

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Opinion 25 (2005)¹ on the results of the 14th Conference of European Ministers responsible for Local and Regional Government

The Congress,

1. Having participated actively in the preparatory work for the 14th Conference of European Ministers responsible for Local and Regional Government and having been represented by a delegation consisting of several of its members, headed by Giovanni Di Stasi, President of the Congress;
2. Bearing in mind the written contribution to the conference prepared by rapporteurs Guido Rhodio and Henk Aalderink;
3. Having examined the Declaration on delivering good local and regional governance and the Statement on regional self-government;
4. Having regard to the Final Declaration and the Action Plan of the 3rd Summit of Heads of State and Government of the Council of Europe which was held in Warsaw on 16 and 17 May 2005, in particular paragraph 3 of Part I, concerning steps to be taken with a view to implementing the Agenda for delivering good local and regional governance adopted at the 14th Conference of European Ministers responsible for Local and Regional Government,
5. Invites the Committee of Ministers of the Council of Europe and the European Ministers responsible for Local and Regional Government to take into account the following comments and recommendations in the implementation of the Action Plan of the 3rd Summit of Heads of State and Government of the Council of Europe, in their future work, as well as with a view to the 15th Conference of European Ministers responsible for Local and Regional Government which will be held in Valencia in 2007.

I. Concerning the Declaration on delivering good local and regional governance

The Congress,

6. Shares the objectives set by the conference as regards the need to promote good governance at local and regional level in order to meet the legitimate expectations of the citizens of Europe;
7. Shares also the concerns expressed by the conference and underlines the usefulness of the Agenda presented as an appendix to the Declaration on delivering good local

and regional governance, including with regard to the implementation of its own activities;

8. Takes pride in the recognition given to the role of the Congress in the promotion of democratic principles and values, necessary to ensure that local and regional governance is democratic, efficient, responsive, transparent, participatory and accountable, as well as the achievement of goals set by the conference;
9. Takes note in particular of the importance acknowledged by the conference of the European Charter of Local Self-Government and of the activities undertaken by the Congress in the area of monitoring local and regional democracy;
10. Recalls the decision of the Committee of Ministers to entrust the Congress with the follow-up of local democracy, taking into account the results obtained by the Congress and the invitation of the Committee of Ministers to the Steering Committee on Local and Regional Democracy (CDLR) to take into account the results of this work of the Congress;²
11. Recalls the constructive participation of the Congress at the ministerial colloquy on “twenty years of the European Charter of Local Self-Government: findings of the monitoring and resulting suggestions for further action” and hopes that this dialogue will continue in connection with the work of the CDLR as well as during the next Ministerial Conference;
12. Takes note of the proposals of the conference concerning the need to promote local democracy, *inter alia*, by means of closer co-operation with the intergovernmental structures of the Council of Europe;
13. Takes note also of the decision of the Warsaw Summit to create a centre of expertise on local government reform within the Secretariat of the Council of Europe and in this respect:
 - a. Underlines the importance of promoting capacity building and the adoption of standards and good practices for local and regional authorities of member states of the Council of Europe;
 - b. Invites the Secretary General to bear in mind the following elements when establishing the centre of expertise on local government reform within the Secretariat of the Council of Europe:
 - i. the competencies given to the centre of expertise should respect and be complementary to the role and the prerogatives of the Congress, in terms of Statutory Resolution (2000) 1 of the Committee of Ministers relating to the Congress of Local and Regional Authorities of Europe;
 - ii. the Congress should be fully associated with the centre of expertise;
 - iii. the Congress should be informed of the activities of the centre of expertise through regular reporting.

II. Concerning the statement of the Conference of European Ministers responsible for Local and Regional Government

The Congress,

14. Recalls its Recommendation 34 (1997) in which it invites the Committee of Ministers of the Council of Europe to adopt a European charter on regional self-government in the form of an international convention, its Resolution 146 (2002) and its Resolution 161 (2003) concerning the state of progress of intergovernmental work concerning the adoption of a Council of Europe convention on regional self-government;

15. Recalls Recommendation 1349 (1997) of the Parliamentary Assembly and Opinion No. 300 of 13 December 2000 of the Committee of the Regions of the European Union, supporting rapid adoption of the draft European charter on regional self-government in the form of a convention;

16. Recalls that the draft European Constitution of the European Union enshrines respect for local and regional self-government and the principle of subsidiarity;

17. Refers to the Agreement on Co-operation between the Committee of the Regions and the Congress;³

18. Notes with satisfaction that the ministers recommended that the Congress follows the development of regional self-government on the continent, bearing in mind the Helsinki principles (Declaration on core concepts and common principles of regional self-government endorsed in Helsinki on 27 to 28 June 2002) in compliance with Statutory Resolution (2000) 1 of the Committee of Ministers;

19. Underlines, once again, the need for the Council of Europe to adopt in the near future an international legal instrument on regional self-government, with a view to complementing the system of protection of local self-government with mechanisms of protection of regional self-government, as well as guaranteeing the application of the principle of subsidiarity in the member states of the Council of Europe;

20. Regrets strongly that the work of the conference could not result in the adoption of such an instrument;

21. Considers that, in spite of this result, the decisions of the conference are a step forward and hopes that the examination of an international legal instrument on regional self-government will take place at the latest on the occasion of the next Conference of European Ministers responsible for Local and Regional Government to be held in Valencia in 2007;

22. To this end, invites the ministers to take into account its Recommendation 156 (2004) on the Council of Europe Convention on Regional Self-Government – progress of the draft.

III. In view of the 15th Conference of European Ministers responsible for Local and Regional Government

The Congress undertakes to:

a. continue its efforts aimed at promoting democratic stability in Europe by means of guaranteeing self-government at local and regional level;

b. continue monitoring member states with regard to local and regional self-government on the basis of the European Charter of Local Self-Government and the Helsinki Declaration, whilst bearing in mind the results achieved at intergovernmental level;

c. keep the Committee of Ministers informed regularly of the results of this monitoring exercise;

d. continue its efforts aiming to promote the regionalisation in Europe and the principle of subsidiarity, *inter alia*, by referring to Recommendation 156 (2004) during the regular monitoring of the state of regional democracy in member states of the Council of Europe;

e. follow the development of regionalisation in member states of the Council of Europe and continue to present recommendations, opinions and advice to the institutions and authorities concerned in its member states;

f. prepare a report on innovations in the field of regional self-government, aiming at promoting regionalisation, by the end of 2006;

g. monitor the implementation of the commitments undertaken with regard to local democracy by the states of South-Eastern Europe at the regional ministerial Conference on Effective Democratic Governance at Local and Regional Level (Zagreb, 25-26 October 2004).

1. Debated and adopted by the Congress on 1 June 2005, 2nd Sitting (see Document CG (12) 13, draft opinion presented by G. Rhodio (Italy, L, EPP/CD) and H. Aalderink (Netherlands, R, NR), rapporteurs.

2. Decision taken at the 889th meeting of the Ministers' Deputies (9 September 2004) [CM/Del/Dec (2004)894].

3. Agreement on co-operation between the Committee of the Regions and the Congress of Local and Regional Authorities of the Council of Europe, signed on 13 April 2005.

