

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Declaration 2 (2014)¹ The situation in Ukraine

1. The Congress of Local and Regional Authorities of the Council of Europe is deeply concerned at developments in the situation in Ukraine, particularly the attacks on the territorial integrity of the country.

2. It shares the concerns expressed on this subject by the Committee of Ministers and the Parliamentary Assembly of the Council of Europe, and more generally by the whole international community.

3. It does not accept the validity of the referendum, held on 16 March 2014, without the minimum democratic guarantees that should be in place for any vote and which are the preconditions required by the Congress when it observes local and regional elections.

4. This pseudo-consultation should on no account pave the way for a change of borders between Russia and Ukraine. The use of military force by Russia to redraw national boundaries is unacceptable. The Congress therefore condemns Russia's annexation of Crimea and Sebastopol in violation of international law. The occupation of territories of independent States, as we saw in 2008 in Georgia and are facing now in Ukraine is unacceptable in international law and should not be tolerated.

5. The Congress reiterates its full support for Crimea and Sebastopol to be an undisputed part of Ukraine and for the integrity of the Ukrainian territory to be restored. The Congress also urges all parties to fully respect human rights and the rule of law.

6. The Congress points out that prior to this referendum Crimea enjoyed a broad degree of autonomy and that this could, if necessary, have been strengthened in consultation with the Ukrainian national authorities. In this regard, it refers to its Recommendation 346 (2013) on Regions and territories with special status in Europe, which was adopted on 31 October 2013.

7. In addition, it lends its support to the new and legitimate Ukrainian authorities for any initiatives they take to

strengthen democracy in their country and to protect the rights of all Ukraine's citizens, including those of cultural, national and linguistic minority groups, in the spirit of inclusiveness and to ensure genuine dialogue between all political forces.

8. In particular, this dialogue should enable all the persons belonging to a national minority in Ukraine, including the Russian-speaking population as well as the non-Russian speaking minorities of the Autonomous Republic of Crimea, which was illegally annexed by the Russian Federation, to benefit fully from the provisions of the Framework Convention for the Protection of National Minorities (ETS No. 157) and those of the European Charter for Regional or Minority Languages (ETS No. 148). Lastly, it should lead to constitutional and administrative reforms providing this country with institutions which receive broad consensus and which, with regard to local and regional authorities, comply with the principles of the European Charter of Local Self-Government (ETS No. 122) and those of the Reference Framework on Regional Democracy.

9. The Congress refers to its recommendations adopted at its session held from 29 to 31 October 2013, further to the report on local and regional democracy in Ukraine, and in particular those calling for the:

a. removal of the constitutional and legislative restrictions to which the local authorities are subject and the reinforcement of subsidiarity by granting local authorities competence to manage a substantial share of public affairs;

b. transfer of the administrative competences of the districts and regions to elected bodies in order to establish an administration under their responsibility.

10. Such reform would strengthen democracy and the social, economic and territorial cohesion of Ukraine.

11. The Congress is ready to discuss with the new authorities the implementation of these recommendations. It is particularly willing to send a delegation to Ukraine, including the region of Crimea, to examine the situation in the country. It is also at the disposal of the Ukrainian authorities to take part in a mission to observe the local elections to be held in several Ukrainian towns and cities on 25 May 2014.

1. Adoption by the Congress on 25 March 2014, 2nd Sitting (see Document [CG\(26\)15PROV](#)), rapporteur: Marc Cools, Belgium (L, ILDG).