Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Opinion 112 (1983)[1]

Texts adopted at the 17th Session of the Conference of Local and Regional Authorities of Europe (Strasbourg, 19-21 October 1982)

Parliamentary Assembly

The Assembly,

1. Having taken note of the texts adopted by the Conference of Local and Regional Authorities of Europe at its 17th Session (Doc. 4994 and Appendix), and of the report of its Committee on Regional Planning and Local Authorities (Doc. 5007) ;

2. Noting Resolution (82) 13, amending the Charter of the Conference of Local and Regional Authorities of Europe, adopted by the Committee of Ministers on 14 October 1982,

3. Thanks the Committee of Ministers for taking extensive account, when revising the conference's Charter and status, of the concerns by the Assembly, particularly in Opinion No. 108 ;

4. Notes with satisfaction the new title, "Standing Conference of Local and Regional Authorities of Europe", which emphasises that local and regional authority representation in the Council of Europe's statutory bodies is stable and lasting, and the reference to the "advisory character" of the conference, particularly with regard to "measures which are likely to have repercussions on local and regional authorities or to involve the responsibility of local and regional authorities toward the population and toward the governments" (Article 1 of the Charter) ;

5. Urges its committees to communicate with the conference right from the preparatory stage when drawing up proposals and reports on matters affecting the interests and responsibilities of the member countries' local and regional authorities ;

6. Regrets that the Committee of Ministers has not acceded to the conference's request, endorsed by the Assembly, that delegates to the conference be appointed according to a procedure determined by the domestic law of each country ;

7. Also regrets that the Committee of Ministers decided against restricting participation in the conference to elected representatives, or at least to persons directly responsible to elected assemblies, from which it concludes that the conference will be less than satisfactorily representative ;

8. Expresses serious reservations about the experimental procedure instituted by the Committee of Ministers for considering texts adopted by the conference, a procedure it considers contrary to the letter, and more especially spirit, of the Charter, whose Article 1.b states that resolutions and opinions of the conference "shall be submitted to the Consultative Assembly for an opinion and to the Committee of Ministers for action", since the Assembly cannot validly express an opinion if the Committee of Ministers takes decisions on the conference's texts without first hearing the Assembly's views ;

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1. Assembly debate on 25 January 1983 (22nd Sitting) (see Doc. 5007, report of the Committee on Regional Planning and Local Authorities, and Doc. 5016, Opinion of the Committee on Culture and Education). Text adopted by the Assembly on 25 January 1983 (22nd Sitting).

9. Considers that the proper procedure would be for the Committee of Ministers not only to postpone any decision on the conference's texts, but also to delay hearing the views of the President of the conference until it had the Assembly's opinion, since it would then be able to take its decisions with full knowledge of the views of all interested parties ;

10. Expresses its opinion on the texts adopted by the conference at its 17th Session as follows :

a. With regard to Resolution 127 (1982) on the 4th European Symposium of historic towns :

a. welcomes Resolution 127 of the CLRAE in so far as this resolution supports past Assembly recommendations in the field of cultural conservation ;

b. recalls its concern as expressed in its Resolution 708 (1979) that local and regional authorities make use of the powers conferred upon them for the conservation of the architectural heritage ;

c. calls in general for closer co-ordination between the cultural committees of the CLRAE and the Assembly on matters relating to European co-operation on the cultural heritage, in order to maximise existing resources and concentrate efforts on the implementation of recommendations ;

d. recognises, however, that the Assembly and the conference have each their own specific political nature, operating on different political levels, and therefore their own contribution to make to European co-operation in this field ;

b. With regard to Resolution 128 (1982) on the verification of conformity of delegates' appointment : Considers that the procedure for examining the credentials of delegates to the conference will be worthless until such time as a clear procedure for appointing delegates, based on each state's domestic law and known to the local and regional authorities concerned, is laid down ;

c. With regard to Resolution 129 (1982) on the education of migrant workers' children :

a. welcomes Resolution 129 of the CLRAE, on the education of migrant workers' children, in so far as this resolution supports the Assembly recommendations in this area and the concerns of the Council for Cultural Co-operation ;

b. emphasises, in particular, the importance of the measures recommended concerning housing, children's education and schooling, civil and political rights ;

c. is convinced of the advisability of strengthening the co-operation between the CLRAE and the Assembly, particularly as regards migrants' problems ;

d. recalls Assembly Recommendation 712 (1973), on the integration of migrant workers with the society of their host countries, Recommendation 786 (1976), on the education and cultural development of migrants, Recommendation 841 (1978), on second generation migrants and Recommendation 915 (1981), on the situation of migrant workers in the hast countries ;

d. With regard to Resolution 130 (1982) on land speculation :

a. points out that land speculation is a major contemporary problem and largely endorses the resolution's principles and strategies for dealing with it ;

b. notes that, in 1982, the conference reached much the same conclusions as the Assembly did in 1969 (Recommendation 556), and therefore concludes that, in spite of some changes, the problem remains ;

c. considers that promoting the exchange of information and experience which can help solve the problems caused by land speculation is a worthwhile task for the Council of Europe ;

d. hopes that, in addition to exchanging information, the authorities in the member countries will be able to agree on joint principles and gradually apply them nationally ;

e. refers in this connection to its request that the Committee of Ministers instruct the Steering Committee for Regional and Municipal Matters to analyse land and housing problems ;

e. With regard to Resolution 131 (1982) on the status and training of local and regional government staff :

a. shares the conference's concern that local authorities should have qualified staff equal to the demands of an increasingly complex society ;

b. recognises that, in delegating many responsibilities to the local authorities, the state has a duty to help train the local authority staff carrying out those responsibilities ;

c. recognises that the status of local government staff must be suitably protected according to general principles, to be agreed jointly by the staff themselves and the various levels of authority (municipal, regional and state) ;

d. believes that a programme of co-operation and technical assistance for training local and regional government staff should be worked out and set up by the conference, which could seek help in implementing it from national associations of local authorities as well as from the Committee of Ministers ;

f. F. With regard to Resolution 132 (1982) on rural and agricultural regions and mountain regions :

a. fully endorses the request to the Committee of Ministers to act upon the requests from the Assembly and the CLRAE and organise a European Campaign for the Countryside in 1986-87, to be preceded, in the 1982-86 period, by a Council of Europe action plan for rural regions ;

b. draws attention in that connection to the proposals the Assembly itself put forward in 1979, in Recommendation 881, on the rural architectural heritage, and, more recently, in Recommendation 935 on the revival of disadvantaged rural areas ;

g. With regard to Resolution 133 (1982) on the Conference of Pyrenean Regions : Refers to its own resolution on the subject (Resolution 791) ;

h. With regard to Resolution 134 (1982) on the progress of European integration :

a. entirely agrees with the resolution's analysis both of the disturbing state of European unification and of the economic crisis affecting all the European countries ;

b. echoes the conference's assertion that the only way out of the crisis is solidarity, in the shape of tangible action to promote closer co-operation within the family of European democratic states ;

c. requests its Political Affairs Committee to take this valuable resolution into account in its discussions preparatory to its report on European co-operation in the 1980s ;

i. With regard to Resolution 135 (1982) on the contribution of local and regional authorities to energy conservation and the development of alternative sources :

a. fully supports the conference's proposals for promoting an energy conservation policy and the investigation of alternative energy sources ;

b. considers that local authorities have an important part to play in implementing an energy conservation policy ;

c. does not, however, think that Europe can thus achieve energy self-sufficiency ;

d. agrees with the conference as regards informing and educating the public about energy, a task in which the local and regional authorities have an important part to play ;

j. With regard to Resolution 136 (1982) on marine pollution caused by shipping :

a. endorses the conference's main conclusions on dealing with the problems of marine pollution and, more particularly, agrees about the essentially international nature of maritime shipping, and therefore of marine pollution ;

b. believes, unlike the conference, that pollution must be abated mainly at international level, through specialist organisations such as IMCO and the Regional Oil Combating Centre for the Mediterranean ;

c. considers, none the less, that at national level there must be stringent legislation and strict enforcement of both national and international regulations, with the regional and even local levels helping to implement national regulations, and more particularly providing for essential enforcement and organising action in the event of accidents.