Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 11710
17 September 2008

Transfrontier co-operation

Reply to Recommendation[1]: Recommendation 1829 (2008)
Committee of Ministers

1. The Committee of Ministers has examined Parliamentary Assembly Recommendation 1829 (2008) on "Transfrontier co-operation", which it transmitted to the European Committee on Local and Regional Democracy (CDLR), the European and Mediterranean Major Hazards Agreement (EUR-OPA) and the European Conference of Ministers responsible for Spatial/Regional Planning (CEMAT). The comments received are appended to this reply.

2. The Committee of Ministers has taken note of the recommendations to member states set out in paragraph 13, including the reference recalling its Recommendation Rec(2005)2 on good practices in and reducing obstacles to transfrontier and interterritorial co-operation between territorial communities or authorities. These have been transmitted to governments of member states for due consideration. It would like to recall that the Committee of Ministers welcomed, at their 116th Session, the initiatives to promote the development of new Euroregions, and took note of the initiatives particularly in the Adriatic and Black Sea regions. Moreover, as mentioned in its reply to Congress Recommendation 187 (2006) on the Adriatic Euroregion, the Committee of Ministers considers that this type of regional co-operation is a constructive means of achieving progress in all spheres, including political, economic and social areas.

3. With regard to paragraph 14.1, the Committee of Ministers informs the Assembly that work on the draft protocol to the Madrid Outline Convention on Euroregional co-operation groupings should be finalised and submitted to the CDLR by the end of 2008.

4. In respect of paragraph 14.2, the Assembly is invited to note that the CEMAT intends to continue promoting co-operation at the transfrontier level as part of its activities, and to extend it to the frontiers of the Council of Europe member states. With regard to EUR-OPA, it is clear that the very nature of its work calls for transfrontier co-operation to be regularly taken into account.

5. The Committee of Ministers informs the Assembly that the Ministers' Deputies, at their 1022nd meeting, reaffirmed their commitment to the Budapest Agenda – which includes a comprehensive chapter on the development of the transfrontier and interterritorial co-operation of territorial communities or authorities – as the basis for intergovernmental co-operation in the field of local and regional democracy, in particular that to be carried out by the European Committee on Local and Regional Democracy (CDLR). At the same meeting, it also approved the terms of reference of the CDLR's subordinate Committee of Experts on the institutions of local and regional government which will assist the CDLR in the implementation of all activities relating, *inter alia*, to transfrontier co-operation of local and regional authorities.

6. Finally, it also takes the opportunity to draw particular attention to the Committee of Ministers' Recommendation Rec(2007)5 to member states on the conclusion of transfrontier co-operation agreements in South-East Europe, adopted by the Committee of Ministers on 31 January 2007.

1. adopted at the 1034th meeting of the Ministers' Deputies (11 September 2008)

Appendix 1 – Comments from the Bureau of the European Committee on Local and Regional Democracy (CDLR) on Parliamentary Assembly Recommendation 1829 (2008)

1. The Bureau of the European Committee on Local and Regional Democracy (CDLR) has examined Parliamentary Assembly Recommendation 1829 (2008) on "Transfrontier co-operation" which has been addressed to the CDLR with the invitation to provide possible comments by 15 April 2008.

2. Given that the next plenary session of the CDLR is scheduled on 2 to 4 June 2008, and wishing to respond to the Committee of Ministers within the prescribed deadline, the Bureau has adopted the following comments.

3. Transfrontier co-operation of local and regional authorities is a major priority of intergovernmental co-operation in the field of local and regional democracy since many years and is an integral part of the Budapest Agenda for delivering good local and regional governance. The intergovernmental work has led in particular to the adoption of three conventions (the Madrid Outline Convention and its two protocols) and a number of recommendations by the Committee of Ministers.

4. In addition, activities have been developed with a view to promoting the implementation of Council of Europe's standards by member states, assisting local authorities with the establishment of cross border co-operation bodies (Euroregions) and enhancing the capacities of local authorities to plan and implement cross border co-operation projects.

5. With regard to the specific recommendations adopted by the Parliamentary Assembly, the Bureau would like to point out the following:

a. transfrontier co-operation between the member states of the Council of Europe is a political priority and the Committee of Ministers is better placed than the CDLR to evaluate its developments. Local and regional authorities however are very often the driving force of this bilateral or multilateral co-operation between states, in the framework of the Madrid Outline Convention (and its protocols) and of the intergovernmental activities implemented by the CDLR;

b. the implementation of Recommendation Rec(2005)2 of the Committee of Ministers on good practices in and reducing obstacles to transfrontier and interterritorial co-operation between territorial communities or authorities (and also of Recommendation Rec(2005)3 on teaching neighbouring languages in border regions) is an objective for the CDLR. However, it is dependent on the co-operation and goodwill of member states and the Committee of Ministers could remind member states of the availability of the Secretariat to provide assistance if so requested (awareness-raising of target groups, exchange of good practices, making translations into non official languages available, etc.);

c. through its monitoring of the implementation of commitments entered into by member states, the Committee of Ministers has a means to urge states concerned to meet their obligations as concerns ratification of the Madrid Outline Convention and its protocols. The CDLR, through its regular exchanges of views on recent developments in member states and its overview of the state of ratification of conventions falling within its remit, also provides member states with opportunities to share information relevant to considering ratification of Council of Europe's conventions;

d. the drafting of a protocol on Euroregional co-operation groupings to the Madrid Outline Convention is an objective being pursued in accordance with the Warsaw Action Plan and the Budapest Agenda for Delivering Good Local and Regional Governance, as revised at the Valencia ministerial conference. The work is ongoing and the final draft (to which an Appendix containing an optional uniform law will be attached) will be delivered to the CDLR by the end of 2008.

Appendix 2 – Opinion of the Committee of Senior Officials of the European Conference of Ministers responsible for Spatial/Regional Planning (CEMAT) on Parliamentary Assembly Recommendation 1829 (2008)

At the request of the Committee of Ministers, after considering Parliamentary Assembly Recommendations 1823 (2008) on "Global warming and ecological disasters" and 1829 (2008) on "Transfrontier co-operation", the Committee of Senior Officials of the European Conference of Ministers responsible for Spatial/Regional Planning (CEMAT) of the Council of Europe:

– thanks the Parliamentary Assembly for having transmitted to it the aforementioned recommendations for information and possible comments;

– recalls the commitment of the Council of Europe to sustainable development, expressed by the Heads of State and Government of the Council of Europe member states at their Third Summit (Warsaw, 17 May 2005), and in particular the CEMAT's commitment regarding the specific objective of sustainable territorial development, reaffirmed in the Guiding Principles for Sustainable Spatial Development of the European Continent, adopted at the 12th CEMAT Session in 2000 and recommended to the member states by the Committee of Ministers of the Council of Europe in Recommendation Rec(2002)1 and in the Ljubljana Declaration on the territorial dimension of sustainable development adopted at the 13th CEMAT Session in 2003;

– also recalls the Lisbon Declaration on "Networks for sustainable spatial development of the European continent: Bridges over Europe" and Resolution No. 2 on territorial governance: empowerment through enhanced co-ordination, adopted at the 14th CEMAT Session on 27 October 2006;

– shares the concerns expressed by the Parliamentary Assembly over global warming and its interest in transfrontier co-operation;

– notes that these questions are already included in the 2007-2010 work programme of the CEMAT Committee of Senior Officials for the preparation of the 15th CEMAT Session to be held in the Russian Federation on "Future challenges: sustainable development of the European continent in a changing world";

– decides to take full account of these considerations in preparing activities in relation to the themes discussed, as set out below.

Concerning Recommendation 1829 (2008) on "Transfrontier co-operation"

The Committee of Senior Officials:

Noting that the Guiding Principles for Sustainable Spatial Development of the European Continent, adopted by the European Conference of Ministers responsible for Spatial/Regional Planning (CEMAT), definitely advert to the territorial dimension of democracy and of social cohesion policy, and acknowledge the function of transfrontier co-operation among the Council of Europe member states, their regions and their local authorities;

Adverting to the Lisbon Declaration on "Networks for sustainable spatial development of the European continent: Bridges over Europe", adopted at the 14th CEMAT Session on 27 October 2006;

Noting the contribution made by the CEMAT's proceedings hitherto in promoting transfrontier co-operation in the context of the "pan-European Network of CEMAT Model Regions";

Recalling especially the work done by Ukraine, Hungary, Romania, the Slovak Republic and Serbia to implement the Initiative on the sustainable spatial development of the Tisza/Tissa river basin;

Decides to continue promoting co-operation at the transfrontier level as part of its activities, and to extend it to the frontiers of the Council of Europe member states.