

49th SESSION

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Amendments to the Congress Rules and Procedures and the Code of Conduct of Congress members

Bureau of the Congress

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Summary

At its 65th meeting, held in Gozo, Malta, on 12 June 2025, the Bureau instructed its rapporteurs on the Congress Charter and Rules and Procedures to draw up proposed amendments to the Congress Rules and Procedures to enable the Congress to address cases of sexual and other forms of harassment effectively.

This document sets out the changes proposed to give effect to this decision. In addition, it includes a small number of additional changes intended, first, to resolve inconsistencies identified between the Congress Charter and its Rules and Procedures, which need to be addressed prior to the next renewal session in March 2026; second, to take account of a previous Bureau decision; and third, to provide expressly for the role, attributions and responsibilities of youth delegates to be regulated by an Administrative Rule, which should be adopted by the Bureau prior to the appointment of the 2026 cohort of youth delegates.

1. L: Chamber of Local Authorities/R: Chamber of Regions.
EPP/CCE: European People's Party Group in the Congress.
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
ILDG: Independent Liberal and Democratic Group.
ECR: European Conservatives and Reformists Group.
NR: Members not belonging to a political group of the Congress.

DRAFT RESOLUTION²

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:
 - a. the Charter of the Congress appended to Statutory Resolution CM/Res(2020)1 relating to the Congress;
 - b. the Rules and Procedures of the Congress;
 - c. the Bureau decisions concerning the Rules and Procedures of the Congress taken on 26 May 2021, 12 June 2025 and 12 September 2025;
 - d. the Policy on Respect and Dignity in the Council of Europe, which applies to all persons involved in Council of Europe activities.
2. The Congress adopts amendments to its Rules and Procedures and to the Code of Conduct of Congress members as set out in the Appendix to the present Resolution.

Appendix

Amendments to the Rules and Procedures of the Congress and the Code of Conduct of Congress members adopted by the Congress on ... October 2025

1. In the Rules and Procedures of the Congress:
 - a. replace the entire text of Rule 3.6 with the following text: “In the case of local and/or regional elections taking place up to four months prior to the opening of a renewal session, the five-year period foreseen in Article 5.4 of the Charter may be extended, for the outgoing delegation, for a maximum of six months after the election, with the proviso that a new delegation be nominated in time for the second session of the new mandate. In the case of local and/or regional elections taking place up to two months after the opening of a renewal session, the term of office of the outgoing delegation may be extended for a maximum of six months after the opening of the renewal session, with the same proviso.”;
 - b. in Rule 49.3, first sentence, delete the words “, on a case-by-case basis,”;
 - c. in Rule 49.3, at the end of the first sentence, insert the following sentence: “A committee may decide to exclude from a meeting, or part of a meeting, any persons it considers necessary to exclude, except the members elected to that committee.”;
 - d. insert a new Rule 49.4, as follows: “Committee members may be accompanied to committee meetings by no more than one advisor, who must not be under the authority of any national government for the purposes of this work.”;
 - e. insert a new Rule 65.4, as follows: “In exercising their duties as members of the Congress, members shall also be bound by the standards of conduct set out in the [Policy on Respect and Dignity in the Council of Europe](#). In particular, they shall refrain from engaging in any disrespectful behaviour, harassment, sexual harassment or other forms of unacceptable conduct, as defined in the aforementioned Policy, towards any other persons involved in Congress activities, including but not limited to other Congress members, delegation secretaries, experts, consultants, youth delegates and members of the Secretariat, all of whom shall also be bound by the same standards of conduct.”;
 - f. insert a new Rule 106, entitled “Youth delegates”, as follows: “The participation of youth delegates in the work of the Congress shall be governed by an Administrative Rule.”, and renumber the subsequent Rules accordingly.

² Approved by the Congress Bureau on 12 September 2025.

2. In the Code of Conduct of Congress members, insert a new paragraph 17, as follows: “Members shall be bound by the standards of conduct set out in the Policy on Respect and Dignity in the Council of Europe. In particular, they shall refrain from engaging in any disrespectful behaviour, harassment, sexual harassment or other forms of unacceptable conduct, as defined in the aforementioned Policy, towards any other persons involved in Congress activities, including but not limited to other Congress members, delegation secretaries, experts, consultants, youth delegates and members of the Secretariat.”, and renumber the subsequent paragraphs accordingly.

EXPLANATORY MEMORANDUM

1. Introduction

1. Document [CG-BUR\(2025\)65-43](#), presented to the Bureau at its meeting held in Gozo, Malta, on 12 June 2025, noted that harassment is not explicitly addressed in Chapter XIV of the Congress Rules and Procedures, which sets out the duties and obligations of Congress members together with the applicable disciplinary procedures and sanctions. Nor is it mentioned in the Code of Conduct of Congress members, set out in Appendix I to the Rules and Procedures, which all Congress members are required to sign and respect. Thus, while a variety of disciplinary sanctions are provided for in the Congress Rules and Procedures, they cannot currently be applied in cases of sexual or other forms of harassment.

2. Having examined this document, the Bureau instructed its rapporteurs on the Congress Charter and Rules and Procedures to draw up proposed amendments to the Congress Rules and Procedures to enable the Congress to address cases of sexual and other forms of harassment effectively.

3. The rapporteurs have analysed the rules in place in equivalent bodies as well as the Policy on Respect and Dignity in the Council of Europe. The present document sets out proposed amendments to the Congress Rules and Procedures in the light of this analysis.

4. It also includes a small number of additional proposed amendments to the Congress Rules and Procedures with respect to the extension of the mandates of national delegations from States where local and/or regional elections are held shortly before or after a renewal session; access to committee meetings; and the Congress youth delegates programme.

5. For ease of reading, the proposed amendments are set out below in the order in which they would appear in the Congress Rules and Procedures, together with the relevant explanatory text.

2. Local and/or regional elections held shortly before or after a renewal session

Proposal

6. Replace the entire text of Rule 3.6 of the Congress Rules and Procedures with the following text: "In the case of local and/or regional elections taking place up to four months prior to the opening of a renewal session, the five-year period foreseen in Article 5.4 of the Charter may be extended, for the outgoing delegation, for a maximum of six months after the election, with the proviso that a new delegation be nominated in time for the second session of the new mandate. In the case of local and/or regional elections taking place up to two months after the opening of a renewal session, the term of office of the outgoing delegation may be extended for a maximum of six months after the opening of the renewal session, with the same proviso."

Explanation

7. When local or regional elections are held close to the date of a Congress renewal session, it can be difficult for the State concerned to appoint a new delegation in time for the renewal session and/or to ensure that the new delegation adequately reflects political realities in the State following the elections. The Congress Charter provides flexibility in the case of elections held in the four months *prior to* a renewal session. Rule 3.6 of the Congress Rules and Procedures extends additional flexibility with respect to elections held in the two months *following* a renewal session. In both cases, the term of office of the outgoing delegation may be prolonged for a limited duration to ensure continuity of participation in Congress activities, while ensuring that the outgoing delegation does not participate in more than one session of the new five-year mandate. However, the wording of Rule 3.6 as it currently stands is inconsistent with the Congress Charter.

8. The proposed amendment of Rule 3.6 would remove the current inconsistency with the Charter, while at the same time continuing to ensure that no delegation's term of office is prolonged for more than one session of the new five-year mandate.

9. These cases are rare. However, it is important to remove the above inconsistency before the next renewal session of the Congress in March 2026.

Additional (historical) background

10. Article 5.4 of the Congress Charter provides that “Representatives and substitutes shall be appointed for a period of five years.” In accordance with Article 5.5 of the Charter, this period expires at “the opening of the session following the expiration of that period, referred to as renewal session”. In accordance with Rule 3 of the Congress Rules and Procedures, if a member resigns or dies during the five-year mandate, their seat immediately becomes vacant; in the case of members who lose the relevant elected office in their member State, delegations have up to six months to replace them before their seat automatically becomes vacant.

11. The constitution of Congress delegations involves multiple actors within each member State and generally takes some time. The simultaneous vacation of all seats in Congress delegations once every five years may therefore create practical difficulties for member States in which local or regional elections are held either just before or just after the renewal session, especially where such elections are held throughout the entire territory of the State. In particular, these States may be unable to appoint a new delegation in time for it to participate in the renewal session, or they may be forced to appoint a new delegation before the elections are held – a delegation which, depending on the overall outcome of the elections and the number of Congress members re-elected, may rapidly cease to be representative of local- and regional-level political realities in the State concerned, and remain so for the rest of the five-year mandate.

12. For this reason, a certain flexibility is allowed for under Article 5.6 of the Congress Charter, which provides that “In the case of local and/or regional elections taking place *up to four months prior* to a renewal session, the five-year mandate provided for in Article 5.4 of the Charter may be extended for a maximum of *six months after the election*” (emphasis added).³ The six-month period provided for in the Charter is the same as that provided for filling casual vacancies that may arise in delegations following elections held during the course of a five-year mandate (see paragraph 10 above). Depending on when the elections occur in the four months leading up to the renewal session, the latest date on which the new delegation may be appointed in accordance with the Charter falls within a period running from two to six months after the session.

13. In 2016, an additional rule was inserted by the Congress in the Congress Rules and Procedures, which coexisted with the above Charter provision and provided (under Rule 3.5 at the time of its adoption), that “In the case of local and/or regional elections taking place *up to two months after* a renewal session, the [...] mandate [...] may be extended, for the existing delegation, for a maximum of *four months after the session* with the proviso that a new delegation be nominated in time for the second session of the new mandate” (emphasis added).⁴ For all elections held in the two months after the renewal session, the new delegation therefore had to be appointed no more than four months after the session (i.e. as little as two months after the elections, in the case of elections held two months after the session). See below:

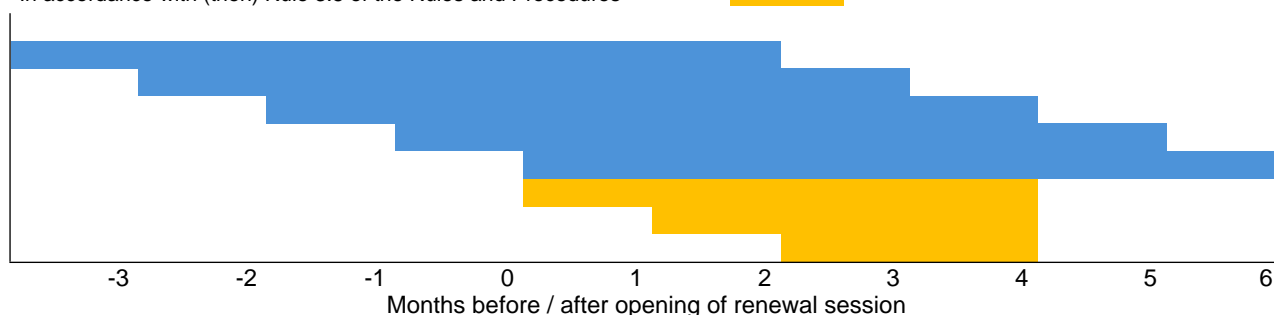
³ This text was initially contained in Article 2.6 of the Charter of the Congress appended to Statutory Resolution [CM/Res\(2015\)9](#) adopted by the Committee of Ministers at its 1233rd meeting on 8 July 2015. The duration of the mandate, which was at that time four years, was increased to five years when the Committee of Ministers adopted a new Charter of the Congress at its 1364th meeting on 15 January 2020, appended to [CM/Res\(2020\)1](#).

⁴ Resolution 409 (2016), adopted by the Congress at its 31st Session, on 21 October 2016.

POSSIBLE EXTENSION OF MANDATE OF OUTGOING DELEGATION - Situation before 2020

In accordance with Article 5.6 of the Congress Charter

In accordance with (then) Rule 3.5 of the Rules and Procedures



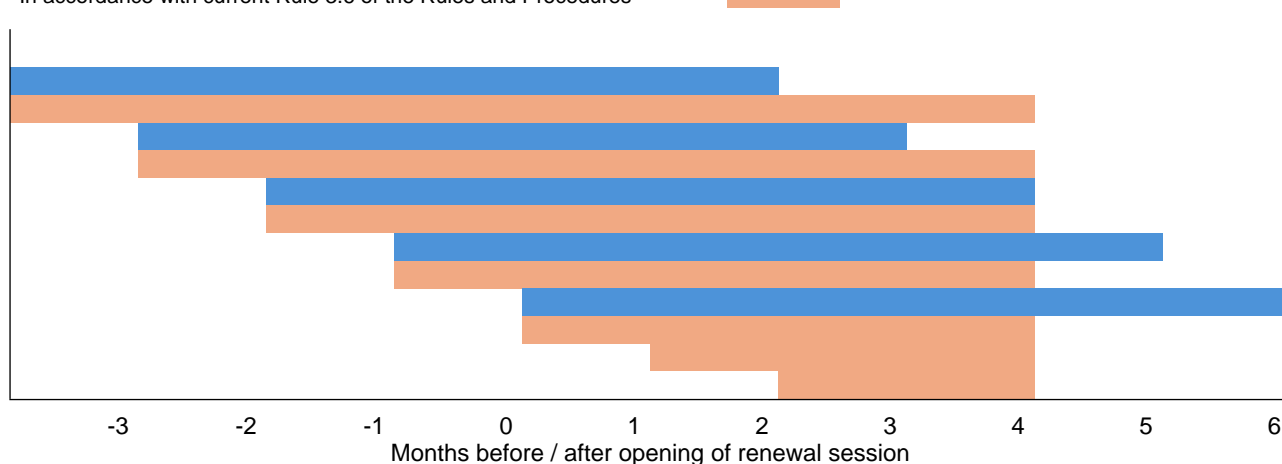
14. The Congress later decided to deal jointly with these two situations (elections held up to four months before or two months after the renewal session) in a revised Rule 3.6, reading as follows, “In the case of local and/or regional elections taking place *from four months before up to two months after a renewal session*, the five year mandate foreseen in Article 5.4 of the Charter may be extended, for the existing delegation, for a maximum of *four months after the session* with the proviso that a new delegation be nominated in time for the second session of the new mandate” (emphasis added).⁵

15. This revision created inconsistencies with the Charter for every scenario except elections occurring exactly two months before the opening of the renewal session, as can be seen below.

POSSIBLE EXTENSION OF MANDATE OF OUTGOING DELEGATION - Situation after Resolution 454 (2020)

In accordance with Article 5.6 of the Congress Charter

In accordance with current Rule 3.6 of the Rules and Procedures



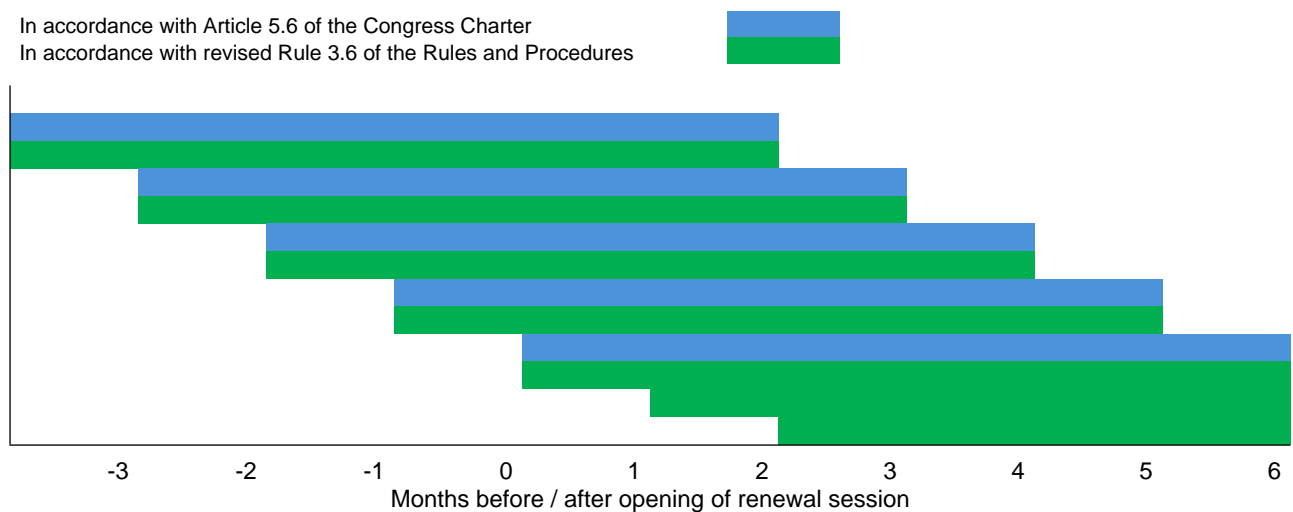
16. The proposed revision now submitted for approval by the Congress removes the inconsistencies between the Charter and the Rules and Procedures. It incorporates the provisions of the Charter into the Rules and Procedures and extends them to the case of elections held shortly after a renewal session. The possible extension of the mandate of the outgoing delegation for up to six months after the session (for elections held up to two months after the opening of the renewal session) is fully compatible with the requirement that the new delegation be proposed in time to participate in the following session, bearing in mind that the renewal session is held in March and the following session in October.

⁵ Resolution 454 (2020), adopted by the Statutory Forum on 28 September 2020.

POSSIBLE EXTENSION OF MANDATE OF OUTGOING DELEGATION - Proposed future situation

In accordance with Article 5.6 of the Congress Charter

In accordance with revised Rule 3.6 of the Rules and Procedures



3. Committee meetings

Proposal

17. In Rule 49.3, first sentence, of the Rules and Procedures of the Congress, delete the words “, on a case-by-case basis,”.

18. In Rule 49.3, at the end of the first sentence, insert the following sentence: “A committee may decide to exclude from a meeting, or part of a meeting, any persons it considers necessary to exclude, except the members elected to that committee.”.

19. Insert a new Rule 49.4, as follows: “Committee members may be accompanied to committee meetings by no more than one advisor, who must not be under the authority of any national government for the purposes of this work.”.

20. Rule 49 would thus be amended as follows (deletions shown in ~~strike through~~ and additions in **bold**):

Rule 49 – Time, frequency and nature of meetings

1. Committees meet at the convocation of their chairs, within the limits of the budgetary resources allocated by the Bureau of the Congress.

2. Committees must meet in Strasbourg or Paris. However, where it considers it appropriate to do so, the Bureau may authorise a committee to meet elsewhere.

3. Committee meetings are public, though the committees may decide, ~~on a case-by-case basis,~~ whether a meeting or part of it is to be held *in camera*. **A committee may decide to exclude from a meeting, or part of a meeting, any persons it considers necessary to exclude, except the members elected to that committee.** Committees may hold hearings which are open to all members, the public and the press.

4. **Committee members may be accompanied to committee meetings by no more than one advisor, who must not be under the authority of any national government for the purposes of this work.**

Explanation

21. At its 38th meeting held online on 26 May 2021, the Bureau decided “to hold committee meetings in camera notwithstanding the possibility of organising public hearings as required,” and noted that a draft revision of the Rules and Procedures would be proposed in due course ([CG-BUR\(2021\)38-DEC](#)). Since then, this Bureau decision has been applied by the committees.

22. When examining the rapporteurs’ proposals to transpose this decision into the Congress Rules and Procedures at its 66th meeting held in Strasbourg on 12 September 2025, the Bureau considered that it would be preferable to return to the principle of public committee meetings, while regulating more clearly the possibilities for restricting access to these meetings, bearing in mind in particular the specific role of the Monitoring Committee.

23. The proposed new Rule 49.4 transposes to committee meetings, *mutatis mutandis*, the relevant elements of the similar provision already applicable to Bureau meetings (Rule 18.7).

4. Sexual and other forms of harassment

Proposal

24. Insert a new Rule 65.4 in the Congress Rules and Procedures, as follows: “In exercising their duties as members of the Congress, members shall also be bound by the standards of conduct set out in the Policy on Respect and Dignity in the Council of Europe. In particular, they shall refrain from engaging in any disrespectful behaviour, harassment, sexual harassment or other forms of unacceptable conduct, as defined in the aforementioned Policy, towards any other persons involved in Congress activities, including but not limited to other Congress members, delegation secretaries, experts, consultants, youth delegates and members of the Secretariat, all of whom shall also be bound by the same standards of conduct.”.

25. In the Code of Conduct of Congress members, insert a new paragraph 17, as follows: “Members shall be bound by the standards of conduct set out in the Policy on Respect and Dignity in the Council of Europe. In particular, they shall refrain from engaging in any disrespectful behaviour, harassment, sexual harassment or other forms of unacceptable conduct, as defined in the aforementioned Policy, towards any other persons involved in Congress activities, including but not limited to other Congress members, delegation secretaries, experts, consultants, youth delegates and members of the Secretariat.”, and renumber the subsequent paragraphs accordingly.

Explanation

26. The [Policy on Respect and Dignity in the Council of Europe](#), available on the Council of Europe's public website, applies to Secretariat members of the Council of Europe as well as “all relevant persons”, defined as “all members of the Council of Europe’s organs, bodies, committees and working groups; all persons involved in the Council of Europe’s activities, wherever they may be held; all consultants and other contractors; and all visitors to any of the Organisation’s premises.” As members of the Council of Europe’s organs, bodies, committees and working groups and as persons involved in the Council of Europe’s activities, wherever they may be held, members of the Congress are therefore already expected to uphold the standards of conduct set out in the Policy.

27. The Policy sets out detailed definitions of disrespectful behaviour, including harassment, sexual harassment and other unacceptable conduct.

28. It would therefore not be helpful to define new (and possibly conflicting) standards of conduct for Congress members. However, it is crucial to make the existing requirements more visible to Congress members, and to ensure that disciplinary sanctions already provided for in the Congress Rules and Procedures can be applied to them should they violate the standards set out in the Policy.

29. The proposed insertion of a new Rule 65.4 in the Rules and Procedures is designed to achieve this aim. For the same reason, reference is also made here to the fact that these standards also apply to all other persons involved in the work of the Congress, including but not limited to other Congress members, delegation secretaries, experts, consultants, youth delegates and members of the

Secretariat.

30. The insertion of a reference to the Policy in the Code of Conduct for Congress members, which each member must sign in order to participate in the activities of the Congress, ensures that Congress members are aware of the standards of conduct expected of them.

31. A link to the Policy will also be made available on the Congress website.

5. Youth delegates

Proposal

32. Insert a new Rule 106, entitled “Youth delegates”, in the Congress Rules and Procedures, and which reads as follows: “The participation of youth delegates in the work of the Congress shall be governed by an Administrative Rule.”, and renumber the subsequent Rules accordingly.

Explanation

33. Since the creation of the Rejuvenating Politics initiative in 2014, the role of youth delegates in the activities of the Congress has expanded, as described in document [CG-BUR\(2024\)62-86](#), presented to the Bureau at its 62nd meeting in December 2024.

34. While youth delegates have always been fully informed in writing about their role, attributions and responsibilities, it would seem appropriate for these matters to be regulated in an Administrative Rule of the Congress (adopted by the Bureau and able to be modified by it if needed, for example to take account of further developments in the programme in future). A draft version of the Administrative Rule referred to in the text proposed above will be presented to the Bureau for adoption before the next cohort of youth delegates is appointed.