

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 444 (2020)¹ Local and regional elections in major crisis situations

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

a. the International Covenant on Civil and Political Rights of the United Nations (1966);

b. the International Covenant on Economic, Social and Cultural Rights of the United Nations (1966);

c. the *Convention for the Protection of Human Rights and Fundamental Freedoms* (ETS No. 5) (1950);

d. the 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 on 15 January 2020;

e. 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);

f. the Code of Good Practice in Electoral Matters of the European Commission for Democracy through Law (Venice Commission) (Opinion No.190/2002);

g. the information document of the Council of Europe Secretary General entitled “Respecting democracy, rule of law and human rights in the framework of the Covid-19 sanitary crisis – A toolkit for member States” (2020);

h. the Venice Commission report on “Respect for democracy, human rights and the rule of law during states of emergency – Reflections” (2020);

1. Debated and adopted by the Statutory Forum on 28 September 2020 (see Document [CG-FORUM\(2020\)01-05](#), explanatory memorandum), co-rapporteurs: Stewart DICKSON, United Kingdom (R, ILDG) and Jos WIENEN, Netherlands (L, EPP/CCE).

i. Recommendation 419 (2018) of the Congress of Local and Regional Authorities on voting rights at local level as an element of successful long-term integration of migrants and IDPs in Europe’s municipalities and regions, adopted on 6 November 2018.

2. The Congress refers to the Covid-19 pandemic as a perfect example of a crisis situation that shows the difficulties States and electoral authorities may be confronted with when deciding whether to hold or to postpone elections, at all levels of government, in the face of risks to the life, health and security of the population.

3. It acknowledges that not all electoral standards can be maintained in major crisis situations, including pandemics, natural disasters or armed conflicts.

4. It stresses that a minimum core of electoral principles have to be upheld at all times, including for elections at local and regional levels, if they are to be considered legitimate and enjoy the trust of the public in a democratic, pluralistic and accountable political environment.

5. In the light of the foregoing, the Congress requests that the Committee of Ministers invite the respective authorities of Council of Europe member States to:

a. take into account, in their decision whether to hold or postpone elections for all tiers of government during major crisis situations, existing recommendations highlighting international human rights law, international electoral standards and best practices;

b. use the ongoing Covid-19 pandemic as an opportunity to gain insight and gather experience with a view to identifying examples of best practice as regards elections to be held in exceptional circumstances in the domestic context;

c. foster, on the basis of the report ([CG-FORUM\(2020\)01-05](#)), continued co-operation between institutions of the Council of Europe dealing with electoral matters, notably the Venice Commission, the Parliamentary Assembly and the Congress itself, in order to compare and evaluate examples of best practice in the international context with regard to the organisation of elections in extraordinary circumstances, including relevant mitigating measures and alternative voting methods on election day.