

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 244 (2007)¹ Principles governing regional democracy: proposals and strategy

1. The Congress draws attention to the interest in the principles of regional democracy shown by the European ministers responsible for local and regional government at their last two conferences, in Helsinki on 27 and 28 June 2002 and in Budapest on 24 and 25 February 2005.

2. Strengthening local and regional democracy is one of the goals of the Council of Europe, and particularly of its Congress, whose activities include support for the development of local and regional bodies in its member countries.

3. Aware of the importance of protecting and fostering local and regional democracy, the Committee of Ministers of the Council of Europe confirmed and extended the remit of the Congress by adopting Statutory Resolution (2000) 1, in which it emphasised, among other things, the role that the Congress played in promoting co-operation in this area, and stated that one of the Congress' specific tasks was to draw up regular reports on the situation of local and regional democracy in member states (Articles 2.3).

4. With regard to local democracy, the Congress points out that the European Charter of Local Self-Government (ETS No. 122), opened for signature on 15 October 1985, is the defining legal reference instrument in the field. Having been ratified by practically all the Council of Europe member states, it plays a key role as an essential pillar in the construction of a Europe founded on human rights, democracy and the rule of law.

5. In this context, the regional level of governance is still under discussion, a subject of much deliberation, and is undergoing institutional reform in most Council of Europe member states. Unfortunately, it has to be said that the broad diversity of institutional approaches, needs and reservations on the subject makes co-ordination difficult in terms of content and schedules.

6. It is interesting, however, that member states seem to agree about the added value that good regional governance can bring, despite their differing opinions on the necessary extent of regional self-government.

7. Despite the misgivings expressed by some countries as to a binding instrument, the Congress is still firmly convinced that, in spite of major legal and institutional differences on

the subject, it is still desirable to provide a common general framework for regional democracy and to co-ordinate current or future processes relating to it.

8. For this purpose, although the draft charter of regional self-government on which the Congress has been working since 1997 has, alas, not come to fruition, the Congress considers it important to revive the debate on the institutional prospects of regionalisation in Europe as they stand today.

9. In this connection, the Congress would like to emphasise and welcome the role played by the Parliamentary Assembly, which has always shown interest in the Congress' work and given invaluable support to all the Congress' efforts to promote regional democracy, notably through the preparation of a European legal reference instrument.

10. Since the Congress' earliest work on texts on regional democracy, the many changes on the European political, economic and social scenes have merely confirmed the importance of regional governance and encouraged the Congress to take new steps in this field and prepare a draft on the subject.

11. It is with this in mind that the Congress is examining a new draft text on regional democracy which makes it an obligation for regional entities to respect the principle of national sovereignty and integrity and to show due regard for national interests in the process of European integration.

12. Furthermore, while taking account of the various forms that European regions may take, as well as the power of each state to determine the conditions for its own regional democracy, the Congress wishes to allow for the interests of states which do not yet have regional bodies and to help them to create the conditions conducive to the growth of regional democracy.

13. On the basis of its preliminary draft text, the Congress will continue discussion with the regional associations, the Committee of the Regions of the European Union, the Parliamentary Assembly of the Council of Europe and the regional entities so as to present a decision during the 2008 Plenary Session of the Congress.

14. In view of the above, the Congress resolves:

a. to entrust to its delegation attending the Conference of European Ministers responsible for Local and Regional Government (Valencia, 15-16 October 2007) the task of drawing the ministers' attention to the need to restart consideration of a text establishing the principles of regional democracy, so that this text, based on the draft prepared by the Congress, becomes the subject of a constructive dialogue between the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe;

b. to invite the Parliamentary Assembly to acquaint itself with the text and to express its interest in and support for this new proposal, particularly at the aforementioned Valencia conference and at the colloquy with the ministers;

c. to continue the discussion on this new basis and to prepare a debate on the question of an international legal instrument relating to regional democracy during the following

Conference of European Ministers responsible for Local and Regional Government in 2009.

1. Debated and approved by the Chamber of Regions on 31 May 2007 and adopted by the Congress on 1 June 2007, 3rd Sitting (see Document CPR(14)6RESREV, draft resolution presented by J.-C. Van Cauwenberghe (Belgium, R, SOC), rapporteur).