

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Resolution 467 (2021)<sup>1</sup> Recurring issues resulting from Congress monitoring of the European Charter of Local Self-Government and election observation missions (reference period 2017-2020)

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, “the Charter”) and its Additional Protocol on the right to participate in the affairs of a local authority (ETS No. 207);

*b.* Chapters XVIII, XIX and XX of the Rules and Procedures of the Congress<sup>2</sup> on the organisation of monitoring procedures, the practical organisation of election observation missions, and on the implementation of the post-monitoring/post-electoral political dialogue, respectively;

*c.* the Congress monitoring reports and recommendations on the implementation of the Charter in the Council of Europe member States;

*d.* 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;

*e.* Congress Resolution 413 (2017) on the comparative analysis of the implementation of the European Charter of Local Self-Government in 47 member States;

*f.* Congress Resolution 412 (2017) on recurring issues based on assessments resulting from Congress monitoring and election observation missions (reference period 2010-2016).

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1. Debated 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).

2. 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>.

2. The Congress notes that the recurring issues of compliance with the Charter identified in the previous report – the inadequacy of financial resources available to local and regional authorities, the restricted definition, allocation and exercise of local competences, the lack of consultation and direct applicability of the Charter – remain relevant for the period under review.

3. In addition, the member States have become increasingly unable to meet the requirements of Article 7 of the Charter on the conditions under which responsibilities at local level are exercised. This can be regarded as an emerging issue in relation to the Charter’s application.

4. Similarly, in electoral matters, the Congress also highlights the relevance of the recurring issues previously identified regarding the accuracy of voters’ lists, the misuse of administrative resources, the politicisation of the electoral administration and low public confidence in electoral processes.

5. Over the past several years, the Congress has also observed that compliance with the principle of a level playing field for all candidates, including independents, has increasingly become an issue.

6. Therefore, the Congress of Local and Regional Authorities of the Council of Europe:

*a.* invites the Committee on the Honouring of Obligations and Commitments by Member States of the European Charter of Local Self-Government (Monitoring Committee) to continue preparing – every three years – an updated analysis of the recurring issues based on assessments resulting from Congress monitoring and election observation missions carried out during the reporting period;

*b.* encourages the rapporteurs of the Monitoring Committee to continue referring to the recurring issues when monitoring the implementation of the Charter and conducting election observation activities in the Council of Europe member States;

*c.* asks the Monitoring Committee and/or other Congress committees to continue preparing transversal reports on topics related to recurring issues detected during monitoring and election observation activities;

*d.* encourages all relevant Congress bodies to consider the recurring issues in their activities, design appropriate tools and policies to assist member States in responding to these issues and promote relevant good practices.