



Opinion 108 (1982)¹

Texts adopted at the 16th Session of the Conference of Local and Regional Authorities of Europe (Strasbourg, 27-29 October 1981)

Parliamentary Assembly

The Assembly,

1. Having taken note of the texts adopted by the 16th Session of the Conference of Local and Regional Authorities of Europe ([Doc. 4810](#) and appendix), and of the report of its Committee on Regional Planning and Local Authorities ([Doc. 4877](#)) ;
2. Appreciating the quality of the work achieved at that 16th Session ;
3. Recalling that the conference met for the first time in January 1957 under the auspices of the Parliamentary Assembly, congratulating it on the occasion of this 25th anniversary, and trusting that the work of the conference will continue to contribute to the purposes of the Council of Europe and the construction of a united, human Europe ;
4. Expressing the wish that the conference should take this opportunity of reflecting in depth on its proper place and purpose within the Council of Europe, particularly in the light of [Assembly Opinion No. 104](#) ;
5. Considering that the Committee of Ministers, for its part, should consider whether the development of the conference still justifies its statutory link with Article 17 of the Statute, or whether a different legal basis for it ought to be sought,
6. Invites all its committees to consider seeking the opinion of the conference whenever questions of possible relevance to the interests of local and regional authorities are under consideration ;
7. Expresses its opinion concerning the various texts adopted in the course of the 16th Session of the conference as follows :
 - a. With regard to [Resolution 121 \(1981\)](#), on proposals for the revision of the Charter of the Conference of Local and Regional Authorities of Europe :
 1. recalls its numerous approaches and proposals for strengthening the role of the conference, improving its working methods and increasing its means of action ;
 2. refers in particular to its already longstanding proposals designed to ensure better representativeness for local and regional authorities ([Resolution 469 \(1971\)](#), paragraphs 9 and 10. [Resolution 755 \(1975\)](#), paragraph 9.d.iv, and [Opinion No. 86 \(1977\)](#), paragraph 3) ;
 3. considers that the new name "Chamber of Local and Regional Authorities of Europe", as proposed by the conference, presupposes the existence of a genuinely representative assembly, whose members have been elected to an office within a local or regional authority, or at least hold positions of direct responsibility to an elected local or regional assembly, and are appointed in accordance with a procedure which guarantees true democratic pluralism ;

1. Assembly debate on 29 April 1982 (6th and 7th Sitings) (see [Doc. 4877](#), report of the Committee on Regional Planning and Local Authorities). Text adopted by the Assembly on 29 April 1982 (7th Sitting).



4. finds that these conditions are not yet satisfied within the conference, and that it would consequently be premature for it to be so designated ;
 5. invites the conference and the Committee of Ministers to focus all their efforts as a matter of priority on the attainment of this major objective, in particular by stipulating such conditions in the Charter ;
 6. approves, in this connection, the proposed new wording of Article 2 of the Charter, according to which delegates "shall be chosen according to a procedure determined by the domestic law of each country ..." ;
 7. suggests that, wherever possible, the appointment of national delegations to the conference should be entrusted to national parliaments in accordance with the criteria laid down in Article 2 of the Charter ;
 8. as regards relations with the European Communities, stresses that it has always argued in favour of close contacts between the conference and the organs of the European Communities (see Recommendations 694 (1973) and 775 (1975), and [Opinion No. 97 \(1980\)](#)) ;
 9. believes, however, that those contacts should be strictly in line with the external relations policy of the Council of Europe as laid down by the Committee of Ministers, and recalls its invitation - which has not been acted upon - contained in [Opinion No. 97](#), paragraph 8, "to specify for the conference a framework and conditions for closer co-operation with Community bodies" ;
 10. considers that it is for the Committee of Ministers to assess the significance of the proposed new wording, taking account of its own statutory powers in the matter of external relations ;
 11. suggests that Article 3 be amended to read : "The conference shall meet in ordinary session every year. The proposals of the Standing Committee of the conference regarding the dates of sessions shall be submitted to the Committee of Ministers for approval after consultation with the President of the Consultative Assembly. The draft agenda of sessions shall be communicated to the Committee of Ministers not later than two months before the opening of the conference" ; it therefore suggests the deletion of the words "through the Consultative Assembly" in the clause concerning the agenda ;
 12. points out that the functions of advisers (Article 5 quater) should be made clear in the Rules of Procedure (see [Opinion No. 104](#), paragraph 7.b. ii) ;
 13. points out, with regard to Article 6 (Finance), that the proposed new sub-paragraph would privilege the conference relative to the Assembly, all of whose budgetary proposals are forwarded to the Committee of Ministers through the Secretary General ;
 14. supports the conference's demand for a clearer identification of conference services within the Secretariat ;
- b. With regard to [Resolution 122 \(1981\)](#), on the regional policy of the member states and the European institutions :
1. shares the conference's analysis of the factors now threatening regional planning policy at the European level, but also at the national level ;
 2. supports the conference in its appeal to the Committee of Ministers (paragraph 13) to avoid spreading too thinly the already notoriously insufficient resources for field VI of the medium-term plan, which is concerned with regional planning and the management of natural resources, by concentrating them on areas in which the Council of Europe has broken new ground (regional planning, monuments and sites, natural resources), and relinquishing activities in which other international organisations have more experience and means of action more attuned to the objectives set ;
 3. deplores, in common with the conference, the insufficient action taken by the Committee of Ministers on proposals by the conference and by the Assembly ([Recommendation 861](#)) for closer co-operation between the states of Northern and Southern Europe, and trusts that more concrete measures will be taken to promote a more balanced development of European regions ;

4. shares the view of the conference (paragraph 9) that particular attention should be paid in the years ahead to the development of rural areas ([Recommendation 935](#)), and invites the Committee of Ministers to approve the principle of concerted multidisciplinary action by the Council of Europe on behalf of the countryside, possibly spread over several years and culminating in a campaign to safeguard the rural heritage in Europe ;
- c. With regard to [Resolution 123 \(1981\)](#), on the Conference of European Island Regions :
1. shares the conference's belief in the importance of the Tenerife Declaration as a source of inspiration for the authorities of Europe's island regions, and trusts that this text will receive the widest possible distribution ;
 2. supports the conference's request that the Tenerife Declaration be transmitted to the conferences of specialised ministers of the Council of Europe, the European Communities, and the European Conference of Ministers of Transport ;
 3. invites the conference to continue and intensify its work in this sphere ;
- d. With regard to [Resolution 124 \(1981\)](#), on the European network of trunk communications :
1. recalls that in 1971 the Assembly submitted its second report on this question for discussion by the European Conference of Local Authorities ([Resolution 471](#)), and welcomes the ongoing interest being taken in this matter ;
 2. appreciates the fact that the conference has once again submitted the trunk communications dossier to the local and regional authorities directly concerned, thus enabling them to express their views ;
 3. assures the conference that it is giving constant and sustained attention to the problems of communications and transport in Europe, and recalls its debates, held in January 1982, on the 26th and 27th annual reports of the ECMT and on the Channel tunnel ([Resolutions 766 and 767](#)) ;
 4. draws the attention of the conference to paragraph 15.viii of its [Resolution 766](#), in which ECMT is invited to "consider holding a joint meeting of European Ministers of Transport and Ministers for Regional Planning to discuss the general content of a European trunk communications concept and its implications for the coherent development of the European environment" ;
- e. With regard to [Resolution 125 \(1981\)](#), on the role and responsibility of local and regional authorities in regard to the cultural and social problems of populations of nomadic origin :
1. approves this text, and in particular the concrete measures proposed to improve the situation of nomads ;
 2. recalls, in this connection, its own [Recommendation 563 \(1969\)](#), on the situation of gypsies and other travellers in Europe, and [Resolution \(75\) 13](#) of the Committee of Ministers ;
 3. regrets that the public authorities in the majority of European countries have not been apprised of these important texts, and expresses concern at the fact that, in spite of certain isolated efforts undertaken by a few public authorities, the situation of the nomad populations and especially gypsies has scarcely improved since [Recommendation 563](#) was adopted in 1969 ;
 4. considers that it is for the conference itself to ensure that local and regional authorities are better informed ;
 5. invites the governments of the member states, the Committee of Ministers and the Secretary General of the Council of Europe to implement without delay the proposals and recommendations contained in paragraphs 13 to 20 of [Resolution 125](#) ;
 6. invites its Legal Affairs Committee to examine the question afresh and submit a new report if appropriate ;
- f. With regard to [Resolution 126 \(1981\)](#), on the principles of local government :
1. congratulates the conference on having taken up once again a project which is of the greatest importance to European local authorities, but which has not been followed up in the past as it deserved ;
 2. recalls, in this connection, its [Recommendation 615 \(1970\)](#) on the declaration of principles on local autonomy, which emerged from consultations between the conference and the Assembly ;

3. calls on the Committee of Ministers to examine the draft European charter of local self-government in the most open-minded manner, local and democratic structures in Europe having developed along general lines which are fully in keeping with the spirit of the proposed charter.