



Order 160 (1960)¹

Protection and development of local self-government in member countries

Parliamentary Assembly

The Assembly,

Having regard to [Opinion No. 6](#) of the European Conference of Local Authorities on the defence and development of local self-government;

Considering that local autonomy represents the most ancient and solid basis of the political structure and fundamental freedoms of European civilisation;

Considering that local authorities have an essential contribution to make to the proper functions of the democratic State and can make that contribution only if they are given a large measure of autonomy;

Considering that encroachments on local autonomy by acts of the central authorities can be observed from time to time;

Considering that, owing to the very diverse ways in which local and regional communities in member countries of the Council of Europe are, for historical and constitutional reasons, administered, and having regard to national traditions and past experience, different ideas might be held, not on the principle of self-government as such but on the appropriate methods of achieving such autonomy;

Considering that there can be no genuine municipal autonomy if communities do not possess financial resources of their own, independent of those of the State, enabling them to finance their normal expenditure or to effect investments essential for the maintenance and development of their facilities;

Considering that such facilities should not consist solely of material goods but should also include moral and intellectual values, as well as means of acquainting the younger generation with the importance of the European idea;

Considering that municipal autonomy, as envisaged by the local authorities, must differ from autarky whereby a municipality or other community can act in its own interests without any concern for the legitimate interests of other communities, whereas, in actual fact, real ties should exist between the different communities;

Considering that it is for the central authority to create such ties and at least to co-ordinate, allowing for local conditions, final decisions taken by elected local assemblies;

Considering that this role should not amount to one of tutelage deriving from a passion for centralisation which might be detrimental to the keenness of local administrators, but should be aimed solely at preventing breakdowns and errors;

Considering that it should be for independent courts to settle any disputes arising between the central authority and local communities, and to determine not the advisability but only the legality of acts carried out by local authorities,

1. 8th Sitting



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Instructs its Legal Committee to consider drafting either a new Convention or another Protocol to the existing Convention on Human Rights designed to secure the protection and development of local self-government, taking account of the Report of the Committee on Local Authorities ([Doc. 1117](#)) and the Preliminary Draft Protocol appended thereto.