

# Priorities of the Congress 2011-2012

The Congress of Local and Regional Authorities of the Council of Europe



The Congress



Le Congrès

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# Introduction by Keith Whitmore, President of the Congress



***Keith Whitmore,***  
*President of the Congress  
of Local and Regional Authorities  
of the Council of Europe*

**A**t the 19th Session of the Congress in October 2010, its members adopted new political priorities for 2011-2012, as part of the reform of this institution. The decision to refocus the work of the Congress on five key priority areas has been aimed at making its action more targeted towards the needs of local and regional communities, increasing its impact and ensuring a better follow-up of Congress recommendations.

The new priorities are more than a work plan for the next two years – they lay the ground for a long-term framework of activities geared towards raising the quality of local and regional governance and thus making our towns, cities and regions a better place for people to live and work.

Monitoring and promoting the situation of territorial democracy and observing local and regional elections will remain the core mission of the Congress, to ensure the full application of democratic principles at local and regional level, both by national governments and by territorial authorities. However, the review of the situation will also be expanded to include the responsibilities of local and regional authorities in the delivery of human rights, and their role in ensuring the conditions for the full exercise of these rights in their communities. A favourable human rights situation being a required condition of good local governance, the Congress has added the local and regional dimension of human rights as a new priority of its action.

The Congress will also focus on finding responses to major challenges faced by our communities and relating to the various aspects of governance, such as sustainable development, social integration and cohesion, citizen participation or intercultural dialogue.

Finally, real assistance will be introduced to help both national and territorial authorities to address the problems identified during our monitoring. This will also be part of ensuring compliance with Congress recommendations, and their follow-up.

The implementation of these priorities will mean a strengthened and more direct dialogue with national governments. However, its success will depend first and foremost on the active participation of all Congress members, their commitment and their ownership of the Congress and its activities. It is through this commitment that a new, reformed Congress will reaffirm and strengthen its role as the voice of our cities and regions and the guardian of local and regional democracy in Europe.

With this in mind the Congress will actively contribute to making the Council of Europe more relevant in Europe, in delivering its work for Human Rights, Rule of Law and Democracy. ■

# Contributions by the Presidents of the Congress Chambers



***Jean-Claude Frécon,***  
*President of the Chamber of Local Authorities*

**T**he new priorities of the Congress give a clear signal that the Congress is ready and able to respond to the challenges facing local democracy in Europe.

The increased focus on the implementation of the European Charter of Local Self-Government reflects the increasing recognition in Europe of the unique role of the Congress as a watchdog for local and regional democracy. The Congress is the guardian of the European Charter and I believe that this is the aspect of our work which has the most impact in our member states.

The scope of the monitoring activities is also being extended in two ways:

- Firstly the Reference Framework for Regional Democracy will be systematically used as a reference text in future monitoring missions.
- Secondly, in line with Congress Resolution 296 (2010), the human rights situation in a country will henceforth be examined during the monitoring missions.

We should not limit our monitoring activities to making recommendations; we should also be offering our expertise to help our member states implement the changes that we are proposing. This is what we refer to as “targeted assistance”.

This is a new orientation for the Congress - a commitment to move beyond our traditional role of standard setter, to addressing in a practical way the problems that have been identified during our monitoring activities.

In this respect we will be relying heavily on -peer to peer- cooperation between elected representatives. This is another feature of the Congress that sets us apart from other international bodies and expert committees working in this field. In the Congress members, we have an immense pool of practical experience to draw on, and it is our intention to make full use of this, to use our unique status and composition to full advantage for the development and deepening of local democracy in our member states.

The Charter now brings together nearly all members of the great European family. Our next task is to deepen the implementation of the Charter itself. We have already begun this process with the lifting of reservations which, in some areas, deprive the Charter of part of its potential.

In the course of our monitoring procedure we will be discussing with states still maintaining their reservations the possibility of initiating a positive development.

Political dialogue between the Congress and governments must be a continuous process geared to deepening local democracy, in other words putting democracy at the heart of our societies. ■



***Herwig van Staa,***  
*President of the Chamber of Regions*

**L**ocal and regional authorities have a very important role to play in achieving the objectives of the Council of Europe's current reform process. The Congress's particular contribution to reinforcing local and regional democracy in Europe consists in promoting the principle of subsidiarity.

Binding regulations are needed at the European level in order to guarantee the existence and competences of the regions in the long term. The adoption of the "Reference Framework for Regional Democracy" by the Conference of Ministers in Utrecht (2009) was a step in the right direction. However, we must not imagine that this is enough. We must continue to co-operate with the Council of Europe's European Committee on Local and Regional Democracy (CDLR) towards securing a binding legal instrument on regional democracy.

The Congress is to impart new impetus to its monitoring activities. In this context, the European Charter of Local Self-Government and the Reference Framework for Regional Democracy represent fundamental texts

for any government wishing to launch a process of regionalisation or a reform of regional structures.

All regions, however they are organised, from associations of municipalities to regions with legislative powers in federal States, will take on increasing significance in the future, especially in the area of territorial cohesion, but also in the fields of urban policy, rural development and the Europe 2020 Strategy.

In view of the current financial crisis, the regions must help boost the economy so that the States can retain their commitment to stability, which has been established at the European level. This applies particularly to the new proposals for the policy on cohesion. The good governance model is vital in terms of transposing the principle of subsidiarity into decentralised democracies.

In order to promote transnational inter-regional co-operation, we must endeavour to ensure that the Madrid Convention and its Additional Protocols are ratified by as many States as possible. Furthermore, European Groupings for Territorial Co-operation (EGTCs) must be set up between regions in EU States and regions in non-EU states which are members of the Council of Europe. We must also pay careful attention to the new strategies for macro-regions which have already been implemented in the Baltic, Black Sea, Danube and Alpine areas.

If we are to achieve our goals in Europe we must further deepen our co-operation with the EU Committee of the Regions (CoR), and also continue and intensify the existing co-operation processes with the Council of European Municipalities and Regions (CEMR), the Assembly of European Regions (AER), RegLeg and CALRE.

The Secretary General of the Council of Europe, Thorbjørn Jagland, has declared close, co-ordinated co-operation between the various Council of Europe bodies as one of his top priorities for the next five years. The Chamber of Regions will do its utmost to ensure that the priorities of democracy, the rule of law and human rights are pursued at the regional level too. ■

# Congress priorities 2011 – 2012

*The following priorities were adopted by Congress members at the 19th Plenary Session on 27 October 2010 (Res 310 (2010)), following a wide consultation with national delegations, as well as with national and international associations of local and regional authorities.*

1. The Congress is the Council of Europe's assembly of local and regional representatives, a political body of territorial representatives who hold an elected mandate in their own country.
2. Its mission is to be a watchdog for local and regional democracy in Europe, a partner of governments and a reference point for territorial democracy, notably through monitoring the European Charter of Local Self-Government, through political dialogue with the Committee of Ministers and with local, regional and national authorities of member states. It also develops special thematic work through its recommendations and resolutions.
3. In 2011-2012 the Congress will further align its activities and strategy with the priorities of the Council of Europe, focusing its work to develop local and regional democracy in five areas, at the same time taking account of the reforms initiated by Council of Europe Secretary General Thorbjørn Jagland and supported by the Committee of Ministers. It will adapt its structures accordingly.



*25 years after its adoption, the European Charter of Local Self-Government is more than ever a reference treaty – 15 October 2010.*



*The Congress carried out its first monitoring mission in Serbia in June 2010 (photo: Council of Europe office in Belgrade).*

4. In accordance with its revised cooperation agreement with the European Union Committee of the Regions (12 November 2009), the Congress will endeavour to translate these priorities through the Contact Group in a joint work programme with the committees of the Committee of the Regions, primarily the Commission for Citizenship, Governance, Institutional and External Affairs (CIVEX).

### **I. Monitoring: a new dynamic**

5. The Congress will bring a new dynamic to its monitoring activities, making them more frequent, more regular, more systematic and more open to political dialogue, enabling the Congress to better fulfil its mission as a monitoring body.

These activities have to be coordinated with the other Council of Europe monitoring mechanisms, to ensure greater impact and tangible developments in member states.

6. The cornerstone of the monitoring activities of the Congress remains the benchmark Council of Europe treaty, the European Charter of Local Self-Government, which sets standards for both local and regional democracy in Council of Europe member states. At the same time the Congress will be widening and deepening the scope of its monitoring activities to take into account the Council of Europe Reference Framework for Regional Democracy, approved by the Ministers responsible for local and regional government in Utrecht in 2009, and Congress Resolution 296 (2010) on the role of local and regional authorities in the implementation of human rights, adopted as part of the follow-up to the Forum for the Future of Democracy's Sigtuna conference.

### **II. Election observation: widening the scope**

7. The citizens' right to exercise their democratic choice in free and fair local elections is the sine qua non of democracy. It is a prerequisite to the health of local communities within a genuinely democratic society. Above all it is the first step in the political participation that is enshrined in the preamble to the European Charter of Local Self-government and its Additional Protocol on the right to participate in the affairs of a local authority.
8. An election is not just one day: it is far more than the act of voting, it includes the campaign and the complex process of enabling citizens to make an informed choice in a pluralistic political landscape. To make an accurate assessment of the conduct of the election, the whole process

# Congress priorities 2011 – 2012

needs to be examined, including the political, legal and media systems. The Congress will therefore systematize its practice of conducting pre-electoral missions, to ensure a proper understanding of the context and process of elections. Cooperation will be developed with the relevant Council of Europe bodies in this respect. In carrying out its election observation mission, the Congress will continue to involve the Committee of the Regions of the European Union in developing its observation capacity. It will also continue to cooperate, when appropriate, with the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). To ensure the effectiveness of election observation, the Congress will continue to implement political follow-up to its recommendations and resolutions.

### III. Targeted post-monitoring and post-observation assistance

9. To achieve real results with respect to the recommendations of its monitoring and election observation missions, the Congress will organise specific cooperation programmes with the member states concerned to address the major issues that it has highlighted as requiring attention and to increase their knowhow and capacity for local governance and election organisation.
10. Such programmes should involve local and regional representatives, not just those of the countries concerned, but also those from other European countries who are willing to share their *acquis* and expertise on a peer-to-peer basis.
11. The Congress will seek to co-finance such activities through voluntary contributions and sup-



*The Congress delegation meet with Vice Prime Minister for Regional Politics of Ukraine, Viktor Tykhonov - 11 October 2010.*



port from the European Union and other international partners.

#### IV. The local dimension of human rights

12. Human rights are not exclusively the concern of national authorities. The respect of human rights has to be addressed at the local level. It is a key responsibility of territorial authorities, interdependent with good local and regional governance.
13. In accordance with its 2008 joint declaration with the Council of Europe Commissioner for Human Rights, the Congress will work to make local and regional authorities aware of their responsibilities with regard to the implementation of human rights. It is the role of local and regional authorities to ensure that their activities are fully compliant with Council of Europe human rights standards, such as, for instance, ensuring equal access to public services. The Congress needs to ensure that communities are providing the same protection to all persons living in their territories.
14. In this respect, the Congress will promote the implementation of good practices and mechanisms of mediation, such as independent local and regional ombudsmen.

#### V. Streamlining thematic activities

15. The Congress will specify its thematic activities within its statutory committees in accordance with their competencies and the core values of the Council of Europe. It will also focus on local and regional aspects of the Council of Europe's priorities, in particular with regard to implementation of the Utrecht Agenda (17 November 2009), including promoting good governance,



*Conference on integrating foreign residents into local public life - Strasbourg, France, 15 October 2010.*

interregional and cross-border cooperation, social cohesion, sustainable development and intercultural dialogue.

16. These activities will treat issues that are addressed during the monitoring activities of the Congress, notably the application of the European Charter of Local Self-Government and the Reference Framework for Regional Democracy and related human rights issues, such as the full participation of all citizens in local political life and the related questions of equality of opportunity in local life and freedom of assembly and expression.
17. In implementing these objectives, the Congress will bear in mind the need to avoid overlap and duplication of work and instead to develop synergies with other relevant Council of Europe bodies, such as the European Committee on Local and Regional Democracy (CDLR) and the Council of Europe Centre of Expertise for Local Self-Government Reform. ■

# A new structure to reflect the Congress priorities

**T**he priorities 2011-2012 were adopted in the light of the global reform of the Congress of Local and Regional Authorities. The objective is to make the Congress better adapted and more capable of pursuing its mission as the main contributor to the Council of Europe's action in the field of democracy and human rights at local and regional level.

Therefore, in October 2010, in parallel to the adoption of its priorities for 2011-2012, the Congress modified its structure and working methods with the creation of three new committees: a Monitoring Committee, a Governance Committee and a Current Affairs Committee.

**A Committee on the Honouring of Obligations and Commitments by member states of the European Charter of Local Self-Government (Monitoring Committee)**, responsible, in particular, for monitoring the application of the Charter as well as institutional developments in Europe's regions, for preparing reports on the situation of local and regional democracy in Europe and for monitoring specific questions related to local and regional democracy in member states;

**A Governance Committee** responsible for affairs falling within the scope of the Congress' statutory mandate such as governance, public finance, cross-border and interregional co-operation and e-democracy as well as co-operation with intergovernmental bodies;

**A Current Affairs Committee** responsible for studying the role of local and regional authorities with regard to the major challenges of our society and preparing work on thematic issues such as social cohesion, education, culture and sustainable development from the point of view of the Council of Europe's core values.

The Congress also proposed to set up a **Statutory Forum** composed of the heads of all national delegations and the 17 members of the Bureau, to act on behalf of the Congress between sessions.

## **Committee on the Honouring of Obligations and Commitments by member states of the European Charter of Local Self-Government (excerpt from the terms of reference)**

In accordance with Congress Resolutions 296 (2010), 307 (2010), and 309 (2010), the Monitoring Committee is responsible for ensuring that member states develop and maintain local and regional democracy, in full compliance with their obligations under the European Charter on Local Self Government (ECLSG), and its Additional Protocol once entered into force. This also applies to states preparing to ratify the Charter.

The Committee is responsible, in particular, for:

- monitoring the European Charter of Local Self-Government;



**Lars O. Molin,**  
*President of the Monitoring Committee*



**Karl-Heinz Lambertz,**  
*President of the Governance Committee*



**Emin Yeritsyan,**  
*President of the Current Affairs Committee*

- preparing reports on the situation of local and regional democracy in Europe;
- monitoring specific questions related to local and regional democracy in member states;
- ensuring that its recommendations to member states are followed up.

The Monitoring Committee shall in particular undertake:

- a regular general country-by-country monitoring mission in each member state approximately every five years;
- the examination of a particular aspect of the Charter, upon decision of the Bureau or the Committee;
- fact-finding missions to look into specific cases of concern upon decision of the Bureau.

In its monitoring work, the Committee shall take into consideration:

- the conclusions and recommendations of Congress election observation missions;
- the situation of human rights at local and regional levels in Europe, and, in accordance with Resolution 296 (2010) elaborate a report on this specific issue on a regular basis.

### **Governance Committee (excerpt from the terms of reference)**

The Committee shall consider legal and political issues relating to the effective development of good governance and democracy at local and regional levels.

The Committee shall in particular consider:

- extending and developing the Council of Europe’s legal instruments and recommendations in the field of local and regional democracy;
- issues relating to governance and the functioning of local and regional authorities, such as citizen participation at local and regional level, as well as, in accordance with Resolution 309 (2010), public finance, cross-border and interregional co-operation and e-democracy.

The Committee shall follow the activities of and prepare the Congress contribution to the Conference of Ministers Responsible for Local and Regional Government and its follow-up.

The Committee shall establish and develop working relations with the relevant Council of Europe structures and bodies, in particular with the Parliamentary Assembly’s Committee on the Environment, Agriculture and Local and Regional Affairs and the relevant subsidiary bodies of the Committee of Ministers, such as the European Committee of Local and Regional Democracy (CDLR) and its subcommittees.

### **Current Affairs Committee (excerpt from the terms of reference)**

The Committee shall be responsible for:

- studying the role of local and regional authorities with regard to the major challenges of modern society;
- ensuring a swift response to these challenges by recommending concrete action at national, regional and local level;
- preparing work on thematic issues such as social cohesion, intercultural dialogue, education, culture and sustainable development, from the point of view of the Council of Europe’s core values and taking into account the priorities established by the Presidency of the Committee of Ministers and the Conference of Ministers Responsible for Local and Regional Government.

The Committee shall in particular:

- identify immediate and potential problems and situations encountered or emerging in member states of the Council of Europe that have an impact on local and regional democracy;
- prepare reports and organise debates during Congress sessions on current affairs and urgent situations and crises affecting local and regional authorities in Council of Europe member states, and recommend concrete responses. ■

# The Congress, a political assembly of local and regional elected representatives

## The voice of cities and regions in Europe

The Congress is a political assembly composed of 636 elected officials – mayors, governors, councillors, etc. – representing more than 200 000 local and regional authorities of the 47 Council of Europe member states.

***It speaks for Europe's local and regional elected representatives.***

The Congress promotes devolution through transfer of political powers and financial resources to the municipalities and regions.

***It ensures that policy decisions are made at a level closest to citizens.***

The Congress guarantees civic participation and fosters a positive perception of local identities.

***It strives for living grassroots democracy in an ever-more globalised world.***

The Congress reinforces local and regional democracy by permanently monitoring the due application of

the European Charter of Local Self-Government, observing local and regional elections, and issuing recommendations to the governments of the 47 Council of Europe member states.

***It upholds local self-government, democracy and human rights at local level. ■***



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