

40th SESSION – second part / 40<sup>e</sup> SESSION - deuxième partie

**RECURRING ISSUES BASED ON ASSESSMENTS RESULTING  
FROM CONGRESS MONITORING AND ELECTION OBSERVATION  
MISSIONS (reference period 2017-2020)**

**(part 1)**

**Speaking Notes by Leen Verbeek, The Netherlands (5 minutes)**

Dear colleagues,

I am very glad to present together with my co-rapporteur Stewart Dickson the report on the recurring issues based on assessments resulting from the Congress monitoring and election observation missions for the period from 2017 to 2020.

More specifically, I will focus on analyzing the implementation of the Charter while Stewart DICKSON will speak about the electoral observation part.

The first report on the recurring issues was adopted in 2017 and covered the period from 2010 to 2016. It tasked the Monitoring Committee with preparation of regular reports on recurring issues every three years.

The first report identified the following recurring issues:

- the inadequacy of financial resources available to local and regional authorities (**Article 9**),
- the restricted definition, allocation and exercise of local competences (**Article 4**),
- the lack of consultation of local government (**articles 4-6,5 and 9. 6**)
- and the absence of direct applicability of the Charter in domestic legal systems.

This report also pointed to a worrying tendency towards recentralisation in Council of Europe member States.

The findings of the second periodical report show that the four major issues of compliance with the Charter remain relevant. Regrettably, financial resources, division of competences, consultation, and applicability of the Charter – are still the same “pain” points that need to be closely followed in further monitoring activities. Moreover, the pandemic appears to have accelerated the tendency towards the centralisation of competences and resources in some countries.

In addition to the four recurring issues, we have also identified systematic shortcomings in meeting the requirements of Article 7 on the conditions of office of local elected representatives. Member states are increasingly facing difficulties in ensuring a safe political and legal environment for the exercise of

local elected mandates. Public distrust in institutions at all levels adversely effects the level of citizens' participation in local decision-making.

These issues that have also been raised during the series of debates "Mayors under pressure" echo our report conclusions and point to violation of Article 7 as an emerging point of concern.

However, I would like to draw your attention to the fact that, unlike previous report, our current report not only focuses on the recurring issues but also shows the positive developments of the Charter's application in Council of Europe member States. I think that adding this positive aspect is a very useful novelty to encourage the governments' implementation efforts, which, in some countries, have been rather successful.

Among such positive developments that the report welcomes and which deserve to be highlighted there are:

- strengthening the role of local associations in promoting local interests,
- ensuring a great variety of legally available instruments of citizens' participation in local public affairs,
- introduction of direct election of mayors,
- ratification of the Additional Protocol to the Charter on the right to participate in the affairs of a local authority and of non-ratified articles of the Charter.

Dear colleagues,

We invite you to adopt the draft resolution and recommendation appended to our report.

The draft resolution:

- invites the Monitoring Committee to continue preparing regular reports on recurring issues ;
- and encourages other Congress bodies to develop special tools and policies with a view of assisting member States in responding to recurring issues and to promote relevant good practices.

Finally, in the draft recommendation we reiterate that the member States – and I need to stress this very important point – must apply the Charter also in the situation of crisis such as the COVID-19 pandemic.

We also suggest inviting member States to pursue their efforts to fully implement the Charter, placing the priority on the recurring issues, and strengthen political dialogue with the Congress to achieve compliance with the Charter.

Stewart DICKSON will continue with presenting the electoral part of the report.