

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 295 (2010)¹ Verification of new members' credentials and new appointment procedures

1. Pursuant to its Charter, adopted by the Committee of Ministers on 2 May 2007 (Statutory Resolution CM/Res(2007)6), the Congress of Local and Regional Authorities of the Council of Europe draws the authorities' attention to the provisions set out in Articles 2.1 and 2.2 of the Charter when appointing members of their country's national delegations.

2. Concerning the appointment procedure, notably in anticipation of the delegation renewal session in October 2010, the Congress:

a. asks governments to update their official appointment procedure to bring it into line with the Charter and the Rules of Procedure of the Congress and its Chambers;

b. draws member states' special attention to the fact that the official appointment procedure must henceforth make specific reference to the terms and conditions of dismissal of Congress members whose mandates do not stem from a direct election;

c. points out that, in appropriate cases, a list of local authorities which cover a large area and exercise both local and regional powers and responsibilities must be appended to the procedure;

d. has asked the Institutional Committee to give an opinion on the reform of the territorial organisation undertaken in Latvia on 1 July 2009 and the effects this reform has on the Congress delegation, especially with regard to the Latvian members of the Chamber of Regions, and to indicate whether Latvia should be added to the list of 14 countries without regions.

3. Concerning the composition of national delegations, the Congress:

a. congratulates all member states on complying with the provisions set out in Article 2.2.*d.* of the Congress Charter concerning the participation of at least 30% of the under-represented sex;

b. regrets, however, that some delegations have only been able to meet this objective by leaving vacant seats in their delegation; these seats must be filled by women;

c. also regrets that some countries have mainly assigned Substitutes' seats to members of the under-represented sex, whereas the spirit of Article 2.2.*d.* of the Congress Charter is that there should be an equitable distribution between Representatives and Substitutes;

d. considers that the fact that a large number of seats remain vacant deprives many member states of full participation in Congress activities and requests the national authorities concerned to renew or complete their delegation as soon as possible;

e. reiterates the desire it expressed in Resolution 170 (2004) on the verification of credentials of new members and new appointment procedures, for representatives of the Turkish Cypriot community to be included in the Cypriot delegation and decides, in the meantime, to continue to invite two representatives of the Turkish Cypriot Community to take part in sessions and Standing Committee meetings, in accordance with the practice already established (following an initial decision of the Bureau of the Congress of 3 November 2004, confirmed in Resolution 234 (2007)), as well as possibly attending meetings of the Congress' statutory committees for specific items;

f. reminds the authorities of all member states that proposals for changes in their national delegations must be forwarded to the Congress immediately after local and/or regional elections together with all the information required to assess whether these changes are in keeping with the provisions set out in Article 2 of the Congress Charter, in particular: the results obtained by the different political parties at the last local and/or regional elections, new members' political affiliations and the equitable geographical representation of the delegation within their country;

g. accepts that the national delegations of some countries that have no regions (within the meaning of Recommendation 56 (1999)) appoint only Substitutes to the Chamber of Regions;

h. informs the authorities of Belgium, Serbia and "the former Yugoslav Republic of Macedonia" that, to ensure proper representation of their national delegation, they should appoint a head of delegation;

i. regrets that, contrary to the spirit of the Congress Charter, the maximum period of six months during which members who no longer hold a local or regional authority mandate can remain a member of the delegation is being applied not by way of exception but as a rule and that this is hindering the renewal of delegations and the participation of members who hold a proper mandate.

4. Concerning the distribution of seats on committees, the Congress:

a. points out that Article 5 of Statutory Resolution CM/Res(2007)6 stipulates that "each Congress member has the right to at least one seat on a committee, including the Standing Committee", and informs delegations that special attention will be given to this point henceforth to ensure that no member is deprived from taking part in Congress activities; this is the case for Armenia, Austria, Belgium, Bosnia and Herzegovina, Croatia, Denmark, Estonia, Germany, Iceland, Italy, Liechtenstein, Moldova, the Netherlands, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Switzerland, "the former Yugoslav Republic of Macedonia" and Turkey;

b. also expects countries to embrace the spirit of the Congress Charter by ensuring that full members and not only Alternate seats on statutory committees are assigned to members of the under-represented sex and will pay special attention to this point.

5. In the light of the above remarks and, subject to the specific requests made to certain member states, the Congress

approves the new appointment procedures and the credentials of the new members of the 47 national delegations.

1. Debated and adopted by the Congress on 17 March 2010, 1st Sitting, rapporteurs: A. Knape (Sweden, L, EPP/CD) and G. Krug (Germany, R, SOC).