

46th SESSION

Local and Regional Authorities as Actors and Guarantors of the Rule of Law

Resolution 499 (2024)¹

1. Referring to:

- a. the Statute of the Council of Europe (ETS No. 001);
- b. the European Charter of Local Self-Government (ETS No. 122, “the Charter”);
- c. the Council of Europe Reykjavik Declaration “United around our values”, and especially the Reykjavik Principles for Democracy (Appendix III);
- d. the United Nations Sustainable Development Goals (SDGs), and particularly SDG 16 “Promote peaceful and inclusive societies for sustainable development, provide access to justice and build effective, accountable and inclusive institutions at all levels”;
- e. the study entitled “The Council of Europe and the Rule of Law - An Overview” (document CM (2008)170), prepared at the initiative of the Swedish Presidency of the Committee of Ministers;
- f. the Report on the Rule of Law of European Commission for Democracy through Law (Venice Commission), CDL-AD (2011)003rev;
- g. the Rule of Law Checklist of European Commission for Democracy through Law (Venice Commission), CDL-AD(2016)007;
- h. Parliamentary Assembly Resolution 2437 (2022) “Safeguarding and promoting genuine democracy in Europe”;
- i. the Call for Action of the High-Level Political Conference held in Reykjavik on 15 May 2023.

2. The Congress of Local and Regional Authorities:

- a. is deeply concerned about democratic backsliding across the world 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, limits to local self-government, and an 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;

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

c. emphasis that, as stated in the Reykjavík 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;

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

e. considers that the implementation of the rule of law by local authorities, including the execution of the judgments of the European Court of Human Rights, is part of the general implementation of the rule of law;

f. underlines that the monitoring of the application of the Charter – which establishes the standards on local self-government and local democracy – is an important contribution to monitoring and strengthening the rule of law;

g. considers that the monitoring reports on compliance with the Charter serve as an important indicator that can point to possible democratic backsliding in member States.

3. In light of the foregoing, the Congress invites its Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (Monitoring Committee) to:

a. work together with the other institutions of the Council of Europe, notably the Venice Commission and the European Court of Human Rights, to include local self-government within the rule of law monitoring activities;

b. pursue a political dialogue with national, regional and local authorities in the framework of post-monitoring activities with all member States concerned by an erosion of the rule of law;

c. promote the dissemination of Charter monitoring activities among governmental and non-governmental organisations assessing the state of democracy and of the rule of law;

d. entrust the Congress advisors on constitutional matters with contributing to Congress activities aimed at promoting the role of local and regional authorities in upholding the rule of law among local and regional elected representatives.