

CONSEIL DE L'EUROPE COUNCIL OF EUROPE

Strasbourg, 5 November 1985

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STEERING COMMITTEE FOR
REGIONAL AND MUNICIPAL MATTERS
(CDRM)

DECISIONS TAKEN BY THE COMMITTEE OF MINISTERS
CONCERNING THE CONCLUSIONS OF THE 6th CONFERENCE
OF EUROPEAN MINISTERS RESPONSIBLE FOR LOCAL GOVERNMENT

(Rome, 6-8 November 1984)

6.426
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1. THEME I : EUROPEAN CHARTER OF LOCAL SELF-GOVERNMENT

The Committee of Ministers, at its 387th meeting held at Deputy level from 20 to 28 June 1985, adopted the Charter of Local Self-Government as approved by the Ministerial Conference in Rome in November 1984 in the form of a Convention and decided to open it to signature on the occasion of the 20th Session of the CLRAE.

On 15 October 1985, the Italian Minister of the Interior, Mr Scalfaro, in his capacity as Chairman of the Ministerial Conference, made a speech before the CLRAE to celebrate three major events : the 10th anniversary of the Ministerial Conference itself, whose main achievements he outlined, the 20th session of the CLRAE and, above all, the opening to signature of the Charter of Local Self-Government, of which he extolled the great political significance.

Further speeches were made by Mr Waffenschmidt, Parliamentary State Secretary of the Federal Republic of Germany, Mr Koutsogiorgas, Minister of the Interior of Greece, Mr Spautz, Minister of the Interior of Luxembourg, Mr Pons Irazazabal, Minister of Territorial Administration of Spain.

Afterwards, Mr Scalfaro answered questions put to him by members of the CLRAE.

Mr Kaalund, a Danish County Mayor, after pointing out that the Charter does not provide for any system of control, expressed the wish that in the future each ministerial Conference should have on its agenda a discussion on the state of application of the charter in the various countries and asked Mr Scalfaro if he was willing to support this proposal.

Mr Scalfaro replied that he was personally in favour, while noting that it was up to member governments, through their representatives on CDRM, to decide on this matter.

Mr Reijnen, Burgomaster of Heerlen (Netherlands), asked Mr Scalfaro if he could give an assurance that in Salzburg the Ministers would discuss, in connection with theme II of the Conference, the question of voting rights at local level for resident nationals of other member states, taking account of recent positive developments in this field.

Mr Scalfaro replied that personally it was his most ardent wish that these other Europeans should be able, on certain conditions, to enjoy at local level the same rights as the native population, with whom they share the same duties, but that once again the decision of the subject could only be taken collectively.

The ceremony of the signing of the Charter took place near the Assembly Chamber in the presence of the Secretary General, numerous personalities and the press.

The Charter was signed by :

- Mr Hans G. KNITEL, Ambassador, for Austria
- Mr Jan Robert VAN DEN BLOOCK, Ambassador, for Belgium
- Mr Erling V. QUADE, Ambassador, for Denmark
- Mr Henri OURMET, Ambassador, for France
- Mr Horst WAFFENSCHMIDT, Parliamentary Secretary of State, for the
the Federal Republic of Germany
- Mr Agamemnon KOUTSOGIORGAS, Minister of the Interior, for Greece
- Mr Oscar Luigi SCALFARO, Minister of the Interior, for Italy
- H.S.H. Prince Nicolas of LIECHTENSTEIN, Permanent Representative ,
for Liechtenstein
- Mr Jean SPAUTZ, Minister of the Interior, for Luxembourg
- Mr Joao PEREIRA BASTOS, Ambassador, for Portugal
- Mr Félix PONS IRAZABAL, Minister of Territorial Administration,
for Spain.

The final edition of the Charter is being prepared for publication.

2. THEME II : THE RELATIONSHIPS BETWEEN THE VARIOUS LEVELS OF LOCAL
ADMINISTRATION UNDER A REGIONAL ORGANISATION

The examination of the conclusions on this theme by the Committee of Ministers gave rise to the adoption of ad hoc terms of reference, to be carried out in 1985, by which the Committee of Ministers asks the CDRM to take account of these conclusions in its future work.

The Committee of Experts on Local and Regional Finance (RM-FL) at its meeting on 7-8 November 1985 and the Committee of Experts on Local and Regional Structures at its meeting on 2-3 December 1985 will examine the preliminary draft final report to be submitted to the CDRM for adoption and submission to the Committee of Ministers.

The Secretariat has supplied to these two committees, as a basis for discussion, the preliminary draft report which is appended to this document.

3. FORMAL DECISION TO CHARGE CDRM TO PREPARE THE 7th MINISTERIAL
CONFERENCE (Salzburg , October 1986)

This decision was taken by the Committee of Ministers at the meeting held at Deputy level on 29-31 May 1985.

APPENDIX

PRELIMINARY DRAFT FINAL ACTIVITY REPORT

on the ad hoc terms of reference

n° CM/360/310585

I. AD HOC TERMS OF REFERENCE

1. Name of relevant committee : STEERING COMMITTEE FOR REGIONAL AND MUNICIPAL MATTERS (CDRM)
2. Source of terms of reference : Committee of Ministers
3. Completion date : 1985
4. Terms of reference :

Having regard to the conclusions of the 6th Conference of European Ministers responsible for Local Government on the relationships between the various levels of local administration under a regional organisation, to formulate the CDRM's proposals to the Secretary General for intergovernmental activities from 1987 onwards. These proposals should include :

- studies aimed not only at the development of regional institutions but also at the achievement of an appropriate apportionment of responsibilities and resources between regional and local administrations;
- detailed study of the effects of empowering regional and local authorities to levy taxes, having regard to the activities already appearing in the Programme of Activities for 1985, particularly Activity 20.5.A1, element 5;
- the identification and discussion of any other topics likely to provide governments and interested authorities with information about the problems raised in paragraphs 1-6 of Resolution II adopted at the 6th Conference of European Ministers responsible for Local Government.

II. DECISIONS TO BE TAKEN BY THE COMMITTEE OF MINISTERS

The Committee of Ministers is invited to take note of the present Final Activity Report and to determine that CDRM has fulfilled the ad hoc terms of reference n° CM/360/310585.

III. REPORT

In its conclusions on theme II concerning the relationships between the various levels of local administration under a regional organisation the Ministerial Conference held in Rome on 6-8 November 1984, summarizes the essential points of a problem already discussed at the meeting in Madrid in 1980 concerning co-operation between central government and regional and local authorities and which was developed in greater detail in the context of this specific theme.

However, it is mainly the structural characteristics of the regionalised countries that have been analysed so far, whereas the allocation of powers and in particular of financial and fiscal powers in each country has only been dealt with indirectly.

Starting from this basis, CDRM has made the following plans to respond to the Committee of Ministers' terms of reference :

i. With regard to the first item of the terms of reference :

Within the framework of activity 20.7.1 (data-sheets on local and regional structures in Europe) CDRM is currently carrying out a "comparative and analytical study of structures and functions of local and regional authorities in the member states of the Council of Europe". In simple terms, the aim is to answer, by means of a synoptical presentation, the question "who does what" in the various countries.

It is planned that this study should consider the local level in 1985 and the regional level in 1986, the whole exercise being completed at the beginning of 1987.

ii. With regard to the second item, CDRM will see to it that the Committee of Experts on Local and Regional Finance (RM-FL), which is called upon to assist in the implementation of activity 20.5.A.1, element 5 : "Analysis of financial instruments and the role of finance in regional institutions" studies in detail the consequences of assigning increased powers of taxation to the regional level.

iii. With regard to the third item, CDRM, which was involved in the choice of theme II of the Rome Ministerial Conference on "the relationships between the various levels of local administration under a regional organisation" and in the preparation of the report which served as a technical basis for the deliberations of that conference, intends to devote an important part of its activities from 1987 onwards to the development of the regional phenomenon, the front line of the decentralisation process which is the dominant trend in most European countries.

The regional phenomenon, with its own specific characteristics in relation to the local level, and through the many problems which it poses with regard to :

- general restructuring of the administration
- redistribution of functions
- vertical relations with , on the one hand, central government and, on the other , local authorities (municipalities and the intermediate level where it exists) and horizontal relations concerning interregional co-operation,
- finances, powers of taxation, controls, etc.,

constitutes, in CDRM's opinion, one of the fields in which governments and local and regional authorities should benefit from comparative analyses of the advantages and disadvantages, the successful initiatives and the mistakes made in the regionalisation processes which have been completed or are under way in this or that European country.

But CDRM wishes to consider with regard to regionalisation, not only structural questions and the relations between the different levels of government but also the cultural dimension and the aspect, so fundamental at a time of economic crisis, of the balanced development of the European regions, whether it be endogenous or induced from without. The European campaign for the countryside acquires its true significance in this context.

The role of the regions in the vital field of transfrontier co-operation and with regard to employment policy, land management and protection of the environment will also be studied after 1987.

CDRM also intends, through its prospective studies and proposed solutions, to back up the commitment made by the Ministers in Rome, the cardinal importance of which is obvious, "to a reinforcement of the role of regional and local authorities in the elaboration and implementation of community policies, particularly those which affect them most directly, such as regional development policy".

In conclusion, CDRM could begin by proposing the inclusion in the intergovernmental programme of activities for 1987 of the following activity: "identification of the ways and means of pursuing decentralised development at regional level and assessment of their effectiveness".