

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Resolution 141 (2002)¹ on the participation of foreign residents in local public life: consultative bodies

The Congress, bearing in mind the proposal of the Chamber of Local Authorities,

1. Recalling in particular:

a. the Council of Europe's Convention on the Participation of Foreigners in Public Life at Local Level, opened for signature in 1992 and to date signed by 9 and ratified by 6 of the 44 member states;

b. its Resolution 92 (2000) adopted following the Strasbourg conference of 5 and 6 November 1999 on this topic, co-organised by the City of Strasbourg and its Consultative Council for Foreigners;

c. the conclusions of the hearing held by the CLRAE on 14 December 2001 at the invitation of the mayor of Stuttgart, which focused primarily on the pooling of European experiences concerning foreign residents' consultative councils;

2. Recalling also the principles of the European Urban Charter regarding effective participation by immigrants in local public life;

3. Recalling also the Parliamentary Assembly's recent work, in particular its Recommendation 1500 (2001) on the participation of immigrants and foreign residents in political life in the Council of Europe member states and Recommendation Rec (2001)19 of the Committee of Ministers of the Council of Europe to member states on the participation of citizens in local public life, especially paragraph 5 of section D of Appendix II which concerns foreigners and invites member states to draw inspiration from the mechanisms referred to in the 1992 Council of Europe convention, even when they are not legally bound by the convention's provisions;

4. Thanking the mayor of Stuttgart for hosting the CLRAE hearing in his city and for already offering to act as host again in 2003 for a larger-scale conference on the same question;

5. Taking note of Mrs V. Dirksen and Mr W. Schuster's report (CPL (9) 5 Part II), Recommendation 115 (2002) and the summary of the proceedings of the Stuttgart hearing;

6. Convinced that democratic principles make it necessary not to exclude from local public life foreign residents who are lawfully and permanently settled in the territories of European states, irrespective of their country of origin, since there can be no genuine local democracy without the full participation of all the locality's inhabitants;

7. Underlining the relevance of this question and the topicality of this debate in many European countries and their direct link with the issues of social cohesion, integration, combating intolerance and racism, and access to citizenship;

8. Convinced that the measures proposed in the Council of Europe's Convention on the Participation of Foreigners in Public Life at Local Level offer a whole range of possibilities that should inspire action by national governments and territorial authorities to enhance the just participation in decisions concerning the life of the local community of foreign residents who are still too often excluded from these democratic processes;

9. Recalling that local experiments with consultative bodies for foreign residents, as advocated in the 1992 Council of Europe convention, were initiated in several European countries in the 1970s, and noting that in European towns and cities there is still a wide variety of such consultative bodies, a number of which have evolved over the years, while certain others have been abandoned and new ones are still being created;

10. Observing that consultative bodies for foreign residents exist in countries which have not granted the right to vote in local elections to all foreign residents lawfully and permanently settled on their territory and also in countries where this right has been granted, irrespective of the foreigners' countries of origin;

11. Noting that local consultative bodies for foreign residents exist *inter alia* in France, Spain, Italy, Luxembourg and Switzerland, in most major German towns and cities and in countries where foreigners acquire the right to vote in local elections after a certain number of years' residence, for instance in the Netherlands, Norway, Sweden and Denmark, where such bodies are quite widespread (there are in fact some fifty local integration councils), whilst in Belgium the trend seems to be to replace them with other bodies;

12. Regretting the inadequacy of the information available on these consultative bodies, the lack of any pooling of experiences at European level among the towns and cities concerned and the low level of resources deployed to raise public awareness and promote real public debate on this matter;

13. Believes that the CLRAE offers an appropriate framework for promoting the exchange of information in order to turn the experience acquired to account and make as objective an assessment as possible of the consultative structures that exist in various forms in several European countries;

14. Instructs its Culture and Education Committee, the instigator of the Stuttgart hearing, to continue its efforts, in co-operation with the other Council of Europe sectors concerned, to:

a. gather the fullest possible relevant information on past experiments and those still operational in various European towns and cities that have established consultative bodies for foreign residents as proposed in the 1992 Council of Europe convention;

b. promote the creation of a network for the exchange of experiences among towns that have established consultative bodies of this kind or local anti-discrimination offices so as to enable them to pool their expertise, discuss together the challenges they face and, subsequently, analyse the fundamental principles ensuring that they function smoothly, their limitations and their possible development in various local, national and European contexts, and also so as to bring home their advantages both to the populations of foreign origin and to the indigenous population;

c. analyse the broad trends in the development of consultative bodies from their earliest creation at the beginning of the 1970s up to the present time, so as to understand the reasons why, in certain cases, they have been abandoned or replaced by other bodies;

d. draw up a compendium of guiding principles for the creation and smooth functioning of consultative bodies for foreign residents to serve as a handbook for use by the towns concerned and as a source of inspiration for others across Europe;

e. consider the relationship between these bodies and the granting of the right to vote in local elections to foreign residents, particularly their changing role in these circumstances and the changing perception of them by the inhabitants and by political leaders;

f. on the basis of this work and other complementary work that may be undertaken in other organisations, hold a major conference in Stuttgart in 2003 to present and disseminate the conclusions of this work;

g. to this end, seek co-operation with other sectors of the Council of Europe, especially the Directorate General of Legal Affairs and in particular its Directorate of Co-operation for Local and Regional Democracy, the Directorate General of Social Cohesion and its intergovernmental programme in the field of migration, the Directorate General of Human Rights and in particular the European Commission against Racism and Intolerance (ECRI), and the Parliamentary Assembly and in particular its Committee on Migration, Refugees and Demography;

h. pay particular attention also, in this work and at the Stuttgart conference, to the participation and integration of young migrants and young people of immigrant origin, given the importance of this question for social cohesion and democracy in our contemporary societies and for the years ahead.

1. Debated and approved by the Chamber of Local Authorities on 5 June 2002 and adopted by the Standing Committee of the Congress on 6 June 2002 (see Doc. CPL (9) 5, draft resolution presented by Mrs V. Dirksen and Mr W. Schuster, rapporteurs).