, including hate speech, anti-Semitism and islamophobia by fostering social cohesion and a sense of belonging to the society. This can be manifested in many different ways, for instance by the work of NGOs, religious communities, and on the individual level by former extremists. Concerning Islamist extremism, Muslim leaders and communities are well situated to take an active role. Some have already done so but too many have been quiet or not done enough when young people have turned to extremism. Muslim communities are a vital partner in the preventive work and cities need to establish good connections and encourage their preventive work. In the case of radical mosques, cities need to be able to put pressure and speak clearly regarding values of freedom and democracy.

h. Financing of the proposed measures: In many cases, this is determined by local authorities, who have the responsibility to decide what budget to allocate. It is important not to view preventive work as a quick fix but rather these issues need to become ordinary budget items with stable long term finance.

i. Financing and seeking local partners: Transparency in local authority dealings with ethnic or religious associations when granting them financial support is important. Local authorities should be

⁵ Recommendation 197 (2006) on urban security in Europe <https://wcd.coe.int/ViewDoc.jsp?id=983773&Site=Congress>

careful not to build alliances with the wrong partners but with credible ones and should strive for well-established routines for transparency concerning how allocated resources are spent. There may be circumstances where cities have difficulties handling the situation themselves. In these cases, it will be useful to get help from the regional or even national level.

VI. CONCLUSIONS

26. The alarming number of European foreign fighters in Syria, the terrorist attacks in Paris and Copenhagen, as well as the threat from right - wing extremism, are all warning signs that cities need better and more effective preventive work to steer people at risk away from extremism. Unlike legislation, which in most cases is an issue on the national level, the area of prevention is in general a local one and to a large extent for the cities themselves to shape and master. This is, as noted above, their area *par excellence*.

27. There are already a number of cities in Europe that have taken these warning signs seriously and have responded by working structurally to prevent radicalisation leading to violent extremism. These cities have built knowledge and structure that other cities can draw from, and tailor to their specific needs based on local dynamics. There is also excellent knowledge available, for example, through the EU's Radicalisation Awareness Network (RAN) including a collection of practices of projects available for other cities to learn, and find inspiration, from and information on urban security from the European Forum for Urban Security (EFUS).

28. Local governments will need the support and partnership from families, religious communities and other important actors in civil society in order to build local resilience and effective preventive work. For such partnerships to start and take form, local authorities will need to take the initiative in seeking credible local partners. The Congress had already highlighted this point in an earlier recommendation by: "stressing the vital role of local and regional authorities in organising a new partnership for urban security involving all the social players (population groups and citizens) and security professionals (the police and the judiciary) with a view to establishing an effective, democratic and integrated system of local policing."⁶

29. Many cities in Europe will likely be facing the problem of radicalisation and violent extremism for many years to come. When the problem is long-term, the solutions also need to be long-term. Last-minute approaches will most likely be both more costly and less effective compared to well thought-out structured preventive work.

30. Filling this role is very much up to the cities of Europe and local governments, the importance of taking on this task successfully can hardly be overestimated.

⁶ Recommendation 216 (2007) on Community policing: local and regional authorities guaranteeing a new partnership. <https://wcd.coe.int/ViewDoc.jsp?id=1123875&Site=Congress>

Appendix 5: Agenda of the 29th Session of the Congress (20-22 October 2015)

CG/2015(29)OJ1PROV

Theme for 2015: Local responses to human rights challenges – migration, discrimination, social inclusion

Link: <http://bit.ly/Agenda-29th-session>

Appendix 6: Declaration on the reception of refugees in Europe

29th SESSION

Strasbourg, 20-22 October 2015

Declaration 4 (2015)⁷

The Congress:

1. notes with concern:

a. that the Declaration of the Bureau of the Congress on the tragic drowning of refugees in the Mediterranean adopted on 31 October 2013 remains distressingly topical and that human dramas are constantly recurring and have spread to all the external borders of the European Union;

b. that, in the absence of a common migration and asylum policy, the large-scale influx of refugees is testing to the limit the solidarity between European States in terms of the fair distribution of migration flows and the resources deployed to accommodate these refugees in conditions worthy of the values promoted by the Council of Europe and the Congress of Local and Regional Authorities;

c. that alongside a tremendous upsurge of citizen solidarity, this humanitarian emergency also prompts inward-looking attitudes, violent acts of xenophobia and racist remarks, all of which are phenomena against which the Congress has campaigned for many years through its reports, its appeals to the member States of the Council of Europe and its practical action on the ground,

2. resolutely observes:

a. that the States of Europe must assume shared responsibility for accommodating the refugees on their territory in total respect for the right to asylum in force and to human dignity;

b. that Europe must play a full part in taking in the Syrian refugees, only 6% of whom are on European territory (excluding Turkey), while Turkey, Lebanon and Jordan are accommodating more than 4 million;

c. that faced with this humanitarian emergency, local and regional authorities, regardless of their geographical position in Europe, must play a key role in the arrangements for accommodating the refugees, in order to ease the pressure on the border towns and cities and those closest to the Mediterranean and Syria;

d. that this role is reflected in practical terms on the ground by the provision of public buildings converted to accommodate refugees, political and material support to associations specialising in migrant reception, facilities to help ensure access to administrative formalities, health care and education, etc.

3. expresses:

a. its deep commitment to the principle of solidarity between European states, social cohesion and harmonious co-existence in a pluricultural society;

b. its unshakable conviction that the right to asylum is a fundamental universal right which must be granted to anyone fleeing war or the threat of death;

c. its categorical rejection of any manipulation of the humanitarian crisis for political ends;

d. its strong determination to tirelessly pursue its active efforts to highlight the rich contribution made by migrants to European societies,

⁷ Adopted by the Congress on 21 October 2015, 2nd Sitting, rapporteur: Gunn Marit HELGESEN, Norway (R, EPP/CCE).

4. asks the Committee of Ministers of the Council of Europe:

a. to work together with the European Union to ensure that the question of immigration and the right to asylum are the subject of comprehensive European policies based on dignity and solidarity, designed to promote the reception and integration of migrants;

b. to ensure that local and regional authorities, working with civil society to accommodate refugees, are able to gain better access to national and European funding,

5. appeals to governments of the Council of Europe's member States to take urgent measures with a view to contributing to the political resolution of the conflicts in the Middle-East, to collectively combat international terrorism and help the people suffering there,

6. calls on all the local and regional authorities of the member States of the Council of Europe:

a. to establish a "European network of cities of solidarity" thereby responding to the European appeal launched on 3 October 2015 by the municipalities of Strasbourg, Catania and Rovereto, in order to co-ordinate more effectively their refugee reception activities and initiatives;

b. to intensify direct contacts between municipalities and regions, including from a cross-border and transnational perspective, in order to provide opportunities for the reception and integration of migrant populations and refugees;

c. to share their best practices within European networks, such as the Intercultural Cities, which have long been working on these issues, and more particularly to enable the authorities that have made the most progress in terms of reception to organise peer training sessions in accordance with an arrangement supported by the Congress.

Appendix 7: Revised Rules and Procedures of the Congress

29th SESSION (20-22 October 2015)

CG/2015(29)16FINAL
22 October 2015

Rapporteurs: Marc COOLS, Belgium (L, ILDG) and Gunn Marit HELGESEN, Norway (R, EPP/CCE)

Summary

In 2014 the Congress Bureau decided the time had come to appraise and take stock of the Congress' new way of functioning as well as the innovative political dimensions of its work and to reflect these changes in its statutory and regulatory texts. As a first step in this process the Congress revised its Charter, the statutory foundation of its work.

Following the adoption by the Committee of Ministers, on 8 July 2015, of the revised Charter the next step is revision of the Congress' Rules of Procedure; the present document contains the rapporteurs' proposals, the fruit of wide consultation with members, associations and partners.

In addition to numerous improvements of an administrative or technical nature, revisions include clarification of the provisions concerning delegates' mandates and the appointment procedure for members, as well as of the criteria for delegations and conditions of membership of chambers; greater guidance is given concerning the conduct expected of members during meetings and when undertaking Congress business; the increasing importance of the Congress' co-operation with its long-time partners such as national and European associations is also reflected by the creation of three new types of partnership status to replace the former general purpose observer status; a specific chapter on the local and regional associations who are involved in the process of appointing national delegations is also introduced and a substantially expanded rule outlines the Congress' relations with non-member States.

The updating and inclusion into the main body of the Rules and Procedures of the rules on the procedures governing the monitoring of the European Charter of Local Self-government, on the observation of local and regional elections and on the post-monitoring and post-observation dialogue reflect the fact that these modus operandi are an integral part of the methodology and procedure of the Congress as a whole.

RESOLUTION 395 (2015)

1. After four years of continuously refining and revising its working methods and approach, in 2014 the Bureau decided the time had come to appraise and take stock of the Congress' new way of functioning as well as the innovative political dimensions of its work.
2. The Bureau therefore tasked two rapporteurs with revising the Congress' two key administrative texts, the Charter and Rules of Procedure, to ensure that they accurately and clearly described the current procedure and practice within the Congress as well as the considerable evolution of its work in the field.
3. The rapporteurs were also asked to draw a clearer separation of content and scope between the texts, with the Charter outlining the Congress' fundamental principles and functioning and the Rules of Procedure detailing the substance and procedure.
4. The Charter, being the hierarchically superior text was revised first and, having been adopted by the Congress, in the form of an appendix to Recommendation 367(2014), at its 27th Session in October 2014, was sent to the Committee of Ministers for examination.

5. On 8 July 2015 the Committee of Ministers adopted the Statutory Resolution and the appended revised Charter appended to Statutory Resolution CM/Res(2015)9⁸ relating to the Congress of Local and Regional Authorities of the Council of Europe.

6. In anticipation of the Committee of Ministers' adoption of the Charter, and in order to move forward, the rapporteurs prepared a revision of the Rules of Procedure. The proposed changes in the Charter and their repercussions on the Rules had already been provisionally incorporated, together with changes independent of the Charter, into a draft that was sent out for wide consultation with members, associations and partners.

7. The resulting draft revised Rules are appended to this resolution.

8. The Congress therefore adopts the "Rules and Procedures" of the Congress, as appended, which replace the Rules of Procedure of the Congress and its chambers that were adopted on 20 March 2012 (Resolution 337(2012)) and which enter into effect immediately after the 29th Session. However the provisions relating to nomination of delegates will come into force on 1 June 2016.

EXTRACT – RULES 73 - 88

CHAPTER XVII – ORGANISATION OF THE MONITORING PROCEDURES OF THE CONGRESS

Rule 73 – General provisions

1. Pursuant to Resolution 307 (2010)REV2, the purpose of the rules under this chapter are to define the arrangements for organising procedures for monitoring the commitments of Council of Europe member States which have signed and ratified the European Charter of Local Self-Government ETS No. 122 with the aim of achieving the objective set forth in the aforementioned resolution.

2. This procedure applies in the same way whatever type of monitoring is being implemented, that is, systematic monitoring (monitoring the Charter in its entirety), specific monitoring (monitoring a particular aspect of the Charter) and fact-finding missions (clarification of a specific issue which may lead to infringement of a Charter provision).

3. Each year the Monitoring Committee shall submit to the Bureau of the Congress, for adoption, the programme of visits scheduled under the Charter monitoring programme.

Rule 74 – The monitoring procedure

1. The monitoring procedure shall be carried out approximately every five years in each Council of Europe member State which have signed and ratified the European Charter of Local Self-Government. It shall comprise five phases:

a. the monitoring visit;

b. the consultation procedure with the authorities encountered on the preliminary draft report;

c. examination of the draft report by the Monitoring Committee and the Congress and adoption of a recommendation by the Congress during the sessions; if the rapporteurs think it necessary, they may propose a draft resolution for adoption by the Congress;

d. transmission of the recommendation for debate to the Committee of Ministers, which may decide on its subsequent transmission to the authorities of the country concerned;

e. an invitation issued to the authorities of the country concerned to address the session of the Congress or the session of one of its chambers.

⁸ Statutory Resolution CM/Res(2015)9 relating to the Congress and the revised Charter appended thereto: adopted by the Committee of Ministers on 8 July 2015 at the 1233rd meeting of the Ministers' Deputies

2. Monitoring of the application of the Charter is based primarily on political dialogue which is consolidated as part of the post-monitoring activities and lays the groundwork for future co-operation activities.

Rule 75 – Composition of a monitoring delegation

1. A monitoring delegation shall comprise two rapporteurs, one on local democracy and one on regional democracy, one consultant, and one or more members of the Congress secretariat. The delegation is generally accompanied by interpreters to facilitate communication between speakers of the language of the country in question and the delegation, whose working language is English or French.

2. The whole procedure shall be governed by the principles of independence, impartiality and equity, starting with the appointment of the rapporteurs and the consultant, which shall be based on geographical and political criteria geared to preserving the objectivity of the delegation which will conduct the monitoring visit.

3. The rapporteurs shall be appointed from among the full or alternate members of the Monitoring Committee of the Congress who put forward their names as candidates.

4. Upon express derogation by the Chair of the Monitoring Committee, a member of the Congress who is not a member of the Monitoring Committee may be appointed rapporteur.

5. Members of the Monitoring Committee who wish to be rapporteurs on local or regional democracy in a given country must submit their application to the secretariat of the committee for the attention of the Chair.

6. The rapporteurs must be appointed in a manner that ensures a balanced representation of the political groups and the group of members not registered with a political group of the Congress.

7. Candidates for monitoring exercises may be appointed for only one monitoring exercise at a time. The criteria for the composition of the delegation are as follows:

a. The rapporteurs and the consultant must not be nationals of the country concerned by the monitoring procedure, or a bordering country or a country which has a particular relationship with the country to be monitored.

b. Members of the Monitoring Committee are ineligible as rapporteurs for a given country if they have already been rapporteurs in respect of this country during the five years preceding their candidature.

c. The two rapporteurs must also belong to different political groups (or be non-registered).

d. The delegation's working language is either French or English.

8. The Chair of the Monitoring Committee shall verify the conformity of the candidates' profile with the aforementioned criteria (see Rule 75.7), and shall appoint the rapporteurs on local democracy and on regional democracy. He shall notify the appointments to the Monitoring Committee at its next meeting.

9. The maximum duration of the rapporteurs' mandate shall be five years, dating from their appointment.

10. A rapporteur's mandate may exceptionally be extended for a maximum of six months, on the grounds of the timetable for the presentation of the monitoring report at a Congress session.

11. The delegation shall be strictly limited to the rapporteurs, the consultant and the member(s) of the secretariat, in accordance with Rule 75.7. Consequently, delegation members must not be accompanied by assistants or other persons whose participation is not explicitly provided for in this rule.

12. The secretariat shall suggest dates for the visit to the rapporteurs and the consultant in line with the Monitoring Committee's general timetable of activities, the respective commitments of the members of the monitoring delegation and the availability of the delegation's talking partners in the

country visited. If the members of the delegation agree on the dates for the visit, the Congress secretariat shall inform the country's Permanent Representation with the Council of Europe by letter from the Secretary General of the Congress. The rapporteurs and the consultant shall undertake to respect the dates established for the mission and refrain from any other commitment on these dates.

13. Monitoring of local and regional democracy cannot take place in a country while it is chairing the Committee of Ministers of the Council of Europe.. Lastly, the occurrence of a serious political crisis in a country in which a monitoring visit is scheduled may justify postponing the mission. The Monitoring Committee may propose to the Bureau of the Congress, for decision, postponing a monitoring mission, notably where there is a risk of interference between the visit and the holding of elections in the country in question.

14. Where two members of the Monitoring Committee have been appointed rapporteurs for a country by the Chair of the Committee and the consultant has agreed to provide technical assistance to the delegation, the rapporteurs and the consultant shall enter into a working relationship with the secretariat of the Monitoring Committee for the duration of the monitoring procedure.

15. The rapporteurs and the consultant must ensure proper communication with the Congress secretariat, which shall be informed in advance of any meetings or briefings organised with representatives of the authorities of the country visited or with members of the national delegation to the Congress.

Rule 76 – Working languages for the monitoring exercise

1. The working languages used for monitoring activities shall be the two official languages of the Council of Europe (French and English). Consequently, the rapporteurs and the consultant shall be chosen in such a way as to ensure that the members of the delegation can speak, communicate among themselves, and read and write in the official language pre-selected as the delegation's working language.

2. The working documents intended for monitoring activities will be available in English or in French.

Rule 77 – The monitoring visit programme

1. The Congress secretariat shall organise the visit. It shall draw up the programme with the rapporteurs in conjunction with the head and secretary of the national delegation to the Congress, the national associations of local and regional authorities where applicable, the co-ordinating bodies of federate entities and lastly, with the country's Permanent Representation to the Council of Europe.

2. Once the rapporteurs have approved the programme, the working meetings shall be planned and organised by the secretariat, which shall manage the specific logistics for the visit.

3. The visit programme must make provision for meetings with the authorities responsible for questions of local and regional democracy or for dealing with these questions, and also with the officials of the administrations concerned, notably:

- the minister(s) responsible for local and regional authorities;
- members of parliament (national and/or regional) – particularly those responsible for local or regional issues;
- local and regional elected representatives, including the Congress delegation, the mayor of the capital city and mayors of small and medium-sized municipalities;
- the president of the Constitutional Court and the national member of the European Commission for Democracy through Law (Venice Commission);
- a specialist on questions linked to the application of the Charter in the country concerned;
- associations representing local and regional authorities;

- representatives of civil society from non-governmental organisations, trade unions of the country visited, the media, etc;
- the national, regional and/or local ombudsperson.

Generally speaking, the rapporteurs can meet any individual whom they consider useful to interview for their task.

4. The consultant shall contribute to the preparation of the visit by drawing up a list of questions to be broached with the talking partners mentioned in the programme, concerning problems linked to the application of the Charter. This list shall also include the questions raised during the previous visit to the country. The consultant must also take into account any declarations made by the State when ratifying the Charter, and the current political context.

5. The list of topics which the delegation wishes to broach shall be sent, around 7 days prior to the visit, to the Permanent Representation to the Council of Europe of the State concerned as regards government interlocutors, and to the talking partners listed in the programme.

Rule 78 – Monitoring visits

Number of visits

1. The monitoring procedure shall in principle comprise one visit to the country concerned. If they consider it necessary, the rapporteurs may conduct a second visit subject to the agreement of the Monitoring Committee and after having informed the Bureau.

Running of the monitoring visit

2. The secretariat shall supply all the delegation members with all the documents relevant to the visit, namely the programme, the substantive documents, information to help prepare the questions for talking partners (prepared in co-operation with the consultant), and information to help the rapporteurs introduce the exchanges during each visit.

3. These documents are designed to prepare the rapporteurs in such a way that they possess sound knowledge of the situation of local and regional democracy in the country visited, and that their questions are as relevant as possible to the country's political and institutional context.

4. Before the first meeting scheduled on the programme, the secretariat shall organise a briefing of the delegation. This briefing shall be attended by both rapporteurs and the consultant. The briefing is vital to the proper overall running of the visit, because it provides an opportunity for clarifying specific points and apportioning speaking time between the rapporteurs, anticipating any difficulties and organising the running of each meeting listed on the programme. For example, the briefing serves to define the roles of each participant during the meetings, particularly deciding which rapporteur is to introduce the delegation, ask the first question and sum up at the end of the meeting. This meeting also helps ensure the correct pronunciation of the names of persons to be interviewed or of municipalities to which the delegation may have to refer during the exchanges of views.

5. The rapporteurs are the main talking partners for the authorities encountered, and they must introduce the delegation and ask the questions. The consultant and the members of the secretariat can also put questions to the talking partners at the invitation of the rapporteurs.

6. A short preparatory meeting is also scheduled with the interpreters before the first meeting in order to ensure that they have all the necessary information and the terminology used for the Congress's work on the Charter, and know the proper pronunciation of the names and exact titles of delegation members and talking partners.

7. After the last meeting scheduled in the programme, the secretariat shall organise a debriefing meeting with the delegation members before they split up. This working meeting is geared to establishing an initial assessment, identifying the salient points of the visit, and listing the problems noted vis-à-vis the application of the Charter, the good practices registered and the main thrust of the recommendations to be addressed to the authorities of the country visited. This meeting enables participants to take stock of the situation with an eye to the draft report, so that the consultant has all

the data necessary for preparing a preliminary draft reflecting the rapporteurs' assessment as closely as possible.

Rule 79 – Preparation of the draft report, draft recommendation and draft resolution

1. After the visit, the consultant has six weeks to send the secretariat of the Congress a written contribution for preparing the report on the situation of local and regional democracy in the country visited, to be presented by the rapporteurs. This contribution must be drawn up in French or English, in accordance with the outline report applicable to all monitoring reports, drawing on the conclusions discussed at the debriefing meeting. Furthermore, it must comply with the practical specifications set out in the contract letter drawn up by the secretariat and signed by the parties. Beyond the quality of the legal analysis, the consultant must endeavour to reflect in his or her contribution the thrusts indicated by the rapporteurs for the preparation of the report.

2. The report must also take account of the recommendations and/or resolutions previously adopted by the Congress, particularly the recommendations previously addressed to the country visited. It must also take into consideration the political context in which the monitoring visit took place and examine the situation of local and regional democracy in the light of other relevant Council of Europe texts³² ratified by the country in question.

3. After discussion with the rapporteurs and possible transmission of the text among the rapporteurs, the secretariat and the consultant, and once the rapporteurs' agreement on the preliminary draft report has been obtained, the latter shall be sent to all the talking partners encountered during the visit for comments. This consultation procedure shall include a deadline for sending all the comments received to the rapporteurs for examination. Factual errors will be corrected, and comments or proposed amendments to the rapport leaving room for interpretation or appraisal will be left to the discretion of the rapporteurs, who may decide to integrate these comments, in whole or in part, directly in the preliminary draft report, or to reject them, or else to append them to their report.

4. Under the authority of the rapporteurs and on the basis of the conclusions of the report, the text of the preliminary draft recommendation shall be drawn up by the secretariat. It shall then be submitted to the rapporteurs for final agreement.

5. The draft report and the preliminary draft recommendation are then debated by the Monitoring Committee, which shall adopt the draft report (which becomes final 15 days after the Committee meeting) and approve the preliminary draft recommendation, which shall be submitted at the Congress Session for adoption. The latter text may be amended in accordance with the formal procedure set out in Rule 34 of the Rules and procedures of the Congress and its chambers.

6. After adoption by the Congress, the Congress recommendation shall be sent to the Committee of Ministers, which may decide to transmit it to the national authorities of the monitored member State for implementation.

Rule 80 – Post-monitoring procedure

The rules described above (Chapter XVII) shall apply *mutatis mutandis* to the post-monitoring procedure that can be implemented at the joint request of the Congress and the authorities of a member State which has been the subject of a recommendation on local and/or regional democracy.

Rule 81 – Adoption and follow-up of recommendations

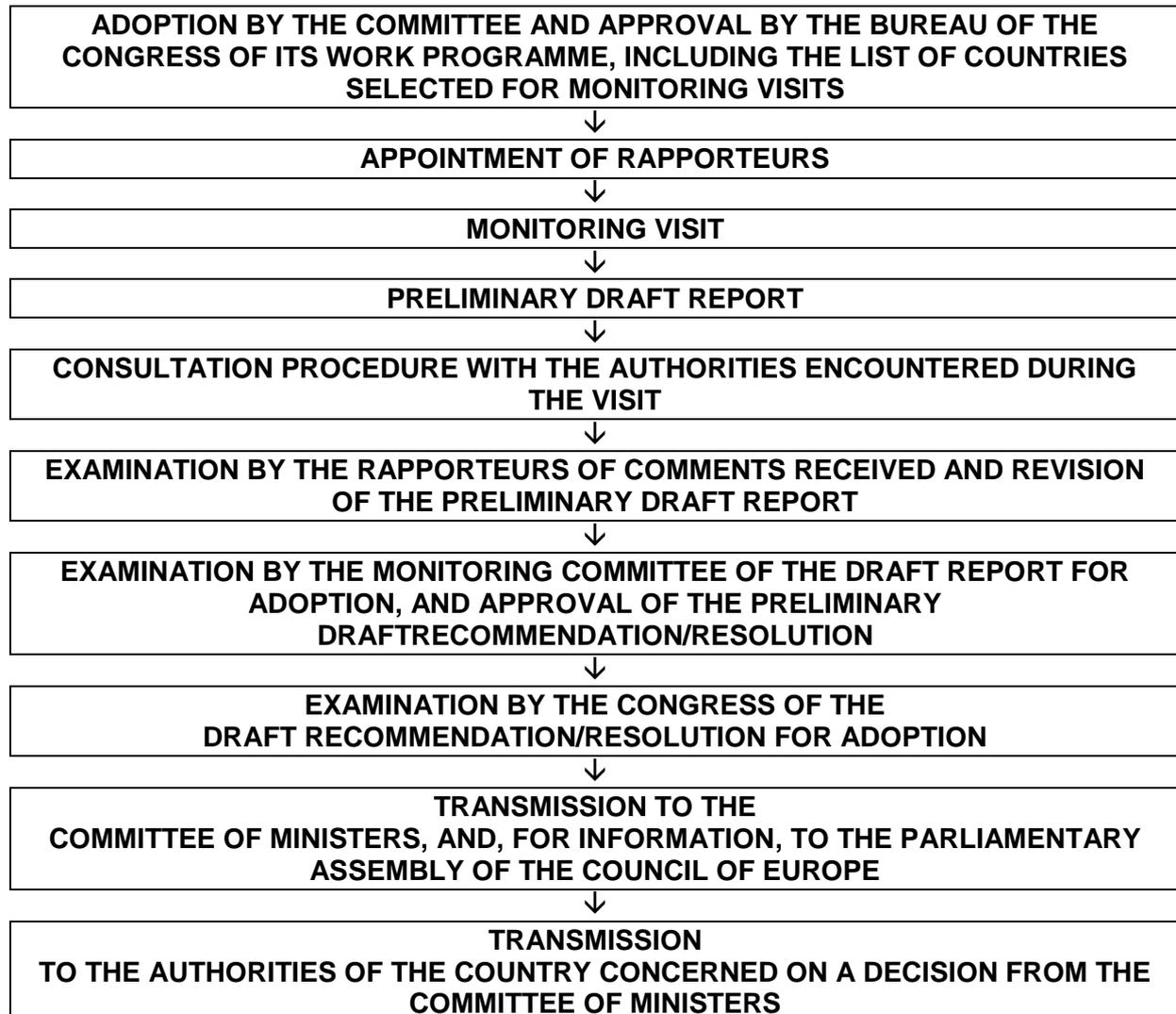
1. In pursuance of Rule 55, the preliminary draft recommendation and, where applicable, resolution, shall be submitted to the Monitoring Committee for examination and adoption.

2. The draft report, recommendation and, where applicable, resolution, shall be presented by the rapporteurs and considered by the Congress with a view to their adoption during its session or a chamber sitting.

3. In pursuance of Article 2, paragraph 5, of the Statutory Resolution (CM/Res(2015)9⁹ of the Committee of Ministers, the recommendation shall be transmitted to the Committee of Ministers for debate. It may decide to transmit it to the authorities of the State in question and to the Parliamentary Assembly.

4. The implementation of the recommendation shall be monitored by the member States concerned and by the Congress, as well as by the Council of Europe intergovernmental bodies responsible for local and regional democracy as part of the continuous dialogue established with the authorities during the visit.

Flow chart for monitoring procedures



⁹ Statutory Resolution CM/Res(2015)9 relating to the Congress and the revised Charter appended thereto: adopted by the Committee of Ministers on 8 July 2015 at the 1233rd meeting of the Ministers' Deputies

CHAPTER XVIII – PRACTICAL ORGANISATION OF ELECTION OBSERVATION MISSIONS³⁴**Rule 82 – General provisions**

1. Following an invitation by the authorities of a country to observe local and/or regional elections, the Congress Bureau decides on the acceptance of the invitation and on the scale of the operation (electoral assessment mission¹⁰, pre-election mission, observation mission). The Congress is free to emphasise the different steps. In the absence of a Bureau meeting, the Congress President will take the necessary decision, after consultation with the presidents of the chambers.
2. The Congress may also decide not to deploy an observation mission following an invitation, if the latter arrives too late to ensure a meaningful observation process. An official invitation should be received by the Congress at the latest 60 days prior to the Election Day.
3. The Bureau of the Congress may also decide to send a letter, expressing interest in observing local or regional elections, to the authorities of the country in which such a vote is scheduled, in particular in countries where the monitoring process revealed shortcomings and/or issues of concern with regard to local and regional democracy, as well as, on the contrary, cases of innovation or good practice.
4. A draft observation programme will be drawn up by the Congress secretariat. The Permanent Representative of the country concerned, the head and the secretary of the national delegation to the Congress will be duly informed. In general, the Congress secretariat will ensure regular correspondence with all the relevant stakeholders, in particular with the head of the Council of Europe outpost, in countries where such an office does exist.
5. The Congress secretariat must ensure that high-quality information is provided to the members of the election observation delegation.

Rule 83 – Establishment and composition of delegations

1. The Congress secretariat will send a call for interest, including the application form, to the e-mail addresses of all Congress members. Secretaries and heads of national delegations will receive a copy. Any Congress members who express their interest in taking part in the mission and send back the form by a given deadline will be considered. Candidatures from members of national associations whose associations agree to cover their costs shall also be taken into consideration. In the same way as it strengthened its co-operation with national associations, the Congress may invite the European Union's Committee of the Regions to join the Congress delegation on its observation missions.
2. Based on candidatures received within the given deadline, the Secretary General of the Congress will propose a draft delegation, including the delegation's leadership, normally involving between 5 and 20 members.
3. The composition of delegations is determined according to an appointment system taking into account a balanced representation of the different political groups of the Congress, gender balance and a fair geographical representation and also taking into account the chronological order of candidacies put forward by Congress members.
4. A delegation shall comprise the Congress members determined under Rule 83.3 and one or more members of the Congress secretariat as well as a consultant in electoral matters, when appropriate. The delegation is generally accompanied by interpreters to facilitate communication between speakers of the language of the country in question and the delegation, whose working language is English and French¹¹.

¹⁰ Electoral assessment missions are observation visits of a reduced scope. Following such missions, the relevant Congress bodies (notably the Monitoring Committee) shall be provided with an information report prepared by the rapporteur. Electoral assessment missions are not followed by a Congress' recommendation and/or resolution to be adopted by the Congress plenary.

¹¹ In meetings of the delegation with strategic Congress partners in the field, notably OSCE/ODIHR (the Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe), the working language is English.

5. The delegation shall be strictly limited to the aforementioned participants and delegation members must not be accompanied by assistants or other persons whose participation is not explicitly provided for in Rule 83.4.

6. In order to ensure a meaningful participation in the work of the mission, the candidate's language skills (in at least one of the official languages of the Council of Europe) will be taken into consideration. In addition, experience in election observation and participation in training sessions are amongst the criteria.

7. Adequate language skills (in at least one of the two official languages of the Council of Europe), conversation techniques and capacities in political dialogue, as well as experience in election observation and monitoring activities and participation in training sessions of the Congress, are criteria for the appointment of the head of delegation.

8. Observation delegations should not include Congress members from the country in which the elections are going to be monitored and from countries with special relations with the respective country.

9. Members taking part in a pre-election visit are expected to also be available for the election observation mission itself.

10. The rapporteurs of the Monitoring Committee for the country where elections are monitored shall be ex officio members of the election observation delegation, but shall not have the right to act as head/rapporteur of the election observation delegation.

11. On the basis of the proposal provided by the Congress Secretary General, the Bureau will decide on the membership of the delegation, including the head of delegation and rapporteur (both functions can be carried out by the same person), in accordance with the aforementioned principles. In the absence of a Bureau meeting, the President of the Congress, in consultation with the presidents of the chambers, will take the necessary decisions.

12. In order to inform the media about the preliminary conclusions of the Congress election observation delegation, a press conference – chaired by the head of the delegation – will be held the day following the Election Day. Members of a Congress election observation delegation are expected to be present at this press conference.

13. If the Congress is not the only international institution to observe local or regional elections in the respective country, an IEOM (international election observation mission) may be formed together with such institutions, notably with the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR). This implies – according to standard procedure – a joint press conference on the day following the Election Day and a joint preliminary statement. However, if, after an election, a joint final assessment cannot be agreed on by the IEOM, the Congress reserves itself the right to hold – if necessary – its own press conference, making public its own assessment.

14. If a joint IEOM is formed together with other international organisations, all related activities (press conferences, drafting of media releases or political statements) have to be carried out in compliance with Congress requirements (the corporate identity of the Congress mission has to be retained, the specific role and profile of Congress observers should be highlighted, the scale of Congress operations must not be reduced and political messages by the Congress must not be distorted).

15. The report will be drawn up by the rapporteur with the assistance of the Congress secretariat and the consultant in electoral matters, when appropriate. It should reflect the opinion of the members of the entire delegation. The report must be comprehensive, noting positive and negative factors, distinguishing between significant and insignificant factors. It should identify patterns that could have an impact on the integrity of the election process and on the authenticity of the vote.

16. The report must also take account of resolutions/recommendations previously adopted by the Congress, including those arising from the monitoring of the country concerned, as well as relevant opinions and recommendations from other Council of Europe bodies and international organisations and institutions.

CHAPTER XIX – IMPLEMENTATION OF THE POST- MONITORING/POST-ELECTORAL POLITICAL DIALOGUE³⁷**Rule 84 – General provisions**

Pursuant to Resolution 353 (2013)REV, the purpose of the present rules is to define the arrangements for organising the post-monitoring and post-electoral political dialogue with all levels of government of the Council of Europe member States, with the aim of achieving the objective set forth in the aforementioned resolution, namely to pursue a political dialogue with national authorities of member States in order to implement the Congress recommendations addressed to the authorities.

Rule 85 – The post-monitoring dialogue

The post-monitoring procedure may be carried out at the joint request of the Congress and the national authorities to which the Committee of Ministers addressed a Congress recommendation on local and regional democracy. Following this request, the procedure shall comprise five phases:

- a. an exchange of views with the Permanent Representative to the Council of Europe of the country concerned;
- b. a political exchange with national authorities and other relevant stakeholders in order to identify the priorities laid down in the adopted recommendation;
- c. the development of a roadmap by the Congress delegation, in co-operation with national authorities, in order to determine the main steps necessary to implement the recommendations;
- d. a political dialogue with the national authorities in order to agree on the roadmap;
- e. the roadmap will be the basis for developing, if appropriate, an action plan or co-operation programme in association with the other relevant departments of the Council of Europe.

Rule 86 – Composition of the delegation for post-monitoring dialogue

The delegation may comprise the monitoring rapporteurs, the Chair of the Monitoring Committee or, in the case of non-availability of the above-mentioned persons, any Congress member who has a particular knowledge of the given country. In the latter case, the criteria provided by Rule 75 shall apply.

Rule 87 – The post-electoral dialogue

A post-electoral dialogue may be put into place at the joint request of the Congress and the national authorities to which the Committee of Ministers addressed a Congress recommendation on observation of local/ regional elections as well as of central election commissions and/or other national authorities in charge of electoral management and/or representatives of political forces and/or national associations of local and regional authorities. The Permanent Representative of the country concerned, the head and the secretary of the national delegation to the Congress will be duly informed of the post-electoral dialogue process. It comprises the following steps:

- a. a presentation of the Congress' recommendation to the relevant national authorities, notably central election commissions and/or other national authorities in charge of electoral management;
- b. an exchange of views with the relevant national authorities, notably central election commissions and/or other national authorities in charge of electoral management, as well as other competent stakeholders;
- c. the drawing-up of an implementation timetable by the Congress delegation in co-operation with the relevant national authorities, notably central election commissions and/or other relevant authorities in charge of electoral management, as well as other competent stakeholders, in order to put the recommendations agreed on as priorities into practice;
- d. on the basis of this implementation timetable, if appropriate, an action plan or co-operation programme will be developed in association with other relevant departments of the Council of Europe.

Rule 88 – The composition of the post-electoral delegation

The delegation may comprise the head of delegation/rapporteur – or in case of non-availability of the above-mentioned person(s) – any member of the Congress election observation mission as well as the rapporteur of the Monitoring Committee in charge of the respective country. If appropriate, the post-electoral delegation will be accompanied by a Congress' Thematic Spokesperson on observation of local and regional elections and/or a consultant in electoral matters.

Appendix 8: Final Declaration “Towards an alliance of European cities against violent extremism”

Aarhus (Denmark), 18 November 2015 – Conference of Local Authorities on the Prevention of Radicalisation Leading to Violent Extremism

Final Declaration

We, mayors and representatives of cities and regions from 22 European countries meeting in Aarhus, Denmark, at the initiative of the Congress of Local and Regional Authorities of the Council of Europe, the European Forum for Urban Security and the cities of Rotterdam and Aarhus,

Shocked by the monstrous attacks that took place in Paris on Friday, 13 November 2015, which have come in the wake of numerous terrorist acts all over Europe and beyond,

Aware of the serious threats posed by radicalisation leading to violent extremism to our societies and to their proper democratic functioning with full respect of human rights,

Convinced that the fight against these threats must be conducted at all levels of government be they European, national, regional or local:

- emphasise that local authorities have a key role to play, through their huge network of millions of local elected representatives;
- stress that this unique network of elected representatives can contribute, through its members' knowledge of their area and population, to an early warning system for any drift towards radicalisation;
- ask national authorities to systematically include local decision makers in the drawing up and implementation of strategies that are being developed at European and national levels;
- commit themselves to adopting integrated approaches at local level in order to ensure that all stakeholders: civil society, faith-based organizations, social, educational, security and justice services are involved;
- endorse the proposal to launch an alliance of cities for the prevention of radicalisation leading to violent extremism;
- in this perspective, suggest to develop capacity-building activities and to underpin this network by establishing a digital platform to exchange the initiatives, experiences and resources that are already in place for the fight against radicalisation;
- decide to pursue this initiative and therefore invite local elected representatives to meet in Rotterdam in 2016 in the context of a European summit of mayors.

As part of its monitoring of local and regional democracy in Europe, the Congress maintains a regular dialogue with member states of the Council of Europe. The Committee of Ministers, which includes the 47 Foreign Ministers of these states, the Conference of Ministers responsible for local and regional authorities, as well as its Steering Committees - like the one on Local and Regional Democracy (CDLR) - are partners in this regard.

Several times a year, the President and the Secretary General of the Congress provide the representatives of the 47 member states in the Committee of Ministers with a record of its activities and hold an exchange of views.



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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

The Congress

Le Congrès

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE