

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Opinion 29 (2008)¹ Preparation of a draft protocol to the European Charter of Local Self-Government on democratic participation at local level

The Congress, bearing in mind the proposal of the Chamber of Local Authorities and having regard to the request of the European Committee on Local and Regional Democracy (CDLR) for an opinion on the preliminary draft additional protocol to the European Charter of Local Self-Government on democratic participation at local level:

1. Welcomes the CDLR's initiative to set down the principle of democratic participation at the local level in a European legal instrument;
2. Emphasises that the issue of citizen participation is high on the agenda of the Congress and has been dealt with in several Congress reports, recommendations and resolutions, namely on youth, women's and foreigners' participation;
3. Recalls that the preamble of the European Charter of Local Self-Government refers to "the right of citizens to participate in the conduct of public affairs" as one of the democratic principles shared by all member states of the

Council of Europe and that it is at the local level where this right can be most directly exercised;

4. Sees absolutely no contradiction between the protection of local self-government and the protection of citizen participation, as a modern understanding of local democracy and good governance includes the active participation of citizens at the local level;
5. Reiterates the crucial importance of having a legal instrument for strengthening democratic participation at the local level and therefore subscribes to this initiative of the CDLR, despite its remaining preference to see citizens' rights to participation enshrined in a legal instrument separate from the European Charter of Local Self-Government;
6. Notes, with regard to the deadline given for this opinion, that an appropriate final Congress position on the details of the provisions would require additional time for reflection and discussion;
7. Stands ready to contribute actively to the finalisation of the draft in a small, operational joint working group comprising representatives of the CDLR and the Congress with a view to best possible co-ordination and efficiency;
8. Believes that the finalisation of the draft should be achieved before the end of March 2009.

1. Debated and approved by the Standing Committee of the Chamber of Local Authorities on 3 December 2008 and adopted by the Standing Committee of the Congress on 3 December 2008 (see Document CPL(15)9OPINION, draft opinion presented by J-C. Frécon (France, L, SOC) on behalf of C. Newbury (United Kingdom, L, EPP/CD), rapporteur).