

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 307 (2010)REV2¹ 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)

1. The European Charter of Local Self-Government (ETS No. 122) is the authoritative legal instrument guaranteeing respect for a minimum of rights and forming the first European platform for local self-government.

2. The Congress of Local and Regional Authorities of the Council of Europe refers to its 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.

3. It also recalls the Committee of Ministers' Statutory Resolution CM/Res(2011)2, relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto which stipulates that it is for the Congress to monitor implementation of the Charter by the countries having ratified it and states, *inter alia*, in Article 2, paragraphs 3 and 5, that:

“3. 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. (...)”

5. 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”

4. The Congress monitoring procedure is a crucial tool for checking that Council of Europe countries which have ratified the Charter honour their commitments. In addition to checking in respect of States' commitments, the procedure makes it possible to establish open and constructive dialogue between the Congress and the national, local and regional authorities of member states through meetings organised in the country during a monitoring visit involving impartial and independent rapporteurs appointed on the basis of objective criteria.

5. The Congress believes it necessary to organise these monitoring procedures on a regular basis in each member State which ratified the Charter. Given the ever-changing nature of local and regional democracy, it believes that it should be possible to organise these visits approximately every five years.

6. The Congress stresses how important it is for the Council of Europe to ensure that the commitments entered into by all its member States are fully honoured.

7. Pursuant to the aforementioned texts, the Congress must ensure that it monitors the commitments entered into by the member States having ratified the European Charter of Local Self-Government and/or its additional protocol on the right to participate in the affairs of a local authority (CETS No. 207).

8. Furthermore, pursuant to Congress Resolution 299 (2010) on follow-up by the Congress of the Council of Europe Conference of Ministers responsible for Local and Regional Government (Utrecht, Netherlands, 16-17 November 2009)), the Reference Framework for Regional Democracy will be taken into consideration.²

9. Alongside the monitoring activities vis-à-vis the Charter, the Congress will promote the Council of Europe conventions inasmuch as they entail obligations in respect of local and regional authorities.

10. For the purposes of supporting the development of local and regional democracy in the territory covered by the member States of the Council of Europe and promoting at this level the values of democracy, human rights and the rule of law, the Bureau of the Congress shall decide to implement the monitoring programme of the Charter proposed by its Monitoring Committee as part of systematic monitoring exercises (monitoring the Charter in its entirety), under specific monitoring exercises (monitoring a particular aspect of the Charter) or by means of fact-finding missions (clarifying a specific question allegedly in breach of one of the provisions of the Charter).

11. The Bureau of the Congress shall instruct its Monitoring Committee to organise monitoring procedures on the honouring of these commitments in this/these country(ies). The monitoring procedure is also geared to verifying the content of any declarations made by the State, under Article 12 of the Charter, when depositing the instrument of ratification, and, where applicable, exploring with the authorities the possibility of ratifying, at a later date, the article(s) to which their declaration related.

12. On the basis of a list of candidates, the Chair of the Monitoring Committee shall appoint two rapporteurs from among its members, namely one full member or alternate from its Chamber of Regions and one full member or alternate from its Chamber of Local Authorities. Appointment of the rapporteurs shall comply with Article 2 of the rules governing the organisation of Congress monitoring procedures, as appended to the present resolution.

13. The Congress believes that, in the interest of ensuring compliance with the criteria of independence and

impartiality of the rapporteurs, which are the key elements for the effectiveness of a monitoring mission, a rapporteur's mandate may not exceed five years and they may not be tasked with monitoring the same country for the five years following that initial period.

14. For the sake of the smooth running of the monitoring procedure, the committee may decide to extend the mandate of one of the rapporteurs, where there are grounds and if it is possible, for six months at the most, in particular to enable the rapporteur to present a report already entered on the agenda of a Congress part-session.

15. For the purposes of the present resolution, the mandate of rapporteurs shall commence on the date of their appointment.

16. The delegation shall be assisted by a consultant drawn from the Group of Independent Experts on the European Charter of Local Self-Government or by an independent consultant who has specialist knowledge of the country to be visited and substantial knowledge of the Charter and of local and regional democracy issues in Council of Europe member States.

17. The monitoring delegations shall meet with the authorities responsible for local and regional democracy and human rights issues, at the national, regional and local level, as well as any individuals liable to provide the delegation with relevant information under the procedure for monitoring commitments entered into by ratifying the Charter.³

18. The report must be drafted, as far as possible, within six weeks following the visit.

19. The report on the situation of local and regional democracy in a country to which a monitoring or fact-finding visit has been made shall be drafted by the rapporteurs in collaboration with the consultant and the secretariat.

20. It must also take into account the recommendations and/or resolutions previously adopted by the Congress, particularly previous recommendations addressed to the country visited. The report shall also take into consideration the political context in which the monitoring visit took place and examine the situation of local and regional democracy in the light of other relevant Council of Europe texts⁴ ratified by the country in question.

21. Once validated by the rapporteurs, the draft report shall be sent to the authorities of the country concerned and all talking partners with whom the delegation met, so that they may respond and send back their comments. The rapporteurs may use these contributions to amend the text of their report, which will be submitted to the Monitoring Committee for adoption. They may decide to publish the comments in an appendix to their report in order to illustrate a different viewpoint from that set out in the report.

22. The report shall be accompanied by a draft recommendation and if necessary a draft resolution.

23. Pursuant to Rule 56, paragraphs 2 and 5, of the Rules of Procedure of the Congress and its chambers,⁵ draft reports, recommendations and, where applicable, resolutions, shall

be submitted for adoption to the Monitoring Committee, and then for adoption by the Congress at a plenary session or a session of the chambers.

24. Pursuant to Article 2, paragraph 5, of the Statutory Resolution CM/Res(2011)2 mentioned above, the recommendation shall be transmitted to the Committee of Ministers and, for information, to the Parliamentary Assembly.

25. Rules governing the organisation of Congress monitoring procedures and a Code of Good Conduct for members of the monitoring delegation are appended to the present resolution.

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A. Rules governing the organisation of the monitoring procedures of the Congress of Local and Regional Authorities pursuant to Resolution 307(2010)REV2 and the Code of Good Conduct

I. Rules governing the organisation of Congress monitoring procedures

1. Pursuant to Resolution 307 (2010)REV2, the purpose of the present rules is to define the arrangements for organising procedures for monitoring the commitments of Council of Europe member States which have signed and ratified the European Charter of Local Self-Government ETS No. 122 with the aim of achieving the objective set forth in the aforementioned resolution.

2. This procedure applies in the same way whatever type of monitoring is being implemented, that is, systematic monitoring (monitoring the Charter in its entirety), specific monitoring (monitoring a particular aspect of the Charter) and fact-finding missions (clarification of a specific issue which may lead to infringement of a Charter provision).

3. Each year the Monitoring Committee shall submit to the Bureau of the Congress, for adoption, the programme of visits scheduled under the Charter monitoring programme.

1. The monitoring procedure

4. The monitoring procedure shall be carried out approximately every five years in each Council of Europe member State which have signed and ratified the European Charter of Local Self-Government. It shall comprise five phases:

a. the monitoring visit;

b. the consultation procedure with the authorities encountered on the preliminary draft report;

c. examination of the draft report by the Monitoring Committee and the Congress and adoption of a recommendation by the Congress during the sessions; if the rapporteurs think it necessary, they may propose a draft resolution for adoption by the Congress;

d. transmission of the recommendation for debate to the Committee of Ministers, which may decide on its subsequent transmission to the authorities of the country concerned;

e. an invitation issued to the authorities of the country concerned to address the session of the Congress or the session of one of its chambers.

This serves as a basis for future cooperation activities.

2. Composition of the monitoring delegation

5. A monitoring delegation shall comprise two rapporteurs, one on local democracy and one on regional democracy, one consultant, and one or more members of the Congress secretariat. The delegation is generally accompanied by interpreters to facilitate communication between speakers of the language of the country in question and the delegation, whose working language is French or English.

6. The whole procedure shall be governed by the principles of independence, impartiality and equity, starting with the appointment of the rapporteurs and the consultant, which shall be based on geographical and political criteria geared to preserving the objectivity of the delegation which will conduct the monitoring visit.

7. The rapporteurs shall be appointed from among the full or alternate members of the Monitoring Committee of the Congress who put forward their names as candidates.

8. Upon express derogation by the Chair of the Monitoring Committee, a member of the Congress who is not a member of the Monitoring Committee may be appointed rapporteur.

9. Members of the Monitoring Committee who wish to be rapporteurs on local or regional democracy in a given country must submit their application to the secretariat of the committee for the attention of the Chair.

10. The rapporteurs must be appointed in a manner that ensures a balanced representation of the political groups and the group of members not registered with a political group of the Congress.

11. Candidates for monitoring exercises may be appointed for only one monitoring exercise at a time. The criteria for the composition of the delegation are as follows:

a. The rapporteurs and the consultant must not be nationals of the country concerned by the monitoring procedure, or a bordering country or a country which has a particular relationship with the country to be monitored.

b. Members of the Monitoring Committee are ineligible as rapporteurs for a given country if they have already been rapporteurs in respect of this country during the five years preceding their candidature.

c. The two rapporteurs must also belong to different political groups (or be non-registered).

d. The delegation's working language can be either French or English.

12. The Chair of the Monitoring Committee shall verify the conformity of the candidates' profile with the aforementioned criteria (see above Rule 11 of the present Rules), and shall appoint the rapporteurs on local democracy and on

regional democracy. He shall notify the appointments to the Monitoring Committee at its next meeting.

13. The maximum duration of the rapporteurs' mandate shall be five years, dating from their appointment.

14. A rapporteur's mandate may exceptionally be extended for a maximum of six months, on the grounds of the timetable for the presentation of the monitoring report at a Congress session.

15. The delegation shall be strictly limited to the rapporteurs, the consultant and the member(s) of the secretariat, in accordance with Rule 5 of the present Rules and Resolution 307 (2010)REV2. Consequently, delegation members must not be accompanied by assistants or other persons whose participation is not explicitly provided for in Resolution 307 (2010)REV2.

16. The secretariat shall suggest dates for the visit to the rapporteurs and the consultant in line with the Monitoring Committee's general timetable of activities, the respective commitments of the members of the monitoring delegation and the availability of the delegation's talking partners in the country visited. If the members of the delegation agree on the dates for the visit, the Congress secretariat shall inform the country's Permanent Representation with the Council of Europe by letter from the Secretary General of the Congress. The rapporteurs and the consultant shall undertake to respect the dates established for the mission and refrain from any other commitment on these dates.

17. Monitoring of local and regional democracy cannot take place in a country which is currently chairing the Committee of Ministers of the Council of Europe. Similarly, a monitoring report on a given country cannot be debated in session during this country's chairing of the Committee of Ministers of the Council of Europe. Lastly, the occurrence of a serious political crisis in a country in which a monitoring visit is scheduled may justify postponing the mission. The Monitoring Committee may propose to the Bureau of the Congress, for decision, postponing a monitoring mission, notably where there is a risk of interference between the visit and the holding of elections in the country in question.

18. Where two members of the Monitoring Committee have been appointed rapporteurs for a country by the Chair of the Committee and the consultant has agreed to provide technical assistance to the delegation, the rapporteurs and the consultant shall enter into a working relationship with the secretariat of the Monitoring Committee for the duration of the monitoring procedure.

19. The rapporteurs and the consultant must ensure proper communication with the Congress secretariat, which shall be informed in advance of any meetings or briefings organised with representatives of the authorities of the country visited or with members of the national delegation to the Congress.

3. Working languages for the monitoring exercise

20. The working languages used for monitoring activities shall be the two official languages of the Council of Europe (French and English). Consequently, the rapporteurs and the

consultant shall be chosen in such a way as to ensure that the members of the delegation can speak, communicate among themselves, and read and write in the official language pre-selected as the delegation's working language.

21. The working documents intended for monitoring activities will be available in English or in French.

4. *The monitoring visit programme*

22. The Congress secretariat shall organise the visit. It shall draw up the programme with the rapporteurs in conjunction with the head and secretary of the national delegation to the Congress, the national associations of local and regional authorities where applicable, the co-ordinating bodies of federate entities and lastly, with the country's Permanent Representation to the Council of Europe.

23. Once the rapporteurs have approved the programme, the working meetings shall be planned and organised by the secretariat, which shall manage the specific logistics for the visit.

24. The visit programme must make provision for meetings with the authorities responsible for questions of local and regional democracy or for dealing with these questions, and also with the officials of the administrations concerned, notably:

- the minister(s) responsible for local and regional authorities;
- members of parliament (national and/or regional) – particularly those responsible for local or regional issues;
- local and regional elected representatives, including the Congress delegation, the mayor of the capital city and mayors of small and medium-sized municipalities;
- the president of the Constitutional Court and the national member of the European Commission for Democracy through Law (Venice Commission);
- the national, regional and/or local ombudsperson;
- a specialist on questions linked to the application of the Charter in the country concerned;
- associations representing local and regional authorities;
- representatives of civil society from non-governmental organisations, trade unions of the country visited, the media, etc.

Generally speaking, the rapporteurs can meet any individual whom they consider useful to interview for their task.

25. The consultant shall contribute to the preparation of the visit by drawing up a list of questions to be broached with the talking partners mentioned in the programme, concerning problems linked to the application of the Charter. This list shall also include the questions raised during the previous visit to the country. The consultant must also take into account any declarations made by the State when ratifying the Charter, and the current political context.

26. The list of topics which the delegation wishes to broach shall be sent, at least one week prior to the visit, to the Permanent Representation to the Council of Europe of the State concerned as regards government interlocutors, and to the talking partners listed in the programme.

5. *Monitoring visits*

i. Number of visits

27. The monitoring procedure shall in principle comprise one visit to the country concerned. If they consider it necessary, the rapporteurs may conduct a second visit subject to the agreement of the Monitoring Committee and after having informed the Bureau.

ii. Running of the monitoring visit

28. The secretariat shall supply all the delegation members with all the documents relevant to the visit, namely the programme, the substantive documents, information to help prepare the questions for talking partners (prepared in cooperation with the consultant), and information to help the rapporteurs introduce the exchanges during each visit.

29. These documents are designed to prepare the rapporteurs in such a way that they possess sound knowledge of the situation of local and regional democracy in the country visited, and that their questions are as relevant as possible to the country's political and institutional context.

30. Before the first meeting scheduled on the programme, the secretariat shall organise a briefing of the delegation, generally at the hotel in which the monitoring delegation is staying. This briefing shall be attended by both rapporteurs and the consultant. The briefing is vital to the proper overall running of the visit, because it provides an opportunity for clarifying specific points and apportioning speaking time between the rapporteurs, anticipating any difficulties and organising the running of each meeting listed on the programme. For example, the briefing serves to define the roles of each participant during the meetings, particularly deciding which rapporteur is to introduce the delegation, ask the first question and sum up at the end of the meeting. This meeting also helps ensure the correct pronunciation of the names of persons to be interviewed or of municipalities to which the delegation may have to refer during the exchanges of views.

31. The rapporteurs are the main talking partners for the authorities encountered, and they must introduce the delegation and ask the questions. The consultant and the members of the secretariat can also put questions to the talking partners at the invitation of the rapporteurs.

32. A short preparatory meeting is also scheduled with the interpreters before the first meeting in order to ensure that they have all the necessary information and the terminology used for the Congress's work on the Charter, and know the proper pronunciation of the names and exact titles of delegation members and talking partners.

33. After the last meeting scheduled in the programme, the secretariat shall organise a debriefing meeting with the delegation members before they split up. This working meeting

is geared to establishing an initial assessment, identifying the salient points of the visit, and listing the problems noted vis-à-vis the application of the Charter, the good practices registered and the main thrust of the recommendations to be addressed to the authorities of the country visited. This meeting enables participants to take stock of the situation with an eye to the draft report, so that the consultant has all the data necessary for preparing a preliminary draft reflecting the rapporteurs' assessment as closely as possible.

6. Preparation of the draft report, draft recommendation and draft resolution

34. After the visit, the consultant has six weeks to send the secretariat of the Congress a written contribution for preparing the report on the situation of local and regional democracy in the country visited, to be presented by the rapporteurs. This contribution must be drawn up in French or English, in accordance with the outline report applicable to all monitoring reports, drawing on the conclusions discussed at the debriefing meeting. Furthermore, it must comply with the practical specifications set out in the contract letter drawn up by the secretariat and signed by the parties. Beyond the quality of the legal analysis, the consultant must endeavour to reflect in his/her contribution the thrusts indicated by the rapporteurs for the preparation of the report.

35. The report must also take account of the recommendations and/or resolutions previously adopted by the Congress, particularly the recommendations previously addressed to the country visited. It must also take into consideration the political context in which the monitoring visit took place and examine the situation of local and regional democracy in the light of other relevant Council of Europe texts⁶ ratified by the country in question.

36. After discussion with the rapporteurs and possible transmission of the text among the rapporteurs, the secretariat and the consultant, and once the rapporteurs' agreement on the preliminary draft report has been obtained, the latter shall be sent to all the talking partners encountered during the visit for comments. This consultation procedure shall include a deadline for sending all the comments received to the rapporteurs for examination. Factual errors will be corrected, and comments or proposed amendments to the rapport leaving room for interpretation or appraisal will be left to the discretion of the rapporteurs, who may decide to integrate these comments, in whole or in part, directly in the preliminary draft report, or to reject them, or else to append them to their report.

37. Under the authority of the rapporteurs and on the basis of the conclusions of the report, the text of the preliminary draft recommendation shall be drawn up by the secretariat. It shall then be submitted to the rapporteurs for final agreement.

38. The draft report and the preliminary draft recommendation are then debated by the Monitoring Committee, which shall adopt the draft report (which becomes final 15 days after the Committee meeting) and approve the preliminary draft recommendation, which shall be submitted at the Congress Session for adoption. The latter text may be amended in accordance with the formal procedure set out in Rule 34 of the Rules of Procedure of the Congress and its chambers.

39. After adoption by the Congress, the Congress recommendation shall be sent to the Committee of Ministers, which may decide to transmit it to the national authorities of the monitored member State for implementation.

7. Post-monitoring procedure

The rules described above shall apply *mutatis mutandis* to the post-monitoring procedure.⁷

8. Adoption and follow-up of recommendations

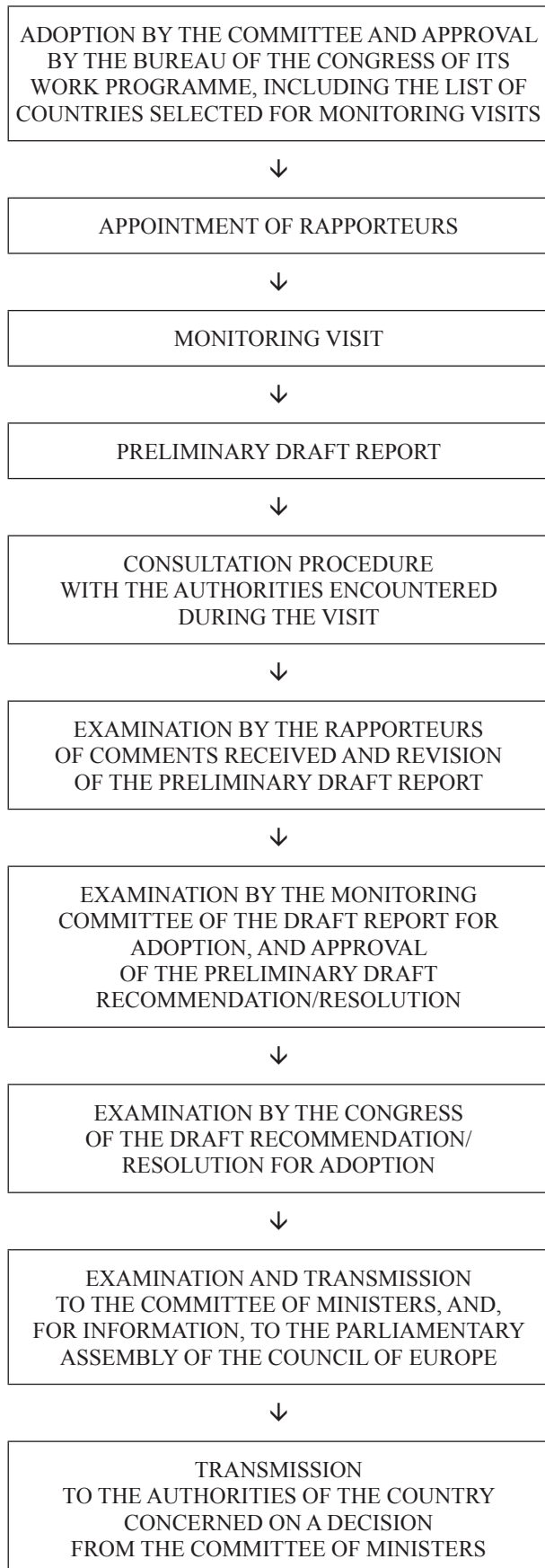
40. In pursuance of Rule 56 paragraphs 2 and 5 of the Rules of Procedure of the Congress and its Chambers,⁸ the preliminary draft recommendation and, where applicable, resolution, shall be submitted to the Monitoring Committee for examination and adoption.

41. The draft report, recommendation and, where applicable, resolution, shall be presented by the rapporteurs and considered by the Congress with a view to their adoption during its session or a chamber sitting.

42. In pursuance of Article 2, paragraph 5, of the Statutory Resolution (CM/Res(2011)2) of the Committee of Ministers, the recommendation shall be transmitted to the Committee of Ministers for debate. It may decide to transmit it to the authorities of the State in question and to the Parliamentary Assembly.

43. The implementation of the recommendation shall be monitored by the member States concerned and by the Congress, as well as by the Council of Europe intergovernmental bodies responsible for local and regional democracy as part of the continuous dialogue established with the authorities during the visit.

Flow chart for monitoring procedures



B. Code of Good Conduct for monitoring delegations

44. A monitoring mission represents a huge workload and therefore requires major investment on the part of each person involved in the monitoring delegation.

45. The members of a monitoring delegation have different roles to play, but whatever their function and role, compliance with the same rules of conduct throughout the procedure is vital for the smooth running of the visit and for guaranteeing good relations with the national authorities encountered. Compliance with these rules will help to ensure the ultimate success of any monitoring mission and to prepare the work of co-operation with the authorities under any possible post-monitoring procedure.

46. Congress members taking part in monitoring missions have to have signed the Congress' Declaration of Principle (see Resolution 340(2012) of the Congress. They shall avoid, in the framework of the accomplishment of such missions, conflicts between any actual or potential financial or any other interests, on a professional, personal or family level, in connection with the country concerned by such a monitoring procedure. If a member is unable to avoid such a conflict of interest it should be made known to the Congress secretariat. Any gifts or similar benefits of a value in excess of 200 euros that a member has accepted in the last 24 months from the authorities of the country concerned shall be also registered with the secretariat. During such missions, Congress members shall avoid any situation that could appear to be a conflict of interest or receiving an inappropriate payment or gift.

i. The work of the rapporteurs

47. Where two rapporteurs have been appointed to participate in a monitoring visit, they undertake to find out about the situation of local and regional democracy in a given country, to stay abreast of the current context before, during and after the visit, to attend all the meetings scheduled, including the briefings organised by the secretariat, and all working breakfasts, lunches and dinners. They also undertake to help prepare the report by examining the comments received.

48. Rapporteurs must obtain detailed information on the situation in the country, for example by carefully reading the file prepared by the secretariat. Before the visit begins, they must know the main relevant features of the country and its political mode of functioning at the different government levels. In particular, they must know the general history of the country, its administrative organisation, the structures, number and nature of existing authorities, the different infra-national levels of government, the political system, etc. The secretariat will assist the rapporteurs with such preparatory work.

49. In this spirit, the rapporteurs may also use their knowledge of the country visited with the talking partners encountered during the visit, particularly by means of relevant questions directly relating to the Charter.

50. The rapporteurs' role is not one of inspection. Their task is to establish political dialogue with the authorities encountered on local democracy issues. They take part in a monitoring mission in their capacity as elected representatives, as politicians going to meet the political authorities in the monitored country, to encourage the implementation of local and regional democracy in this country and to open dialogue with the authorities encountered.

51. Consequently, if the rapporteurs wish to make any comparative comments, they should do so in an objective and constructive manner without trying to establish any classification of values among the Council of Europe member countries.

52. Listening, exchanging and showing courtesy are the key elements of positive discussion with the authorities.

53. During the meetings, the rapporteurs must foster exchanges of views, avoiding monologues as far as possible. They should try to prevent any tendency towards one-sided discourse.

54. The discussions should focus on the subject of the Congress's mandate, namely the implementation of the Charter and the operational system for local and regional self-government. This means that the delegation should not dwell on general political questions unrelated to the Charter, or more broadly on topics irrelevant to consideration of the situation of local and regional democracy in the country. The monitoring delegation must strictly comply with the Congress's mandate and field of activity.

55. The times of the meetings scheduled on the programme, as regularly recalled by the secretariat, must be scrupulously respected. Meeting overruns can upset the rest of the day's programme, and late arrival at the ensuing appointments can cause difficulties for authorities expecting the delegation to attend a meeting scheduled for a specific time on the programme.

56. The rapporteurs are representing the Congress. More generally, they are representing the Council of Europe in the member States visited. As in all representative duties, it is important to show professionalism and to observe elementary rules of courtesy during the meetings. Monitoring delegation members must accordingly pay attention throughout the meetings scheduled and actively participate in the exchanges of views with the talking partners, asking questions directly connected with the Charter. As for all working meetings, mobile phones must be put on silent mode and no phone calls may be taken during the meetings.

57. These rules apply to the rapporteurs, the consultant, the secretariat and the interpreters.

ii. The work of the consultant

58. The consultant must sign a contract setting out the following obligations: preparation of items of information for the talking partners, familiarity with the file, participation in the visit, technical expert assistance before, during and

after the visit, preparation of a preliminary draft report in line with the indications provided by the rapporteurs, and follow-up to the comments from the rapporteurs and then from the authorities on this preliminary draft report.

59. The consultant must adhere to the established plan for Congress monitoring reports as transmitted to him or her in advance by the secretariat.

60. During the visit, he or she shall clarify a number of legal or financial technical questions with the rapporteurs. In this connection, he or she should attend the briefing and all the meetings set out in the programme, including delegation meetings (briefings and debriefings) and meetings with talking partners. He or she may, at the rapporteurs' suggestion, put questions to specified talking partners mentioned in the programme.

61. He or she shall prepare a preliminary draft report within six weeks following the visit, in accordance with the undertakings set out in his or her contract (respecting the report plan, the number of pages and the guidelines set out by the rapporteurs at the debriefing).

iii. The work of the secretariat

62. The secretariat of the Monitoring Committee of the Congress is the permanent dialogue partner for delegation members. It must help the delegation with the administrative, logistical and substantive aspects of the mission. The Congress secretarial staff responsible for the visit must discuss and establish the dates of the visit with the delegation members, propose a draft programme prepared in co-operation with the secretary and head of the national delegation to the Congress, organise the visit, prepare the rapporteurs' file, and work in co-operation with the consultant on the outline questions for the talking partners and the preliminary draft report.

63. The secretariat provides logistical assistance to delegation members. In this connection, it requests estimates for and recruits interpreters for the mission (French or English/ language of the country visited), as well as the transport for driving the delegation to the meetings scheduled on the programme. It may organise travel for delegation members on request (prepaid tickets), it reserves the hotel where the delegation will be staying during the visit and manages the rapporteurs' and the consultant's applications for reimbursement of expenses after the mission.

64. The secretariat also provides continuous basic assistance to the rapporteurs before, during and after the visit. It carries out the requisite research for compiling an information file for delegation members, and draws up notes, analyses and country profiles, as well as notes for introducing the rapporteurs during the visit. On request, the secretariat may also draft the speech presenting the draft report and draft recommendation for the committee and Congress session debates.

Its work consists in channelling political information between the rapporteurs and the talking partners, and supplying the rapporteurs with relevant and substantive information so that they can assess the application of the Charter in the country visited under optimum conditions.

1. Debated and adopted by the Congress on 30 October 2013, 2nd Sitting (see Document CG(25)13, explanatory memorandum); rapporteur: Lars O. Molin, Sweden (L, EPP/CCE).
2. See the Final Declaration adopted on 17 November 2009 in Utrecht (Netherlands) as part of the 16th session of the Council of Europe Conference of Ministers responsible for Local and Regional Government. It should be noted that the Reference Framework for Regional Democracy is not a binding legal instrument.
3. Cf. the rules establishing the practical procedure for organising monitoring visits (appended to the present resolution).
4. Such as the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144), the European Charter for Regional

or Minority Languages (ETS No. 148), the Framework Convention for the Protection of National Minorities (ETS No. 157), Protocol No. 3 to the Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) (CETS No. 206), etc.

5. As revised by the Congress at its 22nd Plenary Session on 29 March 2012 (Resolution 337 (2012)) and completed by the Standing Committee on 17 October 2012 (Resolution 344 (2012)).

6. Such as the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144), the European Charter for Regional and Minority Languages (ETS No. 148), the Framework Convention for the Protection of National Minorities (ETS No. 157), Protocol No. 3 to the Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) (CETS No. 206), etc.

7. See Resolution 353 (2013)REV on Congress post-monitoring and post-observation of elections: developing political dialogue; rapporteur: Lars O. Molin, Sweden (L, EPP/CCE).

8. As revised by the Congress at its 22nd Plenary Session on 29 March 2012 (Resolution 337 (2012)) and completed by the Standing Committee on 17 October 2012 (Resolution 344 (2012)).