

37th Session – Strasbourg, France, 29-31 October 2019

Speaking notes for the rapporteur Stewart DICKSON (United Kingdom, ILDG)

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Report on “Local and regional democracy in the Russian Federation” (37th session of the Congress-31 October 2019)

Strasbourg, France, 30 October 2019

Dear members,

I am sure that many of you have been looking forward to today's discussion about local and regional democracy in the Russian Federation. The last Congress report on this matter dates to 2010 and it is understandable that you all are eager to know about the developments in Russia since then.

I hope that all of you have read the report, which was approved at the Monitoring Committee meeting last July. In my presentation I will try to outline where this largest country in the world stands in terms of respect for local and regional democracy and meeting of its obligations under the Charter.

Just to remind you, the Russian Federation joined the Council of Europe back in 1996. It ratified the European Charter of Local Self-Government in its entirety in 1998.

My co-rapporteur Jos WIENEN and I have paid two visits to the Russian Federation, from 23 to 25 October 2018 (we visited Moscow and Saint-Petersburg) and from 5 to 7 March 2019 – we visited the city of Kazan, capital of the Tatarstan Republic, and the city of Cheboksary, capital of the Chuvash Republic of the Russian Federation. We were accompanied by Nikolaos-Komninos CHLEPAS.

We met representatives of various levels of governments from different territorial units of the Russian Federation. It helped us to understand the unique Russian federalism given Russia's large surface area, a very complex administrative and territorial structure and a great variety of ethno-linguistic groups living in this country.

We met, among other people, the Vice-Chairman of the Federation Council Committee on Federal Structure, Regional Policy, Local Government and Northern Affairs, the Chairman of the State Duma Committee on Federal System and Issues of Local Self-Government, the Chairman of the Moscow City Duma, a judge of the Constitutional Court, high-ranking officials of the Ministry of Justice and the Ministry of Finance, members of different associations of local and regional authorities and the Governor of the Leningrad Region.

We also met the representatives of the Association of independent deputies in Moscow, of Moscow's Odintsovo district and members of political parties - United Democratic Party "Yabloko" and People's Freedom Party "Parnas".

When in Kazan, we had meetings with legislative, executive and judiciary authorities of the Tatarstan Republic and the city local authorities, while in Cheboksary we met relevant authorities of the Chuvash Republic.

For the complete and very long list of our interlocutors, I invite you to consult the relevant programmes appended to the report.

On behalf of the delegation, I would like to thank the Permanent Representation of the Russian Federation to the Council of Europe and all other our Russian interlocutors who have contributed to the good organisation and smooth running of the visits and kindly provided us with the information to make our report as detailed as possible.

As I mentioned at the beginning of my presentation, in 2010 the Congress adopted the report and recommendations on local and regional democracy in Russia. In those documents, it already underlined some difficulties to transform Russia's traditionally centralistic political system into the one based on the principles of decentralisation and subsidiarity enshrined in the Charter.

Although the report welcomed some efforts of the Russian Federation to align itself with the Charter, it also urged the Russian authorities to continue to ensure harmonising with the Charter both on paper and in practice.

During our visits, we have noted with satisfaction that Russia responded in a positive way to some of the 2010' recommendations:

- It reduced tenfold the required minimum number of political party members to establish a party. And, in our view, it facilitates the registration of new parties at local and regional levels;
- It allowed candidates from associations and movements to run for local elective office;
- It re-introduced the election of governors by voters in most of federal subjects.

The principle of local self-government is recognised both in the Constitution of the Russian Federation and in an ordinary legislation.

However, despite some positive areas which I have mentioned before, most issues as to the Charter's implementation identified in the previous Congress recommendation remain unsolved by the Russian Federation which keeps it from achieving general compliance with the Charter.

First, I would like to raise the issue of mayoral elections by voters.

In 2012, the Russian legislation was changed to empower regional authorities to decide on mayoral elections. The assemblies of federal subjects can now opt to replace mayoral election by a system of appointment of "city managers" – or heads of municipalities.

As a result, elections by voters have become the exception rather than the rule. Only 8 out of 80 regional capital cities have retained direct election of mayors while the number of the heads selected through an appointment has reached almost 50%. This is problematic in respect of Article 3 of the Charter.

Equally problematic in our view is that the appointed city managers are chosen by the city councillors from nominees put forward by a selection board, the half of member of which are nominated by a regional governor.

We consider the involvement of governors in the appointment procedure disproportional and potentially dangerous. Given a strong tradition of centralism in Russia, it can regrettably pave the way for governors' political control over mayors and carries a very high risk of tightening a vertical axis of power.

Similarly, the Russian legislation still permits the dismissal of mayors by the local councils, at the initiative of the regional governors, despite the Congress' criticism of this legal ability in 2010.

This time we have had a similar impression, confirmed by some of our interlocutors, that mayoral loyalty to regional authorities is far more important for the successful access to and preservation of the mayoral function than any other qualities.

The representatives of the Leningrad Region, the Chuvash Republic and Tatarstan we met during the visit voiced optimism about the situation of regional democracy at the level of constituent entities in Russia. According to the Russian delegation, the legislative amendments are under consideration to allow voters to decide in which way the mayor should be chosen, by means of public consultation. That's the initiative that we will follow closely.

Jos Wienen will continue with our findings.

Thank you.