

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 376 (2014)¹ Partner for Local Democracy status

1. The changes which have been taking place since 2011 in the countries of the southern Mediterranean, particularly Tunisia and Morocco, have opened up historic opportunities for democratic development in the Arab world, including at local and/or regional level. The Congress has always expressed its wish to contribute to this process as part of the Council of Europe's neighbourhood policy, initiated at the Istanbul ministerial session in May 2011, in partnership with the European Union.

2. Further to the Istanbul decisions, the Council of Europe embarked upon bilateral co-operation with Morocco, Tunisia and Jordan, and the Congress began preparing and implementing specific activities in Morocco and Tunisia. These co-operation programmes and activities have been undertaken over a three-year period (2012-2014). In addition, Council of Europe Offices have been opened in Morocco and Tunisia, memoranda of understanding have been signed with the countries concerned, and existing contacts have been strengthened at all levels.

3. The Congress has played its part in the fresh impetus given to the co-operation activities with the countries on the southern shores of the Mediterranean, in particular in the context of its partnership with the Venice Commission and the Council of Europe's Directorate General of Democracy. The introduction of genuine local and/or regional democracy is a fundamental factor in the development and consolidation of genuine and pluralist democracy based on respect for human rights and the rule of law.

4. The Congress devoted a significant part of its 23rd Session in October 2012 to debating two reports which led to the adoption of Resolution 342 and Recommendation 325 on the changes under way in the Arab countries – opportunities for local and regional democracy, and Resolution 343 on the policy of the Council of Europe towards neighbouring regions: the role of the Congress, which have since become veritable “road maps” for the Congress's activities in this field. They include a decision in principle to adopt, in due course, a “partner for local democracy” status for our neighbouring countries to the south and east.

5. Now that discussions are under way between the Council of Europe and the countries concerned to renew/strengthen co-operation over a new three-year period (2015-2017), the time would appear to be right to create, in this new institutional framework, a “partner for local democracy” status which would formalise relations between the Congress and the political authorities in the neighbouring countries, including the local and regional authorities and their representative associations, based on what has been happening between the Parliamentary Assembly and the countries or entities which have been granted “partner for democracy”

status, introduced in 2010 at parliamentary delegation level (Kyrgyzstan, Morocco, Palestine).

6. This partner for local democracy status supplements the other forms of participation in the work of the Congress already provided for in the Congress's Rules of Procedure.

7. A formal request to be granted partner for local democracy status, addressed to the President of the Congress, must be drawn up jointly by the government of the requesting State and one or more associations of local and/or regional elected representatives in that State.

8. Upon receipt of the request, it will be forwarded for consideration to the Bureau of the Congress, which will adopt a position in the light of the information available on the existing state of relations between the country concerned and the Council of Europe. This will involve verifying whether the country in question is participating in the Council of Europe's neighbourhood policy, whether it implements joint action and/or a co-operation programme with the Organisation, whether it is a party to the Council of Europe's open conventions or enlarged partial agreements (in particular the Venice Commission and the North-South Centre) and whether it has partner for democracy status with the Parliamentary Assembly.

9. The formal request shall contain an explicit reference to the aspiration of the authorities concerned to uphold, respect and promote at all levels of government the values and principles of the Council of Europe, and a commitment to:

a. initiate a process of devolution and/or regionalisation, based on the principles of the European Charter of Local Self-Government and/or the Council of Europe Reference Framework for Regional Democracy;

b. hold regular free and fair elections at local and/or regional level in accordance with the relevant international standards and ensure that these elections, as far as possible, are observed by a delegation of elected members of the Congress;

c. on behalf of the elected representatives who would take part in the work of the Congress, base their activity on the principles of the European Code of Conduct for the political integrity of local and regional elected representatives;

d. inform the Congress, in good time and before the meeting of the Bureau preceding a renewal session, of the progress made and obstacles encountered, in connection with developments in the Council of Europe's neighbourhood policy.

10. Each request must be accompanied by details of the procedure specific to each country, stipulating the arrangements for consulting associations of local and/or regional associations in the process of appointing members of the delegation.

11. With regard to each partner for local democracy delegation:

a. the number of members will be laid down by the Congress based on the practice in place in the Parliamentary Assembly of the Council of Europe;

b. the composition of the delegation shall respect, as far as possible, the principles laid down in the Charter and the Congress's Rules of Procedure, including the provisions relating to a balanced gender representation and shall be updated, in accordance with the relevant procedures, at each renewal session of national delegations to the Congress;

c. the costs arising from the participation of the delegation will not be charged to the Congress's ordinary budget;

d. the forms and conditions of participation in the work of the Congress and of its chambers and committees will be specified by the Congress in its Rules of Procedure.

12. The decision to grant, suspend or withdraw partner for local democracy status shall be taken by the Congress in

plenary session, on the basis of a draft resolution from the Bureau of the Congress together with, if appropriate, the opinion of one or more committees to which the Bureau may wish to refer the matter.

13. The Congress shall instruct its Bureau to draw up the relevant amendments to its Rules of Procedure in accordance with this resolution.

1. Debated and adopted by the Congress on 16 October 2014, 3rd Sitting (see Document CG(27)9FINAL explanatory memorandum), rapporteurs: Jean-Claude Frécon, France (L, SOC), Marie-Madeleine Mialot Muller, France (R, SOC).