

Resolution 1188 (1999)¹

Possible modifications to and updating of the Charter of the Congress of Local and Regional Authorities of Europe (CLRAE)

Parliamentary Assembly

1. Since its inception, the Council of Europe has always been committed to promoting local democracy, acknowledging that it has a major role to play in involving citizens more closely in politics and in European construction;
2. It is largely as a result of the far-sightedness of the Parliamentary Assembly that since the 1950s, through the Standing Conference of Local and Regional Authorities of Europe and within the framework of the Council of Europe, local authorities have been able to play their part in international co-operation on a multilateral level;
3. Fully aware of the increasing role of local and regional authorities, the Assembly has, on several occasions, expressed the wish to see this development reflected in the structures of the Standing Conference and supported the principle of the regions having a stronger presence;
4. Accordingly, the Assembly has made an active contribution to the discussions on reform of the Standing Conference which led to Statutory Resolution (94) 3 of the Committee of Ministers on the setting up of the Congress of Local and Regional Authorities of Europe (CLRAE);
5. It was at the time a cause of particular satisfaction for the Assembly to see several of the proposals it had made itself take practical shape, in particular the setting up, within the same body, of two separate chambers – one for local authorities and the other for regions – and to see in this way acknowledgement of the distinct nature and role of the two tiers of territorial authorities;
6. Since then, the Assembly, primarily through its Committee on the Environment, Regional Planning and Local Authorities, has maintained productive relations with the new body in fields such as transfrontier co-operation, co-operation in the Mediterranean and Black Sea basins and regional planning;
7. Moreover, it has welcomed and supported certain Congress initiatives, such as the draft European charter of regional self-government, the draft European landscape convention and the draft European convention of mountain regions;
8. With regard more specifically to the draft European charter of local self-government, a result of the work of the Standing Conference, which has to date been signed by thirty-six member states and ratified by thirty, the Assembly welcomes the fact that it has often been the reference text in the field of local democracy for the new democracies emerging from the geopolitical transformations of 1989;
9. It has expressed its appreciation of the work carried out by the Congress in this field, such as the reports on the situation of local democracy in member states or candidates for accession, which the Assembly takes into account in the context of its monitoring of the commitments entered into by a member state and its examination procedure for the accession of a new state;
10. This notwithstanding, the Assembly acknowledges the need to undertake certain reforms with regard to both the structures and the functioning of the Congress;

1. See [Doc. 8399](#), report of the Committee on the Environment, Regional Planning and Local Authorities, rapporteur: Mr Martínez Casañ. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 26 May 1999.



11. It has often referred to the importance it attaches to the verification of credentials of members of the Congress, stressing that the latter should hold an electoral mandate in a local or regional authority;
12. Nevertheless, understanding the difficulties a strict application of this provision might pose for certain countries as regards the setting up of the Chamber of Regions, it had been in favour of the introduction of a transitory provision laying down more flexible criteria;
13. Accordingly, it welcomes the fact that the Congress has taken the opportunity provided by the expiry of the transitional period of certain provisions of the Charter to put forward proposals aimed at improving the functioning and structure of the Congress;
14. While the Assembly wishes to see certain reforms made to Congress structures and operating methods in order to ensure that local and regional authorities have their rightful place in an organisation such as the Council of Europe, it feels it is important to bear in mind that the Organisation's institutional framework for the development of co-operation between member states is constituted by the statutory organs of the Committee of Ministers and the Parliamentary Assembly.
15. Bearing in mind the above, as regards the possible modifications to and updating of the Charter of the Congress of Local and Regional Authorities of Europe (CLRAE), the Assembly makes the following observations:
 - a. with regard to relations with the Parliamentary Assembly:
 1. the Assembly considers that the procedure whereby the Assembly consults the CLRAE, in accordance with the current Article 2, paragraph 2 of the Statutory Resolution, is entirely satisfactory. Because of its nature as a statutory organ, the Parliamentary Assembly should not be placed under any obligation of this type;
 2. the Joint Committee – in view of paragraph 14 above – should remain the Council of Europe's co-ordination body responsible for examining problems common to the Committee of Ministers and the Parliamentary Assembly, enabling both Council of Europe statutory organs to discuss all questions of interest to the Council of Europe;
 3. with regard to the monitoring of commitments, the Assembly recalls that these procedures should remain the competence of the two statutory organs which may, as is often already the case, call on contributions from various bodies in the Organisation. For its own procedure, the Parliamentary Assembly is happy to take into account the activities and the contribution of the Congress;
 - b. with regard to the composition of the Chamber of Regions:
 1. as to the electoral mandate required of members of the Chamber of Regions, the Assembly considers that the six years which have elapsed for the transitory provision should be regarded as sufficient and that it is superfluous to provide for a supplementary period;
 2. the Assembly states its preference for a Chamber of Regions where regions with legislative attributions were full members, regions without legislative attributions were members in an advisory capacity, and countries which did not have regions were observers;
 - c. with regard to the functioning of the Congress:
 1. the Assembly welcomes the fact that the Congress wishes to revert, at least in part, to the committee system which would result in improved organisation and continuity of work;
 2. the Assembly recalls the importance it attaches to the fact that it should be the Congress members who participate in meetings, possibly accompanied by experts or assistants, but that under no circumstances should the latter replace an absent member and make statements in the same way as other members of the committee and/or working party;
 3. as regards the second plenary session, the Assembly has proposed this on several occasions and therefore shares the Congress's desire for its work to be spread out more effectively over the year. Given the cost that this proposal represents and the difficulties of implementation, it would like the Congress to consider other ways of rationalising the organisation of its work.