

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 353 (2013)¹ Congress post-monitoring and post-observation of elections: developing political dialogue

Preamble

The Congress of Local and Regional Authorities of the Council of Europe is a unique institution in Europe with responsibility in respect of local and regional democracy, through monitoring and local election observation in member States of the Council of Europe. These statutory duties of the Congress constitute the basis of further activities including dialogue and co-operation with national governments and the intergovernmental sector, as well as technical co-operation programmes and activities.

In concrete terms, the Congress assesses the implementation of the European Charter of Local Self Government (ETS No. 122) by means of missions to member States and organises high-quality election observation missions according to recognised international standards. Both activities are based on guidelines adopted by the Congress² in order to ensure high professional standards, transparency, comparability and dialogue.

Seeking more impact and effectiveness, the Congress wishes, beyond the adoption of recommendations and resolutions, to pursue political dialogue with national authorities and other relevant national stakeholders involved in monitoring and election observation activities, in order to improve the implementation of these adopted texts.

In this perspective, the Congress adopts the following resolution on the development of political dialogue on post-monitoring/post-election observation.

Activities in the framework of political dialogue on Congress post-monitoring/post-election observation are subject to the availability of the necessary resources.

1. Referring to:

a. Congress Resolution 31 (1996) on guiding principles for the action of the Congress when preparing reports on local and regional democracy in member States and applicant States, and to Statutory Resolution Res(2011)2 of the Committee of Ministers relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto, which reiterates that the Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure, in particular, that the principles of the European Charter of Local Self-Government are implemented. The same Statutory Resolution states that the

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

b. The above-mentioned Statutory Resolution which makes clear that recommendations and opinions of the Congress shall be sent as appropriate to the Parliamentary Assembly and/or the Committee of Ministers as well as to European and international organisations and institutions. Resolutions and other adopted texts which do not entail possible action by the Assembly and/or the Committee of Ministers shall be transmitted to them for their information;

c. Congress Resolution 307 (2010)REV in which it stresses the importance for the Council of Europe to ensure that the commitments entered into by all its member States are fully honoured;

d. its Resolution 306 (2010) which underlines the importance of election observation at local and regional level and its complementarity to the political monitoring process of the European Charter of Local Self-Government which constitutes the cornerstone of local democracy in Europe. This resolution points to the specific role of local and regional elected representatives as observers of local and regional votes for the legitimacy and credibility of the electoral process at local and regional level;

e. the priorities 2012-2013 proposed by the Secretary General of the Council of Europe and supported by the Committee of Ministers,³ which stress the need to increase the coherence and effectiveness of monitoring, allowing a better integration of monitoring results into the programme of activities;

2. The Congress:

a. contributes at local and regional level to the fundamental aims of the Council of Europe to foster democracy on our continent;

b. underlines that its recommendations addressed to the Committee of Ministers following monitoring and election observation missions cannot be effective if not implemented by the authorities of the member State to which the text refers;

c. considers that its political dialogue with national authorities, in the framework of the monitoring process, should be pursued after the adoption of a recommendation, in the form of a post-monitoring dialogue, in order to discuss – together with the authorities – a roadmap to improve local and regional democracy in line with the recommendations addressed to national authorities by the Committee of Ministers;

d. discusses recommendations resulting from missions to observe local and regional elections in its Monitoring Committee, in the light of the above-mentioned complementarity between monitoring and election observation activities;

e. stands ready, at the request of national authorities, to hold political exchanges of views on the European Charter of Local Self-Government with national authorities and all stakeholders involved in the monitoring process, in order to

agree on a roadmap to implement Congress recommendations;

f. is prepared to enter, at the joint request of the Congress and the national authorities, into a post-election observation dialogue with the national authorities and all stakeholders involved in the electoral process, in order to agree on a roadmap to implement its recommendations resulting from election observation missions;

g. concurs, on the basis of the defined roadmaps, with the relevant departments of the Council of Europe in the field of co-operation activities, aiming at providing input to, if appropriate, action plans or co-operation programmes;

h. confirms its will to continue contributing to the preparation and implementation of Council of Europe co-operation activities with the member States concerned to make the whole process meaningful and effective. It offers its operational capacities, mainly financed externally, for the implementation of projects to develop and improve local and regional democracy, and also for activities supported by member States and/or other donors, especially the European Union;

i. carries out, in the framework of the objectives set up in the reform programme of the Secretary General of the Council of Europe,⁴ a regular follow-up of the implementation of its recommendations in order to ensure the effectiveness and impact of its monitoring and election observation activities.

ANNEXE

Rules governing the implementation of political dialogue in the framework of Congress post-monitoring/post-observation of elections pursuant to Resolution 353 (2013)

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

1. The post-monitoring dialogue

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

a. an exchange of views with the Permanent Representative to the Council of Europe of the country concerned;

b. a political exchange with national authorities and other relevant stakeholders in order to identify the priorities laid down in the adopted recommendation;

c. the development of a roadmap by the Congress delegation, in co-operation with national authorities, in order to

determine the main steps necessary to implement the recommendations;

d. a political dialogue with the national authorities in order to agree on a roadmap;

e. the roadmap will be the basis for developing, if appropriate, an action plan or co-operation programme in association with the other relevant departments of the Council of Europe.

1.2. Composition of the delegation

The delegation may comprise the monitoring rapporteurs, the Chair of the Monitoring Committee or, in the case of non-availability of the above-mentioned persons, any Congress member who has a particular knowledge of the given country. In the latter case, the criteria provided by Resolution 307 (2010)REV shall apply.

2. The post-election observation dialogue

2.1. The post-election observation procedure may be put into place at the joint request of the Congress and the national authorities to which the Committee of Ministers addressed a Congress recommendation on observation of local or regional elections. It comprises the following steps:

a. an exchange of views with the Permanent Representative to the Council of Europe of the country concerned;

b. a political exchange with national authorities and other relevant stakeholders in order to identify the priorities laid down in the adopted recommendation;

c. the development of a roadmap by the Congress delegation in co-operation with national authorities and other relevant stakeholders, in order to decide on major steps necessary to implement the recommendations;

d. a political dialogue with the national authorities in order to agree on a roadmap;

e. on the basis of this roadmap, if appropriate, an action plan or co-operation programme will be developed in association with other relevant departments of the Council of Europe.

2.2. Composition of the delegation

The delegation may comprise the head of delegation/rapporteur or – in case of non-availability of the above-mentioned person(s) – any member of the Congress election observation mission as well as the rapporteur of the Monitoring Committee in charge of the respective country.

1. Debated and adopted by the Congress on 20 March 2013, 2nd Sitting (see Document CG(24)7, explanatory memorandum), rapporteur: Jean-Marie Belliard, France (R, EPP/CCE).

2. Resolution 306 (2010) on observation of local and regional elections – strategy and rules of the Congress; Resolution 307 (2010) (revised) on procedures for monitoring the obligations and commitments entered into by the Council of Europe member states in respect of their ratification of the European Charter of Local Self-Government (ETS No. 122).

3. Documents CM(2011)48 (REV) and CM/Del/Dec(2011)1112/1.6).

4. Speech delivered by the Secretary General of the Council of Europe at the 1075th meeting of the Ministers' Deputies of the Council of Europe on 20 January 2010.