

## APPENDIX 3 - Congress Human Rights Strategy

### CONGRESS HUMAN RIGHTS STRATEGY

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#### THE CONGRESS HUMAN RIGHTS STRATEGY (2023-2025)

Table of contents:

I.	INTRODUCTION.....	17
II.	MAIN GOAL OF THE HUMAN RIGHTS STRATEGY .....	19
2.1	Protect human rights at grassroots' level through strengthening local democracy.....	19
2.2	Promote subnational authorities' participation in decision-making on human rights at national level .....	20
2.3	Promote participatory democracy on human rights at local and regional level.....	21
III.	PARTNERSHIP AND SYNERGIES.....	22
IV.	METHODOLOGY (MONITORING, EVALUATION AND RESOURCES).....	23

#### I. INTRODUCTION

1. From its establishment, the Congress has actively engaged in promoting and protecting of human rights at grassroots level. This includes securing democracy and good governance at local and regional level, by monitoring the application of the European Charter of Local Self-Government (ETS No.122) and regular missions to observe local and regional elections.

2. The Congress has adopted a wide range of reports, resolutions and recommendations aimed at preventing and combatting human rights violations at local and regional level. The Congress Spokesperson on human rights has represented the Congress in international fora to bring local perspectives into human rights policy discussions. Through its co-operation activities, the Congress has been providing technical assistance to local and regional authorities on human rights in the Council of Europe member States and beyond.

3. In 2015, the Congress adopted the Graz Declaration on the implementation of human rights, which laid down the conceptual basis for the Congress Human Rights Action Plan for 2016-2017.

4. Since 2018, as a deliverable of this Action Plan, the Congress has produced a series of "Human rights handbooks for local and regional authorities" to provide a practical tool for local and regional elected representatives in the implementation of human rights.

5. In its political priorities for 2021-2026,<sup>2</sup> the Congress has placed a particular focus on awareness-raising for the respect of human rights at local level, fighting corruption, discrimination, radicalisation, exclusion, violence against women and children, and ensuring gender equality.

6. In 2022, the Congress adopted a report entitled "A fundamental right to the environment: a matter for local and regional authorities", in which it highlighted the role of local authorities in fulfilling the right to a clean, healthy, and sustainable environment. The report encouraged a green reading of the European Charter of Local Self-Government and called for drawing up an additional Protocol to the Charter that would underline

<sup>2</sup> Priorities of the Congress 2021-2026: <https://www.coe.int/en/web/congress/priorities-of-the-congress>.

the role of local authorities in the protection of human rights, in particular through participation in decision making on environmental protection issues.

7. As a result, the recognition of the role of local and regional authorities in delivering human rights has gradually grown across Europe. Today, it is widely acknowledged that grassroots authorities are key actors in fulfilling human rights within their realm of competence. Furthermore, they have proven their strong commitment to deliver on human rights in the face of the ongoing consequences of the pandemic, massive arrival of refugees, the fallout of climate change, Russia's war of aggression against Ukraine, the cost-of-living and energy crises and other current and emerging challenges.

8. Nevertheless, not all citizens across European cities and towns equally enjoy human rights. Growing social inequalities, social and economic exclusion, a widening urban-rural divide, discrimination, hate speech, hate crime persist. These issues are further compounded by corruption, disinformation and radicalisation, indicating that human rights are still not fully enjoyed by all.

9. The European Court of Human Rights has regularly ruled on violations of the European Convention on Human Rights (ETS No.5) where the respective illegal acts and/or omissions to act were committed by or on behalf of subnational authorities.

10. Therefore, there is a persistent vital need to continue improving human rights at all levels of government with the effective and sustainable contribution of grassroots authorities. This vision was recognised by the Heads of State and Government of the Council of Europe in the Declaration adopted at the Reykjavik Summit of 16 and 17 May 2023. In the declaration, the signatories renewed their commitment to the Council of Europe's values and principles and recognised the essential role of the Congress in delivering the organisation's vision.<sup>3</sup>

11. The Reykjavik Declaration highlights the essential role of multilevel governance in human rights protection. It further recalls<sup>4</sup> that "national and local authorities...bear responsibility for implementing the Convention and complying with the judgments of the Court" and invites national authorities to strengthen co-operation with local and regional authorities in order to facilitate the process of executing the Court's judgments which concern them. In addition, the Declaration calls on the Congress leadership to strengthen the political dialogue with the respective national interlocutors on the implementation of judgments.

12. To put in practice the decisions taken at the Reykjavik Summit, and to counter challenges to human rights, the Congress needs a comprehensive and integrated Strategy that outlines a clear strategic vision of its future human rights activities and long-term objectives. Given the interdependence of the principles of democracy, human rights and the rule of law, and the importance of the subnational authorities' contribution to upholding the rule of law at their level, the rule of law dimension of the Congress activities will be subject of a separate document.

13. This Strategy further builds on the Congress's important acquis on human rights and streamlines its human rights efforts to further ensure democratic and values-aligned governance at grassroots level.

14. Above all, the implementation of the Strategy will allow the Congress, as the only pan-European assembly of local and regional leaders, to contribute to developing peaceful, just and inclusive communities with equal opportunities for all, where people live in mutual respect, dignity and security, where there is no place for violence and conflicts. All of this can be achieved when human rights are fully respected.

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<sup>3</sup> See the Reykjavik Declaration, "United around our values", p. 3 and p. 9.

<sup>4</sup> See Appendix IV to [the Reykjavik Declaration "United around our values"](#), "Recommitting to the Convention system as the cornerstone of the Council of Europe's protection of human rights".

15. Equally, the Strategy has been designed to contribute to the achievement of the 2030 Sustainable Development Agenda, given the link of human rights protection at local level with, inter alia, Goal 11 on making cities and human settlements inclusive, safe, resilient and sustainable, Goal 3 on good health and well-being, Goal 4 on quality education, Goal 5 on gender equality, Goal 6 on clean water and sanitation for all, Goal 8 on economic growth and decent work for all, Goal 13 on climate action, Goal 16 on peace, justice and building strong institutions at all levels.

## II. MAIN GOAL OF THE HUMAN RIGHTS STRATEGY

16. The overarching goal of the Strategy is to contribute to securing and strengthening democracy and good governance at subnational level through the effective realization and equal enjoyment of human rights by all citizens in all communities, in line with the provisions of the European Convention on Human Rights, the European Social Charter and other international human rights instruments.

17. This will be achieved by empowering and building capacity of local and regional authorities in the implementation of the existing international human rights standards, in their fields of competences, and in close co-operation with national governments, through supporting local democracy and democratic governance at grassroots' level in line with the principles of the European Charter of Local Self-Government.

18. The Congress will further strengthen the human rights dimension in all its activities with the focus on the following strategic objectives:

### 2.1 Protect human rights at grassroots' level through strengthening local democracy

19. Local democracy and good democratic governance at grassroots level cannot be secured and strengthened without due protection of human rights by subnational authorities. Although international human rights law lays the obligation for human rights protection on the States and attributes international responsibility for human rights violation to central governments, in practice many human rights are protected and fulfilled at grassroots level.

20. Grassroots authorities fulfil a variety of economic, social and cultural rights, notably when they deliver public services relating to health, housing, water and sanitation. They also implement civil and political rights, given a wide variety of competences including but not limited to the right to peaceful assembly and freedom of expression, providing access to justice, implementing non-discrimination policies and gender equality mainstreaming. Many decisions at local level, directly or indirectly, can either enforce or infringe the enjoyment of human rights, in particular when it comes to people and groups in vulnerable and marginalised situations.

21. Furthermore, with accelerated decentralisation in some countries, human rights competences of local self-government are increasing while national legislation in some states explicitly requires grassroots authorities to respect human rights. Illegal acts and failures to act committed by local authorities continue to entail the liability of Council of Europe member States for human rights violations, as ruled in various judgments of the European Court of Human Rights related to subnational government.

22. To prevent human rights violations, it is thus important to make sure that local authorities, within their competences, are fully aware of how to duly fulfil their role in delivering human rights protection as part of good democratic governance at local level.

23. The Congress should enhance its activities on human rights protection by improving democratic governance at local and regional level. This requires, inter alia, strengthening the capacities of local governments to protect and fulfil human rights, raising awareness about human rights issues and the legal framework at the local level. Efforts should also be made to ensure that sufficient resources are available for these important tasks, especially in municipalities which have been heavily affected by multiple recent crises.

24. In addition, as a preventive measure to reduce human rights violations at grassroots level, subnational authorities should be regularly made aware of the relevant judgments of the European Court of Human Rights and effective remedies.

25. More specifically, the Congress will contribute to effective implementation of human rights at grassroots by informing local authorities about their human rights obligations, encouraging them to integrate a human rights-based approach into daily activities, policies and programmes and providing relevant technical assistance in adopting measures to promote and protect human rights.

26. It is equally important to make sure that local authorities apply the same human rights standards in the digital environment given the increasing impact of AI and technological change on service delivery at local and regional level.

27. The Congress actions in this area will seek to:

- a. make sure through its monitoring mechanisms that, in line with the principles set out in the European Charter of Local Self-Government, subnational authorities are provided with a proper legal framework, competences and adequate financial resources for effective local governance, including in the field of human rights;
- b. strengthen human rights expertise and education at local level and raise awareness among locally elected representatives, their administrations and associations of their duties and responsibilities in addressing human rights issues;
- c. support and sustain sufficient institutional capacity at subnational level to ensure that human rights can be adequately protected at the subnational level;
- d. support and promote a multi-level governance approach to delivering human rights at all levels;
- e. encourage grassroots authorities to integrate a human rights-based approach into their policies and initiatives to prevent and address human rights violations. Promote the adoption of local human rights action plans, developing a local human rights agenda and the concept of "human rights city" to localize human rights;
- f. prepare regular analysis of the most frequently violated provisions of the European Convention on Human Rights at local level and provide recommendations to subnational authorities on how to prevent and redress human rights violations in close co-operation with the Council of Europe Department for the Execution of Judgments of the Court;
- g. work in close co-operation with the CoE Department for the Execution of Judgments of the Court to facilitate interaction and liaise with subnational authorities concerned by the judgments in order to contribute to their execution;
- h. give more visibility to the role of local authorities in human rights protection;
- i. contribute to the drawing up of the international register of losses and damages caused by Russia's war of aggression against Ukraine;
- j. promote human rights protection at the local level in unresolved conflict zones or territories under control of de facto authorities;
- k. promote and ensure training of local and regional elected representatives and subnational government personnel on international human rights standards;
- l. promote sharing of best practices by subnational authorities about effective implementation of human rights, including by preparing practical tools and guidelines (handbooks) and collecting and disseminating such good practices;
- m. encourage inter-municipal and inter-regional co-operation on human rights.

## **2.2 Promote subnational authorities' participation in decision-making on human rights at national level**

28. Central governments have a duty to duly inform subnational authorities of their human rights obligations stemming either from national human rights legislation and/or international human rights law. However, even though this duty to inform is important, it is not sufficient to ensure effective implementation of human rights at local level. Further practical steps are required to ensure that human rights obligations are implemented by subnational authorities in practice.

29. It should be remembered that grassroots authorities are also “rights-holders” vis-a-vis national governments as they have the right to be effectively consulted on all matters concerning them in line with the requirements of the European Charter of Local Self-Government. To ensure that local authorities are able to exercise these rights in full, they should not only receive relevant and timely information about matters concerning them, including human rights protection. They should be treated as strategic and operational partners at every stage of decision-making at national level, starting from designing national human rights strategies, actions plans and policies to translating them into practical application, ensuring proper follow-up and reporting on implementation.

30. In addition, developing the spirit of partnership and local ownership of national human rights policies is vital for successful and sustainable implementation of human rights at all levels. It helps to build a culture of human rights from the bottom-up and improve the quality of life for all people based on human rights standards and norms.

31. Furthermore, when local authorities meaningfully participate in national decision making, they can effectively alert national authorities about human rights concerns and, in this way, act as an early warning mechanism on emerging human rights needs and potential threats. As the level of government closest to the citizens, local and regional authorities possess invaluable knowledge and insight of local conditions. In addition, they benefit from both physical and cultural proximity, which allows local and regional authorities to respond more effectively to the specific needs and concerns of local population.

32. The Congress’s actions in this area will seek to:

- a. encourage national authorities to bring recommendations, resolutions, standards and best practices of implementing internationally recognized human rights to the local level;
- b. promote drawing up guiding principles for local government on human rights, taking into account various competencies at local level in human rights protection;
- c. protect and advocate direct involvement of representatives of local authorities and their associations in developing human rights legislation, national strategic frameworks and policies in line with the requirement of the European Charter of Local Self-Government on consultation;
- d. encourage national authorities to engage in a dialogue and strengthen co-operation with local and regional authorities for the purpose of monitoring domestic implementation of international human rights commitments, including through facilitating the execution of judgments of the European Court of Human Rights which concern subnational authorities, and for relevant reporting both at national and international level;
- e. promote bringing local perspectives into the further development of international legal standards related to human rights and contribute to the Reykjavik process within the Council of Europe through participation in the Reykjavik Committee on environment and human rights (to be established).

### **2.3 Promote participatory democracy on human rights at local and regional level**

33. Placing citizens and their rights at the heart of local policies and their implementation is essential to good democratic governance and achieving full realisation of human rights at the local level. Local authorities are the most directly accessible level of government and usually the most trusted one. They can identify people’s needs and respond to societal demands promptly and effectively.

34. Open and effective communication between local governments and residents on all matters, and even more so on human rights, is a glue which holds societies together. It can help to tackle many societal issues, such as anti-rights and anti-migration movements, disinformation and fake news, hate speech, sexism, discrimination and the growing social divide.

35. Local authorities can help to build a culture of human rights in their cities and communities, by raising public awareness of human rights and finding solutions based on the principles of equality, respect, gender sensitivity, inclusiveness, while empowering groups who have often been left excluded or marginalised. When local elected representatives lead by example in fulfilling citizens’ rights and become vocal advocates for human rights, they contribute to countering the negative trend of growing public distrust towards democratic institutions.

36. Therefore, grassroots authorities should be encouraged to promote human rights by disseminating reliable information on human rights and ensuring effective and meaningful participation in local public affairs for all inhabitants. This should be done in co-operation with a wide range of stakeholders, including but not limited to civil society, religious organisations, the private sector and human rights defenders. Additional efforts should be applied to reach out to women and youth as well as the poorest and most marginalized groups.

37. Additionally, member states should be encouraged to accede to the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS No. 207).

38. The Congress actions in promoting participatory democracy will seek to:

- a. encourage local authorities to involve and enhance citizens participation in decision making on human rights at local level by carrying out awareness raising campaigns, public consultations, citizens councils and other forms of participatory and deliberative democracy;
- b. promote active involvement of civil society and other actors concerned in planning human rights actions and their implementation at the local level;
- c. make sure that local authorities ensure equal access to information on human rights; promote dissemination of relevant information among citizens about their rights;
- d. promote the accession of Council of Europe member states, who have not yet done so, to the Additional Protocol to the Charter on the right to participate in the affairs of a local authority;
- e. ensure that digital technologies are used at the local level in a responsible manner, which is respectful of human rights;
- f. promote a sustainable, participatory and socially inclusive spatial planning and urban governance, based on human rights and environmental protection standards for the benefits of all inhabitants;
- g. encourage the establishment of independent complaint mechanisms at local and regional level such as local ombudspersons, based on the Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles"), to assist local authorities in complying with their human rights obligations;
- h. establish a network/platform of independent complaint mechanisms at local level.

### **III. PARTNERSHIP AND SYNERGIES**

39. The objectives set in this Strategy will be implemented in close co-operation with external partners of the Congress, both international institutions and national associations of local and regional authorities in the Council of Europe member States.

40. The Congress will seek to develop networking and facilitate co-operation and exchanges of experiences and best practices to support international efforts aimed at the promotion of human rights at local level with the EU Agency for Fundamental Rights, the European Committee of the Regions, the Office of the UN High Commissioner for Human Rights (OHCHR), OSCE/ODIHR, OECD as well as other international organisations and NGOs dealing with human rights.

41. As a voice of 130 000 local and regional authorities in Europe, the Congress will make sure that the local dimension and common position of subnational governments are duly taken into account by various international fora and platforms when human rights issues are addressed. In this respect, the networks of ombuds-institutions at the local and national level can also be valuable partners of the Congress.

42. The visibility of the Congress human rights activities will be increased through ensuring effective communication at international level.

43. Furthermore, the Congress will pay specific attention to empowering local and regional authorities' engagement in the bottom-up multilateralism on a wide range of activities related to human rights, including but not limited to localising SDGs. The Congress will extend support to locally led initiatives aimed at strengthening city diplomacy and international co-operation between cities on human rights to yield more impactful human rights protection.

44. In addition to enhancing co-operation with external partners, the implementation of this Strategy will require strengthened and more focused co-operation within the Organisation, specifically with the Council of Europe entities engaged in human rights, notably the ECtHR, the Council of Europe Commissioner for Human Rights, the Venice Commission and the Council of Europe Department for the execution of judgments of the ECtHR.

#### **IV. METHODOLOGY (MONITORING, EVALUATION AND RESOURCES)**

45. Subject to the subsequent decisions of the President and the Bureau of the Congress, concrete measures and activities aimed at implementing this Strategy will be detailed in a subsequent Human Rights Action Plan.

46. The Congress spokesperson on human rights, whose functions may eventually evolve, may be tasked with assessing the outcomes of the Strategy and the action plan in a relevant stock-taking report. This report may be prepared based on the methodology for collection and analysis of data and relevant indicators established in the 2011 Congress report "Developing indicators to raise awareness of human rights at local and regional level".

47. An outcome event may be convened to conclude the implementation of the Human Rights Action Plan, identify lessons learned during the implementation phase and prepare proposals for follow-up measures.

48. The Group of Independent Experts may be involved, when necessary, in collecting and analysing human rights data at the domestic level. In addition, the country reports on monitoring the implementation of the European Charter of Local Self-Government will continue to address human rights issues at grassroots level and feed into the Congress activities on human rights.

49. In light of the potential implications of the implementation of the Human Rights Strategy for the Congress' scope of activities, the Secretary General of the Congress may decide to explore the possibility to reinforce the resources of the secretariat dedicated to human rights promotion and protection at grassroots level. A further mobilisation of budgetary resources may be needed.