

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 502 (2024)¹ Local and regional authorities as actors and guarantors of the rule of law

1. Referring to Statutory Resolution CM/Res(2020)1 relating to the Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) and to the Council of Europe Reykjavik Declaration “United around our values”, the Congress:

a. is deeply concerned about democratic backsliding worldwide and within Europe, which has resulted in a weakening of checks and balances, obstacles to and limitations on the exercise of civil and political rights and freedoms, restrictions on local self-government and erosion of the rule of law;

b. considers that genuine democracy as enshrined in the Statute of the Council of Europe (ETS No. 1) cannot be achieved and preserved without effective implementation of the rule of law at all levels of public power;

c. emphasises that, as stated in the Reykjavik Declaration, democracy needs to strengthen the separation of powers through appropriate checks and balances between different State institutions at all levels, to prevent any excessive concentration of power;

1. Debated and adopted by the Congress during the 46th Session on 26 March 2024 (see document [CG\(2024\)46-20](http://www.coe.int/congress), explanatory memorandum), rapporteur: Stewart DICKSON, United Kingdom (R, ILDG).

d. considers that local and regional authorities play a key role in upholding and defending democracy, human rights and the rule of law, not only within their communities, but also as part of the system of checks and balances which forms the backbone of a genuine pluralistic democracy;

e. underlines that monitoring the application of the European Charter of Local Self-Government (ETS No. 122, “the Charter”) – which establishes the standards on local self-government and democracy – contributes to the strengthening of the rule of law;

f. considers that the Congress recommendations on the monitoring of compliance with the Charter represent an important part of an early warning system for the Council of Europe that can point to possible democratic backsliding in member States;

g. considers that the implementation of the rule of law by local authorities, including the execution of judgments of the European Court of Human Rights that concern local or regional authorities, should also be monitored.

2. In the light of the foregoing, the Congress invites the Committee of Ministers to:

a. call on member States to guarantee good democratic governance by ensuring compliance with the Charter and the implementation of the recommendations of the Congress;

b. use the Congress monitoring reports as an early warning mechanism to prevent or address worrying developments with regard to compliance with democratic standards and practices in member States;

c. consider monitoring the implementation of the rule of law by local authorities, including the execution of the judgments of the European Court of Human Rights at local level, as part of its activities relating to democracy and the rule of law in Council of Europe member States.