

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Opinion 15 (2001)¹ on the draft recommendation of the Committee of Ministers to the member states of the Council of Europe on participation of citizens in local public life

1. The Congress of Local and Regional Authorities of Europe (CLRAE) welcomes the Committee of Ministers' initiative of preparing a draft recommendation on "participation of citizens in local public life". Adopting this recommendation during the International Year of Volunteers would convey an important message in favour of reinforcing local democracy in the member states of the Council of Europe;

2. The CLRAE considers that the instrument's form – a recommendation with two appendices – lends itself to the translation into action of the proposed measures in accordance with the subsidiarity principle, and hence with local specificities;

3. The CLRAE largely concurs with the analysis of current challenges to local self-government and with the Committee of Ministers' conclusions. International studies show a variety of trends and developments in both citizens' political behaviour and local self-government reform in the member states of the Council of Europe;

4. The CLRAE subscribes to the principle that representative democracy should be the basis for public participation not only at local level but also at the regional and national levels, as a common heritage of the member states of the Council of Europe;

5. In view of citizens' changed expectations representative democracy must be supplemented with elements of direct democracy. Measures must also be taken to enable citizens to assume responsibilities in shaping community life;

6. In the past the CLRAE has taken a close interest in various aspects of efforts to reinforce local democracy in the member states of the Council of Europe. In this connection, special mention can be made of:

– Resolution 237 (1992) on the European Charter on the participation of young people in municipal and regional life;

– Resolution 243 (1993) on citizenship and extreme poverty: the Charleroi Declaration;

– Resolution 15 (1995) on Local Democracy: a civic project;

– Resolution 91 (2000) on responsible citizenship and participation in public life;

The Committee of Ministers' draft recommendation is in line with the above-mentioned CLRAE resolutions. These texts should therefore be mentioned in the preamble to the recommendation;

After in-depth discussion, the CLRAE believes that the Committee of Ministers' recommendation should be amended as follows:

7. The CLRAE is convinced that citizens' readiness to assume responsibilities and participate in political affairs depends on the state of local self-government in the member states of the Council of Europe. With the adoption of the European Charter of Local Self-Government, a common European standard for assessing local self-government in the member states of the Council of Europe was established. According to the European Charter of Local Self-Government, the fundamental principles on which local self-government is based are autonomy (local authorities' responsibility for their own administrative and financial affairs) and citizenship (forms and means of participation);

8. Fulfilment of local authorities' future responsibilities depends on the success of efforts to guarantee them greater decision-making powers along with sufficient, available own financial resources;

9. Local self-government constitutes the local tier of politics. It encompasses local public services, and, if citizens are to identify with their respective local communities, necessitates independent means of action. Local self-government must help to establish a public consensus, to guarantee social justice, to uphold the law and to foster cultural diversity. It thus creates a sense of community among citizens of the same town or village;

10. The CLRAE therefore considers that the following text should be added to the recommendations to the governments of member states:

"Sign and ratify the European Charter of Local Self-Government, if they have not already done so, and take legislative measures to grant local authorities greater administrative and financial powers, in accordance with the basic principles of local self-government, as defined in the European Charter";

11. Democracy is not confined to the act of voting. Citizens can and must be allowed to influence politics in other ways. This entails not only developing forms of direct democracy but also exploiting the knowledge and commitment of citizens, as those directly affected by political and administrative decisions, to arrive at appropriate solutions acceptable to local people. This makes it necessary to develop a culture of dialogue between administrative authorities, politicians, citizens, social groups, associations, representatives of industry and other operators. In this connection, the CLRAE particularly

welcomes the basic principles for improving political participation at local level set out in Appendix I;

12. The CLRAE considers it necessary to draw attention to the fact that in liberal states governed by the rule of law, the rights conferred on citizens go hand in hand with duties and responsibilities. A legal system founded on human and civil rights, and compliance with the ensuing legal obligations, is necessary to successful coexistence, but is not enough in itself. Coexistence consistent with human dignity can be achieved only where the freedom of action which citizens are guaranteed through rights and liberties is translated in ethical and moral terms. The CLRAE therefore believes that the member states and local and regional authorities should be required to take into consideration, acknowledge and apply the guidelines for a policy of responsible civic participation in municipal and regional life set out in CLRAE Resolution 91 (2000). The ethical and moral principles laid down in that resolution could constitute an Appendix III to the recommendation;

13. The CLRAE is pleased to note that the proposals made in Resolution 91 (2000) to improve transparency of political decision-making at local level have been taken up in Appendix II.A of the draft recommendation;

14. In representative democracies, political legitimacy grows with voter turnout. The CLRAE is concerned to note the tendency towards lower participation in elections to all levels of government observed in virtually all the member states of the Council of Europe. The CLRAE therefore deems it necessary, in addition to the improvements to Appendix II.B already proposed, to issue a recommendation that voting procedure be amended to allow citizens greater influence over the composition of councils. Vote cumulating and splitting has proved its worth in practice. Under this system, citizens have more than one vote and may give all their votes to a single candidate or distribute them among a number of candidates, whether belonging to the same political party or to different parties;

15. Towns and villages which have set out to become model “citizens’ municipalities” actively encourage citizen’s participation to ensure the greatest degree possible of self-government in local authority administrations. In this connection, the CLRAE welcomes the inclusion in the Committee of Ministers’ recommendation of steps and measures to encourage direct public participation in local decision-making and the management of local affairs. The proposals made in Appendix II.C to the recommendation are in line with the Congress’s own proposals in Resolution 91 (2000);

16. To foster the participation of young women and young men, the CLRAE is in favour of both a decrease in voting age and the creation of youth councils or parliaments;

17. The CLRAE also suggests adding creation of a “citizens’ budget” to the proposals set out in Appendix II.C. This approach, which aims to involve the public in budgetary and financial planning, is based on producing a budget comprehensible to laypersons. The

resulting budget should be explained at meetings with local residents, with whom any options should be discussed.

Citizens’ preferences concerning individual budget items should have some influence on budgetary debates;

18. Reinforcing public motivation and participation is of critical importance to the future viability of towns and villages. The CLRAE therefore believes that municipal authorities should be required to establish support structures capable of assisting members of the public, movements and associations in their efforts to participate in shaping local community life. In this connection, the CLRAE recommends that reference be made to the important work done by senior citizens’ organisations, the voluntary sector, environment (Local Agenda 21) agencies, associations, networks and foundations. Internet sites and active complaints management can be useful means of identifying problems of substance or procedure in administrative, infrastructure or other fields;

19. The CLRAE also considers it important to acquaint municipal and regional authorities in the member states of the Council of Europe with the success factors that make for greater public participation:

a. citizens, men and women, must feel that they are taken seriously – municipal authorities can best achieve this by issuing convincing invitations to co-operate and participate, taking account of citizens’ possibilities, motives and concerns; in particular, they should recognise the specific difficulties that women have in participating in political life and take steps to overcome these;

b. members of the public, associations and movements can also be motivated through praise and encouragement (honours, public recognition, certification possibilities, reimbursement of expenses, sponsoring);

c. where members of the public or organisations help to achieve budgetary savings in any way, they should receive part of those savings as a contribution to their voluntary work;

d. to appeal to all population groups and give them the opportunity to participate, municipal authorities may need to adopt a stronger, more specific approach to certain groups – citizens like to be addressed as individuals, not just as members of the general public. Communication campaigns alone are therefore not enough;

e. when promoting new forms of public participation, the traditional voluntary sector must not be overlooked – members of associations and groups who have long been assuming important responsibilities on a voluntary basis must not be given the impression that their services are no longer recognised in political circles.

1. Debated and adopted by the Congress on 29 May 2001, 1st Sitting (see Doc. CG (8) 3, draft opinion presented by Mr Guégan and Mr Haas, rapporteurs).