

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 466 (2021)¹ Ensuring respect for the European Charter of Local Self-Government in major crisis situations

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

a. the European Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5);

b. Statutory Resolution CM/Res(2020)1 relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto, adopted by the Committee of Ministers;

c. the European Charter of Local Self-Government (ETS No. 122, hereinafter “the Charter”) and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No. 207);

d. the Sustainable Development Goals (SDGs) of the United Nations 2030 Agenda for Sustainable Development, in particular goal number 11 “Sustainable cities and communities” and goal number 16 “Peace, justice and strong institutions”;

e. the Information Document of the Council of Europe Secretary General “Respecting democracy, rule of law and human rights in the framework of the Covid-19 sanitary crisis: A toolkit for member States” (2020);

f. the Venice Commission report “Respect for Democracy, Human Rights and the Rule of Law during States of Emergency” (2020);

g. Congress Resolution 455 (2020) on local and regional elections in major crisis situations;

h. Congress Resolution 467 (2021) on recurring issues based on assessments resulting from Congress monitoring of the European Charter of Local Self-Government and election observation missions (reference period 2017-2020);

i. Congress Bureau decision of 12 February 2021 on the adoption of the Monitoring Committee work plan for 2021-2022.

2. The Congress considers the Covid-19 pandemic as a major crisis situation which has put the exercise of local democracy under many more constraints and much more pressure

than in normal times. Local authorities have been on the frontline of managing this crisis. Although the pandemic effects differ across regions and municipalities, generally, it has brought about significant and diverse challenges to local authorities in Council of Europe member States, in particular in the areas of public health, delivery of social services and economic activities, while accelerating, in some cases, the pre-existing trend towards centralisation.

3. The coronavirus pandemic has also aggravated the recurring issues of the Charter’s implementation about which the Congress has repeatedly warned for a long time. The health crisis has put many local authorities in an even more difficult financial situation, compounded by a decline in their own revenue and rising public expenses. Often, the transfer of new crisis-related responsibilities to the local level has been rushed through without appropriate consultation and matching financial resources and has gone hand in hand with tighter administrative supervision. It is to be expected that the adoption of economic recovery packages across Europe will have a negative impact on the financial situation of local authorities in the medium and long term.

4. The Congress stresses that the pandemic has revealed the need for more effective multilateral co-operation and multi-level governance which should be pursued in compliance with the principles set out in the Charter. In the digitalisation and “online democracy” triggered by Covid-19 may also lie an opportunity to increase transparency and citizens’ participation in the local political process, provided that all changes in this area respect basic democratic principles of equality and inclusiveness and comply with the Additional Protocol to the Charter on the right to participate in the affairs of a local authority.

5. In light of the foregoing, the Congress underlines that the implementation of the commitments and responsibilities that Council of Europe members have undertaken pursuant to the Charter and its Additional Protocol becomes even more important in times of major crisis, such as the Covid-19 pandemic, to preserve local democracy and ensure local self-government resilience and sustainability.

6. In the light of the foregoing, the Congress:

a. encourages the Monitoring Committee to pursue its statutory mission of monitoring the implementation of the European Charter of Local Self-Government in Council of Europe member States in order to ensure a high level of sustainable local democracy in accordance with the provisions of the Charter, including in times of major crisis;

b. asks the Monitoring Committee to carry out the monitoring of the application of the Charter remotely and develop other alternative strategies to on-site monitoring as exceptional measures necessitated by the Covid-19 crisis;

c. underlines, at the same time, that carrying out monitoring activities remotely and implementing any other alternative strategies to on-site monitoring must be temporary and applied only during a time of crisis. They must not replace standard on-site monitoring procedures within the framework of the Congress’s statutory activities.

1. Debated and adopted by the Congress on 24 March 2021, 2nd sitting (see Document [CG\(2021\)40-07final](#) explanatory memorandum), co-rapporteurs: Leendert VERBEEK, Netherlands (R, SOC/G/PD) and Robert-Csongor GRŪMAN, Romania (R, EPP/CCE).