Commemoration in the honour of the 70th Anniversary of the Congress of Europe

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Speech by Andreas KIEFER, Secretary General of the Congress of Local and Regional Authorities

Session on "The Council of Europe"

Ladies and Gentlemen, dear European friends, dear friends of Europe,

I am very pleased to be present with you today, as we come together to celebrate 70 years of the 1948 Congress of Europe. This event had an impact, either directly or indirectly, on some of the major changes that happened over the past seven decades in the world.

Let me thank the organisers of this event for inviting me, in my capacity as Secretary General of the Congress of Local and Regional Authorities of the Council of Europe.

Almost a century before the Congress of Europe convened here in The Hague in 1948, after London in 1842 and Brussels in 1848, the "International Congress of the Friends of Peace" met in Paris from 22 to 24 August 1849. Representatives of European countries and The United States gathered with a view to unite European nations. In his famous inaugural speech Victor Hugo, who chaired this meeting, declared: *"A day will come when you France, you Russia, you Italy, you England, you Germany, you all, nations of the continent, without losing your distinct qualities and your glorious individuality, will be merged closely within a superior unit and you will form the European brotherhood".*

It took a century of enormous suffering and sacrifice before this vision began to be realised through The Hague Congress. 70 years ago, about 800 people coming from 26 States gathered and dreamed of a political Europe, united, progressive and social. The Hague Congress was the final spark that lit the flame and was the event Europe needed to make this dream tangible for most of our fellow citizens.

Allow me to contribute three chapters to the story of the construction of a united Europe, that brought us here today, a story featuring war and peace, love and hate. A story that started with The Hague Congress of 1948, which paved the way to build common institutions and launched the process for a peaceful and united Europe. I will begin my presentation with one of the main achievements of the Congress: the creation of what brought Europe – European states and the people of Europe - together around the shared values of human rights, democracy and the rule of law: the creation of the Council of Europe, which was established by the Treaty of London on 5 May 1949.

The second chapter of this story will introduce a very specific feature of our European democratic system: grassroots democracy. This pillar of democracy on our continent was built to counterbalance excessive concentration of power at national level and to bring democracy at the level of citizens. Local and regional democracy has become a landmark feature of our European democratic development. It was embodied by the Congress of the Council of Europe. "Our" Congress, too, was a result of the Congress of Europe.

I will conclude this story by tackling some of the main current challenges facing our democratic system and the very institutions that The Hague Congress helped to create and the responses offered by the Council of Europe.

Part I. The role of the Council of Europe, as unique and pan-European institution, built on three fundamental values – movement of unification of the continent

Let us go back to the origins of the story. 70 years ago, the Congress resulted from the belief that what the European continent had been through shall not be repeated. European leaders and philosophers shared the conviction that the states should be bound by common institutions guaranteeing fundamental values for the benefit of the citizens. The founding fathers, who had lived through two world wars, were the pioneers of a Europe of peace founded on the values of human rights, democracy and the rule of law[1].

After the Second World War, the entire Europe and even beyond agreed that absolute sovereignty and nationalism constituted a threat to peace. The shift of values required a new system to defuse conflict, rebuild trust and ensure that war and persecution were not repeated on the continent.

Already on 17 March 1948, almost two months before The Hague Congress was held on 7-10 May 1948, Belgium, France, Luxembourg, the Netherlands and the United Kingdom had joined in the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, or the Treaty of Brussels[2].

The Congress of Europe of 1948 was "*not a movement of parties but a movement of peoples*"[3]. Personalities like Konrad Adenauer and Winston Churchill had come together to promote humanity, reconciliation among states and among people, unity, solidarity and openness. "*It must be all for all*", Winston Churchill said on 7 May 1948 in The Hague[4].

The objective was not only to raise the voice of a united Europe but also to establish a European Assembly to enable that voice to make itself continuously heard; lay the foundations upon which the statesmen of the western democracies may stand[5] and gather and unify citizens in Europe around common values that transcend national interests.

The biggest achievement of the Congress of Europe was the adoption of a resolution[6] that demanded three actions:
- the urgent convening "of a European Assembly chosen by the Parliaments of the participating nations [...] to stimulate and give expression to European public opinion; to advise upon immediate practical measures [...] to bring about the necessary economic and political union of Europe; to examine the juridical and constitutional implications arising out of the creation of such a Union or Federation".
- secondly the elaboration of a European Charter of Human Rights and
- the creation of a Supreme Court.

Only one year later, on 5 May 1949, the vision for a united, peaceful, democratic and prosperous Europe put forward in The Hague led to the adoption of the Treaty of London: 10 states decided to establish the Council of Europe: Belgium, Denmark, France, Ireland, Italy, Luxembourg, The Netherlands, Norway, Sweden and the United Kingdom. Already three months later, on 9 August 1949, they were joined by Greece and Turkey, Iceland became a member in 1950, then the Federal Republic of Germany in 1951 and Austria in 1956.

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[1] Council of Europe, founding fathers, our history, link: https://www.coe.int/en/web/about-us/founding-fathers
[2] The Brussels Treaty, The Treaty of Economic, social and Cultural Collaboration and Collective Self Defence, 17 March 1948, Link: https://www.cvce.eu/obj/the_brussels_treaty_17_march_1948-en-3467de5e-9802-4b65-8076-778bc7d164d3.htm
[3] Winston Churchill, Address given by Winston Churchill, The Hague, 7th of May 1948, link: https://www.cvce.eu/content/publication/1999/1/1/58118da1-af22-48c0-bc88-93cda974f42c/publishable_en.pdf
[4] idem.
[5] "The task before us at this Congress is not only to raise the voice of United Europe during these few days we are together. We must here and now resolve that in one form or another European Assembly shall be constituted which will enable that voice to make itself continuously heard and we trust with ever-growing acceptance through all the free countries of this Continent"; We are here to lay the foundations upon which the statesmen of the western democracies may stand". Winston Churchill, The Power of Words
[6] *Congress of Europe: The Hague-May, 1948: Resolutions*. London-Paris: International Committee of the Movements for European Unity, 1948. 16 p. 5-7, link: https://www.cvce.eu/obj/political_resolution_of_the_hague_congress_7_10_may_1948-en-15869906-97dd-4c54-ad85-a19f2115728b.html

Human Rights, Democracy, and the Rule of Law

Human rights, democracy and the rule of law are the values on which the Council of Europe is built. In line with the recommendation made at the Congress of Europe, the Council of Europe is based on two main pillars: the Committee of Ministers composed of the ministers of foreign (or European) affairs and the Parliamentary Assembly, formerly named Consultative Assembly, in which the representatives are nominated by the national parliaments.

The core values of the Council of Europe are enshrined in the European Convention on Human Rights - international treaty under which the member States promise to secure fundamental civil and political rights, not only for their own citizens but also for everyone within their jurisdiction. The Convention was signed on 4 November 1950 in Rome and entered into force on 3 September 1953. Just recently we celebrated its 65th anniversary[7]. The Convention was reinforced thanks to the establishment of the European Court of Human Rights in 1959. Between 1959 and end 2017, the Court handed down more than 20,000 judgements.

Yet, the European Convention on Human Rights is not sufficient to ensure the success of the ambitious European project. The European project needs the assent of people, the creation of solidarity not only between states but also between people and further, the creation and the deepening of a common European identity.

Step by step, in spite of the Cold War, a united Europe emerged and Europeans endowed themselves with a European identity and symbols. At the Congress of Europe in 1948, the federalist flag was used to symbolise Europe. The European flag as we know it, the 12 golden stars on a blue background, was created in 1951 by Arsène Heitz, an employee at the postal office of the Council of Europe and officially adopted in 1955[8]. Since then, it was chosen as a symbol for all Europeans. From Beethoven's Ninth Symphony, the Ode to Joy was chosen as the Council of Europe's – therefore the European - anthem in 1972, hence becoming the second main element of the European identity. Both elements were given to the European Community – now the European Union, created a decade after the Council of Europe.

I consider the Council of Europe as a family of both states and people who share common goals and values and join forces for common good. Just as any other family, the Council of Europe had and has its difficult times, where its members disagreed – or even entered into open fight. The Council had to deal with the political and geographical evolution of the continent, in particular when the Soviet Union collapsed and Yugoslavia disintegrated.

On all of these occasions, the Council of Europe proved its resilience and strength as an open forum able to gather (almost) all countries of the continent. The Council of Europe went through historical milestones events, which led the way to its major changes marked by three European summits.

Vienna Summit, 1993: openness to Central and Eastern European countries

The European Summit of Vienna took place in 1993 in an atmosphere of hope and urgency. It was one of the first top level meetings of the then 32 member States' leaders. This Summit was an occasion for the Heads of States to make a historical declaration urging to build upon the end of a divided era to consolidate the process of the European construction and to create a vast area of democratic security, stressing that all countries on the European continent were now committed to the Council of Europe's main values[9].

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[7] Council of Europe: https://www.coe.int/en/web/portal/-/-a-safety-net-for-the-people-of-europe-65-years-of-the-european-convention-on-human-rights

[8] On 25 October 1955 the Parliamentary Assembly unanimously approved the emblem of a circle of gold stars on a blue background. On 9 December 1955 the organisation's Committee of Ministers adopted the star-studded flag, which was launched officially on 13 December 1955 in Paris. Video: at https://vimeo.com/282501022

[9] *Declaration of the Council of Europe's First Summit*, Vienna, 9 October 1993, link: https://www.cvce.eu/en/obj/declaration_of_the_council_of_europe_s_first_summit_vienna_9_october_1993-en-d7c530b5-a7c9-43f9-95af-c28b3c8b50d3.html

The Heads of States also reaffirmed the willingness of the Council of Europe to bring together the whole continent and open its doors to the "*democracies of Europe freed from communist oppression*". They stressed that Council of Europe programmes "*to assist the democratic transition should be developed and constantly adapted to the needs of [the] new partners*"[10].

It was at this occasion when the Congress of Local and Regional Authorities was established – one year after the creation of the Committee of the Regions of the EU in the Maastricht Treaty of 1992.

Strasbourg Summit, 1997: renewed commitment to CoE fundamental values

The story went on four years later – in 1997 -, when the 46 Heads of States gathered in Strasbourg[11] for a new Summit. (Montenegro having joined the Council of Europe as its youngest member in 2007 after the separation from Serbia completed the family as 47th member state). Fifty years after the Marshall Plan's rejection by the countries of Central and Eastern Europe, the representatives renewed their attachment to the Council of Europe "*as a symbol of the recovered unity of our continent*" and its values such as "*respect for the human person, the sacred and inviolable nature of the dignity of man, the rule of law*". [12] French President at that time, Jacques Chirac recalled that "*four years ago, our Organisation began to enlarge itself by opening itself up to what was still the "other Europe". Since then, eight new members have joined us, notably Russia and Ukraine*". The participants also pleaded for equality and unity for all member States.

Warsaw Summit, 2005: Action plan for the future of Europe

The third European Summit took place in Warsaw in 2005. With 47 member States participating, it was a genuine Summit of European Unity. In their declaration, the Heads of States paid *"tribute to all those who have made it possible to overcome painful divisions and enlarge our area of democratic security"*.[13]

They adopted an Action Plan aimed at building a Europe of inclusion and social cohesion calling on *"Europeans everywhere to share the values which lie at the heart of the Council of Europe's mission – human rights, democracy and the rule of law – and to join us in turning Europe into a creative community, open to knowledge and to diverse cultures, a civic and cohesive community*".

Building a legal common space to ensure the protection of fundamental values

Since its creation in May 1949, the Council of Europe has – implementing the spirit of The Hague - adopted a wide range of conventions to protect fundamental values which are considered as key references in promoting human rights, democracy and the rule of law at pan-European level and beyond. The 224 conventions[14] form the legal acquis of the Council of Europe and are equally relevant for the European Union, as all EU member states are also member states of the Council of Europe.

Let me give you an overview of some of the Council's main achievements:

- **Strengthening human rights**: the European Convention on Human Rights and Fundamental Freedoms[15] based on The Hague's Political Resolution of 1948 and considering "*the Universal Declaration of Human Rights proclaimed by the General Assembly of the United Nations on 10th December 1948*" entered into force on 3 September 1953. After the Second World War, the Council of Europe adopted a new political vision and embodied a new juridical order, enshrining the principle that respect for human rights transcends national sovereignty. The European Convention on Human Rights proved to be a vital element to the process of laying the foundation

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[10]   Vienna   Summit   ,   *Final   declaration*,   Vienna,   9   October   1993,   link: https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680536c83
[11] Second summit of heads of state and government, Strasbourg, 10 - 11 October 1997, *Final declaration and action plan, link:* https://rm.coe.int/168063dced
[12]   Council   of   Europe,   *Warsaw   Declaration*,   17   May   2005,   link: https://www.coe.int/t/dcr/summit/20050517_decl_varsovie_FR.asp
[13] Warsaw Declaration, 17 May 2005, Link: https://www.coe.int/t/dcr/summit/20050517_decl_varsovie_EN.asp
[14] https://www.coe.int/en/web/conventions/full-list
[15]   Council of Europe, European Court Of Human Rights, *European Convention on Human Rights, Link:* https://www.echr.coe.int/Documents/Convention_ENG.pdf

for the moral recovery needed after the ravages of the War. Although organised at regional scale, the Convention refers to Universalist rights, which explains that the unique European system has become a source of inspiration for countries and courts in other parts of the world. Guido Raimondi, the President of the European Court of Human Rights, recently recalled the universal vocation of the Court stressing that the only condition to appeal to the Court is to be victim of a violation of one's fundamental rights, regardless of the claimant's nationality or their residence status.

- The Council of Europe has been a pioneer in the **abolition process** which has made Europe a de facto death-penalty-free zone since 1997 thanks to the adoption in 1983 of the Protocol n°6 on Abolition of death penalty[16]. As of today (September 2018) the protocol was ratified by 46 member states.

- The European Convention for the **Prevention of Torture** or Inhuman or Degrading Treatment or Punishment[17] was adopted in 1987. It provides for the setting up of an international committee empowered to visit all places where persons are deprived of their liberty by a public authority and suggest improvements in order to strengthen, where necessary, the protection of persons from torture and from inhuman or degrading treatment or punishment. This preventive, non-judicial machinery is an important addition to the system of protection already existing under the European Convention on Human Rights.

- **Upholding freedom of expression**: The Council of Europe is convinced that "*freedom of expression and the free flow of information are the cornerstones of public debate and democracy*". Article 10 of the European Convention of Human Rights guarantees that "*everyone has the right to freedom of expression*". In this regard, it fights for media independence and against any type of censorship and recently set up a platform for the protection of journalists.

- Through the Venice Commission (or European Commission for Democracy through Law), the Council of Europe is **strengthening the legal basis and framework of democracy**. Indeed this consultative body composed of 61 member states[18] - in the legal form of an Enlarged Partial Agreement - is giving legal advice and assists the states in the adoption of democratic constitutions. Examples of its achievements are the Code of Good practice in electoral matters which was adopted in July 2002 and the "rule of Law – Checklist" for new legislation. Another key achievement of the Venice Commission is the Council for democratic elections, where the Congress participates together with the PACE and which established a framework ensuring free and fair elections at all levels across Europe.

- **The fight against discrimination and racism** is one of the biggest struggles of the Council of Europe. 25 years ago, the Heads of State and Government of the member States decided to create the European Commission against Racism and Intolerance (ECRI). The ECRI is *"entrusted with the task of combating racism, racial discrimination, xenophobia, antisemitism and intolerance in greater Europe from the perspective of the protection of human rights"*.

- Since the beginning of the 90's, the Council of Europe took a series of measures to **promote gender equality**. A new strategy on gender equality for the years 2018-2023 was adopted by the Committee of Ministers on 7 March 2018. The 2011 Convention on preventing and combating violence against women and domestic violence[19], called the Istanbul Convention, is crucial for protecting some of the women's fundamental rights. Today, this agreement has been signed by 52 States and the EU.

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[16] *Protocol n°6 to the Convention for the protection of Human rights and fundamental freedoms concerning the abolition of the death penalty,* 1983, Link: https://www.echr.coe.int/Documents/Library_Collection_P6_ETS114E_ENG.pdf
[17] European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Strasbourg, 11/26/1987, Link: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/126
[18] Council of Europe, Members of the Venice Commission, observer, Link: http://www.venice.coe.int/WebForms/members/countries.aspx?lang=EN
[19] Council of Europe, Istanbul Convention, Action against violence against women and domestic violence, link: https://www.coe.int/en/web/istanbul-convention/home?desktop=true

- The organisation created the Convention on the **Protection of Children** against Sexual Exploitation and Sexual Abuse[20] in 2007. This Convention was accompanied by the ONE in FIVE awareness raising campaign to stop sexual violence against children.

- The creation in 1992 of the European Charter for Regional or Minority Languages[21] is one of the main achievements in the field of **cultural identity**. Furthermore, the Framework Convention for the Protection of National Minorities[22] was adopted in 1994. It promotes non-discrimination and equality as well as conditions favouring the preservation and development of culture, religion, language and traditions.

- **Free and fair elections**: the Parliamentary Assembly has held election observation missions at national level since 1974. The Congress was entrusted with observing local and regional elections in 1990.

- Democratic laws and institutions can only function effectively when they are based on a culture of democracy. This is why the Council of Europe is also working on **education in human rights and democratic citizenship.** One of the purposes of education is the preparation for democratic citizenship, personal development, and the development of a broad, advanced knowledge base. The Council of Europe 2018 Reference Framework of Competences for Democratic Culture[23] identifies the competences, skills and knowledge which are necessary for our young citizens in order to participate actively in today's complex, diverse pluralistic democratic societies. This Reference Framework is to be widely used in primary and secondary schools, higher education and vocational training institutions to allow citizens throughout Europe to live together, as democratic citizens in diverse societies. As our nations continue to grow more mixed, and populism flourish in many countries, such knowledge and skills will become ever more important to ensure resilient societies.

- The **fight against corruption** is yet another mission of the Council of Europe, embodied by the Group of States against Corruption (GRECO) which was established in 1999.[24] Corruption is an ancient and widespread practice which undermines citizens' confidence in their authorities, hence threatening good governance and ultimately the Council of Europe values of pluralist democracy, Human rights and the rule of Law.

- **Quality of healthcare**: Created in 1964, the European Pharmacopeia[25] sets standards for quality control during the development, production and marketing processes of medications and fights against the counterfeit ones.

It is important to highlight that many of these norms and standards, though "made in Europe", are not meant "made for Europe" only[26]. They have become a reference point, a benchmark for the world. Over the years, the Council of Europe became the launching pad to prepare candidate countries for their membership in the EU. The Council of Europe is a unique forum for dialogue among the members of the EU, Western Balkans, Eastern Partners and all non-EU countries on the continent. The CoE supports them in strengthening their democratic system and, where needed, proceeding with relevant reforms to help them live up to the EU accession criteria. Both the Council of Europe and the European Union have mobilised the energy and commitment of the same Founding Fathers and are in line with the spirit of The Hague Congress.

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[20] Council of Europe, *Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*, Lanzarote, 10/25/2007, Link: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/201

[21] Council of Europe, European Charter for Regional or Minority Languages, Link: https://www.coe.int/en/web/european-charter-regional-or-minority-languages

[22] Council of Europe, Convention-cadre pour la protection des minorités nationales, Link: https://www.coe.int/fr/web/minorities

[23] Council of Europe, RFCDC, Link: https://www.coe.int/en/web/education/competences-for-democratic-culture

[24] Council of Europe, Link: https://www.coe.int/en/web/greco/home

[25] Council of Europe, Details of Treaty No.050, Convention of the Elaboration of a European Pharmacopoeia link: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/050

[26] "These norms and standards, though "made in Europe," are not "made for Europe" only. They have become a reference point, a benchmark for the world." Link: https://rm.coe.int/CoERMPublicCommonSearchServices/sso/SSODisplayDCTMContent?documentId=09000016807bff2b

Part II. Grassroots democracy as another pillar of democracy[27] and necessary foundation for a united Europe

Parallel to the unification of the continent, a new level of democracy was shaped to counterbalance the concentration of power at national or European level and bring democracy close to people

In 1951, a gathering of mayors led by the Council of European Municipalities, later on the Council of European Municipalities and Regions, advocated to build an effective local self-government and transfer powers to the level closest to citizens. This was the beginning of the principle of subsidiarity. The European Charter of Municipal Liberties, forerunner of the European Charter of Local Self-Government, was adopted in Versailles in 1953.

Local democracy was further strengthened in 1956, when the "Consultative Assembly of the Council of Europe" proposed the creation of a political assembly representing the local and regional level to integrate Europe at all levels. Since its inception the following year (1957), the European Conference of Local Authorities has been a key player in the architecture of a true local democracy. The Conference held its first session in Strasbourg in January 1957 under the chairmanship of Jacques Chaban-Delmas, who was one of the pioneers of local democracy.

Initiatives, visionary approaches and the unwavering determination of mayors – supported by national politicians - contributed to progressively making local and regional democracy a landmark of the European democratic system. Jacques Chaban-Delmas claimed at the first session of the Conference of Local and Regional Authorities in 1957 that it was: "*the first time in the history of the democracies that local authorities give their opinion with the approval of governments*"[28]. He stated that "*all holders of a local mandate constitute a gigantic group of millions of beings whose two main characteristics are, first of all, devotion to their fellow citizens and secondly, their personal confidence in them* "[29]. In 1994 the Conference was transformed into the Congress of Local and Regional Authorities as we know it today,

From 1960s to the mid-1970s, the first forms of cross-border cooperation appeared, favouring the gathering of local authorities, economic, cultural or social exchanges between European States, culminating with the creation in 1971 of the Association of European Border Regions[30].

In 1972[31] a definition of border regions and the basic modalities of co-operation were set. The European political landscape progressively moved towards better recognition of the role of cross-border cooperation. The European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities[32] adopted on 21 May 1980 in Madrid is considered as "the founding act of the legal framework for transfrontier co-operation between territorial communities and authorities in Europe"[33].

Little by little, the debate and European concerns gradually focused on the regional dimension and the challenges it faced. As a result, the Conference of Local and Regional Authorities was reformed to give a voice to regional entities.

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[27] Speech by Andreas Kiefer, Secretary General of the Congress of Local and Regional Authorities at the 14th Plenary Session of the Congress "Municipalities and Regions in the Council of Europe: Local and Regional Democracy in Action since 1957", link: https://rm.coe.int/1680719983

[28] The Congress of Local and Regional Authorities of the council of Europe, Extract from the speech of Jacques Chaban-Delmas, January 12, 1957, link: https://rm.coe.int/general-leaflet-of-the-congress-of-local-and-regional-authorities-of-t/1680719f4d

[29] Official Report on the Proceedings of the European Conference of Local Authorities, presented by Mr Santero, General Rapporteur. Document without reference number, page 2.

[30] Official website of the AEBR link: https://www.aebr.eu/en/index.php

[31] The Council of Europe organised a conference in Strasbourg on transfrontier and interregional co-operation, which resulted in a definition of border regions

[32] European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, ETS No. 106 (European Treaty Series) see the website of the Council of Europe Treaty Office, link : https://webcache.googleusercontent.com/search?q=cache:3-jCPNsgn5oJ:https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent%3FdocumentId%3D090000168007cdae+&cd=1&hl=en&ct=clnk&gl=fr

[33] Council of Europe, European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, Link: https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680078b0a

Driven by this dynamic, the Conference of Local and Regional Authorities, together with the Parliamentary Assembly, initiated a Conference on the problem of regionalisation in Europe organised in Bordeaux in 1978, which culminated in the adoption of the "Bordeaux Declaration"[34]. The debate focused on building a united Europe through regionalisation, economic development, efficiency, proximity and citizen participation.

Seven years later, on 1 September 1988, the European Charter of Local Self-Government which had been drawn up on the basis of a draft proposed by the Standing Conference of Local and Regional Authorities of Europe entered into force. The aim of the Charter was to compensate for the lack of common European standards to protect the rights of local authorities and to give the citizens the opportunity to participate effectively in decisions that affect their daily environment and to establish mayors and councillors in the cities, towns and municipalities accountable to the population they represent. The Charter was the very first treaty to lay down the principle of subsidiarity and the obligation to transfer powers and the necessary financial resources to the local level[35]. A few days ago the Congress, the Parliamentary Assembly of the Council of Europe and many cities and regions celebrated the entry into force of the Charter 30 years ago, on 1 September 1988.

The local and regional cause was given a new impetus with the establishment of the Congress of Local and Regional Authorities in its current form in 1994. It was further institutionalised with the creation of the Committee of the Regions of the EU which was set up in the same year, in accordance with the 1992 Maastricht Treaty. The Congress was tasked by member states to act as a forum of exchange of local and regional politicians, as a monitoring body for local democracy, as a consultative organ and as an operative arm on the ground.

The fall of the Berlin Wall in 1989 generated a momentum for decentralisation on the continent. As early as 1993, countries of Central, Eastern and South-Eastern Europe were invited to join the pan-European organisation. Following this enlargement, the Congress played an important role in supporting its new member States in their democratic transition, local and regional reform. This was the time when the Charter proved its great value – in the transition of the young democracies and in the transformation to inclusive societies.

The relentless work of the Congress in partnership with European associations and institutions turned local and regional democracy into a pillar of the European democratic system. In this context it is worthwhile to recall what the governments of the member states stated in the preamble of the Charter: "*local authorities are one of the main foundations of any democratic regime*".

The mission and the work of the Congress of Local and Regional Authorities

"Our" Congress was born from the conviction that it is necessary to give municipalities and regions a voice to express themselves in the early hours of European construction. It stands out as one of the key actors in the establishment of a real democracy of proximity in the 47 members of the Council of Europe.

Its unique approach, anchored in the European Charter of Local Self-Government, combines political dialogue, standard-setting, monitoring and cooperation.

We at the Congress protect democracy at local and regional level through two instruments: monitoring of the Charter and observation of local and regional elections[36]. Monitoring of each country is done every 5 years and consists of assessing how member States apply the principles of the Charter. As for the observation of elections, the concerned state invites the Congress to observe not only the conduct of the vote but also the electoral campaign. Since 1990, the Congress and its predecessor have carried out over 100 missions, to observe more than 70 elections in member States. The Congress has become one of the main guarantors of territorial democracy throughout our continent.

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[34] Document of the Parliamentary Assembly and the Conference of Local Authorities of the Council of Europe No. I 16.151: "Council of Europe Convention on the Problems of Regionalisation, Bordeaux (France), 30 January - 1 February 1978. Bordeaux Declaration - adopted by a majority vote ".
[35] Council of Europe, Congress of local and regional authorities, European Charter of Local Self-Government Article 4, paragraph 3, link: http://www.conventions.coe.int/Treaty/ger/Treaties/Html/122.htm.
[36] Recurring issues based on assessments resulting from Congress monitoring and election observation missions (reference period 2010-2016) 32th session 28 March 2017

Citizen participation guarantees the viability of the political and social fabric of Europe. First, participation is crucial to help sustain the legitimacy of decisions and deliver accountability. A second key argument is that public authorities need to listen and learn in order to design better policies and services. Finally, participation gives a sense of belonging and makes local communities places where people want to live and work, now and in the future.

The importance of citizen participation at local level continues to be recognised by Council of Europe national governments, as reflected in a number of Committee of Ministers recommendations: most recently, the Guidelines for civil participation in political decision making, adopted in 2017, and this year's recommendation on the participation of citizens in local public life. This way, local and regional authorities are stronger and can better counteract populism which seeks to limit debate, de-legitimise dissent and reduce political pluralism.

Member States are actively working to find solutions to the decline in voter turnout during elections, loss of confidence in the integrity of political leaders and democratic procedures. The Congress accompanies them in advancing their decentralisation system, strengthening their electoral process and increasing citizen participation. It is essential for democracy to be close to the people. Strong local and regional government makes it possible, thus enhancing democratic security.

Part III. Challenges and perspectives to overcome them

These success stories in European history must be constantly kept in mind. European history has not been easily written. It stems from the fierce struggles of men and women who fought for a European model of society and a united – not unified - Europe. Yet, as I speak to you, Europe is going through an unprecedented multi-faceted crisis.

As we celebrate 70 years since The Hague Congress, the danger posed to human rights in Europe – but also worldwide – is at its highest level since the Second World War. Over the past few years indeed, Europe has become more and more concerned about its own security. Recent terrorist attacks that the continent faced have marked our societies and policies. The unorganised responses to the arrival of so many refugees and the imperfections in the integration policies for migrants have provoked serious violations of human rights and created confusion on our borders. This, combined with the critical economic situation, resulted in insecure conditions, shaky democratic institutions and the rise of nationalists and xenophobia.

Growing populism

Populist parties are exploiting public anxiety to develop and grow. They are challenging the mainstream politics, for example over migration. Hate crime, anti-Semitism and Islamophobia are becoming more widespread while trust in public democratic institutions is weakening.

An epidemic weakness can be found in the rules put in practice to promote integration and cohesion all over Europe. For example, all countries on this continent have laws against incitement to hatred; violence and discrimination. Nevertheless, a worrying number of them still fail to implement them. Minorities are therefore still subject to prejudice and exclusion.

The behaviours and tendencies that Europe is currently going through run counter to the idea of the European founding fathers. They had perfectly understood that the best security policy is one that stops our society from becoming xenophobic and doesn't allow apathy toward democratic institutions.

How Europe is facing terrorism, violent extremism and radicalisation

As the Secretary General of the Council of Europe, Thorbjørn Jagland, said regarding the adoption of the new counter-terrorism strategy for 2018-2022: "*We must improve the ability of our member States to prevent and combat terrorism, in full compliance with human rights and the rule of law*[37]". This new

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[37] Thobjørn Jagland, Secretary general, The Council of Europe adopts a new counter-terrorism strategy for 2018-2022, Council of Europe, Strasbourg, 04 July 2018, link : https://www.coe.int/cs/web/portal/belgianchairmanship-agenda?p_p_id=101&p_p_lifecycle=0&p_p_lifecycle=0&p_p_state=maximized&p_p_state=maximized&p_p_mode=view&p_

strategy to prevent terrorist attacks is based on protection and prosecution; and also includes assistance to the victims. It aims at ensuring the effectiveness of legal proceedings by making sure that terrorist offenses committed in Europe or elsewhere are going to be investigated, quickly and effectively through international judicial cooperation[38].

Council of Europe member States are indeed taking concrete measures against terrorism to prevent it through law and repressive measures, to hamper the attacks with long-term multidimensional measures and prevent radicalisation, recruitment and terrorism financing.

The Congress of Local and Regional Authorities and the European Forum for Urban Security set up an alliance of European cities against violent extremism to gather mayors and experts in order to exchange good practices on how to combat extremism and radicalisation.

Upholding democratic system: free and fair elections, good governance and local government reform

Good political governance is based on people's trust and free and fair elections at all levels. Stable democracies are those which contain strong institutional checks and balances. This also means free and fair elections which allow citizens to choose their representatives. Political parties are the fundamental channel for citizens to express their political will through elections. Party funding should be transparent and regulated. Indeed, when corruption infiltrates the political system, citizens' trust collapses with immediate negative consequences on elections and democracy. I would like to refer to the recent round of country report issued by GRECO on this subject. Integrity of the electoral processes is facing new challenges within Council of Europe member States. Many have experienced or fear an increase in targeted misinformation on the internet during electoral periods and referendum campaigns, as well as cyber-attacks.

Democratic institutions can only enjoy legitimacy and credibility in the eyes of the electorate if they comply with the principles of good governance. "Good governance" refers to the responsible conduct of public affairs and management of public resources and includes the principles of citizen participation, ethical conduct, rule of law, transparency and open government, sound financial management and accountability.

The Congress is currently revising its European Code of Conduct for all persons involved in local and regional governance. This work is further disseminated in the field through co-operation projects implemented in Armenia, Georgia, the Republic of Moldova and Ukraine.

Building inclusive societies: young people, women, cultural diversity, Roma and Travellers

Engaging all members in a society and ensuring the participation of everyone is a fundamental requirement because a society cannot be free and democratic if the liberty and dignity of some of its members are not guaranteed and upheld.

Participation of young people in decision making is instrumental to achieving inclusive and prosperous societies. Participation in democratic life is about having the right, the means, the opportunity and the support to get involved. The preamble of the 2003 **Revised European Charter on the Participation of Young People in Local and Regional Life[39]** makes it clear that effective youth participation is essential to a healthy and democratic society.

Engaging women and achieving **equality between men and women** – who each represent half of the world's population – is also vital for the smooth functioning not only of the society, but also of representative democracy and a prerequisite for political participation. In 2003, the Committee of Ministers defined balanced participation as the minimum representation of 40% of both sexes in all

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mode=view&_101_struts_action=/asset_publisher/view_content&_101_assetEntryId=37788863&_101_type=content&_101_url Title=the-council-of-europe-adopts-a-new-counter-terrorism-strategy-for-2018-2022&inheritRedirect=false

[38] The legal obligation of states under public international law to prosecute persons who commit serious international crimes where no other state has requested extradition. The obligation arises regardless of the extraterritorial nature of the crime and regardless of the fact that the perpetrator and victim may be of alien nationality

[39] Revised European Charter on the Participation of Young People in Local and Regional Life

decision-making bodies in political or public life. This requirement has been reaffirmed in the Council of Europe's Gender Equality Strategy 2018-2023.

Another main challenge to European democracy is linked to the growing cultural diversity. Europe has to find ways **to take advantage of diversity**. The Congress actively works towards building inclusive societies, in particular by supporting intercultural and interreligious dialogue, and developing democratic citizenship. Being well aware of the challenges faced by local and regional authorities in this regard, the Congress developed a Toolkit[40] for local authorities to promote intercultural and interreligious dialogue, as part of its 2015 Strategy to fight radicalisation at grassroots level.

In addition to the system of conventions and the work of the monitoring bodies, the Council of Europe has developed programmes to counter those threats. The Intercultural Cities programme (ICC) supports cities in reviewing their policies through an intercultural lens and developing comprehensive intercultural strategies to help them manage diversity positively and realise the diversity advantage. In this context I would like to refer again to the Competence Framework for Democratic Citizenship which I mentioned earlier and which aims at fostering inclusive, mature and resilient pluralist societies with citizens who care and stand up for democratic values, human rights and the respect of the rule of law.

The Congress is also actively working for the **integration and empowerment of Roma and Travellers.** This is why it created the European Alliance of Cities and Regions for the Inclusion of Roma and Travellers, designed as a network to favour relevant projects and policies at local and regional level and to fight anti-Gypsyism.

Ladies and gentlemen,

Speaking about the challenges and threats facing us today, allow me to share some personal thoughts on a worrying aspect of the situation. What I find truly worrying are increasing – self-imposed - limitations in the behaviour in public debates, in the way many of our fellow citizens think of our values and defend them. Let us remember that the discussions and competition of ideas after the war and up to the end of the 20th century did not consist of dogmas, ideologies and thick books, but of a multitude of debates, intellectual provocations, drafts and experiments. This approach is the one that has shaped our present: human rights, democracy, the rule of law would be unthinkable without this discourse of intellectually challenging the ideas of others.

Since the Second World War, Europe's nations have worked to create constitutional, parliamentary and judicial systems which protect individuals and minorities from arbitrary power. Leaders had come to understand that giving citizens the right to be different and to criticise authority makes countries more stable, not less. However, I have the impression that the verbal commitment to these values in public discourse increasingly degenerates into a phrase and is not followed by appropriate actions. Until a few years ago, critical thinking and respect for facts were more highly regarded than opinions, perceptions, prejudices, feelings, traditions, habits or dogmas.

It seems the universal thinking and the universal human rights often have been replaced by a retreat to the own, to the nation, inside a – perceived – protective border. The basic rules of trust and co-operation are being challenged and we can see that chauvinism, division and fear are replacing tolerance, solidarity and generosity not only in the political sphere. Is it that freedom, equality and solidarity are only attractive or enforceable if they are protected by high walls and barbed wire? If we consider this to the end we would have to admit that we are only ready to defend **our** freedom and **our** equality and **our** solidarity within these high walls and barbed wire. But we are not ready to share this "our luxury" with others.

What is the value of this freedom if it consists in not having to know anything, not having to be informed, but making it comfortable to repeat instead of question the information provided and engage in an exchange? And what is the appropriate response to citizens to apparently experience their maturity as annoying, freedom too exhausting and equality suspect and who prefer a perceived truth to the result of analysis and own judgment?

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[40] The Congress for local and regional authorities, Council of Europe, Organising intercultural and interreligious activities, a toolkit for local authorities, March 2016, link: https://rm.coe.int/168071b23a

Today's leaders must be reminded that the values and quality of democratic citizenship are part of the heritage of the Congress of The Hague must be not only promoted but defended with vigour and persuasiveness.

We have to be aware that the achievements of The Hague Congress are not granted and risk to be diluted or lost. This is why now more than ever, the nations of Europe have to work together to deal with the numerous threats crossing their internal and external borders.

Seventy years ago, The Hague Congress initiated the tremendous process of construction of a new Europe inspired by the defence of human rights and a democratic ideal. This new Europe has built an area of freedom and hope.

For nearly 70 years, the Council of Europe has sought to ensure that all member States follow the principles of human rights, democracy and the rule of law. Today, we, more than 800 million of Europeans, exercise our civil liberties, from participating in elections to free speech and enjoying the benefits of living in societies governed by the rule of law. As the Secretary General of the Council of Europe underlined, this "*precious legacy*" must be protected.

The Secretary General of the Council of Europe, Thorbjorn Jagland, annually presents a report on the situation of democracy, human rights and the rule of law. Each report addresses – in a comprehensive way – the challenges for our societies and legal systems and the responses offered by the Council of Europe and its instruments. The reports also contain proposals to member states, in which they should continue to improve the convention system and its application – especially the follow-up given to the recommendations. All the recommendations are published on the website of the Council of Europe and accessible for everyone. They should be used more by civil society in the public debate to achieve the progress and the result to which member states governments and parliaments have committed themselves by ratifying the treaties.

The year 2019 will mark the celebration of the 70th anniversary of the Council of Europe. Let us trust that it will provide an occasion to reaffirm yet again our values and will to pursue the story of building a fair, inclusive and peaceful Europe, started by the men and women united in The Hague Congress 70 years ago!

We, European citizens living today and benefitting from peace, we owe the founding fathers respect for their vision, their commitment and their achievements. And we owe them to be involved and continue to carry the flag. Much of the vision still has to be turned into reality, completed and defended.

With the Council of Europe the European peoples, civil society and states dispose of an institutional framework, of a reliable convention system with monitoring bodies, political instances and a court. The Council of Europe is one of the pillars making the dreams, hopes and aspirations of The Hague Congress a reality.

Thank you for your attention.