

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Resolution 296 (2010) Revised<sup>1</sup> Role of local and regional authorities in the implementation of human rights

1. The Council of Europe is the authoritative pan-European organisation when it comes to protecting and promoting democracy, human rights and the rule of law.

2. Whereas it is the intergovernmental sector which is chiefly concerned with the implementation of the commitments made by member states in these areas, the principle of subsidiarity means that Europe's local and regional authorities also have a key role to play in the day-to-day application of the fundamental values of democracy and human rights.

3. Protecting and promoting human rights is a responsibility shared by all the different tiers of authority within each Council of Europe member state. Because of the close relationship between citizens and their elected representatives at this level, local and regional bodies are best placed to analyse the human rights situation, identify the relevant problems which arise and take action to solve them.

4. The Congress of Local and Regional Authorities of the Council of Europe points out that it is on the ground, in regions, cities and neighbourhoods, as close as possible to people's everyday lives, that human rights need to be nurtured. The way in which the Council of Europe is organised, with its three distinct but complementary pillars – the Committee of Ministers, the Parliamentary Assembly and the Congress – represents an unparalleled step forward for local and regional democracy, providing scope for a multi-tiered approach to human rights.

5. The powers and responsibilities of local and regional authorities are increasingly varied and complex. Local and regional authorities take one-off or more general decisions, relating in particular to education, housing, health, the environment and law and order, which are directly or indirectly connected with human rights and can affect their enjoyment of human rights by citizens.

6. In this connection, as the political assembly bringing together Europe's local and regional elected representatives, the Congress can make an invaluable contribution to the pooling of information and experience and the recording of good practices in the human rights sphere. Since there is no standard blueprint for implementing human rights at local and regional level, the Congress could, as a first step, record the methods available which could be adapted to local circumstances.

7. The Congress is also an ideal forum in which to raise awareness about human rights issues among local and regional political leaders and government officials. The most important way to enable local and regional authorities to take responsibility for human rights is through the systematic training of political leaders and the dissemination of reliable information among citizens about their rights (particularly among vulnerable groups).

8. The Congress invites local and regional authorities to set up appropriate bodies or procedures to effectively implement and review the human rights situation in their communities and for rectifying instances where fundamental rights are not fully respected, particularly in the provision of local public services.

9. In the light of the above and also with reference to its joint declaration with the Council of Europe Commissioner for Human Rights and the Swedish Association of Local Authorities and Regions (SALAR) adopted on 6 October 2008, the Congress therefore calls on local and regional authorities to:

*a.* act with full regard for fundamental rights, particularly with regard to data protection;

*b.* contribute to the development of national indicators to facilitate the assessment of advances made in the field of human rights at local and regional level and take part in the drafting of national plans to secure and promote human rights; on the basis of the problems and remedies identified in the course of these planning measures, local and regional authorities will be able to analyse the local human rights situation regularly and to refer, where appropriate, to central government;

*c.* promote the establishment at local level of independent complaints mechanisms, such as, for example, an accessible and independent decentralised ombudsperson's office, designed to deal with allegations of infringement of individual rights;

*d.* foster human rights training for local elected representatives and government officers so that they can identify and deal with human rights issues within the framework of their activities;

*e.* promote consultation processes, enabling all participants in local public life to exchange information on the human rights situation and to arrive at agreed responses to problems that arise;

*f.* guarantee equal access to public services for all citizens and non-citizens, without any discrimination, while ensuring that social rights are upheld;

*g.* introduce procedures, where education, health or social services are being privatised, to make the organisations concerned accountable for their actions and establish a quality control system for the services offered;

*h.* to examine local government budgets from a human rights perspective so that human rights are given appropriate attention when priority needs are being decided on.

10. The Congress instructs its Monitoring Committee to collect data on the local and regional human rights situation systematically on its visits. It also asks the other Congress committees to take account of human rights during their respective activities.

11. The Congress also instructs its Monitoring Committee to produce a five-yearly report on the human rights situation at local and regional level in Council of Europe member states, producing comparative data.

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1. Adopted according to the tacit adoption procedure (Rule 25 of the Rules of Procedure) by the Congress on 19 October 2011 (see document CG(21)15).