

45th SESSION

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45th SESSION

## The humanitarian situation in Karabakh and neighbouring cities and regions

### Declaration 7 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities strongly condemns the military operation carried out by Azerbaijan in Karabakh on 19-20 September 2023 and the preceding ten-month-long blockade of the region, which have led to a dire humanitarian situation, significant loss of life and the flight of over 100 000 people to neighbouring Armenia.

2. The Congress recognises the territorial integrity of Azerbaijan but expresses its deep concern over the humanitarian consequences of the situation, and welcomes the efforts of Armenian authorities to receive Karabakh Armenians who have fled the region and respond to their needs.

3. The Congress supports international efforts to respond to the crisis and welcomes in this regard the deployment of a United Nations mission at the invitation of Azerbaijan, as well as recent visits to the region by the Special Representative of the Secretary General of the Council of Europe on Migration and Refugees and by the Council of Europe Commissioner for Human Rights, and takes note of Resolution RESOL-VII/032 on the “Situation in Nagorno-Karabakh after Azerbaijan’s attack” adopted by the European Committee of the Regions of the European Union on 11 October 2023, and of Resolution 2517 (2023) and Recommendation 2260 (2023) “Humanitarian situation in Nagorno-Karabakh” adopted by the Parliamentary Assembly of the Council of Europe on 12 October 2023.

4. The Congress, therefore:

a. deplores the serious humanitarian consequences of the situation as a result of Azerbaijan’s military operation and preceding blockade of the region, and calls on the authorities of Azerbaijan to implement the interim measures indicated by the European Court of Human rights under Rule 39 of its Rules in its decision of 22 September 2023 and to refrain from any action that may lead to further deterioration of the situation and further exodus of the population;

b. joins the Parliamentary Assembly and the European Committee of the Regions in calling for the release of all representatives of Karabakh, including at local level, detained in Azerbaijan;

c. expresses its solidarity with and full support to Armenian local authorities that are at the forefront of the efforts to receive Karabakh Armenians, welcomes the assistance already provided by the national government of Armenia to local communities and calls for sustaining it in the future, and also calls on national, regional and local authorities in other European countries to support Armenia in these efforts and provide them with the necessary humanitarian assistance;

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 26 October 2023 (see document [CG\(2023\)45-21](#)), Rapporteur: Bernd Voehringer, Germany (L, EPP/CCE)

d. affirms its readiness to assist Armenian national and local authorities, including through co-operation activities on the ground, in supporting Karabakh Armenians who have fled the region and addressing the consequences of the situation, in line with the European Charter of Local Self-Government (ETS No. 122), Congress Resolution 411 (2017) and Recommendation 394 (2017) “From reception to integration: the role of local and regional authorities facing migration”; considers in this regard that special care should be taken to ensure the protection of women and girls, giving due consideration to Congress Resolution 487 (2022) and Recommendation 481 (2022) “Reception of women and children refugees in Europe’s cities and regions”;

e. notes the promises made by the authorities of Azerbaijan that the rights and freedoms of Armenian residents will be ensured and the announced plans for their reintegration, and reaffirms the responsibility of Azerbaijan to guarantee the safety of Karabakh Armenians remaining in the region and ensure the protection of their rights, in full respect of the European Convention on Human Rights (ETS No. 5) and the Framework Convention for the Protection of National Minorities (ETS No. 157), and including the right to establish local self-government institutions in conformity with the European Charter of Local Self-Government ratified by Azerbaijan in 2002, and to allow a safe return to the region of those who so wish;

f. calls on the authorities of Azerbaijan to ensure unimpeded delivery of humanitarian assistance to those remaining in the region, including through a full re-opening of the Lachin corridor;

g. decides to pay special attention to the situation of all persons, regardless of their ethnic origin, displaced as a result of Azerbaijan’s military operation on 19-20 September 2023, and those staying in the region, and to respect of their rights, including those protected by the European Charter of Local Self-Government;

h. shares the belief expressed by the Parliamentary Assembly that this long-standing conflict can only be resolved peacefully, and calls on the authorities of all levels of governance in both Armenia and Azerbaijan to demonstrate goodwill and engage in dialogue, work towards creating a climate of trust, tolerance and mutual respect, and undertake confidence-building measures as the only way to find a solution to the situation;

i. entrusts its Bureau with overseeing the Congress’s follow-up to the present declaration, including a possible visit to the region, and stands ready to assist, using all statutory, cooperation and political tools at its disposal, in concertation with other Council of Europe institutions and the relevant parties.

## 45th SESSION

## Monitoring of the application of the European Charter of Local Self-Government in Estonia

Recommendation 496 (2023)<sup>1</sup>

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

a. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;

b. Article 1, paragraph 3, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that “The Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government”;

c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;

d. the Contemporary Commentary on the explanatory report to the European Charter of Local Self-Government adopted by the Congress Statutory Forum on 7 December 2020;

e. the Congress priorities set up for 2021-2026, in particular priority 6b that concerns the quality of representative democracy and citizen participation;

f. the Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goals 11 on sustainable cities and communities and 16 on peace, justice and strong institutions;

g. the Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;

h. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;

i. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities' activities, adopted on 4 April 2019;

j. The previous Congress Recommendation on the monitoring of the European Charter of Local Self-Government in Estonia [[Recommendation 401\(2017\)](#)];

<sup>1</sup> Debated by the Chamber of Local Authorities during the 45th Session on 25 October 2023 and adopted by the Congress on 25 October 2023 (see document [CPL \(2023\)45-03](#), explanatory memorandum), rapporteurs: Harald BERGMANN, Netherlands (L, ILDG) and Sören SCHUMACHER, Germany (R, SOC/G/PD).

k. the explanatory memorandum on the monitoring of the European Charter of Local Self-Government in Estonia.

2. The Congress points out that:

a. Estonia joined the Council of Europe on 14 May 1993, signed the European Charter of Local Self-Government (ETS No. 122, hereinafter "the Charter") on 4 November 1993 and ratified it on 16 December 1994. Estonia signed the Additional Protocol to the European Charter of Local Self-Government on the rights to participate in the affairs of a local government (CETS No. 207) on 16 November 2009 and ratified it on 20 April 2011;

b. the Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (hereinafter referred to as Monitoring Committee) decided to examine the situation of local and regional democracy in Estonia in the light of the Charter. It instructed Harald Bergmann, Netherlands (L, ILDG) and Sören Schumacher, Germany (R, SOC/G/PD), with the task of preparing and submitting to the Congress a report on the implementation of the Charter in Estonia. The delegation was assisted by Dr Brid Quinn, member of the Group of Independent Experts on the European Charter of Local-Self-Government, and with the Congress Secretariat;

c. the monitoring visit took place from 18 to 20 April 2023. The Congress delegation met representatives of various institutions at all levels of government. The detailed programme of the remote monitoring is appended to the explanatory memorandum;

d. the co-rapporteurs wish to thank the Permanent Representation of Estonia to the Council of Europe and all those with whom they had exchanges during these meetings.

3. The Congress notes with satisfaction:

a. the generally positive organisational impact of the territorial administrative reform carried out in 2017 with 79 rather than the previous 213 municipalities now in operation;

b. the increasing use of technology for both administrative and democratic purposes. Estonian citizens now have more engagement opportunities and easier and more streamlined access to services and information through e-services, e-participation and e-inclusion processes which are highly developed and effectively deployed in Estonia's local government sector;

c. the expanding role and increasing recognition of the newly created Association of Estonian Cities and Municipalities (in existence since 2018) which plays a developmental role among local authorities and an important representative and advisory role at national level;

d. the creation of the Ministry of Regional Affairs and Agriculture which deals with local self-government in the country.

4. The Congress expresses its concerns on the following issues:

a. the persistence of ambiguity regarding the division of competences between local and state authorities;

b. the transfer of competences not always being accompanied by financial resources commensurate with those responsibilities;

c. the ongoing dependence of local government on state grants for implementation of their obligations and the limited possibilities for local governments to leverage own resources;

d. the insufficiency of the equalisation fund and the inadequacy of the equalisation formula;

e. the shortcomings of the consultation process, which limit the input and impact of local government actors on legislation and decisions which affect them directly.

5. In light of the foregoing, the Congress requests that the Committee of Ministers invite the authorities of Estonia to:

a. revise, in conjunction with local governments, the legislation concerning the division of tasks and functions between local and central governments;

b. allocate to local government financial resources commensurate with their responsibilities, thus enabling them to fully exercise their functions;

c. increase the possibilities for local government to generate own resources by allowing them to introduce additional local taxes;

d. increase the financial resources allocated to the equalisation fund and revise the criteria of distribution to take into account the different appropriations and potential of local governments in order to ensure the effectiveness of equalisation mechanisms in smoothing out disparities;

e. revise the existing consultation mechanisms to enable effective, timely and meaningful consultation with subnational authorities on all matters that directly concern them.

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the European Charter of Local Self-Government in Estonia and the accompanying explanatory memorandum in their activities relating to this member State.

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**45th SESSION****Local Elections in Albania (14 May 2023)**

Recommendation 497 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities refers to:

- a. Article 1, paragraph 2 of the Committee of Ministers' Statutory Resolution CM/Res (2020)1 on the Congress of Local and Regional Authorities of the Council of Europe;
- b. Chapter XIX of the Rules and Procedures on the practical organisation of election observation missions;
- c. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) ratified by Albania on 4 April 2000;
- d. previous Congress Recommendation 377 (2015) on the local elections in Albania (21 June 2015) and its explanatory memorandum and Congress Information report on partial local elections in Albania (6 March 2022);
- e. the invitation by the authorities of Albania, dated 9 January 2023, to observe local elections held in the country on 14 May 2023.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance and that observation of grassroots elections is a key element in the Congress' role as guardian of democracy at local and regional level.

3. The Congress acknowledges that, overall, the legal framework is conducive to holding democratic elections.

4. The Congress notes with satisfaction that:

- a. the amendments to the Electoral Code in 2020 addressed some previous Congress recommendations and strengthened the overall electoral legal framework, in particular on the abuse of administrative resources and campaign finance;
- b. the Central Election Commission (CEC), as reorganised by the 2020 amendments, worked in a transparent and efficient manner at the helm of a generally well-managed election administration;

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<sup>1</sup> Debated by the Chamber of Local Authorities during the 45th Session on 25 October 2023 and adopted by the Congress on 25 October 2023 (see document [CPL\(2023\)45-04](#), explanatory memorandum), rapporteur: Stewart DICKSON, United Kingdom (R, ILDG).

c. a wide range of political subjects, including those which had boycotted the 2019 elections, fully participated in these elections, were able to campaign freely and presented voters with multiple alternatives, which is reflected in a more diverse political landscape in newly elected local councils;

d. overall the election day was calm, peaceful and well-administered and counting, while lengthy, was assessed mostly positively;

e. the electronic voting system piloted in 401 polling stations on election day was overall rated positively with no major technical issues observed;

f. the requirement of a 50% quota of female candidates on lists was respected and as a result, women are well represented in local councils.

5. At the same time, the Congress expresses its concern on the following issues:

a. the overall politicisation of the lower-level election administration negatively impacted its stability and professionalism and was reflected in the delays in appointment and regular recalling of appointees by political subjects, sometimes resulting in insufficient training;

b. the still burdensome requirements for independent candidates to participate in local elections, including on support signatures, airtime in the media and public funding, contributing to an uneven playing field;

c. the campaign was litigious, marked by a lack of genuine political debates and programmes and revolved predominately around the confrontation between the leaders of main parties at the national level, with very little focus on local issues to the detriment of local democracy;

d. the overall worrying situation of the media characterised by polarisation and high concentration of ownership which contributed to self-censorship and shrinking editorial autonomy; also, the imbalance in media coverage due to the use of content pre-produced by political parties and rules for airtime significantly favouring parties represented in parliament;

e. the blurred distinction between official and campaigning activities, including at national level, and the numerous reports of misuse of public resources and of pressure on public-sector employees unduly benefitted the incumbents;

f. the late disbursement of campaign funds, the lack of a dedicated interim campaign finance report, and the relatively limited sanctions in case of violations were not conducive to a level playing field between contestants and limited transparency and accountability;

g. the election day was marked by some notable incidents and procedural issues including inter alia technical malfunctions of voter identification devices, lack of accessibility for voters with impaired mobility, gatherings outside voting centres, family and group voting, abuse of assisted voting and external interference in electoral processes;

h. the late decision by the Assembly and delayed procurement of e-voting devices did not allow sufficient time for independent scrutiny and voter education in the three pilot municipalities;

i. the registration of 1.5 million citizens de facto living abroad to vote in local elections despite the lack of a genuine link with the municipality, increasing the risk of fraud and manipulation;

j. the number of women elected mayors remained low at 13% and expected progress on the participation of women in decision-making at local level is stagnant.

6. In light of the above, the Congress invites the Albanian authorities to:

a. revise the modalities of appointment and dismissal and reinforce training of members of electoral bodies at lower levels, in order to achieve de-politicisation to ensure professionalism of the whole electoral administration;

b. overhaul the provisions related to independent candidates in local elections, including by introducing a maximum threshold for collection of signatures and revising rules for fairer distribution of airtime and public funding;

c. review existing electoral and media legislation, in particular regarding the distribution of pre-produced content (Article 84.2.d of the Electoral Code), the use of official social media accounts and distribution of airtime among electoral subjects;

d. strengthen oversight and control mechanisms with regard to political party and campaign financing including by introducing a requirement for political parties to submit an interim report on campaign finances ahead of the election day;

e. implement existing legislation and regulations related to the misuse of public resources and clarify the applicability of the Electoral Code to local elections;

f. strengthen the integrity of the voting process by reinforcing reliability and independent oversight of the use of electronic systems and consider the introduction of more dissuasive sanctions in case of electoral violations; ensure accessibility of polling stations for voters with impaired mobility;

g. revise the legal provisions on residence requirements for voter registration at local level;

h. introduce incentive measures to strengthen the participation of women in mayoral races and to contribute to a balanced representation in decision-making positions at local level.

7. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation regarding the 2023 local elections in Albania and the accompanying explanatory memorandum in their activities relating to this member State.



**45th SESSION****Local and regional media: watchdogs of democracy, guardians of community cohesion**

Recommendation 498 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities of the Council of Europe (Congress) refers to:
  - a. its 2021-2026 priority b. “Democratic societies: quality of representative democracy and citizen participation”, stating that independent media and the provision of correct information to all citizens are crucial for the quality of representative democracy;
  - b. its Recommendation 364(2014), outlining the key role of subnational media as a tool for building participatory democracy;
  - c. the explanatory memorandum on local and regional media as watchdogs of democracy and guardians of community cohesion (CG(2023)45-11fin);
  - d. the United Nations Agenda Sustainable Development Goals (SDGs), in particular SDG 16 “Peace, Justice and Strong Institutions” and its Target 16.10 “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements”;
  - e. Recommendation CM/Rec(2018)1 of the Committee of Ministers on media pluralism and transparency of media ownership, which states that media freedom and pluralism are crucial corollaries of the right to freedom of expression, as guaranteed by Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms;
  - f. Recommendation CM/Rec(2022)4 of the Committee of Ministers on promoting a favorable environment for quality journalism in the digital age and its guidelines, in particular paragraphs 1.1.5 calling on States to develop and promote a range of funding schemes and instruments, including at the local level to uphold media diversity as a basis for quality journalism, 1.3.2. on the promotion of media pluralism and diversity, 2.4.3. on local and hyperlocal media, 2.5.1. on the complementary nature of different media types, and 2.5.5. on political non-interference of local authorities in media;
  - g. Declaration of 13 February 2019 by the Committee of Ministers on the financial sustainability of quality journalism in the digital age outlining that public policy measures should be developed and strengthened to ensure that types of media serving local and rural communities have financial and legal resources and space to operate on all distribution platforms;
  - h. the Council of Europe Campaign for the Safety of Journalists, launched in October 2023 under the Council of Europe Presidency of Latvia.

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 25 October 2023 (see document [CG\(2023\)45-11](#), explanatory memorandum, co-rapporteurs Cecilia DALMAN EEK, Sweden (R, SOC/G/PD) and Mélanie LEPOULTIER, France (L, ILDG).

2. The Congress notes with concern that:

a. the decline of local and regional media and the emergence of so-called local news deserts risk undermining the crucial role that subnational media play in upholding democracy at the local and regional levels and in fostering the communities they serve;

b. rural and socio-economically disadvantaged communities are particularly likely to become local news deserts, exacerbating already existing inequalities;

c. the proximity of local and regional media to the communities they serve and to public authorities can make them particularly susceptible to pressure and political interference or even violence, undermining their independence and their role as watchdogs of local and regional democracy;

d. local and regional media are particularly vulnerable to economic downturns and have been among the hardest-hit economic sectors during the Covid-19 pandemic, which poses a risk to their financial sustainability;

e. local and regional media have limited resources to train and upskill staff and journalists, impacting their position in the digital environment and the quality of media content.

3. The Congress asks the Committee of Ministers to invite the respective national authorities of the member States of the Council of Europe to:

a. invest in comprehensive data collection and comparative research to better understand and address the challenges faced by local and regional media in their respective member State;

b. address inequalities in local news access by promoting affordable broadband access and digital literacy programmes as well as media literacy initiatives, including via schools and from an early age onwards, and taking into account the specific needs of considerations for local and regional media, in particular in disadvantaged communities;

c. consider the specific challenges faced by local and regional journalists when carrying out activities in the framework of the Council of Europe Campaign on the Safety of Journalists and include local and regional new organisations as well as local and regional authorities in their respective national chapters;

d. develop comprehensive policies and transparent support systems with direct and indirect subsidies to address challenges faced by subnational media, to promote innovation and to foster quality local and regional journalism;

e. create a level playing field and ensure that local news is visible and accessible online through policy initiatives that specifically address the power of digital platforms and their impact on local and regional media.

4. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this Recommendation and the explanatory memorandum contained in document (CG(2023)45-11) in their activities on this issue relating to Council of Europe member States.

**45th SESSION****Monitoring of the application of the European Charter of Local Self-Government in Ireland**

Recommendation 499 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:
  - a. Article 2, paragraph 1.b., of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;
  - b. Article 1, paragraph 3, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that “[t]he Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government;”
  - c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;
  - d. the Congress priorities for 2021-26, in particular priority 6b which concerns the quality of representative democracy and citizen participation;
  - e. the Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goal 11 on sustainable cities and communities and Goal 16 on peace, justice and strong institutions;
  - f. the Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;
  - g. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;
  - h. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities’ activities, adopted on 4 April 2019;
  - i. the previous Congress Recommendation on the monitoring of the European Charter of Local Self-Government in Ireland (Recommendation 342 (2013)).
  - j. the explanatory memorandum on the monitoring of the European Charter of Local Self-Government in Ireland.

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 25 October 2023 (see document [CG\(2023\)45-17](#), explanatory memorandum), rapporteurs: Vladimir PREBILIČ, Slovenia (L, SOC/G/PD) and Gunn Marit HELGESEN, Norway (R, EPP/CCE).

2. The Congress points out that:

a. Ireland joined the Council of Europe on 5 May 1949, signed the European Charter of Local Self-Government (ETS No. 122, hereinafter “the Charter”) on 7 November 1997 and ratified it on 14 May 2002, with a declaration to the effect that Ireland intends to confine the scope of the Charter to the following categories of authorities: county councils, city councils and town councils. The Charter entered into force in respect of Ireland on 1 September 2002. Ireland has not signed 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);

b. The Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (hereinafter referred to as the Monitoring Committee) decided to examine the situation of local and regional democracy in Ireland in light of the Charter. It entrusted Vladimir Prebilič, Slovenia (L, SOC/G/PD) and Gunn Marit Helgesen, Norway (R, EPP/CCE) to prepare and submit a report on the implementation of the Charter in Ireland to the Congress. The two rapporteurs were assisted by Professor Anders Lidström, member of the Group of Independent Experts on the European Charter of Local Self-Government of the Congress. This group of people will hereinafter be referred to as “the delegation”

c. The monitoring visit took place from 4 to 5 April and on 2 May 2023. The Congress delegation met representatives of various institutions at all levels of government. The detailed programme of the monitoring visit is appended to the explanatory memorandum;

d. The co-rapporteurs wish to thank the Permanent Representation of Ireland to the Council of Europe and all those with whom they had exchanges during these meetings.

3. The Congress notes with satisfaction that in Ireland:

a. additional important changes have taken place since the previous monitoring visit in 2013. Many of these were codified in the 2014 Local Government Reform Act which transformed the structure of local government, gave local councils additional responsibilities for local economic development and local community development, and established municipal districts and regional assemblies. The financial conditions for elected members have also improved;

b. local authorities are strongly connected with their citizens and provide services of good standard;

c. national authorities proclaim their commitment to further reforming the system in order to strengthen local self-government and local democracy;

d. a major reform strategy is to promote the establishment of directly elected mayors, who will have a leading role in the county and who can take over executive functions from the chief executive;

e. citizens’ participation in local public affairs is well developed through various forms of participatory democracy.

4. The Congress expresses its concerns on the following issues:

a. although new functions have been transferred to local authorities, local government is far from complying with the principle of subsidiarity which requires that public responsibilities shall generally be exercised, in preference, by those authorities closest to the citizens, and local authorities do not manage a substantial share of public affairs under their own responsibility;

b. an imbalance between the elected members and the chief executives in local authorities remains;



c. members of regional assemblies are indirectly elected and not accountable to citizens for the decisions they take in the assembly;

d. Ireland still lacks a formalised and regular process for central government consultations with local government on matters that concern them directly;

e. the local council has limited influence over the administrative structure of the local authority;

f. on the whole, administrative supervision of local government is extensive and detailed, and there are no signs that central supervision is about to be relaxed;

g. the own resources which can be used at the discretion of local government remain limited;

h. most central government grants are earmarked for specific purposes, which means that the scope for local priorities is limited.

5. In light of the foregoing, the Congress requests that the Committee of Ministers invite the authorities of Ireland to:

a. transfer additional functions to local authorities, in particular within the area of public welfare;

b. continue with reforms of the executive, both in terms of introducing directly elected mayors and with reforms that increase elected members' influence over executive matters in local authorities, and elect members of the regional assemblies directly;

c. introduce a system of formal and regular consultations between central and local government as part of efforts to build trust between different levels of government;

d. enhance local democratic control over the internal administrative structure of local government;

e. reduce administrative supervision of local government;

f. increase the amount of own resources that can be used at the discretion of local government and the share of non-earmarked grants;

g. sign and ratify the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the European Charter of Local Self-Government in Ireland and the accompanying explanatory memorandum in their activities relating to this member State.



## 45th SESSION

## Monitoring of the application of the European Charter of Local Self-Government in the Slovak Republic

Recommendation 500 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:
  - a. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that one of the aims of the Congress is “to submit proposals to the Committee of Ministers in order to promote local and regional democracy”;
  - b. Article 1, paragraph 3, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that “The Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government”;
  - c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;
  - d. the Contemporary Commentary on the explanatory report to the European Charter of Local Self-Government adopted by the Congress Statutory Forum on 7 December 2020;
  - e. the Congress priorities for 2021-2026, in particular priority 6b which concerns the quality of representative democracy and citizen participation;
  - f. the Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goals 11 on sustainable cities and communities and 16 on peace, justice and strong institutions;
  - g. the Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;
  - h. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;
  - i. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities’ activities, adopted on 4 April 2019;
  - j. the previous Congress Recommendation on the monitoring of the European Charter of Local Self-Government in the Slovak Republic (Recommendation 387(2016));

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 26 October 2023 (see document [CG\(2023\)45-18](#), explanatory memorandum), rapporteurs: Matthias GYSIN, Switzerland (L, ILDG) and Levan ZHORZHOLIANI, Georgia (R, NR).

k. the explanatory memorandum on the monitoring of the European Charter of Local Self-Government in the Slovak Republic.

2. The Congress points out that:

a. the Slovak Republic joined the Council of Europe on 30 June 1993, signed the European Charter of Local Self-Government (ETS No. 122, hereinafter "the Charter") on 23 February 1999 and ratified it on 1 February 2000. The Charter entered into force in respect of the Slovak Republic on 1 June 2000. The Slovak Republic has not signed 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);

b. The Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (hereinafter referred to as the Monitoring Committee) decided to examine the situation of local and regional democracy in the Slovak Republic in the light of the Charter. It entrusted Matthias Gysin, Switzerland (L, ILDG) and Levan Zhorzholiani, Georgia (R, NR), with the task of preparing and submitting to the Congress a report on the implementation of the Charter in the Slovak Republic;

c. The monitoring visit took place from 6-8 December 2022. The Congress delegation met the representatives of various institutions at all levels of government. The detailed programme of the monitoring visit is appended to the explanatory memorandum;

d. The co-rapporteurs wish to thank the Permanent Representation of the Slovak Republic to the Council of Europe and all those with whom they had exchanges during these meetings.

3. The Congress notes with satisfaction:

a. the synchronisation of the election and terms of office of local and regional self-government, including mayors and regional governors;

b. the launch of the Supreme Administrative Court, ongoing civil/public service reform and implementation of programmes such as "Effective Public Administration".

4. The Congress expresses its concerns on the following issues:

a. the continuing fragmentation of local government in the Slovak Republic, which results in numerous small municipalities with limited administrative capacity and financial resources. This impedes implementation of the Charter principles and reduces the potential for high-quality, standardised provision of services;

b. the ongoing problems regarding local government finance, particularly the inadequacy of local financial resources and the gap between the real cost of delegated tasks and the allocated funding with consequent high dependence on central financing;

c. the limited buoyancy of subnational finances, which hinders the capacity of local and regional authorities to carry out their functions fully and deliver all the necessary services to citizens;

d. the ineffectiveness of the current system of equalisation, which does not fully remediate the effects of the unequal distribution of potential sources of finance;

e. the malfunctioning of existing consultation processes between central, local and regional authorities and their associations, which are not held in due time and in an appropriate way on all matters of concern to subnational authorities;

f. the absence of fiscal powers at regional level;

g. the limited and inadequate training of local staff, which reduces the efficiency of delivery of public services at local level.

5. In light of the foregoing, the Congress requests that the Committee of Ministers invite the authorities of the Slovak Republic to:

a. address the municipal fragmentation by encouraging voluntary mergers and actively promoting intermunicipal co-operation, including through joint Municipal Offices, which could make the necessary expertise and facilities available to smaller municipalities on a more structured basis;

b. ensure adequate funding to local authorities so that their financial resources match the broad range of tasks they must perform and link the delegation of the tasks with commensurate resources;

c. enhance the buoyancy of subnational financial resources to strengthen the financial independence of local and regional self-government;

d. revise the current equalisation system to take cognisance of the different endowments and potential of subnational government units and ensure the effectiveness of equalisation mechanisms in smoothing out regional and inter-municipal disparities;

e. improve the implementation of existing consultation mechanisms and avoid disproportionate bypassing of the standard consultation procedures, thereby enabling effective and timely consultation with subnational authorities on all matters that directly concern them;

f. institutionalise structures which would enable subnational representatives to participate meaningfully in the creation of central financial plans for taxation and subsequent redistribution of shared taxes in order to ensure optimal allocation and maximum impact of redistributed resources;

g. enable regional fiscal autonomy so that regional authorities can raise their own funds, in line with the requirements of the Charter;

h. implement plans for training and upskilling local public employees to ensure efficient public administration at local level;

i. sign and ratify 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).

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the European Charter of Local Self-Government in the Slovak Republic and the accompanying explanatory memorandum in their activities relating to this member State.



45th SESSION

## Elections to the Council of Elders, City of Yerevan, Armenia (17 September 2023)

Recommendation 501 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities refers to:

- a. Article 1, paragraph 2 of the Committee of Ministers' Statutory Resolution CM/Res (2020)1 on the Congress of Local and Regional Authorities of the Council of Europe;
- b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) which was ratified by Armenia on 11 May 2001;
- c. Chapter XIX of the Rules and Procedures on the practical organisation of election observation missions;
- d. previous Congress reports on local elections in Armenia, including the Information report on partial local elections in Armenia (5 December 2021) and Information report on the elections to the Council of Elders of the City of Yerevan, Armenia (14 May 2017);
- e. the invitation addressed to the Congress by the Central Election Commission of Armenia (CEC), dated 25 July 2023, to observe local elections held in Yerevan on 17 September 2023.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance and that observation of grassroots elections is a key element in the Congress's role as guardian of democracy at local and regional level.

3. The Congress acknowledges that, overall, the legal framework is conducive to holding democratic elections.

4. The Congress notes with satisfaction that:

- a. the amendments to the Electoral Code in 2020 and 2021 addressed some previous Congress recommendations, strengthened the overall electoral legal framework and reinforced safeguards to eliminate the possibility of election fraud;
- b. the Central Election Commission worked in a transparent, efficient and timely manner at the helm of a generally well-managed and professional election administration, which benefited from additional and more specialised training programmes;

<sup>1</sup> Debated by the Chamber of Local Authorities during the 45th Session on 25 October 2023 and adopted by the Congress on 25 October 2023 (see document [CPL\(2023\)45-02](#), explanatory memorandum), rapporteur: Carla DEJONGHE, Belgium (R, ILDG).

c. overall the election day was calm and well-administered from opening to closing, without major incidents or anomalies, and counting was assessed positively, as shown in the wide acceptance of results by contestants;

d. the electronic voter authentication devices as well as the use of cameras for live streaming worked seamlessly throughout the day and seemed to be perceived by polling station commissioners, observers and voters alike as strong safeguards against potential violations;

e. efforts to reduce the possibility of abuse of assisted and carousel voting, including by using separate ballot papers with larger fonts and Braille covers for voters with visual impairments, seem to have been successful;

f. a wide range of political subjects ran in the elections, presenting voters with different programmes, and nearly all of them participated in the two televised debates broadcast at prime time on public television.

5. At the same time, the Congress expresses its concern about the following issues:

a. despite some notable efforts, the accessibility of polling stations for voters with disabilities remained inadequate in most the polling stations visited and resorting to mobile ballot boxes is not foreseen for local elections, despite being used during national elections;

b. the blurred distinction between official and campaigning activities in the media, including ahead of the official campaign period, and reports of misuse of public resources and participation of public-sector employees in campaign events, which unduly benefitted the candidate of the ruling party;

c. the campaign was low-key but polarised, revolving primarily around mayoral candidates, with local issues overshadowed by national security concerns and some contestants presenting programmes not in line with the responsibilities of the Yerevan Council of Elders;

d. the discrepancy in expenses between political subjects, the relatively high expense cap and the persisting legal gaps in party and campaign finances, did not allow for a level playing field;

e. the accuracy of voters list was not fully ensured as a result of the registration of citizens de facto living abroad to vote in local elections despite the lack of a genuine link with the municipality, and some anomalies observed on the lists on election day; furthermore, signed registers were published online a few days after the vote, which did not contribute to the full respect for the secrecy of the participation of voters;

f. the number of women heading candidate lists remained low at 14% and progress on the participation of women, in decision-making in Yerevan is slow despite the application of a 30% quota on lists;

g. independent candidates are prohibited from running, if they are not registered with a party or an alliance;

h. the lack of public interest in local elections, particularly among young voters, as seen in the low turnout.

6. In light of the above, the Congress invites the authorities of Armenia to:

a. further reinforce efforts to ensure accessibility to all polling stations and their surroundings in order to provide the same opportunities for all voters and standardise the deployment of mobile ballot boxes for all elections, while ensuring that their use is closely regulated;



b. implement existing legislation and regulations related to the misuse of public resources and provide for timely investigations and dissuasive sanctions in cases of violations;

c. strengthen oversight and control mechanisms with regard to political party and campaign finance, including by allocating more responsibilities to the Commission for the Prevention of Corruption, introducing provisions for the pre-campaign period and lowering the cap for expenditures;

d. undertake a review of the quality of the voters list in Yerevan, to ensure that the registers reflect the current voters residing in the capital and strongly consider alternatives to publishing the signed registers of voters;

e. provide incentives in order to strengthen the participation of women as head of candidate lists and contribute to a balanced representation in decision-making positions in Yerevan;

f. introduce legal provisions in order to allow for independent candidates to run in local proportional elections;

g. give serious consideration to the introduction of a single day of voting for local elections to facilitate and streamline the organisation of elections and raise awareness of issues of local significance.

7. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation regarding the 2023 Yerevan elections and the accompanying explanatory memorandum in their activities relating to this member State.



45th SESSION

## Verification of new members' credentials

Resolution 492 (2023)<sup>1</sup>

The Congress of Local and Regional Authorities of the Council of Europe ("the Congress"):

1. in accordance with the provisions of Article 7 of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress and with Rule 6 of the Congress Rules and Procedures of the Congress;
2. recalling that 478 of the 565 members proposed by the authorities of the member States have already signed the Code of Conduct for Congress members and submitted the Declaration of Interests in accordance with the provisions of Rule 6 of the Rules and Procedures of the Congress;
3. recalling that 47 seats are still vacant;
4. taking into account the Bureau decision and the opinion of the rapporteurs responsible for the verification of the credentials of new members, concluding that the 46 proposed national delegations comply with the criteria of the Charter of the Congress of Local and Regional Authorities of the Council of Europe;
5. approves the credentials of members of national delegations as set out in Document CG(2023)45-04 subject to the signature of the Code of Conduct and submission of the Declaration of Interests of Congress members;
6. invites those members who have not yet done so to proceed without delay to sign the Code of Conduct and the Declaration of Interests of Congress members in accordance with the provisions of Rule 6 of the Rules and Procedures of the Congress;
7. invites the authorities of the member States concerned to fill the vacant seats in accordance with the applicable provisions, as soon as possible.

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 24 October 2023 (see Document [CG\(2023\)45-02](#)), Co-rapporteurs: Xavier CADORET, France (L, SOC/G/PD) and Aleksandra MALETIC, Serbia (R,EPP/CCE).



## 45th SESSION

## Delivering on the Reykjavik summit: revised Congress priorities, working procedures and structures

Resolution 493 (2023)<sup>1 2</sup>

1. The Congress of Local and Regional Authorities represents the 130 000 local and regional communities and their elected officials in the Council of Europe's member States, ensuring their voices and concerns are reflected in the Organisation's activities aimed at promoting and defending democracy, the rule of law and human rights at all levels.
2. At the beginning of each new mandate the Congress draws up an overall framework for its future work and activities, providing a direction and defining priority areas to fulfil its core missions. This reflection is based on consultation of its members and of the national and European associations of local and regional authorities.
3. The Congress determines the main issues to be addressed and opportunities to be explored and defines the strategic orientations of its work to address the evolving problems and challenges facing local and regional authorities.
4. It also takes on board the priorities of the Secretary General and the Committee of Ministers of the Council of Europe – including the priorities of its rotating presidency – as well as that of its member States – and refers to the UN 2030 Agenda for Sustainable Development, as part of the wider Council of Europe contribution to achieving the Sustainable Development Goals.
5. When adopting its priorities for 2021-2026 in March 2021, the Congress confirmed, as its core mission, the monitoring of local and regional democracy, the observation of local and regional elections, substantial thematic contributions to address current, future but also persisting challenges and the implementation of co-operation programmes in specific member States.
6. The Congress welcomes the commitment shown in favour of local and regional democracy and the role of local and regional elected representatives in defending democracy, human rights and the rule of law within their communities by the Heads of State and Government at the 4th Summit of Heads of State and Government of the Council of Europe held in Reykjavik on 16 and 17 May 2023.
7. In order to align its priorities with the decisions of the 4th Summit, the Congress considers it necessary to adopt revised priorities for the period from October 2023 until the end of the current mandate in 2026.
8. To better respond to the challenges identified by the Summit, the Congress will strengthen its monitoring of local and regional democracy and respect of the rule of law, as an important element of an “early warning” system to signal possible “democratic erosion” in member States.

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 24 October 2023 (see Document [CG\(2023\)45-12](#)), Co-Rapporteurs: Bernd Voehringer, Germany (L, EPP/CCE) and Harald Sonderegger, Austria (R, EPP/CCE).

<sup>2</sup> Due to their size, the appendices to this resolution are not reproduced here. They are available online (see Document [Resolution 493\(2023\)](#)).

9. It will implement a new strategy for the protection of human rights at local and regional level and strengthening its contribution to the execution of judgments of the European Court of Human Rights relating to the activities of local and regional authorities.

10. It will contribute to reinforcing climate and environmental action by local and regional authorities and to strengthening the recognition of a safe environment as a fundamental right.

11. Regarding its thematic priorities, the Congress will focus on:

- a. Fostering democracy
- b. Promoting and protecting human rights
- c. Preparing and effectively responding to crises
- d. Reducing inequalities in society
- e. Taking action on environmental issues
- f. Supporting the digital revolution

12. The Congress adopts the revised priorities for 2023-2026, as appended, which will be implemented through the Congress's statutory meetings, the working programmes of its chambers and committees as well as its co-operation activities under the supervision of its Bureau.

13. In this respect and in order to better meet these objectives, the Congress adopts new terms of reference for its three committees, as appended, and renames them accordingly:

a. The Committee on the Monitoring of the Implementation of the European Charter of Local Self-Government – known as the “Monitoring Committee” – becomes the Committee on the Monitoring of the implementation of the European Charter of Local Self-Government and on the respect of Human Rights and the Rule of Law at local and regional levels (known as the “Monitoring Committee”). In particular:

- i. The committee will be the legal arm of the Congress in charge of promoting human rights and the rule of law at local and regional level and protecting local and regional democracy through the monitoring of the Charter and election observations;
- ii. The committee will monitor the situation of local and regional democracy in all member States, ensure the effective implementation of the principles of the European Charter of Local Self-Government (ETS No. 122) and its Additional Protocol on the right to participate in the affairs of a local authority (CETS No. 207) and prepare reports and recommendations following the observation of local and regional elections;
- iii. It may provide support to local and regional authorities in their efforts to implement the Court judgments and comply with the European Convention on Human Rights (ETS No. 5), including through capacity building and awareness-raising activities;
- iv. A methodology on how to best include monitoring of human rights in the framework of the regular monitoring procedure will be developed in co-operation with experts and academics;
- v. Furthermore, the committee will contribute to upholding the rule of law at the subnational level.

b. The Committee on Governance becomes the Committee on Governance, Civic Engagement and Environment (known as the “Governance Committee”). In particular:

- i. The committee will consider issues relating to governance and the functioning of local and regional authorities, such as citizen participation, especially among young people, at local and regional level as well as issues relating to the protection of the environment to counter the harmful effects of the triple planetary crisis of pollution, climate change and loss of biodiversity, considering that human rights and environment are interlinked and that a clean, healthy and sustainable environment is essential to the full enjoyment of human rights;

ii. It will also consider issues relating to culture and cultural heritage and deal with the educational, cultural and ethical challenges raised notably by diversity, seeking to identify suitable policy responses at local and regional levels.

c. The Current Affairs Committee becomes the Committee on Social Inclusion and Human Dignity (known as the “Social Inclusion Committee”). In particular:

i. The committee will consider the role of local and regional authorities in promoting social cohesion and inclusion, in combatting discrimination and violence against women and vulnerable groups, supporting youth and youth policies and in addressing societal polarisation and radicalisation with a view to safeguarding fundamental rights at subnational level and ensuring equality;

ii. It will also identify emerging challenges at subnational level with a potential impact on human rights or local and regional democracy, including but not limited to media freedom, access to information, social care, migration, human trafficking, digitalisation and the development of new technologies such as artificial intelligence;

iii. The committee’s work will also focus on topical issues, developments and emergencies, as well as crises affecting local and regional authorities in Council of Europe member States, with a view to recommending concrete responses.

14. Under the guidance of their respective chairs, who coordinate the work of the committees and provide political input, the work of each committee will focus on promoting and defending local and regional democracy, within the framework of their specific terms of reference. This work will take into account a human rights perspective that will be developed through the work of a standing rapporteur on human rights. It will be based on the values of the Council of Europe and the rights guaranteed in particular by the European Convention on Human Rights, the European Social Charter (revised) (ETS No. 163), and any other relevant Council of Europe standards. They will also support the implementation of the United Nations 2030 Agenda and its relevant Sustainable Development Goals. In accordance with their respective terms of reference, the three committees will be entitled to work on any current affairs matter.

15. The Congress adopts the Congress Human Rights Strategy, as appended. In line with this strategy, human rights will be mainstreamed and proactively addressed by all Congress bodies. The Congress Bureau will appoint a standing rapporteur on human rights, and two deputy standing rapporteurs on human rights. The standing rapporteur and the two deputies must stem from the three committees in order to facilitate the mainstreaming of human rights throughout the Congress’s work. They will work in a coordinated manner based on the new human rights strategy. In particular:

a. The current position of “spokesperson” on human rights shall be replaced by the new position of standing rapporteur (with two deputies). With the political impetus given by the Reykjavik Summit on the localisation of human rights, the creation of a new human rights portfolio is needed;

b. Unlike a spokesperson dealing with one topic, the standing rapporteur shall have a cross-cutting role when it comes to human rights. The standing rapporteur shall also report back directly to the Bureau;

c. He or she will facilitate the work on human rights in the committees, lead study visits, represent the Congress at external events related to human rights, make declarations when needed and work with other Council of Europe entities on their portfolio;

d. The standing rapporteur will become the natural figurehead on human rights and make the work of the Congress on this pillar of the Council of Europe more visible.

16. With these revised priorities, the Congress will continue to transmit the work and values of the Council of Europe as close as possible to its citizens. It will actively implement the decisions of the Summit within the framework of its competences in a complementary manner with the other bodies of the Council of Europe and in close co-operation with its institutional partners at local, regional, and European level.

17. A workplan outlining how these revised priorities are to be implemented will be produced at the beginning of 2024 after the budget negotiations and Council of Europe re-organisation have been finalised and announced.

18. The new committee structures and the posts of standing rapporteur on human rights and two deputies will be established after the adoption by the Congress of the necessary amendments to its Rules and Procedures at its 46th Session in March 2024.



## 45th SESSION

## The plight of anti-war political activists and prisoners of conscience in Russia and in the temporarily occupied territories of Ukraine

Resolution 494 (2023)<sup>1</sup>

1. Since Russia's large-scale military invasion of Ukraine on 24 February 2022, which Russians are legally obliged to call a "Special Military Operation", the prevailing systematic repression of opposition voices and of civil society has significantly escalated.
2. Legislation was passed in March 2022 criminalising the so-called "discrediting" and dissemination of "knowingly false information" about the Russian armed forces. Alexei Gorinov, municipal councillor of the Krasnoselsky District, Moscow, who had spoken against the war during a council session, was the first to be sentenced to seven years' imprisonment under this new legislation. Ilya Yashin, another municipal councillor from the same council as Alexei Gorinov, was also sentenced for "disseminating false information" to eight and a half years in prison. Councillors from other regions faced the same charges, including Oleg Nepein from Saratov region, who is currently in pre-trial detention, and Anatoly Arseev from Arkhangelsk regions who is currently under criminal prosecution. Many others have been persecuted or have left the country fearing imprisonment.
3. Further legislation has been enacted to restrict demonstrations and the activities of NGOs and civil society activists. Voicing criticism of the war and speaking out against human rights violations became "crimes" for which activists such as Vladimir Kara-Murza, sentenced to 25 years' imprisonment in April 2023, and numerous other human rights defenders, journalists, youth activists and political opponents may now be arrested, prosecuted and convicted.
4. Other critics of the war, while not arrested, have been branded as traitors, spies or foreign agents, with these labels leading in many cases to loss of employment and restrictions placed on their personal lives and those of their families.
5. Ukrainians on the territories occupied by the Russian Federation, including Crimean Tatars, the indigenous people of Ukraine, have also greatly suffered from the escalating repressions. In May 2023, a Russian court sentenced blind Crimean activist Oleksandr Sizikov to 17 years in prison. On 10 February 2023, Crimean Tatar Dzhemil Gafarov died in a Russian prison after almost four years of illegal detention in appalling conditions on fabricated charges.

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 24 October 2023 (see Document [CG\(2023\)45-19](#)).  
Rapporteur: Leendert VERBEEK, Netherlands, (R, SOC/G/PD)

6. With these coercive measures, the Russian regime has to a large extent managed to suppress internal opposition to its aggression against Ukraine. The freedom of speech and assembly are significantly limited, complicating expressions of opposition to Russia's aggression against Ukraine.

7. The Congress of Local and Regional Authorities:

a. deplores and most emphatically condemns the escalating repression by Russian authorities, due to the Russian war of aggression against Ukraine, of all those who express dissent and criticism;

b. stands in solidarity with all those who are unjustly imprisoned for expressing their opinions, with their families and all those who are currently silenced in Russia and in the temporarily occupied territories of Ukraine;

c. calls on the Russian authorities for the immediate and unconditional release of all peaceful civic and political activists and political opponents deprived of liberty in Russia and in the temporarily occupied territories of Ukraine;

d. calls on the Russian authorities for the repeal of all legislation incompatible with the right to freedom of expression;

e. calls on European cities and regions, and in particular "refugee cities", to extend their protection also to pro-democracy activists respecting the values of the Council of Europe and the territorial integrity of its member states;

f. calls for active involvement of the international community in pressuring the Russian authorities to release political prisoners and stop its war of aggression against Ukraine, fully restoring Ukraine's territorial integrity within internationally recognised borders;

g. invites European cities and regions to promote political sponsorship programmes for threatened and detained human rights defenders, thereby drawing attention and paying tribute to the commitment of human rights defenders in Russia and abroad;

h. expresses its hope that democracy can prevail in Russia, thereby bringing peace in Ukraine and safeguarding stability in Europe;

i. instructs its President to forward this resolution to the Russian authorities.

45th SESSION

## European Urban Charter III (2023): Urban living in the era of transformations

Resolution 495 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities of the Council of Europe (Congress) refers to:
  - a. the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and the case law of the European Court of Human Rights;
  - b. the European Charter of Local Self-Government (ETS No. 122) and its Additional Protocol on the right to participate in the affairs of a local authority (CETS No. 207);
  - c. the Rule of Law Checklist adopted by the Venice Commission;
  - d. the Sustainable Development Goals (SDGs) of the United Nations' 2030 Agenda for Sustainable Development.
2. The Congress:
  - a. builds on the first edition of the [European Urban Charter and the European Declaration of Urban Rights \(1992\)](#) and on the revised [European Urban Charter II – Manifesto for a new urbanity \(2008\)](#);
  - b. acknowledges that the last 15 years have seen considerable transformations in our societies;
  - c. stresses the crucial role played by local authorities in shaping contemporary urban living and the need to further implement and ensure the protection of human rights and fundamental freedoms for better and more sustainable urban governance and living together;
  - d. welcomes the contribution made by the Conference of International Non-Governmental Organisations (INGOs) of the Council of Europe to the development of the European Urban Charter III.
3. The Congress resolves to endorse the European Urban Charter III as part of its global effort to improve local governance responses to crises, to improve the quality of democratic governance for the benefit of local residents, to reduce socio-economic inequalities, to strengthen sustainable development and to promote the use of digital and artificial intelligence tools for the benefit of local communities.

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 24 October 2023 (see Document [CG\(2023\)45-20](#), explanatory memorandum), rapporteur: Anne Colgan, Ireland (L, ILDG).

4. The Congress calls on:

a. local authorities in Council of Europe member states to implement the principles set out in the European Urban Charter III through their policies and actions;

b. national and international associations of local and regional authorities as well as other relevant stakeholders at local and regional levels, to take into account the principles set out in the European Urban Charter III in their activities;

c. its statutory bodies, and in particular its committees, to take into account the present resolution in the framework of their respective activities.

45th SESSION

## Local and regional media: watchdogs of democracy, guardians of community cohesion

Resolution 496 (2023)<sup>1</sup>

1. The Congress of Local and Regional Authorities of the Council of Europe (Congress) refers to:
  - a. its 2021-2026 priority b. “Democratic societies: quality of representative democracy and citizen participation”, stating that the protection of independent media and the provision of correct information to all citizens are crucial for the quality of representative democracy;
  - b. its Resolution 374(2014), outlining the key role of subnational media as a tool for building participatory democracy;
  - c. the explanatory memorandum on local and regional media as watchdogs of democracy and guardians of community cohesion (CG(2023)45-11fin);
  - d. the United Nations Agenda Sustainable Development Goals (SDGs), in particular SDG 16 “Peace, Justice and Strong Institutions” and its Target 16.10 “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements”;
  - e. Recommendation CM/Rec(2018)1 of the Committee of Ministers on media pluralism and transparency of media ownership, which states that media freedom and pluralism are crucial corollaries of the right to freedom of expression, as guaranteed by Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms;
  - f. Recommendation CM/Rec(2022)4 of the Committee of Ministers on promoting a favourable environment for quality journalism in the digital age and its guidelines, in particular paragraphs 1.1.5 calling on States to develop and promote a range of funding schemes and instruments, including at the local level to uphold media diversity as a basis for quality journalism, 1.3.2. on the promotion of media pluralism and diversity, 2.4.3. on local and hyperlocal media, 2.5.1. on the complementary nature of different media types, and 2.5.5. on political non-interference of local authorities in media;
  - g. Declaration of 13 February 2019 by the Committee of Ministers on the financial sustainability of quality journalism in the digital age outlining that public policy measures should be developed and strengthened to ensure that types of media serving local and rural communities have financial and legal resources and space to operate on all distribution platforms;

<sup>1</sup> Debated and adopted by the Congress during the 45th Session on 25 October 2023 (see document [CG\(2023\)45-11](#), explanatory memorandum, co-rapporteurs Cecilia DALMAN EEK, Sweden (R, SOC/G/PD) and Mélanie LEPOULTIER, France (L, ILDG).

h. the Council of Europe Campaign for the Safety of Journalists, launched in October 2023 under the Council of Europe Presidency of Latvia.

2. The Congress notes with concern that:

a. the decline of local and regional media and the emergence of so-called local news deserts risk undermining the crucial role that subnational media play in upholding democracy at the local and regional levels and in fostering cohesion in the communities they serve;

b. rural and socio-economically disadvantaged communities are particularly likely to become local news deserts, exacerbating already existing inequalities;

c. the proximity of local and regional media to the communities they serve and to public authorities can make them particularly susceptible to pressure and political interference or even violence, undermining their independence and their role as watchdogs of local and regional democracy;

d. local and regional media are particularly vulnerable to economic downturns and have been among the hardest-hit economic sectors during the Covid-19 pandemic, which poses a risk to their financial sustainability;

e. local and regional media have limited resources to train and upskill staff and journalists, impacting their position in the digital environment and the quality of media content.

3. The Congress calls on local and regional authorities in member States to:

a. launch public awareness campaigns to highlight the importance of local news and the consequences of local news deserts in co-operation with community leaders, civil society, journalistic organisations and residents;

b. attract and retain talented journalists in local communities through fellowships, internships and other programmes providing opportunities, training and financial support;

c. develop a code of practice and training for elected officials and local and regional administrations regarding interactions with local media that promote transparency, openness and effective communication to protect independence and avoid political interference;

d. design and implement a support system for local and regional media that is transparent and has the public interest at its core, and encourage the establishment and development of non-profit news organisations, community media outlets and hyperlocal news initiatives that can help fill the gaps left by declining commercial media;

e. promote collaborative journalism initiatives that foster partnerships between local news outlets, community organisations, schools and academic institutions with a view to pooling resources, expertise and audience reach to ensure comprehensive local news coverage.

4. The Congress calls on national associations of local and regional authorities to support their members in the implementation of this Resolution.

5. The Congress commits to supporting the Council of Europe Campaign on the Safety of Journalists through the promotion of the safety and independence of local and regional journalists and encourages its members to join their respective member State's national chapter if possible.