

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 123 (2003)¹ on the perspectives for a third Council of Europe summit

The Congress,

1. Having studied Recommendation 1568 (2002) of the Parliamentary Assembly proposing the holding of a third summit of heads of state and government of Council of Europe member states;
2. Having taken note in this context of the position adopted by the Ministers at their 111th Session (6 and 7 November 2002) and of the fact that, at their next session, in May 2003, they wish to examine the proposed themes and the organisational arrangements for such a summit;
3. Thanking the Chair of the Ad hoc Working Party on Institutional Reforms of the Ministers' Deputies for informing it of current relevant activities and discussions, at the meeting of the CLRAE's Standing Committee on 15 November 2002;
4. Supports the suggestion that a third Council of Europe summit be held without delay;
5. Takes the view that, indeed, it is essential to hold such a summit because of the current political context in Europe, with the forthcoming enlargement of the European Union to twenty-five states, whereas the Council of Europe has almost completed its own geographical enlargement;
6. Convinced of the crucial role played by the Council of Europe in the building and stabilisation of this greater democratic Europe, considers that a third summit, following those of Vienna (1993) and Strasbourg (1997), will usefully be able to confirm recognition of this role in the new geopolitical context which is emerging, and to lay down the new priorities;
7. Aware of the preparation of various summits by other major European organisations, particularly the European Union and the Organisation for Security and Co-operation in Europe (OSCE), emphasises that this unprecedented moment in history thus provides a particularly propitious opportunity to give thought to the respective roles of, and co-operation among, these organisations;
8. Takes the view that the process of preparation of a third Council of Europe summit offers the most appropriate framework for the deliberations and consultations necessary to bring these discussions to fruition and to create for our Organisation a coherent and ambitious framework for its work over the years ahead which will take account of the legitimate aspirations of all European

citizens for a greater democratic Europe, a pacific, prosperous and mutually supportive one without new dividing lines;

9. Welcomes the influence currently exerted by the Council of Europe, which has successfully united on the basis of shared fundamental values European countries with such diverse histories and cultures, which already involves neighbouring countries in its activities, particularly in South-eastern Europe and on the southern shore of the Mediterranean, and which, in addition, is pleased to accept as observers Canada, the Holy See, Japan, Mexico and the United States of America;
10. Hopes that this third summit will also be an opportunity to make this influence as visible as it needs to be in greater Europe and in the rest of the world;
11. Gives a central place among the Council of Europe's tasks to the promotion and defence, at every level, of human rights and pluralist democracy, which, in its view, are indissociable;
12. Is firmly convinced of the necessity for legal coherence in the protection of human rights throughout Europe, and consequentially supports the Charter of Fundamental Rights of the European Union, but nevertheless considers it necessary that the European Union adheres to the European Convention on Human Rights;
13. Accordingly situates its activity and essential role within the Organisation as a promoter of local and regional democracy in Europe, in application of the principle of subsidiarity and with a view to fairer and more efficient governance;
14. Having regard to the importance of the holding of such a summit for the future of the Council of Europe, and in view of its own position according to its Statute, the Congress also wishes to make a contribution to the discussions about the substance and the messages of such an event;
15. At this initial stage proposes below some items for inclusion, either among the themes to be tackled at the summit or in a priority action plan to be adopted there, so as to define in greater detail a coherent and ambitious framework in those fields in which the Organisation excels.

Among the matters to be taken into consideration for summit themes and the priorities for action to be set, the Congress wishes to draw the attention of the Committee of Ministers to the following points:

A.1. Democracy is an overall approach which must play its part at all levels and in every aspect of the organisation of society in order to have a noticeable effect on the everyday life of European citizens. Thus the promotion of local and regional democracy is an integral part of the values advocated by the Council of Europe, and to which its member states subscribe.

2. The Council of Europe is very firmly based on the international treaties drawn up since its foundation, which give tangible form to the common guidelines offered to its

member states. In the field of local and regional democracy, the European Charter of Local Self-Government has, since 1985, been the international reference treaty, and it has to date been ratified by thirty-eight member states and signed by another three.

3. This charter is providing the inspiration for United Nations activities with a view to global recognition of its principles. Furthermore, within the framework of the activities of the Convention of the European Union, various institutional partners (parliament and Committee of the Regions) are advocating that the European Charter of Local Self-Government should be explicitly mentioned in the Union's new constitutional treaty and thus become a reference text in this context. This proposal is also made by the Parliamentary Assembly in its Resolution 1314 (2003) on the contribution of the Council of Europe to the constitution-making process of the European Union, in particular in its paragraph vii.a, to which the Congress wholly subscribes.

4. The summit should therefore emphasise that this treaty is an integral part of the fundamental achievements of the Council of Europe. The Congress takes the view that the European Charter of Local Self-Government should effectively, in line with current Parliamentary Assembly practice, be one of the fundamental texts to which every member state must subscribe on accession.

5. In its turn, the draft European charter of regional self-government should complement this international treaty and establish more firmly the fundamental principles of regional democracy, while allowing for specific situations in member states and the requisite flexibility in this field.

B. The summit should also be an opportunity for support to be given to the Congress for the continuation and development of its activities to promote local and regional democracy, the main aspects of which are:

a. political monitoring of the situations and reforms in member states through national reports on local and regional democracy, drawn up in accordance with Article 2.3 of Statutory Resolution (2000) 1 of the Committee of Ministers relating to the Congress of Local and Regional Authorities of Europe;

b. observation of local and regional elections and setting of European standards relating to elections, particularly the joint proposal with the Venice Commission and Parliamentary Assembly of a European code of good practice in electoral matters, which should become a new fundamental convention of the Council of Europe;

c. participation in the legislative assistance provided in particular cases to countries which have been the subject of national reports and of specific recommendations relating to local and regional democracy;

d. promotion of participatory democracy, especially at local and regional levels, based on greater participation by citizens, especially young people and foreign residents lawfully settled in the long term in the territories of member states;

e. implementation of a new local and regional governance based on transparency, integrity and access to information, as well as application of the subsidiarity principle in the distribution of public responsibilities;

f. co-operation with associations of local and regional authorities and with civil society in general in respect of all these activities.

C.1. The promotion of both decentralised and transfrontier co-operation provides two fundamental lines of action in the face of Europe's major challenges of achieving democratic stability and preventing conflicts. Here too, the Council of Europe has efficient instruments and unrivalled experience which should be turned to advantage and applied in major geographical areas such as the Mediterranean, the Black Sea, the Baltic Sea, South-eastern Europe and the Caucasus.

2. From this perspective, the definition of a cross project to promote transfrontier co-operation in Europe would constitute a useful action to develop neighbourly relationships in Europe in the area of intercultural dialogue, social cohesion and local sustainable development. This cross project would contribute to the celebration of the twenty-fifth anniversary of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (2005) in implicating structures of the Council of Europe which are active in the area of the development of transfrontier co-operation (Committee of Experts on Transfrontier Co-operation, Committee of Advisors, Parliamentary Assembly, Congress) and the different competent Directorate Generals of the Council of Europe, in co-operation with the Association of European Border Regions.

3. The summit must be an opportunity to start appropriate programmes so as to consolidate neighbourly and co-operative relations not just throughout Europe, but also with those countries which are either not yet members or not destined to become members, but with which cultural, human and economic exchanges are destined to continue and to increase.

D. The Council of Europe will thus have to extend its co-operation with non-member neighbouring countries and work to obtain their endorsement of the values it upholds, especially the countries on the southern shore of the Mediterranean and those of central Asia. The Congress, in its area of competence, is ready to carry out such activities, in the light of the guidelines set by the summit.

E. The summit should express clear support for any activity intended to find peaceful solutions to the conflicts which unfortunately still persist in certain regions of this greater Europe, and which divide citizens from one and the same community or from either side of a demarcation line. The CLRAE is also willing to contribute actively to these discussions in co-operation with the Committee of Ministers, the Parliamentary Assembly and the Venice Commission, notably for those regions concerned in the Caucasus, Cyprus, the Federal Republic of Yugoslavia and Moldova.

F. Similarly, the Council of Europe has a vital role to play in promoting an open dialogue between the states of the Union and its other member states, whether or not they have applied for membership of the Union. The summit should formally recognise this role, which creates a platform for greater co-operation and makes possible freer movement of persons among the states concerned. The Council of Europe should therefore carry out programmes in the fields in which it excels on the basis of co-operation agreements between the two organisations. In this context, the Congress welcomes its constantly improving co-operation with the Committee of the Regions of the European Union.

G.1. The management of our societies' cultural diversity remains an important subject of discussion for the years ahead, for this diversity is increasing as greater numbers of people move around Europe and across the globe. Despite this mobility and diversity being assets, they also throw up challenges, especially to local and regional authorities.

2. Whether they relate to the management of migratory movements, to integration, to aliens' and their descendants' rights or to intercultural and inter-faith dialogue, the solutions needed must cut across the local, regional, national and international levels and complement each other. In these fields as well, the Congress is ready to continue this work and actively co-operate with the Organisation's other bodies, according to the priorities laid down by the summit.

3. In addition, the cultural and linguistic diversity of both Europe and its individual states is an invaluable asset, which the Council of Europe must endeavour to maintain and promote through appropriate programmes and instruments.

H.1. In our increasingly urban societies, it is becoming vital to develop urban management and planning models which constantly strive to achieve better quality of life, from the viewpoint not only of the environment, but also of citizens' security, access to public services and culture,

the maintenance of the social fabric, the combating of exclusion, and so on.

2. The CLRAE has a direct interest in these issues and would like, with the other partners of the Council of Europe concerned, to make a practical contribution to this work, not forgetting the linked problem of the balance between city and countryside. The summit might lend its support to this intersectoral approach and set down specific courses of action in an action plan.

I.1. All these sustainable development issues have a priority still all too often insufficiently taken into account. The dangers connected with poor water resources management or with ill-considered developments, the issues of transfrontier traffic – notably transalpine, and with due regard to sensitive alpine areas, wise use of energy resources, industrial and urban waste management and protection of the countryside are just some of the challenges for which European societies will have to find solutions which are both more sustainable and more environment-friendly, and which frequently require action to be taken on a daily basis by municipalities and regions.

2. The summit should acknowledge this priority and start an action programme spread over several years and spanning across sectors, involving the various partners within the Organisation, and with the CLRAE playing a significant role.

16. In conclusion, the Congress advises the Committee of Ministers and Parliamentary Assembly that it is ready and willing to give its support to the preparation of such a summit, and to specify and flesh out its suggestions in the light of the progress of the relevant discussions.

17. It is also willing in due course, within its specific fields of competence, to help to implement the decisions taken at the summit.

1. Debated and adopted by the Standing Committee of the Congress on 21 March 2003 (see Document CG (9) 25, draft recommendation presented by DDr H. van Staa, rapporteur).