

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 260 (2008)¹ Partnership between local and regional authorities and non-governmental organisations in Council of Europe member states

1. The responsibilities exercised by local and regional authorities and non-governmental organisations (NGOs) for the benefit of citizens are complementary and demonstrate the essence of a pluralist democracy in action.

2. Partnerships that are freely entered into between local and regional authorities and NGOs help to strengthen local and regional democracy and citizen participation: this was the finding of the Final Declaration of the conference on NGOs and local and regional democracy organised jointly by the Congress of Local and Regional Authorities of the Council of Europe and the Organisation's Conference of International Non-Governmental Organisations (INGOs) in Budapest in 2003.

3. This declaration called for the joint drawing-up, by the Congress and the Liaison Committee of the Conference of INGOs of a "Memorandum of partnership between local and regional authorities and NGOs".

4. The Congress and the Conference of INGOs therefore agreed to establish a partnership for the drawing-up of such a memorandum and, more generally, to promote progressive and appropriate procedures for citizen participation between elections in current practices at local and regional level, and also in the legislation of the different member states of the Council of Europe.

5. This is in keeping with the spirit of the texts adopted by the Congress and the Committee of Ministers in particular the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144 – 1992), the revised European Charter on the Participation of Young People in Municipal and Regional Life (2003) and Congress Recommendation 181 (2005) on the European Urban Charter.

6. The participants in the Forum for the Future of Democracy (Sigtuna/Stockholm, Sweden, 2007), for their part, claimed that it is not possible to achieve genuine participatory democracy "without empowering territorial communities, engaging people in the decision making and giving them the feeling of belonging to a society which decides for itself regardless of the political elite, where every individual is in a position to influence his or her own future".

7. The Congress and the Conference of INGOs also bore in mind the spirit of Recommendation Rec(2007)14 of the

Committee of Ministers to member states on the legal status of non-governmental organisations in Europe and the Conference of European Ministers responsible for Local and Regional Government (Valencia, Spain, 15 and 16 October 2007), at the close of which the ministers approved the Strategy on Innovation and Good Governance at Local Level, inviting national and local authorities to make a public commitment to the 12 principles of good democratic governance.

8. The Council of Europe European Centre for Global Interdependence and Solidarity, for its part, has established a quadrilogue of parliamentarians, governments, NGOs and local and regional authorities.

9. The Congress therefore undertakes, in the spirit of the European Charter of Local Self-Government and the draft European charter of regional democracy, to encourage local and regional authorities to take account, where possible, of the action of not only local and regional but also international NGOs and to involve them, as often as possible, in the decision-making process in public affairs.

10. In view of the above, the Congress calls upon the local and regional authorities of the member states of the Council of Europe to put into practice the principles set out in the memorandum below and, in particular, to:

a. recognise and support the important role of NGOs both in their specialised fields and also in general in the construction of civil society;

b. encourage the establishment of formal and informal partnerships between local and regional authorities and NGOs;

c. support diversity of partnerships enabling local and regional authorities to take into account the different conditions and needs existing at local level.

Appendix

Memorandum on a partnership between local and regional authorities and NGOs in Council of Europe member states

Preamble:

The Heads of State and Government of the Member States of the Council of Europe (Warsaw, 2005), decided to "enhance the participation of NGOs in Council of Europe activities as an essential element of civil society's contribution to the transparency and accountability of democratic government".

For the purposes of the present memorandum, local and regional authorities shall mean the elected representatives of sub-national authorities of Council of Europe member states.

NGO shall mean any financially and politically independent organisation based on a private initiative which pursues a non-profit-making activity and whose purpose is of benefit to society.

The Congress of Local and Regional Authorities and the Conference of INGOs of the Council of Europe:

– Considering that although the election by universal suffrage of their deliberative and executive organs means that local and regional authorities have sole legitimacy for preparing and taking decisions in the areas of responsibility assigned to them, the participation of NGOs – in which citizens or local inhabitants freely associate – in the decision-making process is to be strongly encouraged in so far as it serves to improve the quality and effectiveness of local and regional decisions and to move towards new forms of local and regional governance;

– Considering, equally, that this partnership should help strengthen relations between citizens and the elected authorities and remedy, at least to some degree, the loss of interest in public affairs noted in many European countries;

– Considering, likewise, that local and regional authorities and NGOs share the desire to place citizens at the heart of local and regional democracy by giving them the opportunity to express their views on the main policy choices at local level, in particular through the machinery of participatory or direct democracy (local referendums, local consultations, consultative committees, users' committees, etc.);

Agree to seek jointly and by all appropriate means, the best ways of strengthening local and regional democracy. They believe this collaboration should concern three specific areas: the expression of citizens' expectations, the special expertise which can be offered in the various fields of local and regional authorities' action, and assistance in developing decentralised co-operation.

I. The expression of citizens' expectations

The Budapest Conference Declaration underlined the key role played by NGOs in strengthening local and regional democracy:

– by bringing local and regional authorities and citizens closer together, and

– by ensuring that citizens' diverse interests are represented and defended vis-à-vis not only governments but also local and regional authorities, which, like NGOs, are one of the means by which civil society can make its voice heard in democratic societies.

The consolidation and strengthening of ties between NGOs and local and regional authorities may be regarded as supplementing the system of representation at local level by encouraging public participation and ensuring public information and consultation about the affairs of the community concerned.

These practices, whether official or unofficial, will offer a response to citizens' need for information, most recently associated with the emergence of e-democracy, and will place emphasis on:

– providing advance information on all public decisions and new ways of presenting information, as well as giving the

public access to preliminary decisions and to the largest possible number of official documents, as advocated in Recommendation Rec(2002)2 of the Committee of Ministers to member states on access to official documents;

– implementing procedures of direct, participatory democracy with regard to the various "good practices" that have been identified both at local and regional level (neighbourhood associations, sectoral or regional interest groups, residents' associations, etc.).

With due regard for the principle of local and regional self-government, local and regional authorities will freely determine the criteria for representativeness on the basis of which NGOs may be involved in the management of local affairs.

Co-operation between NGOs and local and regional authorities should therefore make it possible to devise new models of good governance which place more emphasis on citizen participation. In this respect, local and regional authorities could, for example:

– Involve NGOs in the preparation of dossiers in working committees and other committees and invite them to take part in these committees;

– Make use of the expertise of NGOs as necessary in spheres in which they are competent;

– Involve NGOs in the implementation of measures taken by local and regional authorities, in particular by informing the public by all appropriate means.

II. The special expertise offered in various fields of local and regional authority action

In the vast majority of European countries, local and regional authorities are now endeavouring to improve the quality of their governance and policies. This insistence on quality concerns both compliance with law and the relevance of public policies to the practical needs and expectations of the community.

This insistence on quality, which is illustrated by the fact that local and regional authorities, like other public authorities, have established systems for auditing and evaluating their public policies, means that there should be closer relations between LRAs and NGOs, which have often developed their expertise, in particular on the basis of a comparative analysis of the systems in other countries. Local and regional authorities could take advantage of this expertise and of the international experience acquired.

NGOs are therefore destined to act as think-tanks: their know-how, their expertise and the constant internal debate between the different points of view, the different experiences and cultures they represent mean that it is only natural that they should perform this role.

The Congress of Local and Regional Authorities undertakes to disseminate among its members information on the various NGOs and to draw attention to their expertise. The Conference of INGOs, for its part, undertakes to encourage NGOs to respect local and regional authorities' capacity for

independent decision making and agree to be judged according to the public benefit they offer the public.

The existing links between local and regional authorities and NGOs should be strengthened, thereby enabling the latter on the one hand to extend their scope of action and local and regional authorities on the other to achieve greater effectiveness and reinforce their legitimacy by ensuring that citizens have a better understanding of public affairs.

III. Assistance in developing decentralised co-operation

Decentralised or cross-border co-operation is one form of local or regional authority action at international level reflecting the common interests of local and regional authorities. The fact that this type of co-operation has grown substantially in recent years, both with regard to the spheres concerned and the geographic areas covered, undeniably opens the way for particularly close and relevant co-operation between local and regional authorities and NGOs. Moreover, it is a contributing factor to the development of peace.

The increased diversity of the fields covered reflects the limits of a strictly economic approach to such decentralised co-operation and involves the inclusion of new dimensions such as education and training, local rural and urban development, social health activities, research, culture and

institutional support, all of which belong to the public authorities' priority areas of action.

These trends mean that it is now necessary for local and regional authorities to establish partnerships with bodies capable of backing up their action at international level and acting as an interface between the various authorities.

NGOs could have a dual role here.

– owing to their international nature and the fact that they exist in different European countries, they can act as “facilitators” of international action by local or regional authorities and of closer ties between them by establishing contacts between authorities, and by identifying complementary know-how and needs;

– as instruments of international action by local or regional authorities, in particular by acting on behalf of authorities which, although they may wish to take international action, may not have the necessary expertise, technical know-how or human resources to do so, NGOs are no longer just “facilitators” but are actual players whose know-how is placed at the disposal of local and regional authorities, while respecting their capacity for independent decision making.

1. Debated and adopted by the Congress on 29 May 2008, 3rd Sitting (see Document CG(15)10RES, draft resolution presented by S. Ylipulli (Finland, R, NR), rapporteur).