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Draft Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority

Report¹

Committee on the Environment, Agriculture and Local and Regional Affairs

Rapporteur: Mr Miljenko DORIĆ, Croatia, Alliance of Liberals and Democrats for Europe

Summary

In a letter dated 27 May 2009, the Chair of the Ministers' Deputies asked the Parliamentary Assembly for an opinion on the Draft Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.

The committee considers that democratic participation at local level is an essential component of democracy in the 21st century and therefore can only support the adoption of the Additional Protocol by the Committee of Ministers.

1. Reference to committee: [Doc. 11935](#), Reference No. 3576 of 28 May 2009 (Request for an opinion from the Committee of Ministers).



A. Draft opinion

1. The Parliamentary Assembly has always underlined the importance of democratic participation at local level and is pleased that it is being given practical effect in a pan-European legal instrument.
2. In this connection, the Assembly refers to [Resolution 1121 \(1997\)](#) on instruments of citizen participation in representative democracy, in which it underlined the importance of striking a balance between the exercise of responsibility of political power and direct citizen participation in the decision-making process.
3. The Assembly would also refer to the pan-European Strategy for Innovation and Good Governance at Local Level, adopted by the Conference of European Ministers responsible for Local and Regional Government in Valencia, Spain, in 2007 and by the Committee of Ministers in March 2008, as well as to the platform tasked with implementing it, in which it plays an active part.
4. The Assembly points out that active and responsible citizen engagement is a decisive principle for ensuring the legitimacy and proper functioning of democratic systems, as it enables citizens directly to exercise the right to take part in the management of public affairs. In its view, every citizen should play an active part in public.
5. The Assembly also believes that the process of decentralisation seen in recent years means that it is necessary and vital for citizens to be able to be more closely involved in the activities of local authorities.
6. Given the clear public disinterest in local affairs that is now apparent, the Assembly hopes that this new instrument will help to strengthen and expand public participation in local life, by giving citizens a real sense of belonging to the community.
7. The Assembly underlines the need to ensure equitable representation and participation of women and men for the purpose of contributing to the development of democratic values in Council of Europe member states.
8. The Assembly stresses the importance of local authorities listening to the wishes of citizens so that they are able to improve their policies and the services provided, and in this context, supports the European Local Democracy Week.
9. The Assembly also notes that the Protocol in no way conflicts with the provisions of the European Charter of Local Self-Government (ETS No. 122), as it does not concern local authorities' degree of self-government in any way.
10. The Assembly does, however, regret the fact that the provisions concerning the implementation of the right to participate and the possibilities offered to citizens are not more explicit.
11. The Assembly therefore supports the draft Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.

B. Explanatory memorandum by Mr Dorić, rapporteur

1. In a letter dated 27 May 2009, the Chair of the Ministers' Deputies asked the Parliamentary Assembly for an opinion on the Draft Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.
2. The idea of preparing a Draft Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority followed on from the work done by the Council of Europe through the Assembly and the Congress and in the context of intergovernmental activities on furthering active and direct citizen participation in local politics.
3. The Draft Protocol is the tangible result of the various activities in both the parliamentary and the intergovernmental sectors to foster citizen participation in public life and, in particular, in local affairs.
4. The Assembly hopes that the Draft Protocol will help deal with the challenge facing democracy as a result of the clear decline in public interest in politics and representative institutions.
5. As rapporteur, I believe that the Draft Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority is fully in line with the Council of Europe's goal of strengthening democratic systems in Europe and recommend that the Committee of Ministers adopt it and open it for signature as soon as possible.

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Reporting committee: Committee on the Environment, Agriculture and Local and Regional Affairs

Reference to committee: [Doc. 11935](#), Reference No. 3576 of 28 May 2009 (Request for an opinion from the Committee of Ministers)

Draft opinion adopted unanimously by the committee on 11 June 2009

Members of the Committee: Mr Alan **Meale** (Chairman), Mrs Maria Manuela de Melo (1st Vice-Chairperson), Mr Juha **Korkeaoja** (2nd Vice-Chairman), Mr Cezar Florin Preda (3rd Vice-Chairman) (alternate: Mr Iosif Veniamin **Blaga**), Mr Remigijus Ačas, Mr Ruhi **Açıkgöz**, Mr Artsruni Aghajanyan, Mr Miloš Aligrudić, Mr Alejandro Alonso Núñez (alternate: Mr Gabino **Puche Rodríguez-Acosta**), Mr Gerolf Annemans, Mr Miguel **Arias Cañete**, Mr Alexander Babakov, Mr Ivan Brajović, Mrs Elvira **Cortajarena Iturrioz**, Mr Veleriu Cosarciuc, Mr Vladimiro Crisafulli, Mr Taulant Dedja, Mr Hubert **Deittert**, Mr Karl Donabauer, Mr Miljenko **Dorić**, Mr Gianpaolo Dozzo, Mr Tomasz Dudziński, Mr József Ékes, Mr Savo Erić, Mr Bill Etherington (alternate: Mr Edward **O'Hara**), Mr Nigel Evans (alternate: Mr John **Prescott**), Mr Joseph Falzon (alternate: Mr Joseph **Debono Grech**), Mr Gianni Farina, Mr Iván Farkas, Mr Relu Fenechiu (alternate: Mr Ionut-Marian **Stroe**), Ms Eva Garcia Pastor, Mr Zahari Georgiev, Mr Peter Götz, Mr Rafael **Huseynov**, Mr Jean Huss, Mr Fazail Ibrahimli, Mr Ivan Ivanov, Mr Igor Ivanovski, Mr Bjørn Jacobsen, Mrs Danuta Jazłowiecka, Mr Birkir Jón Jonsson, Mr Stanisław Kalemba, Mr Guiorgui Kandelaki, Mr Haluk **Koç**, Mr Bojan Kostres, Mr Dominique Le Mèner, Mr Pau Lempens, Mr François Loncle, Mr Aleksei Lotman, Mrs Kerstin Lundgren, Mr Theo Maissen, Mr Yevhen Marmazov, Mr Bernard **Marquet**, Mr José Mendes Bota, Mr Peter Mitterer, Mr Pier Marino Mularoni, Mr Adrian **Năstase**, Mr Pasquale Nessa, Mr Tomislav Nikolić, Mrs Carina Ohlsson, Mr Joe O'Reilly, Mr Germinal Peiro (alternate: Mr Alain **Cousin**), Mr Ivan **Popescu**, Mr René **Rouquet**, Mrs Anta Rugâte, Mr Giacinto Russo, Mr Fidas Sarikas, Mr Leander Schädler, Mr Herman Scheer, Mr Mykola Shershun (alternate: Mrs Olha **Herasym'yuk**), Mr Hans Kristian Skibby, Mr Ladislav Skopal, Mr Rainer Steenblock, Mr Valerij **Sudarenkov**, Mr Laszlo Szakacs, Mr Vyacheslav Timchenko, Mr Bruno Tobback, Mr Dragan Todorović, Mr Nikolay Tulaev, Mr Tomas Ulehla, Mr Mustafa **Ünal**, Mr Peter **Verlić**, Mr Rudolf **Vis**, Mr Harm Evert Waalkens, Mr Hansjörg Walter, Mrs Roudoula Zissi

N.B. The names of those members present at the meeting are printed in bold.

Secretariat to the committee: Mrs Nollinger, Mr Torcătoriu and Mrs Karanjac