

40th SESSION  
Second part

## 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)

Recommendation 455(2021)<sup>1</sup>

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:
  - a. 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 (ETS No. 207);
  - b. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1, 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”;
  - c. Chapter XVIII, XIX and XX of the Rules and Procedures of the Congress,<sup>2</sup> respectively on the organisation of monitoring procedures, election observation missions, post-electoral political dialogue and on the implementation of the post-monitoring;
  - d. the Congress monitoring reports, resolutions and recommendations on the implementation of the European Charter of Local Self-Government in the Council of Europe member States;
  - e. the reports, resolutions and recommendations adopted by the Congress further to the observation of local and regional elections as well as reports, resolutions and recommendations on cross-cutting issues in electoral matters;
  - f. Congress Resolution 413 (2017) on the comparative analysis on the implementation of the European Charter of Local Self-Government in 47 member States.
  - g. Congress Recommendation 395 (2017) “Recurring issues based on assessments resulting from Congress monitoring and election observation missions (reference period 2010-2016)”.
2. The Congress strongly regrets that the recurring issues identified in the previous report – such as the inadequacy of financial resources available to local and regional authorities, the restricted definition, allocation and exercise of local competences, the shortcoming in consultation and the lack of direct applicability of the Charter – remain relevant for the period under review. Furthermore, the Congress has observed an increasing difficulty in the member States in meeting the requirements of Article 7 of the Charter on the conditions of office of local elected representatives.
3. The Congress reiterates that the Charter, ratified by 47 member States of the Council of Europe, as an international treaty should be applied in member States also in the situation of crisis such as the COVID-19 pandemic.

<sup>1</sup> Debate and adopted by the Congress on 17 June 2021, 3rd sitting (see Document [CG\(2021\)40-10](#), explanatory memorandum), co-rapporteurs: Stewart DICKSON, United Kingdom (R, ILDG) and Leendert VERBEEK, Netherlands (R, SOC/G/PD).

<sup>2</sup> [CG-FORUM(2020)01] – Revised Rules and Procedures of the Congress  
<https://rm.coe.int/rules-and-procedures-of-the-congress-of-local-and-regional-authorities/16809f0b0e>

4. include the accuracy of voters lists, the misuse of administrative resources during electoral campaigns, the politicisation of the electoral administration at all levels and the voters confidence in electoral processes. Furthermore, over the past several years, the Congress has observed that compliance with the principle of equal level playing field for all candidates including independents has become increasingly problematic.

5. It reiterates the relevance of soft law instruments applicable in this respect, including the Congress recommendations on electoral observation and the Code of Good Practice in Electoral Matters issued by the European Commission for Democracy through Law (Venice Commission).

6. The Congress pursues post-monitoring and post-electoral dialogue with national authorities of the Council of Europe member States to assist them in fulfilling the Congress monitoring and election-related recommendations and resolutions, with a particular emphasis on tackling the recurring issues.

7. In the light of the above, the Congress invites the Committee of Ministers to call on the authorities of the members States to:

*a.* pursue their efforts to fully implement the ratified provisions of the Charter in particular as regards the identified recurring issues;

*b.* implement Congress recommendations related to cross-cutting electoral issues at local and regional level as well as soft law instruments issued by other Council of Europe bodies, notably the European Commission for Democracy through Law, in order to ensure that local and regional elections are in compliance with European standards in electoral matters;

*c.* strengthen their political dialogue with the Congress, including in the framework of post-monitoring and post-electoral procedures, with a view to setting up roadmaps to comply with their commitments under the Charter.