

## CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

### **Opinion 11 (1999) on the report of the Committee of Wise persons to the Committee of Ministers “Building Greater Europe without dividing lines”<sup>1</sup>**

*(Extract from the Official Gazette of the Council of Europe  
– March 1999)*

The Congress,

1. Aware of the importance, for the debate on the Council of Europe’s future, of the Report of the Committee of Wise Persons addressed to the Council of Europe Committee of Ministers on 3 November 1998 entitled “Building Greater Europe without dividing lines” in response to the request by the Council of Europe’s 2nd Summit of Heads of State and Government, held in Strasbourg in October 1997;

2. Expressing its satisfaction not only with the fact that the Committee of Wise Persons consulted the Bureau of the Congress while preparing its report but also that the Ministers’ Deputies have asked the Congress for an Opinion on the report produced by the Committee of Wise Persons, as part of the current process of considering how to implement the report;

3. Referring to the more detailed report presented on the subject in question by the Rapporteurs Jean-Claude Cauwenberghe and Halvdan Skard to the Standing Committee of the Congress on 4 March 1999 [CG (5) 26 Part II];

4. Taking into account Opinion No. 208 adopted by the Parliamentary Assembly on the report of the Committee of Wise Persons on 26 January 1999 on the basis of the report by Peter Schieder;

5. Expresses its agreement with the main points developed in the report of the Committee of Wise Persons on questions touching upon the areas of competence of the Congress;

6. Considers, however, that all the objectives envisaged by the report of the Wise Persons and by the Summit, and in particular those affecting the Congress, cannot be implemented without making available to the Organisation greater means which, compared to those available to the European Union and the OSCE, today seem almost derisory;

7. Expresses its agreement with the proposals of the Committee of Wise Persons concerning the Congress of Local and Regional Authorities of Europe, notably paragraphs 53 to 56 of the report;

8. Considers, however, that these questions are closely linked to the amendment of the Charter of the Congress and that it will be up to the 6th Plenary Session of the Congress (15-17 June 1999) to formulate more detailed proposals with regard to amending the Charter;

9. Therefore requests the Committee of Ministers to take into consideration the questions associated with amending the Charter as part of a specific amendment procedure to be launched after the next Session of the Congress and before the beginning of the year 2000, the deadline for a number of transitional provisions which the Committee of Ministers decided when the Charter of the Congress was adopted in 1994;

10. Is fully in agreement with the proposal of the Committee of Wise Persons to review its structures and methods, notably with a view to organising a second annual session and creating a limited number of statutory committees, with the aim of increasing the active participation of delegates in its activities and to reinforce their political dimension; however, expresses considerable reservations about the idea that such changes would not entail any additional costs for the Organisation. Even if the Congress and its two Chambers commit themselves to doing everything in their power to offset as much as possible the costs entailed by these measures for the present budget, an increase in the Congress’ budgetary and human resources seems unavoidable;

11. Welcomes the proposal of the Wise Persons to give the Congress wider discretion in the management of appropriations within the budgetary package and is pleased to note that this objective has been largely met within the Council of Europe’s budget for 1999; observes, however, that the budget continues to place appropriations allocated to the Congress for co-operation, notably with the countries of central and eastern Europe, under another budget heading (article 9202) and requests that this article be transferred to Heading V starting with the year 2000 budget;

12. Reminds, in this context, that the current arrangements for meeting Congress members’ expenses are out of touch with the reality of the CLRAE and reiterates its request for specific arrangements, separate from those for government experts and more similar to those for the members of the Parliamentary Assembly or the European Court of Human Rights;

13. Welcomes the conclusion of the Committee of Wise Persons that the Congress should be more widely consulted by the Committee of Ministers, but at the same time regrets that the Wise Persons did not address the problem of consultation of the Congress by the Parliamentary Assembly, although provision for this is made in identical terms in article 2, paragraph 2, of statutory Resolution (94) 3 creating the Congress, as well as the question of associating the Congress, in the appropriate manner,

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1. Discussed and adopted by the Standing Committee of the Congress on 4 March 1999 (see doc. CG (5) 26, draft Opinion, presented by MM. J.C. Van Cauwenberghe and H. Skard, Rapporteurs).

with the regular consultations between the Committee of Ministers and the Parliamentary Assembly, notably in the context of the Joint Committee;

14. Underlines in this context the original political structure of the Congress which, through its two Chambers, can directly associate local and regional elected representatives in the construction of Europe and, in respect of the subsidiarity principle and in particular the extensive competencies held by regions in some states, finds necessary to be further consulted and associated with regards to the activities of Steering Committees – not just those of the CDLR – and specialised conferences;

15. Reiterates in this connection the idea that it would be important for the Parliamentary Assembly to provide for consultation machinery for the Congress in the areas of its competence and also in areas not covered by the Committee on the Environment, Regional Planning and Local Authorities, and for the Congress to be able to send representatives to attend the Joint Committee of the Parliamentary Assembly and the Committee of Ministers, and to join the discussion whenever issues relating to the Congress's competencies are raised;

16. Notes the recognition by the Wise Persons of the work of the Congress on monitoring commitments entered into by the member states (in the areas of competence of the Congress) and declares that it is prepared to continue its commitment in this area, not only as concerns the implementation of the European Charter of Local Self-Government and the preparation of reports for each country on the state of local and regional democracy in the member states and States applying for admission to the Council of Europe, but also the observation of local and regional elections, where appropriate;

17. Is convinced that this activity constitutes a major contribution by the Congress to the work of the Parliamentary Assembly and in particular of its Committee on the Honouring of Obligations and Commitments by member states of the Council of Europe (Monitoring Committee), of the Committee of Ministers and of the Secretary General's Monitoring Unit when the Assembly or the Deputies address questions relating to local and regional democracy;

18. Welcomes the proposals of the Committee of Wise Persons for improving the visibility of the Council of Europe with respect to the use of non-official languages, the involvement of NGOs, the organisation of national conferences on the Council of Europe and the strengthening the role of information and documentation centres. Such centres should also be opened in cities other than the capitals of the member states;

19. Declares that it is prepared to participate fully in this type of activity, whether at European level, including through the utilisation of new technologies (Website), or at national level, at which it would be very useful to give greater prominence to the work of representatives in the various Council of Europe bodies. The Congress recalls that the networks offered by the national and international organisations of local and regional authorities, big cities and regions in permanent contact with the Congress, specific networks such as the ENTO (European Network of Training Organisations for Local and Regional Authorities) and the Local Democracy Agencies (LDA) constitute an important contribution to ensuring better Council of Europe visibility in practice, assuming that the means needed to fund these networks can be made available;

20. Endorses the idea of concluding a framework agreement between the Council of Europe and the European Union and expresses the hope that such an agreement can help intensify existing co-operation between the Congress and the Committee of the Regions and, on a more occasional basis, with the competent committees of the European Parliament and hopes that the dimension of local and regional democracy will be included in such an agreement, in particular monitoring by the Congress;

21. Notes that the OSCE does not have representation of local or regional authorities and that the Congress and its two Chambers can thus legitimately offer to maintain a link between this international organisation and the local and regional elected representatives of the member states of the Council of Europe, applicant States and organisations with observer status, notably on such important subjects as the observation of local and regional elections, consultation on legislation in these areas, training of local and regional elected representatives and civil servants and local and regional management;

22. Also welcoming in this context the recognition by the Committee of Wise Persons of the work of the European Commission for Democracy through Law ("Venice Commission") and the proposals for its development, undertakes to pursue co-operation with the latter in the areas of competence of the Congress, such co-operation having already been incorporated in the Venice Commission's Rules of Procedure;

23. Welcomes the fact that the report of the Committee of Wise Persons stresses the importance of the European Social Development Fund for improving social cohesion among the member states of the Council of Europe and expresses the wish that the work of the Fund would favour on a larger scale the efforts of local and regional authorities to promote employment and the well-being of their populations.