Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1349 (1997)[1]

Draft European Charter of Regional Self-Government of the Congress of Local and Regional Authorities of Europe (CLRAE)

Parliamentary Assembly

1. The Congress of Local and Regional Authorities of Europe decided, in 1994, to draw up, in conjunction with the Parliamentary Assembly, a European Charter of Regional Self-Government, modelled on the European Charter of Local Self-Government.

2. At its fourth plenary session (3-5 June 1997), the CLRAE adopted Recommendation 34, containing the final draft of the European Charter of Regional Self-Government. In the recommendation, the CLRAE asks the Committee of Ministers, in particular, to examine the draft with a view to its adoption as a Council of Europe convention, and also requests the support of the Parliamentary Assembly.

3. The Assembly draws attention to its Resolution 1118 (1997), in which it expressed a favourable opinion on the preliminary draft charter, which the CLRAE adopted last year as an interim measure, and welcomes the fact that the majority of the suggested improvements presented by it had been incorporated into the final draft.

4. The Assembly can but welcome the spirit of co-operation which prevailed in the relations between the two bodies throughout the drafting process, which proved highly productive.

5. The Assembly declares itself satisfied with the wording of the draft adopted by the CLRAE, which it fully supports. The draft charter offers a regionalisation model true to the values of the Council of Europe and sufficiently flexible to adapt to the various needs and political structures of the Organisation's member states.

6. By taking the principle of subsidiarity as a foundation for the relations between the various administrative tiers, upwards as well as downwards, the draft charter guarantees that the interests of local authorities will be respected. Similarly, the draft stipulates that recognition of regional self-government implies that regions will respect the integrity and sovereignty of the states of which they are part.

7. The Assembly congratulates the CLRAE on having undertaken wide-ranging consultations about the preliminary draft charter. It notes with satisfaction that the Assembly of European Regions and the Council of European Municipalities and Regions expressed favourable opinions on the draft and contributed to the finalising of the text. The consensus which emerged on the draft clearly shows that local and regional authorities are convinced of the usefulness of the legal instrument put forward by the CLRAE. The Assembly can but endorse this viewpoint.

8. The recent regionalisation initiatives in certain member states are clear signs that this is a modern political process.

9. The CLRAE's initiative is thus undeniably appropriate. The Assembly is sure that the drafting of a Council of Europe convention on this subject will make possible, on the one hand, the provision of an international legal guarantee to existing European regions and, on the other hand, a reference point for states which have started to give thought to reforming their political and their local and regional government structures.

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1. See Doc. 7945, report of the Committee on the Environment, Regional Planning and Local Authorities, rapporteur: Mr Mota Amaral. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 7 November 1997.

10. What is more, a European Charter of Regional Self-Government would, like the European Charter of Local Self-Government, add to the Council of Europe's record of achievement and help to better define the features of the democratic state, which the Organisation advocates and represents.

11. The Assembly further hopes that the preparation of the draft by the CLRAE will contribute to the discussions which are shortly to begin on regional representation in the Council of Europe, to which it attaches great importance.

12. The Assembly therefore recommends that the Committee of Ministers:

12.1. grasp the political opportunity provided by the draft European Charter of Regional Self-Government and, to this end, examine the draft as soon as possible;

12.2. associate the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe with the work which would be entrusted to an intergovernmental committee of experts so as to finalise the text prior to its adoption and opening for signature.