

OFFICIAL REPORT OF DEBATES

23rd Session (16-18 October 2012)

The Congress
of Local and Regional Authorities

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FIRST SITTING OF THE CONGRESS

Tuesday 16 October 2012 at 9am

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1. OPENING OF THE TWENTY-THIRD SESSION

The sitting opened at 9.15 am with the oldest member present, Amrit Mediratta (United Kingdom, L, ECR), in the chair.

Amrit MEDIRATTA (United Kingdom, L, ECR), oldest member present, declared open the 23rd Session of the Congress of Local and Regional Authorities of the Council of Europe.

The Assembly stood for the European anthem.

Amrit MEDIRATTA (United Kingdom, L, ECR) announced the death of Gianfranco Martini (Italy), an outstanding European and one of the founders of the Congress, who had passed away on 11 October 2012. Gianfranco Martini had been one of the founders of the Standing Conference, which had later become the Congress. He had been an innovative thinker and had been a very active member from 1962. One of his main successes had been the Local Democracy Agencies programme. He had been the driving force behind the programme and had supported it with great conviction. The Association of Local Democracy Agencies, which had previously been called local democracy embassies, had started out in 1993 with a local democracy embassy in Subotica in Serbia. Now 13 agencies were active in nine countries. A lawyer by training, Gianfranco Martini had been a strong defender of the disadvantaged. As chair of the Congress working group on minorities, he had always called for the legal protection of minorities in Europe. He had made unstinting efforts to protect the vulnerable and marginalised. During his 47 years of activity, in the Congress, the CEMR (Council of European Municipalities and Regions) and its Italian section (AICCRE), Gianfranco Martini had campaigned relentlessly for the European cause, to promote peace and democracy and to make sure that the voice of local and regional authorities was heard loud and clear.

In conclusion, Gianfranco Martini had been a gentleman and a source of inspiration, whom his colleagues would not forget. On behalf of all Congress members, the former President had already sent a message of condolences to his family. Congress members who so wished could write a message in the book of condolences intended for his family.

Amrit Mediratta asked all those present to stand for a minute's silence in memory of Gianfranco Martini.

The Assembly stood for a minute's silence.

Amrit MEDIRATTA (United Kingdom, L, ECR) said that the Congress would be renewed at this session. For the first time, the national delegations' credentials would be approved for four years instead of two. A four-year term meant a long-term commitment, greater continuity in the work and greater involvement of members in the Congress' activities. For that reason, also for the first time, members were being asked to sign a declaration subscribing to the principles and values of the Council of Europe and the Congress, namely democracy, human rights and the rule of law. This session would begin with the election of the new Congress President, and the Presidents and Vice-Presidents of the Chambers would also be elected the following day. Together with the chairs and vice-chairs of the committees, they would form the new Bureau of the Congress.

The session agenda was very full. It included the adoption of the Congress' new priorities for the next four years, a debate on local and regional democracy in the Arab countries, with the participation of the deputy mayor of Rabat and the Venice Commission, the right of local authorities to be consulted by other levels of government and the issue of intermediate governance in Europe. The Congress would also be debating the involvement of young people in democratic processes at local and regional level, as well as the situation of local and regional democracy in Azerbaijan, and would hold an exchange of views with the Estonian Minister for Regional Affairs on the situation in his country.

The Chambers would deal with the participation of foreigners in local political life, local democracy in "the former Yugoslav Republic of Macedonia", the local elections in Serbia, the governance of macro-regions and regional legislation and action to combat sexual exploitation and abuse of children. Lastly, the Statutory Forum would approve the election procedure for the Secretary General of the Congress.

The Congress would also hold exchanges of views with the Albanian Chairmanship of the Committee of Ministers, as well as the Commissioner for Human Rights and the Deputy Secretary General of the Council of Europe, both of whom had been elected recently and were guests of the Congress for the first time.

2. VERIFICATION OF NEW MEMBERS' CREDENTIALS AND NEW APPOINTMENT PROCEDURES

[CG(23)2] (RES)

Amrit MEDIRATTA (United Kingdom, L, ECR) said that, at its meeting on Monday 15 October 2012, the Bureau had examined the credentials of new members and the new appointment procedures established by member states. After the Congress debate, a vote would be held on the draft resolution prepared by the Bureau.

Ludmila SFIRLOAGA (Romania, R, SOC), rapporteur, referred to the new provisions which were entering into force at this session at which the delegations would be renewed. For the first time, Congress members would have four-year terms. The new appointments had been checked very carefully to make sure that the rules had been complied with. It had not been easy to explain the new requirements to the national delegations. Two delegations, namely those of Serbia and the Slovak Republic, had been unable to comply with the new criteria on time and were not therefore represented. It had been agreed that the Albanian delegation could take part, provided that a seat was left vacant for a woman and provided that the appointment of that woman respected political balance. To this end, it would be necessary to amend paragraph 4 of the draft resolution submitted to Congress members and remove Albania from the list of countries whose delegation had been rejected.

She hoped that all delegations would be able to be present at the March 2013 session.

The Bureau's work had been complicated by the late receipt of the lists of delegations. One of the criteria which had posed a problem was that requiring the underrepresented sex to make up 30% of both representatives and substitutes. The Bureau was considering relaxing the rule for very small delegations, in particular those with an odd number of delegates. However, almost all the delegations submitted to the Congress had succeeded in meeting the 30% threshold, which the Bureau had advocated for a long time. It led to real parity. The Congress was the only European institution and one of the first international assemblies to apply the quota successfully.

Anders KNAPE (Sweden, L, EPP/CD), rapporteur, said that the rules concerning empty seats had been tightened up. Several delegations were incomplete, either because of a lack of representatives from the underrepresented sex or because of a problem in terms of political pluralism. The new rules provided that delegations had six months' time to fill the empty seats. No exceptions would be allowed. Delegations which were incomplete would no longer be able to sit in the Congress.

Moreover, the Bureau sometimes had difficulty in ensuring that pluralism was respected, in particular because of governments not communicating the required information. At the same time, national associations and national delegations were sometimes slow in submitting election results. The information concerned was, however, vital to be able to check that the delegations met the requirements of political pluralism. Congress members should therefore facilitate the Bureau's task by supplying the information requested.

Lastly, attention needed be drawn to the Turkish delegation. Turkey had appointed a person as a delegate without informing her or her party. The person concerned had then notified the Bureau that she did not wish to be a member of the Congress. It was necessary to change the appointment procedure in the country: consultation of the parties concerned was essential. A person could not be included on a delegation list if they did not want to sit in the Congress. The empty seat in question was that of Leyla Güven, who had been imprisoned since Christmas 2009 and had been dismissed from her post of mayor by the Turkish Minister of the Interior and therefore had to be replaced in the Congress. The rapporteurs had asked the Bureau to approach the Turkish authorities with a view to resolving the problem. In the meantime, the seat would remain vacant until a full Turkish delegation was appointed, taking due account of the role of the parties and the commitment of the members.

Amrit MEDIRATTA (United Kingdom, L, ECR) opened the debate.

Jean-Louis TESTUD (France, L, EPP/CD) was pleased that the Congress was applying the rules on the representation of both sexes in the delegations strictly. However, he noted that some delegations only included representatives of ruling parties. One fair-sized country had gone even further and only appointed members of the majority party and then divided them up between the different political groups in the Congress. An abuse of this kind was unacceptable and was more harmful to local democracy than failure to comply with gender quotas.

A survey should therefore be made of states which did not respect political pluralism and the same measure should be applied to them as those taken against delegations which did not comply with gender quotas.

The Congress should also reiterate its support for Leyla Güven, who had been dismissed as mayor and imprisoned without charge and whose trial failed to meet some democratic principles. Her seat should be left vacant until the end of the trial.

Emin YERITSYAN (Armenia, L, EPP/CD) thanked the rapporteurs for the work they had done. He wondered about compliance with the 30% quota for the underrepresented sex: it seemed that the criterion was applied differently to “small” delegations and “large” delegations. In his view, the same requirements should apply to everybody. For its part, the Armenian delegation applied parity.

He referred to the situation of Leyla Güven. He had been surprised to learn that she had been dismissed as mayor in 2011. The Turkish delegation had never passed on that information to Congress members, even though her situation had been discussed many times at plenary and committee level. The situation raised a large number of questions. The procedures for the appointment of delegations had to be complied with.

He hoped that Congress members would bear the matter in mind and that it would be discussed again at the next session.

Amrit MEDIRATTA (United Kingdom, L, ECR) said that all the speakers on the list had now spoken. He asked the co-rapporteurs to speak to the amendment they had tabled.

Anders KNAPE (Sweden, L, EPP/CD), rapporteur, said that the purpose of the amendment was to accept the credentials of Albania: to that end, “Albania,” had to be deleted from paragraph 4 of the draft resolution.

He also said that he agreed with Jean-Louis Testud about respect for political pluralism. The rapporteurs did their best to examine the election results in each member state and the composition of the delegations. Unfortunately, the information submitted by states was often incomplete or inaccurate. He hoped that the situation would improve in this respect. Moreover, the criteria concerning the representation of both sexes were difficult to apply when delegations only had two members. Demanding that such delegations comprise a man and a woman would be tantamount to imposing parity, which went beyond current requirements. While the debate should be carried forward, a degree of caution was necessary. The Congress had fought to have the current rules accepted and it was necessary fully to assess the consequences before making far-reaching changes to them.

Amrit MEDIRATTA (United Kingdom, L, ECR) said that, in the absence of objections, a vote would now be held on the oral amendment presented by the co-rapporteurs.

As electronic voting was not available, this vote and the next one were taken by show of hands.

The oral amendment was adopted.

Amrit MEDIRATTA (United Kingdom, L, ECR) asked members to vote on the draft resolution as amended.

The draft resolution as amended was adopted.

3. ELECTION OF THE PRESIDENT OF THE CONGRESS

Amrit MEDIRATTA (United Kingdom, ECR) said that the next item on the agenda was the election of the President of the Congress. The Congress elected its President from among the members who were representatives, alternating between the two Chambers. As the outgoing President, Keith Whitmore, had been from the Chamber of Local Authorities, the new President had to be elected from among representatives sitting in the Chamber of Regions. The President would have a two-year term. At the session on 17 October, the Chambers would each elect, again for two-year terms, a President and seven Vice-Presidents, with those elected forming the Bureaux of the Chambers. The Congress President would preside over business during sessions and represent the Congress at other institutions.

Only one candidature had been registered, namely that of Herwig van Staa, Austria, Chamber of Regions, from the EPP/CD group. It was in line with the rules of procedure and administrative rule no. 1. It had been received on 12 October, meeting the deadline of 9 am on 15 October. A total of 26 Congress representatives from 15 different countries had declared their support for Herwig van Staa. He had submitted a letter of candidature, a CV and a motivation letter. These documents had all been posted on the Congress website. Hard copies were also available.

Amrit Mediratta invited Herwig van Staa to address the Congress.

Herwig VAN STAA (Austria, R, EPP/CD) said that details of his career and his involvement in the Congress were set out in the documents on the website. He thanked all the political groups and the members not registered in groups for their support for his candidature.

Herwig van Staa had been a member of the Congress for 16 years and had held various posts within the Bureau. His aims had always been to defend human rights at all levels of politics (national, regional and local), to expand democracy and to help the Council of Europe's new members with administrative matters. He had run many training courses through the Council of European Municipalities and Regions. In his view, the expansion of democracy was a precondition for maintaining peace in Europe. Co-operation within the Council of Europe was vital. He had chosen to give priority to his activities within the Council of Europe rather than those at the European Union, as he believed that it was through the Council of Europe that more could be done to strengthen co-operation. In conclusion, he underlined the need to boost cross-border co-operation, at municipal and regional level.

Amrit MEDIRATTA (United Kingdom, L, ECR) proposed that Mr Herwig van Staa, the sole candidate, be declared elected in accordance with Rule 15.3 of the Rules of Procedure.

There being no objections, Herwig van Staa was declared elected President of the Congress.

Amrit MEDIRATTA (United Kingdom, L, ECR) congratulated Mr van Staa, who took the chair.

4. STATEMENT BY THE NEWLY ELECTED PRESIDENT

The PRESIDENT (Austria, R, EPP/CD) said that it was a great honour to have been elected President of the Congress. He thanked all members for the trust they had placed in him. He saw this as recognition for his experience as President of the Chamber of Regions and also as Mayor of Innsbruck, Governor of Tyrol and President of the Regional Parliament of Tyrol. This range of experience should enable him to address all the issues submitted to the Congress.

He thanked Keith Whitmore, the outgoing President, for his tremendous work during his term and for the structural reforms he had carried out, thereby strengthening the role of the Congress. Over the past years, the Congress had made great progress in its role as the guardian of local and regional democracy. Through more targeted action, such as better monitoring of the European Charter of Local Self-Government, the Congress had reinforced its unique role in the European architecture.

However, it was necessary to keep the efforts up, at a time when many opportunities were opening up to the Congress. Governments increasingly recognised local and regional authorities as stakeholders in responding to the new challenges facing society in the economic, social and political fields. The economic crisis itself, with its harsh impact on local authorities and citizens, was strengthening the Congress' role in addressing the current social problems. Above all, the crisis had brought to the fore the need for joint action at all tiers of government, and this opportunity had to be seized.

The new Congress now had a four-year mandate. In the afternoon, the Congress would adopt new priorities for the next four years in order to raise the standards of local and regional democracy and human rights, rise to the new challenges resulting from the economic and financial crisis and further develop co-operation and partnerships. The Congress would strengthen its observation of local and regional elections and improve follow-up to its recommendations through co-operation programmes with local authorities. The Congress would boost its action to foster citizen participation at local and regional level. It would also respond to the threats to local and regional budgets and contribute to the various debates about local and regional government reforms. It would propose measures to combat social exclusion and corruption at local and regional level.

To achieve these objectives, co-operation with partners inside and outside the Council of Europe, in particular with the European Union, would be stepped up. Special attention would be paid to co-operation with Europe's neighbouring countries. The Congress would also continue to advance cross-border co-operation between municipalities and regions.

The challenges were substantial and the President would lead the Congress in implementing these priorities for the increased benefit of Europe's citizens and democracy. In conclusion, he thanked Congress members again for electing him President at this crucial time and said he was convinced that, together, they would succeed in rising to the challenges.

5. ADOPTION OF THE DRAFT AGENDA OF THE SESSION

[CG(23)OJ1PROV]

The PRESIDENT (Austria, R, EPP/CD) said that the next item was the adoption of the draft agenda for the Congress and the Chambers. In the case of the Chambers, which were responsible for their own agendas, only the times and not the content of the meetings needed to be decided. He asked whether members had any objections to the proposals set out in document no. 1.

There were no objections.

The draft agenda was adopted.

6. ADOPTION OF THE MINUTES OF THE LAST SITTING OF THE 22ND SESSION (22 MARCH 2012)

[CG(22)PV3am]

The PRESIDENT (Austria, R, EPP/CD) said that the next item was the approval of the draft minutes of the last sitting of the 22nd session. The document was available at distribution.

There were no objections.

The minutes were adopted.

7. STATE OF THE CONGRESS 2012

[CG(23)4]

The PRESIDENT (Austria, R, EPP/CD) asked Mr Keith Whitmore, outgoing President, to present his activity report.

Keith WHITMORE (United Kingdom, L, ILDG) began by congratulating Mr van Staa on his election and wishing him every success in his task. He had no doubt that the President's experience and dynamism would enable him to do an excellent job.

The 16 years which Keith Whitmore had spent at the Congress had been truly exciting. They amounted to half of his political career and he was very proud to have participated in the transformation of the Congress, which was now not only a consultative body but also a monitoring and operational body, which worked with its partners to improve the governance of communities and the quality of life of citizens. In recent years, the Congress had grown within the Council of Europe's institutional architecture to become a major stakeholder. It had also reasserted itself as a partner on an equal footing with governments and national parliaments.

The Congress was now fully engaged in increased dialogue with the Committee of Ministers, through regular exchanges of views with the Permanent Representatives in Strasbourg, the rapporteur groups and the working parties of the Committee of Ministers. The Congress was also actively involved in conferences of specialised ministers. There were many areas where joint action by the Congress and national governments helped improve citizens' lives. Over the past month, he had represented the Congress at the Conference of Ministers of Justice, which had focused on urban violence, and the Conference of Ministers responsible for Social Cohesion. These two subjects were particularly important for local authorities.

The Congress was continuing to build synergies with its institutional partners, in particular the Parliamentary Assembly. Exchanges between the rapporteurs of the two assemblies had been stepped up. This complementarity of action had been highlighted by the Chaves report, which had been supported by the Congress and had been adopted by the Conference of Ministers responsible for Local and Regional Government in Kyiv in November 2011. He wished to take the opportunity to thank the Parliamentary Assembly and, especially, its General Rapporteur, Sir Alan Meale, for the excellent co-operation over the past years.

The Congress had stepped up direct political dialogue with both national governments and local and regional authorities to ensure effective follow-up to its recommendations. Through this monitoring and observation of local and regional elections, the Congress was in the process of designing co-operation programmes to assist member states in overcoming existing problems in the field of local and regional democracy. The previous year, the Congress had taken part in the Council of Europe action plans for Ukraine and Albania, in particular through the project on strengthening local government structures in co-operation with Albanian elected representatives. The Monitoring Committee had also held seminars on developing post-monitoring procedures in Vannes and Sarajevo in July and September this year.

At the same time, the Congress was expanding its contribution to the Council of Europe's policy for neighbouring regions and was therefore taking an active part, alongside the Venice Commission, in implementing action plans for democratisation in Morocco and Tunisia. Congress delegations had visited those countries on several occasions over the past year and the Congress would be holding a debate on the subject in the afternoon.

The thematic activities had been refocused on the Council of Europe's core objectives of democracy, human rights and the rule of law. Among recent examples of such actions were the launching of the European Alliance of Cities and Regions for Roma Inclusion, the broadening of European Local Democracy Week and the Pact of Towns and Regions to stop sexual violence against children as part of the Council of Europe's One in Five Campaign to fight sexual abuse of children.

He also thanked the Thematic Rapporteur on Roma/Travellers, John Warmisham, who was also Co-ordinator for European Local Democracy Week, and the Thematic Rapporteur on Children, Dusica Davidovic, for their active work.

The Congress had successfully defended the role of local and regional authorities in promoting and implementing human rights – something that had previously been regarded as a prerogative of national governments. Through the Monitoring Committee and the Thematic Rapporteur on Human Rights, Lars O MOLIN, it was co-operating with the Fundamental Rights

Agency of the EU in raising human rights awareness at local and regional level, a good example of which had been a recent seminar on human rights and local governance in Tirana.

Through the Governance and Current Affairs Committee, the Congress was developing responses to the current challenges faced by local and regional authorities, involving such issues as the economic crisis, the need for greater local integration against the background of growing diversity of societies, the crisis of public confidence in democratic institutions and the need for greater citizen re-engagement in democracy, in particular on the part of young people. In this regard, the Congress had been contributing to the debate on the future participatory model for European democracy, not least at the World Forum for Democracy held in Strasbourg the previous week.

He invited members to peruse his activity report, The State of the Congress 2012, for more details on these and other activities over the past year. These activities were proof of the growing operational capacity of the institution, whose activities were increasingly geared towards the core mission of the Council of Europe. The Congress now had more rapporteurs from more countries. By successfully involving more and more members in its activities, the Congress had become more inclusive.

If the Congress was now different from before, that was due to the comprehensive reform undertaken over the past years. During his two-year Presidency, he had led the Congress with an open mind, and he was proud to see the reform bear fruit today. He also wished to express his gratitude to all Congress members for their active participation, to Andreas Kiefer, Secretary General of the Congress, who had risen to the challenge, carrying out his duties with great skill and vigour, and to all the members of the Congress Secretariat who had helped him in his work.

The Congress, with its new membership and new leadership, would continue defending local and regional democracy and making local and regional self-government stronger and truly representative of citizens.

He wished every success to the new Congress and its members with a quote from the French revolutionary, Danton: “De l’audace, encore de l’audace, toujours de l’audace” – Audacity, more audacity, and yet more audacity!

Lastly, on behalf of his home town of Manchester, Keith Whitmore gave the new President a symbolic gift as a mark of his esteem. (Standing ovation)

The PRESIDENT (Austria, R, EPP/CD) thanked the outgoing President for his activity report, which demonstrated the commitment and innovative spirit with which Keith Whitmore had acted as President and throughout his 16 years as a Congress member.

The President opened the debate.

Emilio VERRENGIA, Chair of the Italian delegation (Italy, L, EPP/CD), congratulated the new President and thanked Keith Whitmore for all the work he had done as President.

He then said how deeply moved he had been by the commemoration of Gianfranco Martini, who had been outstanding both as a manager and as a human being. He had devoted his life to serving the Congress and had always sought to strengthen local government throughout Europe. For him, Europe had to be built through its peoples, not only through treaties. He called on Congress members to follow Gianfranco Martini’s example. All over Europe, the powers of local authorities were now being questioned by governments: states were seeking to take back various powers which had been devolved in keeping with the wishes of citizens. The Congress needed to fight to ensure that the European Charter of Local Self-Government was implemented. Unfortunately, violations of the Charter, in particular the principle of subsidiarity, took place on a daily basis. The resources for local authorities and the services provided for citizens were being scaled back every day. During this critical period, Congress members had to stand united and underline the rights for which they were fighting. That had been what Gianfranco Martini had campaigned for. The Italian delegation would not forget Gianfranco Martini and would continue to work to realise his ideals, regardless of the current difficulties and of any questioning which took place for financial or other such reasons.

Svetlana ORLOVA, Vice-President of the Congress and Chair of the Russian delegation (Russian Federation, R, EPP/CD), thanked Keith Whitmore for having shared the tolerance and enthusiasm which he showed in all his activities. Thanks to his professionalism, the authority of the Congress was now more respected than before. Keith Whitmore had been actively engaged in all the issues concerning the Congress, including the reform of the institution and the problems concerning its funding. He had openly defended the interests of the Congress, as the issues it addressed concerned the destiny of the whole of Europe. Keith Whitmore had urged members to overcome the financial crisis, to defend the cause of children and to promote the environment. He had represented the Congress of Local and Regional Authorities at the fifth International Environmental Congress in St Petersburg. As a result of his efforts, the Congress had set up a Current Affairs Committee. Many associations of local and regional authorities had turned to the Congress for advice and its recommendations had helped several regions in Russia to find solutions. Following Keith Whitmore's example, Congress members had united for a single cause in spite of their differences. The Congress' role had increased under the impetus of its former President. Although a jovial man, he knew how to get people to take him seriously. St Petersburg and the whole of Russia would be glad to welcome Keith Whitmore at any time.

Artur TORRES PEREIRA (Portugal, L, EPP/CD) said that it was always sad to see a member of the Congress leave. Keith Whitmore had spent 16 years defending European policy and European integration. In his own country, it was difficult to advocate European ideals strongly like he had done at the Congress for all those years. He had been faced with a major challenge during the British chairmanship of the Council of Europe and had succeeded in defending the interests of the Congress. He had kept the promises which he had made on assuming the Presidency, and the Congress was now much more respected by European institutions, especially the Committee of Ministers, than two years previously. It was in the interest of Europe's citizens for the Congress to be respected, and that was now the case as a result of the efforts of many men and women, especially Keith Whitmore.

He was very sad to see him leave, as he had been a friend to everyone at the Congress. However, he was pleased to see Herwig van Staa take on the Presidency. Throughout his political career, in Innsbruck, the Tyrol and at the Congress, he had always defended democracy at local and regional level. On behalf of the EPP Group, he said he was sure that Keith Whitmore's work would be carried forward by Herwig van Staa, who would defend the same ideals.

Gudrun MOSLER-TÖRNSTRÖM, Chair of the Socialist Group (Austria, R, SOC), said her group joined in the thanks to Keith Whitmore, who had done outstanding work during his term as President. His activity report should have included 3 000 pages rather than 30 to reflect all the work he had done for the Congress. After a difficult start, he had brought real stability to the institution. As someone who had had the opportunity to take part in negotiations alongside Keith Whitmore, she recalled a very fulfilling period marked by very intense co-operation, even though their positions had sometimes differed. Keith Whitmore had always managed to be objective and be the President for all Congress members. There had been no conflicts between the different political groups because Keith Whitmore had taken care to resolve problems through consultation and dialogue. She had got to know Keith Whitmore during the negotiations they had been involved in together, and she now wished to give him a bottle of Austrian red wine as a souvenir of the Congress.

Konstantinos AGORASTOS (Greece, R, NR) congratulated the outgoing President on everything he had done for the Congress. He also congratulated the new President on taking up office. Times were difficult and to meet the various challenges facing everybody, it was necessary to act swiftly and effectively and achieve practical results. Many dangers were threatening the peoples of Europe and other countries. Political initiatives had to be taken to help the citizens whom Congress members represented. Members had to keep faith in their values and remember their objectives of democracy and human rights. Congress members would support the President with the strength of their convictions, as they believed he could make a major contribution to tackling the challenges ahead.

Nataliya ROMANOVA, Vice-President of the Congress (Ukraine, ILDG), wished Keith Whitmore all the best on behalf of all Congress members and thanked him for the work he had done for their political group in the Congress. He had turned the ILDG into a very strong group. With his many skills, Keith Whitmore had been an outstanding President, who had campaigned for local and regional authorities. He had been very mobile and had visited many countries, where he had

represented the Congress with dignity. She hoped that this image of the Congress would continue. She expressed particular thanks to the outgoing President for his visit to Ukraine. Keith Whitmore had always shown great respect for all Congress members and had visited both EU and non-EU countries. She congratulated him on his political skills and assured him of her friendship.

Keith WHITMORE (United Kingdom, L, ILDG) said that he was deeply moved. It had been a great privilege to be a member of the Congress for such a long time. He had established strong bonds of friendship, as the Congress was a real family. He hoped that he had been able to help strengthen the institution. Through relevant, effective and dynamic work, the new Congress could be a factor for progress in all member states.

The PRESIDENT (Austria, R, EPP/CD) thanked Keith Whitmore for the support he had given him when he had taken office. On behalf of Congress members, he expressed his gratitude to the outgoing President, who had made a very valuable contribution to the success of the Congress. Keith Whitmore had held many posts within the institution and had always put the same unrelenting efforts into his tasks. He had devoted his entire energy to the cause of local and regional democracy. He had done great work leading the Congress through a very ambitious reform process. The Emperor Maximilian Prize, which he had been awarded last May, had paid tribute to the work he had done in promoting local democracy. The outgoing President's legacy was very visible in the Congress today.

To paraphrase Sir Winston Churchill, one of the founders of the Council of Europe, the outgoing President was leaving behind very many memories and a great legacy.

On behalf of the Congress, the President gave Keith Whitmore a practical record of his commitment to the Congress, in the form of a compilation of the various speeches he had given there.

8. STATEMENT BY NILS MUIŽNIEKS, COUNCIL OF EUROPE COMMISSIONER FOR HUMAN RIGHTS

The PRESIDENT (Austria, R, EPP/CD), on behalf of the Congress, welcomed Nils Muižnieks, who had been elected Commissioner for Human Rights by the Parliamentary Assembly on 24 January 2012 and had taken office on 24 April. He was the successor to Thomas Hammarberg and Álvaro Gil-Robles. On taking up office, Nils Muižnieks had said that, if Europe was to keep its promises, it was necessary to address the structural failings in member states and establish sustainable policies geared towards human rights at national and local level. He had declared his intention to build on the work already done to that effect and to co-ordinate his efforts closely with citizens. The objectives he had set echoed the Congress' efforts to raise local and regional authorities' awareness regarding the implementation of human rights.

Nils MUIŽNIEKS, Council of Europe Commissioner for Human Rights, greeted Congress members. He joined with the previous speakers in congratulating Keith Whitmore, with whom he had had the opportunity to work on several occasions. He looked forward to developing the same co-operation with Herwig van Staa, whom he congratulated on his election.

The interaction between the Commissioner for Human Rights and the Congress of Local and Regional Authorities in promoting human rights had become more evident in recent months. Local authorities played a key role in promoting human rights, as well as in implementing practices that ran contrary to human rights. What he had seen in different member states was a very contradictory picture.

For instance, in Portugal, local children's rights commissions were critical in monitoring the impact of austerity on children and combating domestic violence. At the same time, other local authorities were dragging their feet in implementing the provisions of the European Social Charter, in particular in terms of improving sanitation and housing.

In Austria, local and regional authorities played a critical role in defending the rights of the elderly, for instance in retirement homes. At the same time, some local authorities were slow in implementing measures to promote accessibility for people with disabilities.

In Finland, many local authorities were implementing gender equality plans, but complaints had been voiced about the levels of service provision for the elderly.

In Italy, some local authorities had established arrangements for dialogue with Roma, while others ignored the national Roma integration policy framework and resettled Roma in camps far away from schools and jobs.

Why were there such differences in individual countries? Differences in the resources allocated to local authorities could explain the disparities, and the local context was also very important. However, political will remained a decisive factor, which demonstrated the importance of awareness-raising work.

It was needed in several areas. As far as Roma were concerned, the Alliance of Cities and Regions for Roma Inclusion was a first step. Efforts to combat discrimination and statelessness should be continued. Promoting access to mainstream education was a priority and local authorities had a vital part to play in that area.

Another area of activity concerned migrants and asylum seekers. Many European cities were affected here. Paris and Moscow each had over 1 million migrants. 85 cities worldwide, including 30 in Europe, had a large proportion of migrants. In Brussels, Frankfurt and London, more than a quarter of the population were foreign-born. It was essential to pinpoint the situation exactly in order to draw up appropriate policies. As Chair of ECRI (European Commission against Racism and Intolerance), he had already worked with the International Coalition of Cities against Racism and was continuing that work.

The Commissioner hoped that he and the Congress could work together in developing human rights action plans. This was all the more urgent in times of austerity, as vulnerable groups such as children, the elderly and people with disabilities were being hit disproportionately hard by budget cuts in the welfare field. It was vital to anticipate the consequences of austerity measures and to combat social exclusion.

He confirmed his willingness to step up co-operation with the Congress to advance respect for human rights. He also hoped to be able to meet local and regional government representatives during his visits to the various member states. Even though his recommendations were mainly addressed to national authorities, some of them required the involvement of local and regional authorities as well.

The PRESIDENT (Austria, R, EPP/CD) opened the debate and gave the floor to the Chair of the Monitoring Committee.

Lars O MOLIN (Sweden, L, EPP/CD) stressed that the Congress had taken action to strengthen the protection of human rights at local and regional level. In this connection, it had received support from the Office of the Commissioner for Human Rights to enable local authorities to take measures to foster civil and social rights. This was because there were several examples which showed that certain municipalities took decisions which could hinder the exercise of fundamental rights such as freedom of assembly and freedom of expression.

He confirmed the Congress' willingness to continue working in consultation with the various institutions and asked the Commissioner for Human Rights about the areas where co-operation could be expanded.

The PRESIDENT (Austria, R, EPP/CD) gave the floor to John Warmisham, rapporteur, who had helped raise the Congress' awareness of the situation of Roma.

John WARMISHAM (United Kingdom, L, SOC) said that Nils Muižnieks' predecessor, Thomas Hammarberg, had been particularly closely involved in defending the fundamental rights of Roma and their integration into society. This had been one of his priorities and was also a priority for the Congress. At the summit held in Strasbourg in September 2011 on the subject, the Congress had expressed its support for the Roma integration project. Would the issue remain one of the priorities of the Commissioner for Human Rights? What action should be taken at local level? Did the Commissioner wish to continue working with the Alliance of Cities and Regions for Roma Inclusion?

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC) referred to the most recent Council of Europe Conference of Ministers of Justice, which had been held in Vienna in September 2012 and had focused on the issue of urban violence. This was an important matter for all member states, given the spread of the problem in recent years. It had been underlined that the police needed adequate resources to deal with the violence. However, prevention should not be forgotten either, in particular with a view to strengthening social cohesion. Mediation work needed to be done with young people and their families and in liaison with local authorities. Congress members felt particularly concerned by these outbreaks of violence in their towns and cities and wished to be involved by governments in implementing prevention policies at local level. In the current context, there was a risk of inadequate resources being allocated for these measures.

She asked the Commissioner for Human Rights for his view on the role which local and regional authorities could play in this area, alongside other tiers of government.

Devrim ÇUKUR (Turkey, R, SOC) asked the Commissioner for Human Rights about the report on fundamental rights drawn up by his predecessor the previous year. The report had concerned various countries, including Turkey, and had influenced the measures taken by the Turkish government. Did the Commissioner believe that the Council of Europe's reports and opinions were really taken into account by governments? What could be done to improve matters in this respect?

Nils MUIŽNIEKS, Council of Europe Commissioner for Human Rights, said that he wished to meet local and regional authorities more regularly during his visits to member states, in particular in the case of countries with federal systems. In those countries, national authorities often said they were not responsible in this area, which meant it was vital also to meet mayors.

Much thematic work was done, for instance, concerning media freedom and LGBT rights, etc, and partnerships could be established with different institutions on each of these subjects. He was in favour of more systematic consultations before any thematic publications.

He was concerned by the situation seen in some Council of Europe member states, which banned gay pride marches or attempted to restrict the action of those who spoke out against homophobia. This was an infringement of the fundamental freedoms of assembly and expression. He had raised the issue in the media and would be holding a meeting in Dublin with the ILGA, which included European LGBT groups. The issue had to be addressed not only with national authorities but also with local and regional authorities so that it could be explained to them that there were standards to be complied with here. An exchange of views with the Congress on the subject would be welcome.

He could assure the Congress that the Roma issue was indeed one of his top priorities. The Roma were the most excluded community in Europe and suffered most from poverty and a lack of education. The issue had to be given a much higher profile. Many Roma from the Balkans were now stateless. Solutions had to be found so that they could be issued with identity documents to give them access to basic welfare services and enable them to enjoy their fundamental rights. They had to have access to non-segregated education. This was also related to the issue of where Roma lived. Local and regional authorities had an essential part to play in persuading teachers and parents from outside the Roma community, who were reluctant to see Roma children attending the same schools as their own children. During his forthcoming visit to the Czech Republic, he would raise the issue of segregation in schools.

Many countries had drawn up Roma integration plans, as called for by the Council of Europe. However, these plans often did not deal with the issue of the prejudice which Roma suffered. The prejudice was reflected in difficulties in gaining access to housing and welfare services. Integration plans could not be successful if they did not tackle this prejudice. A lot of work had to be done, but, unfortunately, in the current climate of austerity, there was a risk of Roma being used even more as scapegoats. They would be accused of abusing welfare benefits, and many officials in charge of budgetary policies would claim that the relevant expenditure was a waste of resources. So the task would not be easy.

The Commissioner then moved on to the Vienna Conference, at which he had highlighted several points in his address. Urban violence was indeed a vital concern. Local policing had a

significant part to play here, but there was a risk of it being called into question by budget cuts. Establishing trust at grassroots level was essential. During his time at ECRI, he had chaired a working group responsible for drawing up recommendations on combating racism within the police. Unfortunately, little notice had been taken of the recommendations. Perceptions of police prejudice often led to escalating violence on the ground. Raising police awareness of the need to combat racism was an integral part of the response to urban violence. Local and regional authorities had a key part to play here, too. The issue of major events which were organised using social media also had to be addressed. Any attempts to block websites should be referred to the courts. The matter was more one for national authorities. The final aspect was criminal justice. Young offenders should be treated as young people and rehabilitation should be given precedence over long periods of detention.

In reply to Mr Çukur, he said that during his recent visit to Turkey, he had met representatives of civil society, as well as the national authorities. The Office of the Commissioner for Human Rights had developed good working relations with the Turkish Ministry of Justice, which was seeking to implement many reforms. He had had two hours of talks with the Justice Minister, which seemed to demonstrate the government's goodwill regarding human rights. Admittedly, much progress had to be made in the area. During his discussions with the national authorities, he had had the impression that the Commissioner for Human Rights' work was respected, even though it was not necessarily unanimously supported. It had been possible to establish dialogue with the authorities and the representatives of civil society. He was pleased by the welcome which he had received in Turkey, which was a sign of the excellent work done by his predecessors. The Commissioner for Human Rights should try not to become involved in politics, and should focus on promoting human rights. That approach was equally valid in Turkey and in other Council of Europe member states.

Leen VERBEEK (Netherlands, R, SOC) believed that it was important to consider the rights of Congress members, who, to quote Keith Whitmore, were a family. He referred to the situation of Leyla Güven, a Kurdish mayor elected by her fellow citizens, who had been dismissed by the governor and had now been imprisoned for a long period. Mr Hammarberg had visited Ms Güven in Turkey. Did Mr Muižnieks intend keeping up these efforts? Would he go and visit a member of the Congress who was in prison without having been tried?

Nils MUIŽNIEKS, Council of Europe Commissioner for Human Rights, said that he did intend to act. Mr Hammarberg had raised the matter with the justice authorities. Although the Office of the Commissioner for Human Rights could not accept individual complaints, it sought to ensure that the rights of imprisoned elected representatives and journalists were restored and their freedom of expression respected. He would continue to call for reforms to be carried out in Turkey and in other countries to improve the administration of justice. It was a major task, but he was firmly committed to dealing with it.

The PRESIDENT (Austria, R, EPP/CD) thanked the Commissioner for Human Rights and the various speakers. He reasserted the Congress' determination to promote human rights at local and regional levels. Roma issues would continue to be discussed until solutions were found. Supplementary questions could be submitted in writing to the Commissioner for Human Rights, who would reply to them, as Mr Hammarberg had always done. He himself would hold a meeting with the Commissioner to discuss a number of individual cases and then take them up again in the broader context of the Congress' human rights activities.

9. ALBANIAN CHAIRMANSHIP OF THE COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE (MAY 2012 – NOVEMBER 2012)

[CG(23)15]

The PRESIDENT (Austria, R, EPP/CD) welcomed Ferdinand Poni, Deputy Minister of the Interior, Albania, who was representing the Albanian Chairmanship of the Committee of Ministers of the Council of Europe. The slogan of the Albanian Chairmanship was "Unity in Diversity". Two of the priorities which had been set were particularly important to the Congress: promoting sustainable democratic societies and promoting local and regional democracy. The Congress was impressed by the ambitious nature of the efforts and the number and quality of the events organised by the Albanian Chairmanship. He intended travelling to Tirana to take part in the conference on decentralisation due

to be held at the end of October and that on Diversity in Europe: A Strength for the Future to be held on 9 November 2012.

The President thanked Mr Poni for agreeing to reply to the written questions from Congress members. The Congress was satisfied with the co-operation that had been established with the Albanian Chairmanship and hoped to step up the dialogue still further. The Congress would support Albania in building high-quality local self-government and with the reforms to be carried out to strengthen local and regional democracy in the country.

Ferdinand PONI, Deputy Minister of the Interior of Albania, congratulated Mr Van Staa on his election as President of the Congress. The election was an important event for the Albanian Chairmanship and for Mr Poni, in particular, as Mr Van Staa was an old friend of local and regional democracy and also of Albania. The Albanian Chairmanship hoped that Mr Van Staa's presidency would be just as excellent as Mr Whitmore's.

Ferdinand Poni was pleased to see that the agenda for the 23rd session of the Congress included issues which were important both for the Committee of Ministers and also for the Albanian Chairmanship. Albania was strongly committed to local and regional democracy. The Albanian Chairmanship had consolidated the European agenda in common adopted in the Chaves report. Governance and multilevel co-operation, human rights at local level, the strengthening of local services, inter-municipal co-operation, consolidation of regionalisation, innovation and democratic participation of citizens in decision-making processes at local level were priorities for Europe. Good results had also been achieved in other areas.

It was necessary to act in line with national standards and policies. Albania's priorities and Europe's priorities were the same. The Albanian Chairmanship was sure that further progress could still be made in its own country, but was proud of having conducted an active policy and believed that its activities would be successful. Albania had paid very close attention to the Ukrainian and United Kingdom chairmanships, whose priorities it shared. Albania had had the pleasure of hosting the meeting of the Congress Bureau in June. In addition, an international seminar on promoting human rights at local level had been held in Tirana on 5 September.

Local development required the protection of human rights linked up with governance at local level: gender equality, the integration of Roma and the improvement of the living conditions of other groups as well were now the subject of debate in Albania. An international seminar on consolidation of regionalisation had been held on 27 July. Expanding regionalisation was one of the priorities of the Albanian Chairmanship, along with overcoming the obstacles posed by borders, improving the performance of countries and acting more effectively at local and regional level. A high-level conference on the role of decentralisation in strengthening Albanian democracy and in the country's integration into Europe would take place in Tirana on 30 and 31 October. It would be attended by local government players, academics and civil society representatives. The topics discussed would include the implementation of governance standards at local level, an increased role for local and regional authorities in development and a reduction in the impact of the economic crisis at local level.

Albania was aiming to maintain growth in spite of the difficult situation affecting neighbouring countries. Co-operation with them had been stepped up and Albania had made significant progress in its European integration.

Albania was celebrating its hundredth anniversary this year. This historic anniversary coincided both with its chairmanship of the Committee of Ministers of the Council of Europe and with the European Commission's decision to grant Albania candidate status for accession to the European Union. During its chairmanship, Albania had sought to promote the major principles such as democracy, human rights, the rule of law and democratic participation which underpinned the activities of the Council of Europe and also of the Congress. Albania's aim had been to put these principles into practice in its territory.

In addition, the Albanian Chairmanship had helped to strengthen the European agenda. European Local Democracy Week had received strong support from the Albanian Chairmanship. John Warmisham, political co-ordinator of the event, had represented the Congress at an international seminar on "Strengthening citizens' democratic participation in decision-making at local level", which

had been held in Tirana on 5 October. It had been just one of many activities during Local Democracy Week. Various public events had taken place, along with artistic events. Human rights at local level were a priority for Albania and the country had been particularly active in this area over the past year. Local and regional authorities, local administration and all political and institutional players were committed to acting transparently, having due regard for the difficulties of all groups and respect for human rights. The Albanian authorities would continue to act accordingly, while applying the principle of subsidiarity.

Ferdinand Poni thanked the members of the Congress, the members of the Bureau and, in particular, President Whitmore, President Van Staa, President Frécon, Commissioner Muižnieks and his colleagues, Mr Sitaropoulos, Mr Molin, Mr Warmisham, Ms Baroni, as well as the Secretary General of the Congress, Andreas Kiefer, the Director of the Congress, Antonella Cagnolati, and everyone else who had taken part in the activities held during the Albanian Chairmanship.

He invited all Congress members to take part in the high-level conference to be held in Tirana on 30 and 31 October.

The Albanian Chairmanship had also supported the first World Forum for Democracy, which had been held by the Council of Europe from 5 to 11 October and in which the Albanian Prime Minister, Sali Berisha, had taken part. The participants had demonstrated their willingness to adopt a new approach to overcome the divides that existed between different democratic models. It was necessary to see how old democratic models could be reconciled with new realities. There had been much discussion about the functioning of democracy in the contemporary world. The forum would launch a process of reflection drawing on the experience of all stakeholders and all levels of government. The event had raised the profile of the Council of Europe.

He wished to address three themes which were of particular importance to the Committee of Ministers and the Albanian Chairmanship.

The first was young people and education. The Albanian Chairmanship had made particular efforts to promote education in the Council of Europe's values, especially tolerance and mutual understanding. On 3 and 4 September 2012, it had held a meeting of the Exchanges on the religious dimension of intercultural dialogue on the theme of "Taking responsibility for tomorrow's Europe: the role of young people in the religious dimension of intercultural dialogue". This theme was particularly important for Albania, a country which took pride in its centuries-old tradition of religious harmony. Many young people had been present. Issues such as awareness-raising, education, the new media and the representation of religious beliefs and non-religious convictions had been addressed. President Keith Whitmore had contributed to the meeting.

The Albanian Chairmanship had also held a Regional Youth Peace Camp in Llogara in September. The aim had been to motivate the participants to act as leaders for positive change. Lastly, a high-level conference on diversity would be held on 9 November to conclude the Albanian Chairmanship. It would address issues such as promoting intercultural dialogue, the role of education, and young people's contribution to mutual understanding, tolerance and better integration in Europe's societies.

The second theme was the protection of children against sexual exploitation and abuse. Albania wanted to build a Europe for and with children, by implementing the Council of Europe's 2012-2015 Strategy on the Rights of the Child, which had been launched under the Albanian Chairmanship. The Committee of Ministers regarded this theme as particularly important. The strategy concerned governments, parliaments, local and regional authorities, professionals working with children, civil society, the media, parents and, of course, children themselves. The Committee of Ministers had adopted a large number of standards in this area, in particular the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention). Local and regional authorities had major responsibilities to bear in all these areas, as it was up to the authorities closest to citizens to protect the most vulnerable members of society, especially children, on a daily basis. The Committee of Ministers wished member states to ratify the Lanzarote Convention, but it was also counting on local and regional authorities to help member states implement the strategy for children and support the Council of Europe's One in Five campaign to put an end to sexual violence against children.

The last theme involved strengthening dialogue and co-operation with the countries of North Africa and the Mediterranean region. From the outset, Albania had been in contact with the forces supporting the democratic aspirations and popular movements in those countries. The Albanian Chairmanship wished to step up co-operation with those states in the context of the Council of Europe's policy for neighbouring regions.

There were many opportunities for local and regional authorities to take part in the changes underway in the Arab countries. The changes would depend to a large extent on the ability to bring democracy to life at local level. The Congress had to seize these opportunities, while having due regard to the policies introduced by the Council of Europe for neighbouring regions. This was an excellent example of the synergies to be fostered between the Committee of Ministers and the various Council of Europe bodies. The Council of Europe's policies would have a greater impact if its various institutions worked together towards common goals, while remaining within their own remits. The countries which were co-operating with the Council of Europe under its policy for neighbouring countries would also be invited to the high-level conference on intercultural dialogue to be held in Tirana on 9 November.

The Albanian Chairmanship was deeply grateful to Congress members for the close co-operation built up over the previous six months. Although the chairmanship was coming to an end, Albania would continue its efforts to show its commitment to the essential role of local and regional governance in ensuring access by all citizens to fundamental rights.

The PRESIDENT (Austria, R, EPP/CD) thanked the minister for agreeing to reply to the written questions from Congress members. Each speaker had a minute to put his or her question.

Amy KOOPMANSCHAP (Netherlands, L, SOC) thanked the Albanian Chairmanship for its emphasis on European cultural diversity and the need to foster intercultural dialogue and engage young people in the process. The Albanian Chairmanship had carried out an extensive programme of activities on the issue, including an exchange on the role of young people in inter-religious dialogue, a seminar on teaching Holocaust remembrance to young people and a conference on diversity as an asset for Europe, to be held in November. What conclusions and proposals for further action could be drawn from these discussions, and what follow-up should be envisaged by the Council of Europe in the future? And how did he see the role of the Congress and local and regional authorities in fostering intercultural dialogue, and in these future Council of Europe activities?

Leen VERBEEK (Netherlands, R, SOC) referred to the fight against corruption, which was a major issue for the respect of legality. The enforcement of the rule of law, in all European states, was now considered a precondition for any step forward towards greater integration. A large amount of public funds was lost because of corruption and illegal practices. During the current economic crisis, citizens were unwilling to accept the persistence of corruption within public administrations. A major priority should be to put in place preventive measures for promoting integrity and good governance, in particular at local and regional level. The Council of Europe's legal instruments, codes of conduct and good practice reviews were useful assets. The major problem was that public administrations and citizens still had to take ownership of these instruments. Was the Committee of Ministers in favour of supporting initiatives aimed at promoting grass-root initiatives for counteracting corruption and promoting integrity, in particular at local and regional level?

Ferdinand PONI, Deputy Minister of the Interior of Albania, replied to Ms Koopmanschap that he appreciated the Congress' involvement in the events held by the Albanian Chairmanship and thanked President Whitmore for his contribution. The 2012 Exchange on the Religious Dimension of Intercultural Dialogue had been a success. The participants in Durrës had underlined that improving mutual understanding was now essential in today's globalised and interconnected society. In this context, the participation of young people was decisive both for the future and for the present. The Albanian Chairmanship had not yet come to an end and it would be wrong to anticipate the outcome of the Conference on Diversity in Europe, a Strength for the Future to be held in Tirana in November, but the conference would be based on the 2012 Exchange. The conference would seek to disseminate as widely as possible the message of peace and openness reflected in the slogan Unity in Diversity. That should also be a central theme of the Council of Europe's activities in the coming years, and local and regional authorities would have a key part to play in that area. The Committee of Ministers and

the Congress should work together here, in particular in order to expand civic commitment and democratic participation.

Mr Verbeek's question concerned the fight against corruption. The Committee of Ministers believed that fighting corruption was a priority for the Council of Europe, for national governments and also for local and regional authorities. Corruption undermined democracy, the rule of law and respect for human rights. The Committee of Ministers could only welcome any measures taken to combat corruption and promote integrity at local and regional level, and the Congress had a key part to play in supporting activities of that kind. The monitoring body established by the Council of Europe, the Group of States against Corruption (GRECO), had recommended that national anticorruption strategies be adopted. In some cases, it was desirable to extend such strategies to local authority level. In this context, GRECO had often drawn attention to public ethics at local level. In Albania and the neighbouring countries, good practices had been introduced using digital technology to make sure that local authorities complied with the relevant procedures, in particular in terms of calls for tenders. This should lead to greater transparency and increased citizen participation in decision-making.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) said that the Albanian Chairmanship would shortly be holding a major conference on decentralisation in Europe. What key challenges were currently facing decentralisation and how could the Council of Europe in general and the Congress of Local and Regional Authorities in particular help tackle them?

Ferdinand PONI, Deputy Minister of the Interior of Albania, said that the conference, which would take place on 30 and 31 October, was highly important for Albania. Albania's priorities were also European priorities. National, regional and local authorities, academics, business and civil society would join together in discussing these priorities at Albanian, European and regional level. The daily co-operation between the Committee of Ministers and the Congress provided opportunities to discuss issues such as human rights at local level, local and regional development, increasing the powers of local and regional elected representatives and cross-border co-operation. Albania was setting an example for such co-operation by allowing regions to establish relations with Kosovo, Macedonia, Turkey, Serbia, Croatia, Slovenia and various EU member states. The issue of regionalisation also had to be addressed: how did the consolidation of regional structures fit into the process of European integration? Albania was carrying out many projects with other countries such as Switzerland, Italy, Germany, France, Austria, Norway and Sweden, etc. It wished to discuss the role of extensive co-ordination to strengthen its status as a candidate for EU accession.

Nikolay DUDOV (Russian Federation, R, EPP/CD) said that Albania had announced in May that one of the priorities of its Chairmanship of the Committee of Ministers would be to strengthen local and regional democracy. Six months later, what steps had been taken by the Albanian Chairmanship to that end? What measures had been agreed to include the "agenda in common" advocated in the Chaves report in its strategy and also to implement the outcome of the Kyiv Conference of Ministers responsible for Local and Regional Government?

Ferdinand PONI, Deputy Minister of the Interior of Albania, confirmed that local and regional democracy had been one of the priorities identified by the Albanian Chairmanship. Its agenda had been fully in line with the European agenda in terms of human rights, regionalisation, democratic participation, good local governance and the role of elected representatives in local and regional development. These issues had also been in line with the priorities of the preceding Ukrainian and United Kingdom chairmanships. He was pleased that the Congress' priorities had been maintained in these areas. Local and regional democracy had been a pillar of the Albanian Chairmanship. He welcomed the very valuable contribution made by the Congress to the Committee of Ministers' activities, in particular the support provided by the Bureau of the Congress, the Congress President and the political group chairs. The Albanian Chairmanship was convinced of the need to foster synergy between the activities of the Congress, the European Committee on Local and Regional Democracy and the Parliamentary Assembly. It was indeed possible to draw up a common agenda and agree joint action with a view to boosting the efficiency, credibility and profile of the organisation. He believed that future chairmanships would follow the example. In this area, the Albanian Chairmanship had been guided by the Chaves report and the outcome of the Kyiv conference.

John WARMISHAM (United Kingdom, L, SOC) began by thanking the Albanian Deputy Minister of the Interior for coming to Strasbourg. He wished to raise the issue of Roma. In the

Strasbourg declaration adopted in 2010, member states had stressed that local and regional representatives had an essential role to play in finding solutions to the situation of Roma in the field. Following the Summit of Mayors held in 2011, a co-operation framework, the European Alliance of Cities and Regions for Roma Inclusion, had been implemented. The Alliance was now in the process of identifying concrete priorities and needs at the grassroots, as well as existing initiatives and programmes. It would build up a plan of action on that basis. The Committee of Ministers had expressed its support for the project. But the budget for starting activities in the field in 2013 had not yet been secured and the Alliance was currently discussing possible support from the European Commission. What concrete contribution could the Committee of Ministers and, more generally, the member states bring to the implementation of the project?

Inger LINGE (Sweden, R, EPP/CD) said that she was one of the Congress rapporteurs on Roma youth. That minority encountered serious difficulties in gaining access to proper education and finding work. The problems could be seen in all member states. The Swedish government was currently reforming the way it dealt with Roma and wished to include municipalities in its efforts. The Congress believed that this was a good approach and also wanted to work with the European Alliance of Cities and Regions for Roma Inclusion. How could the Committee of Ministers ensure successful collaboration between local and regional authorities and the member countries to improve the situation for young Roma?

Ferdinand PONI, Deputy Minister of the Interior of Albania, said that the situation of Roma in Europe was a major issue both for the Committee of Ministers and for all Council of Europe bodies. At the high-level meeting on Roma in October 2010, all member states had undertaken to adopt effective measures to improve the situation of Roma. Major efforts had been made in areas such as education, housing, health and employment and had helped bring about some changes. All member states should honour the commitments made in the Strasbourg Declaration.

At the Council of Europe, a number of measures had been planned in 2012 and 2013 to implement the declaration. They involved training, awareness-raising, the appointment of Roma mediators and the role of local and regional authorities in this area. Albania was seeking to introduce corresponding measures within its territory. Local and regional authorities played a vital part in Roma integration. Roma were linked to the community at large and were full citizens. The training of Roma mediators was one of the main measures which had been agreed at the Summit of Mayors. The Committee of Ministers had therefore adopted a recommendation on mediation as an effective tool for promoting respect for human rights and social inclusion of Roma in September. He was looking forward to the Alliance's future action plan and underlined the importance of developing synergy between the Alliance and the Ad Hoc Committee on Roma. Pooling experience in this way would help to identify best practice at different levels. The Swedish experience could highlight the key role of local authorities. Experience of this kind had to be shared and disseminated throughout other European countries. In conclusion, he urged member states to support the Alliance's work.

The PRESIDENT (Austria, R, EPP/CD) thanked the Albanian Deputy Minister of the Interior for replying in depth to all the questions. He invited Congress members and the Minister to join him in the Chamber lobby for a reception being hosted by the Albanian Chairmanship of the Committee of Ministers.

The sitting was adjourned at 12.10 pm.

The sitting resumed at 2 pm with Herwig van Staa (Austria, R, EPP/CD), Congress President, in the chair.

10. ADOPTION OF THE COMPOSITION OF THE COMMITTEES

[CG(23)3]

The PRESIDENT (Austria, R, EPP/CD) said that, under Rule 35 of the Rules of Procedure of the Congress and its Chambers, the Congress was now required to adopt the composition of its committees. The national delegations had all put forward the names of their candidates for the committees.

There were no objections to the composition of the committees set out in document CG(23)3.

The proposed composition of the committees was adopted.

11. PRIORITIES OF THE CONGRESS FOR 2013-2016

[CG(23)5](RES)

The PRESIDENT (Austria, R, EPP/CD) said that the draft resolution on the priorities of the Congress for 2013-2016 would be presented on behalf of the Bureau of the Congress by two rapporteurs, Lars O Molin, Chair of the Monitoring Committee, and Karl-Heinz Lambertz, Chair of the Governance Committee.

The purpose of the document was to set out the Congress' priorities for the next four years so as to make its work more effective, in line with the goals pursued and in accordance with the priorities adopted for 2011-2012. The report was based on several exchanges of view held at the Bureau meetings in 2012 and written contributions submitted by some Congress members. National associations of local and regional authorities had been consulted at a general meeting in September 2012. The President thanked everyone who had taken part in the process.

The report set out the Congress' tasks and identified its fields of action. The situation in Europe had deteriorated because of a persistent economic and financial crisis. The Congress had to take account of this and help the representatives of local authorities to tackle the crisis.

Lars O MOLIN (Sweden, L, EPP/CD), rapporteur, said that the report began by reiterating the Congress' core values and tasks. It then listed the action to be taken under three priority headings:

- raising the quality of local and regional democracy and human rights in Europe;
- rising to the new challenges resulting from the economic and financial crisis, paying particular attention to its impact on democracy;
- developing co-operation and partnerships so as to make the best use of limited resources.

Congress members needed to realise that the crisis would continue for some time yet. It was currently the main challenge facing local and regional authorities.

Since 2010, the Congress had been reformed to make it more operational. Monitoring activities had been stepped up, the election observation programme had been extended and partnerships had been expanded. In addition, the Congress had engaged in closer dialogue with the Committee of Ministers, in particular the rapporteur group concerning areas of activity similar to those of the Congress. The aim of the co-operation was unchanged: it was to reach agreement with national authorities on the main priorities and achieve synergies. In this connection, the Chaves report adopted in 2011 called for greater co-operation between the various Council of Europe bodies.

The Congress had also decided to place greater emphasis on promoting human rights at local and regional level. It was necessary to raise local and regional representatives' awareness here, in particular in the context of monitoring visits.

The priorities which had been set in 2010 for a two-year period had been implemented. The new priorities set out in the report would guide the Congress in its activities over the next four years.

The document submitted to Congress members was the result of a process carried out since the beginning of 2012. The draft report had been disseminated very widely and had been discussed at several meetings and in email exchanges. A meeting had been held in Strasbourg with national associations of local and regional authorities and their input had been taken into account in the final version of the text. The rapporteurs had sought to define a few specific priorities to make the Congress' work clearer.

Karl-Heinz LAMBERTZ (Belgium, R, SOC), rapporteur, said that the aim of the document was to continue along the path which the Congress had been following for several years. It had been the subject of an in-depth consultation process. The discussions with the associations of local and regional authorities had been particularly constructive and the participants had also indicated that they wished the discussions to continue.

The reform of the Congress had increased its efficiency and helped identify synergies, thereby enabling it to focus on practical action. The priorities agreed for the previous period had been implemented. The Congress was now capable of moving forward and adapting to difficult new circumstances. The economic and financial crisis had turned into a sovereign debt crisis and the austerity policies introduced by the various governments had implications for the operation of local and regional authorities. The latter needed to be helped to perform their tasks on the ground in terms of combating social exclusion, inequality, public disaffection with politics and an upsurge in intolerance. The budget cuts were weakening the very organisational basis of local and regional bodies. While the restructuring of different tiers of local and regional authorities could be useful in some cases, it had to be ensured that it was carried out for the benefit of citizens and in compliance with the European Charter of Local Self-Government and the Reference Framework for Regional Democracy. At the same time, there was a need for in-depth discussion of regionalisation.

It should be noted that the draft resolution only set out the main lines of action: the aim was not to set out in detail all the measures which would be taken, but to indicate the general direction and the priority activities, as well as the expected results. The document was vital for identifying in a consistent and selective manner the priority activities which the Congress would undertake in line with the values of the Council of Europe.

The PRESIDENT (Austria, R, EPP/CD) thanked the rapporteurs for the work they had done and opened the debate.

Svetlana ORLOVA (Russian Federation, R, EPP/CD) thanked the rapporteurs, on behalf of the Russian delegation, for the tremendous work they had done. The priorities which had been set out accurately reflected the role of the Congress, which pursued an independent policy for the benefit of over 200 000 local and regional authorities in 47 different countries.

In all member states, local and regional authorities served citizens, both men and women, and defended their interests. The issues they dealt with included quality of life, the environment, employment, unemployment, immigration, crime, public services, culture and young people, as well as many other subjects which had been indicated by the rapporteurs. The rapporteurs had underscored the need to help local and regional authorities to tackle the direct consequences of the international economic crisis. It was vital to find solutions to the situation, not by undermining citizens' well-being, but by striving for greater budgetary efficiency. In this context, efforts to combat corruption and reduce unnecessary administrative bureaucracy were key priorities.

She hoped that the question of resources during the economic and financial crisis could be resolved in all member states. The relevant issues should be analysed in the post-monitoring reports. The Monitoring Committee headed by Mr Molin had done very scrupulous monitoring work for many Council of Europe countries, thereby ensuring greater transparency and democracy. In conclusion, she thanked the rapporteurs for their thorough work and looked forward to constructive co-operation.

Nataliya ROMANOVA (Ukraine, R, ILDG) expressed her sincere gratitude to the rapporteurs. The report was a real roadmap for the future. It had been based on the analysis work done over the months by the Congress, to which all members contributed. The report also stemmed from collective work done by associations of local and regional authorities. The roadmap therefore belonged not only to the Congress but also to all its partners. The priorities it set out had to be implemented. The

Congress was making a qualitative leap forward with the roadmap, as the monitoring work helped to detect and disseminate best practices. The Congress had already held seminars on preparing for monitoring visits. The seminars enabled the participants, who were Congress members, to engage in a learning process which led to ongoing improvements in quality. The emphasis did have to be placed on post-monitoring. The Congress was seeking to continue this work, not only with local and regional authorities but also with national authorities in order to improve the operation of decentralised government in each of the countries monitored.

Codes of conduct and ethics were very important here. Many countries could benefit from the experience of their counterparts. Cross-border co-operation was one of the main priorities and was of direct concern to the Chamber of Regions, which had played a key part in the work.

The PRESIDENT (Austria, R, EPP/CD) asked the rapporteurs to comment on the questions raised by the speakers.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) thanked the speakers for their praise of the rapporteurs' work. Praise was also due to those who had helped them prepare the report. Moreover, the co-operation with very many partners, including members of associations, had been very fruitful and augured well for the establishment of genuine dialogue in the coming years for the implementation of the priorities. The various issues covered in the report would have to be dealt with in a consistent manner. It was up to the Bureau to agree on the implementation arrangements. Cross-border co-operation was a key aspect of cohesion, which needed to be properly managed and carried forward.

Lars O MOLIN (Sweden, L, EPP/CD) thanked the speakers for their kind comments. He also thanked Ms Orlova for her contribution. Her comments had been incorporated in the text. On the basis of this work, the Congress would be able to issue observations addressed to all member states. Ms Romanova had underlined that best practices could be highlighted through the monitoring work. It was right to say that the purpose of the work done in the various countries was to identify best practices. It was not a matter of acting like the police but of advancing the values defended by the Congress and making sure that the Charter of Local Self-Government was implemented more effectively.

The PRESIDENT (Austria, R, EPP/CD) said that an amendment to the draft resolution set out in document CG(23)5 had been tabled. He asked Mr Lammerskitten to present the amendment.

Clemens LAMMERSKITTEN (Germany, R, EPP/CD) stressed that the definition by the Congress of its priorities for the period from 2013 to 2016 was a particularly important document, as it would guide the work of the Congress for the coming years. He thanked Mr Molin and Mr Lambertz most sincerely for their work. The Congress had to make sure that local authorities did not suffer too much as a result of the economic and financial crisis. To this end, it was necessary to stress that the principles of the Charter of Local Self-Government and of the Reference Framework for Regional Democracy should be strictly complied with. That was the purpose of the proposed amendment.

Amendment No. 1 had been signed by Helena Pihlajasaari (Finland, R, SOC), Bernd Vöhringer (Germany, L, EPP/CD), Andreas Galster (Germany, L, EPP/CD), Herwig van Staa (Austria, R, EPP/CD) and Josef Neumann (Germany, R, SOC). It was to replace paragraph 46 by the following: *"The Congress will particularly concentrate, within its ambitious and proactive approach with respect to its future priorities, upon the evaluation of measures taken by member states to overcome the effects of the debt crisis to determine whether they are in line with the European Charter of Local Self-Government and the Council of Europe Reference Framework for Regional Democracy and whether a fair distribution of the financial burden between the levels of government according to the principle of proportionality is guaranteed."*

The PRESIDENT (Austria, R, EPP/CD) asked the rapporteurs to comment on the amendment.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) thanked Mr Lammerskitten and the co-signatories for the amendment. It made the action clearer. Although the Congress could not resolve the crisis, it could assess its impact on local and regional self-government and decide how to act to ensure

compliance with the Charter and the Reference Framework. On behalf of the rapporteurs, he asked members to accept the amendment.

The PRESIDENT (Austria, R, EPP/CD) noted that the rapporteur had welcomed the amendment, which he believed improved the original text. He asked whether anyone wished to speak against the amendment.

No one took the floor. The amendment was voted on by show of hands.

Amendment No. 1 was adopted.

The PRESIDENT (Austria, R, EPP/CD) asked members to vote on the draft resolution set out in document CG(23)5 as amended.

The draft resolution as amended was adopted.

LOCAL AND REGIONAL DEMOCRACY IN THE ARAB COUNTRIES

The PRESIDENT (Austria, R, EPP/CD) announced a general debate comprising two themes, the political changes underway in the Arab countries and the specific approach which the Congress could adopt towards neighbouring regions.

The political changes which had swept through the countries of the southern Mediterranean had opened up new and historic prospects at local and regional level. The Congress could play a vital role in this area. It had therefore been involved from an early stage in the implementation of a Council of Europe policy towards neighbouring regions. At the close of the debate, the Congress would vote on the three texts presented, two resolutions and a recommendation.

A report by the Current Affairs Committee would be presented first. It was largely based on observations made on the ground in the countries concerned, namely Morocco and Tunisia, by VNG, the Association of Netherlands Municipalities, which was involved in bilateral co-operation projects. The Governance Committee had debated the report at its meeting on 31 May and adopted an opinion. The Congress would not vote on the opinion, which was submitted to it for information, but would consider the amendments proposed in the opinion. Two guests, Ms Rouqia Daoudi, Vice-Chair of Rabat Municipal Council, Morocco, and Mr Thomas Markert, Secretary of the Council of Europe's European Commission for Democracy through Law, would then give addresses. Lastly, Mr Jean-Claude Frécon would present a draft resolution on the role of the Congress in the Council of Europe's policy towards neighbouring regions.

THE CHANGES UNDERWAY IN THE ARAB COUNTRIES – OPPORTUNITIES FOR LOCAL AND REGIONAL DEMOCRACY

[CG(23)6](RES and REC)

Amy KOOPMANSCHAP (Netherlands, L, SOC), rapporteur, said that the political changes sweeping the countries of the southern Mediterranean were of great historic importance and provided a unique opportunity for the establishment of democracy. The report was the contribution by the Congress of Local and Regional Authorities to the new neighbourhood policy being put in place by the Council of Europe. That policy emphasised the strategic priorities in relations with Morocco and Tunisia and focused on the opportunities for strengthening local and regional democracy in the two countries. The report had been drawn up in March 2012 and even though many events had taken place in the meantime, the recommendations it contained were still relevant.

She thanked the expert, Neila Akrimi, from VNG International, for her analysis of the situation of local and regional authorities in Tunisia and Morocco.

The report considered the various possibilities for action which could be implemented by the Congress. It gave details of the areas where assistance to local and regional authorities was necessary and highlighted the role of the various players at local level.

The situation in Morocco and Tunisia had developed differently. Morocco had not undergone a revolution, but had seen the rise of a spontaneous movement calling for freedom of speech and carried forward by young people and other sections of civil society. Civil society was very well organised in human rights associations and other NGOs. In response to the movement, Morocco was speeding up the reform process which had begun 10 years earlier. In Tunisia, civil society was not so well organised. However, the transition was irreversible and would inevitably lead to the strengthening of civil society and local authorities.

The factors behind the popular uprisings in the Arab countries were the rise in unemployment, especially among the young and educated, poor job prospects, urban poverty, social segregation, worsening political and economic conditions, widespread corruption, a lack of democracy and the absence of a process of decentralisation and regional development. Towns and cities had become places of frustration and social tension, as many basic public services had become inaccessible to citizens.

There had been an imbalance in the distribution of skills and resources between the different regions in the two countries. There was still public distrust of local authorities, which people regarded as useless and lacking in legitimacy and not sufficiently open towards civil society. People felt frustrated about not being able to take part in the choice of municipalities' economic and social priorities. Citizens of various regions, towns and cities had made their voices heard, showing that there was an urgent need to tackle social, political and economic issues and to develop a new approach offering bottom-up, realistic and sustainable solutions. The changes called for by citizens required the redefinition of local and regional development policy, with the establishment of participatory and democratic governance at local level. In the past, the high degree of centralisation of power had limited the effectiveness of development. The Arab Spring revolutions had been a call by citizens for greater involvement.

Free elections had been held in Tunisia in October 2011. The National Constituent Assembly had set about the task of drafting a new constitution and had appointed an interim government. Municipal councils had been dissolved and responsibility for local governance had been transferred to special commissions. Local elections, which had been due to be held in March 2012, had been postponed to autumn 2013. The Congress of Local and Regional Authorities hoped that the new constitution would take account of democratic principles and had had several contacts with the Constituent Assembly. Various associations of local authorities in Europe had also had contacts with representatives of the assembly in order to give them examples of the way in which local democracy could be organised. This aspect was very important, given that municipalities could not exercise their powers completely independently and did not have the resources for fulfilling their responsibilities. They were closely monitored by governors and the central government.

A White Paper on a strategy for regional development and decentralisation called for a new approach to regional development in Tunisia and mainly focused on the responsibility of individual regions with a view to reducing economic, social, cultural and environmental inequalities at regional level. The Congress hoped that local authorities in the interior, which were particularly disadvantaged, would be strengthened and their financial dependency reduced.

In Morocco, following the popular uprisings in Tunisia and Egypt, King Mohammed VI had announced that a new constitution would be proposed. It had been adopted on 1 July 2011. It made provision for machinery to be established by local authorities to encourage citizen participation. It also provided for a system of administrative boundaries based on a more progressive model of regionalisation. The constitution treated regional authorities as partners of the state and made provision for co-ordination and integration arrangements, while having due regard for their autonomy and legal equality. This approach represented a significant advance and the Congress hoped that the reform would take real account of the principle of subsidiarity and the need to increase political, administrative and financial autonomy.

The key obstacles in Tunisia and Morocco to local and regional democracy were, of course, the lack of a democratic legislative framework with appropriate financial resources and the persistence of supervision by governors and the state. Human resources at local and regional level were also inadequate, and there were not enough exchanges of experience and good practice concerning the

management of public services and governance. Lastly, the measures to encourage the participation of citizens, in particular young people and women, were inadequate.

What role could the Congress of Local and Regional Authorities play in this context? It could encourage the establishment and development of decentralised co-operation and development programmes at local and regional level between European towns and cities and their counterparts in Tunisia and Morocco. Partnerships of this kind would be a means of strengthening local and regional government in the countries of the southern Mediterranean so as to ensure effective access by citizens to public services.

The Congress should establish co-operation with the ministries responsible for local and regional authorities or other government bodies in order to promote democratic principles and local self-government and to foster the transfer of skills and financial resources to local and regional authorities. Co-operation should also be established with associations of local and regional authorities in order to assess municipalities' needs and define a special status for the authorities within the Congress.

The Congress should co-ordinate its action with other bodies such as the Forum of Euro-Arab Cities, the Euro-Mediterranean Regional and Local Assembly and the Assembly of European Regions in order to avoid the duplication of effort, in keeping with its principle of efficient aid.

In addition, the Congress could offer local and regional authorities effective tools such as the Charter of Local Self-Government, the Reference Framework for Regional Democracy and the Code of Conduct for the Political Integrity of Local and Regional Elected Representatives. The relevant practices could be shared at seminars and round tables. The Congress could also provide know-how on the observation of local elections. Lastly, it could make a contribution in promoting education for democratic citizenship and human rights education.

In conclusion, many opportunities existed in Tunisia and Morocco for helping to build the municipalities and regions of the future. The Congress must seize those opportunities.

OPINION OF THE GOVERNANCE COMMITTEE ON THE REPORT ON THE CHANGES UNDERWAY IN THE ARAB COUNTRIES – OPPORTUNITIES FOR LOCAL AND REGIONAL DEMOCRACY

[CG(23)7](OPINION)

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG), rapporteur, said that the Governance Committee had discussed the Current Affairs Committee's report on 31 May. The members of the Governance Committee had felt that the report was excellent, but they had wished to update it and expand it with their committee's point of view.

In particular, they proposed mentioning the need to combat corruption and also underlining the role which women should play in local and regional democracy. The countries covered by the report were undergoing far-reaching reforms of their entire democratic architecture. It was necessary to make sure that an appropriate legal framework was chosen: the new arrangements should meet international standards and be sustainable. The Congress should step up its efforts to share its know-how with the Tunisian and Moroccan authorities. Moreover, the Congress should continue to monitor the moves towards democracy underway in other countries such as Algeria, Egypt and Libya.

Nine amendments to the draft resolution and one amendment to the draft recommendation were proposed. They would be presented after the debate.

POLICY OF THE COUNCIL OF EUROPE TOWARDS NEIGHBOURING COUNTRIES: THE ROLE OF THE CONGRESS

[CG(23)8](RES)

Jean-Claude FRÉCON (France, L, SOC), President of the Chamber of Local Authorities, rapporteur, said that the events which had taken place in the southern Mediterranean, Central Asia and the Middle East had been triggered by a strong popular desire for democracy and change and had led to a process of opening up and democratisation, which was still ongoing. He paid tribute to

the men and women who had been involved in the protest movements in the countries concerned. He also welcomed the move by the Secretary General of the Council of Europe, Mr Jagland, to step up relations between the Council of Europe and certain countries in those regions. In 2011, the Council of Europe had adopted a new policy towards these neighbouring regions, which had since led to the negotiation of several co-operation agreements and priorities.

The Congress' action tied in with this policy. Moreover, the Congress had been fully involved from a very early stage in the preparation and implementation of co-operation priorities. This had enabled it to express its desire to take part in the process of democratisation in the relevant countries. The Bureau was monitoring these changes closely, as was demonstrated by the reports presented to the Congress. Congress members firmly believed that the political changes currently sweeping through the countries of the southern Mediterranean opened up historic opportunities for democratic development and that the devolution of powers to the authorities closest to citizens, in other words towns, cities and regions, could be the key to success. With their great range of experience as local and regional elected representatives from the 47 member states, Congress members could add real value in this area.

The Congress had therefore begun by stepping up exchanges with Morocco and Tunisia. Various activities involving local and regional democracy had been established. The Congress' approach to the two countries was two-pronged. On the one hand, institutional activities were being carried out so that the reforms undertaken complied with the democratic standards of good governance and European local and regional democracy standards. In this case, the key partners were governments and national assemblies. On the other hand, grassroots activities were being conducted with the current local elected representatives and there would be awareness-raising among all grassroots players so as to bring about a new political class which would have the task of implementing a new approach to political governance.

In the case of Morocco, the co-operation started in 2010 regarding the regionalisation project had continued, in particular through exchanges of views with the two chambers of the Moroccan parliament. The organic law under preparation was a major challenge because it would have to introduce a new system of regionalisation.

In the case of Tunisia, the Congress was involved in fruitful exchanges with the National Constituent Assembly. In co-operation with the European Commission for Democracy through Law (Venice Commission), the Congress had taken part in several hearings on the draft new constitution and certain sections more specifically related to local and regional authorities and decentralisation. When presenting the Congress' priorities, Lars O Molin had explained the benefits of supporting the reforms in Tunisia. Co-operation with the Venice Commission regarding this institutional work in Morocco and Tunisia had been extremely fruitful. In this connection, he greeted the commission's secretary, Mr Markert.

The Congress also welcomed the Parliamentary Assembly of the Council of Europe's decision to establish a specific status for the national parliaments in the countries concerned, known as "Partner for democracy". The Congress believed that such a status would be most useful in strengthening dialogue with neighbouring countries. Along the lines of what the Parliamentary Assembly had done, he therefore proposed that a special status be introduced for local and regional authorities in neighbouring countries with a view to establishing regular institutional relations that would pave the way for effective co-operation. In the resolution now presented, it was proposed that Congress members adopt a "Partner for local democracy status", which could be granted to local and regional elected representatives from neighbouring countries. The introduction of such a status would be a major political development in the Congress' relations with neighbouring regions. He hoped that political developments in the countries would enable local and regional elections to be held, thereby providing the basis for the introduction of the new status, for instance from 2014.

The PRESIDENT (Austria, R, EPP/CD) said he was pleased to welcome Ms Daoudi, Vice-Chair of Rabat Municipal Council in Morocco. The Congress' co-operation with Rabat municipal council and the Moroccan Association of Local Authorities dated back at least to 1999. Exchanges of views had been held recently with Moroccan officials concerning regionalisation plans and draft legislation on changes in regional government in Morocco. Both were major challenges for the country. The Congress welcomed the participation of many Moroccan towns and cities in European

Local Democracy Week. The Moroccan delegations would always be warmly welcomed and the relevant ties were set to be strengthened with the new partner for local democracy status.

Rouqia DAOUDI, Vice-Chair of Rabat Municipal Council responsible for decentralised co-operation, thanked the Congress of Local and Regional Authorities for involving the Arab-Mediterranean region, in particular Morocco, in the work of the 23rd session. As a local elected representative, she welcomed the opportunity to debate the future of local and regional democracy in Morocco, in the light of the major political changes currently taking place in the country. She congratulated the rapporteurs, Ms Amy Koopmanschap, Ms Jon Hermans-Vloedveld and Mr Jean-Claude Frécon, on their clear presentations of the democratic developments in her country.

The democratic process in Morocco had begun well before the start of the Arab Spring. From 2004, several reforms had been undertaken concerning the Family Code, the Equity and Reconciliation Commission, the national local development initiative and the regionalisation project. Under the impetus of his Majesty King Mohammed VI, Morocco was resolutely committed to following the path of democracy and the rule of law. In this connection, the new Moroccan constitution, which had been overwhelmingly approved in a referendum in July 2011, was a decisive historic step in completing the establishment of democratic institutions. For instance, it enshrined fundamental rights such as full gender equality and the independence of the judiciary, while laying down obligations in terms of good governance and accountability. The 2011 parliamentary elections, which had been free and fair, had enabled Moroccan citizens to express their democratic will and elect their representatives responsibly. It was against this background, that the Parliamentary Assembly of the Council of Europe had granted Morocco partner for democracy status in June 2011 in recognition of the fundamental advances made in this area.

She was sure, however, that local and regional participation was vital for the establishment of effective democracy. The regional, town and communal tiers were vital for ensuring grassroots democracy, legitimising the fundamental changes affecting society, understanding citizens' demands and responding pragmatically to their aspirations. Local democracy, grassroots democracy and participatory democracy were not empty slogans. These challenges were in keeping with the expectations of the Moroccan people. To put the new approaches into practice, Morocco had introduced an appropriate legal framework through its new constitution and the scope of the advanced regionalisation project. The new text established participation, pluralism and good governance at regional, provincial and municipal level as a constitutional principle. Decentralisation was a key aspect here. Advanced regionalisation was the essential corollary to Moroccan democracy and ensured the existence of local freedoms, social justice and equality before the law.

A number of major advances gave a particular idea of the spirit of advanced regionalisation. On an institutional level, the election of regional councils by universal suffrage would increase citizen participation in regional affairs and establish a closer relationship between the public and politicians, who would now be accountable for their actions and subject to the verdict of the ballot box. At the same time, the power to execute the decisions of local and regional authorities was being transferred to council chairs, thereby introducing responsible executives in those authorities.

The principle of subsidiarity was mentioned specifically in Article 140 of the constitution, which provided that, on the basis of the principle of subsidiarity, local authorities had their own powers and powers to be exercised jointly with the state. This principle called for sensible co-operation to replace the outdated central government supervision of local and regional authorities, the aim being the effectiveness of public policy for the benefit of citizens rather than people governed over. The principle was applied very broadly, in particular concerning public infrastructure and facilities and grassroots services.

The constitution also introduced the principles of self-government, co-operation and solidarity in regional and local government so as to consolidate autonomy in local governance, while ensuring equal treatment between regions and co-operation between central government and local authorities and regions.

Lastly, ensuring high standards of ethics in local life was a central concern for Moroccans, and was vital to the emergence of a healthy and sustainable democracy. Morocco had been making major efforts to ensure fairness and justice and eradicate all forms of corruption. The constitution

strengthened integrity and transparency in public affairs through constitutional institutions such as the national human rights authority, the national authority for good governance and action against corruption, the new constitutional court and the ombudsperson.

In conclusion, the advanced regionalisation project and recent policy decisions fostered regional construction and local democracy. The institutionalisation of the relations between the state, local and regional authorities and citizens would lead to the old forms of administrative supervision being replaced by a society based on the law and accountability. Strengthening local governance would revive the authorities concerned and enable them to determine their futures. The new local and regional focus of public policies took account of the principle of subsidiarity and specific regional economic characteristics so as to achieve the goals of sustainable development.

She assured Congress members, who were ardent defenders of democracy and fundamental rights, that she fully shared their beliefs and supported their projects, the main beneficiaries of which were grassroots democracy and individual freedoms. Morocco was and would remain an unflinching partner of the Council of Europe and the Congress of Local and Regional Authorities. She welcomed the Congress' approach and the tools put in place, in particular the Reference Framework and the Charter of Local Self-Government, which were useful instruments for developing local democracy. Moreover, the efforts made by the EU to promote rights and freedoms had been rewarded with the Nobel Prize. The award underscored politicians' responsibilities and duties in terms of defending democracy.

The PRESIDENT (Austria, R, EPP/CD) thanked Ms Daoudi and gave the floor to Thomas Markert, Secretary of the European Commission for Democracy through Law (Venice Commission). The Venice Commission and the Congress had often joined forces, in particular in the case of institutional co-operation with Morocco and Tunisia. The two institutions had jointly organised a series of hearings on the regionalisation process in Morocco and on the inclusion of issues relating to decentralisation and the principle of subsidiarity in the draft Tunisian constitution. The President of the Venice Commission had on several occasions paid tribute to this outstanding co-operation, which made for unrivalled synergy.

He also wished to thank the Chair of the Congress Monitoring Committee, Lars O Molin, who was a driving force in the co-operation with the Venice Commission. The Congress intended stepping up the co-operation, especially with regard to constitutional issues relating to local and regional affairs. It would seek the opinion of the Venice Commission more regularly, as the Parliamentary Assembly already did.

Thomas MARKERT, Secretary of the European Commission for Democracy through Law (Venice Commission), thanked the President for inviting him to the Congress session. The invitation reflected the excellent relations between the Venice Commission and the Congress. Very fruitful working relations had developed, in particular regarding the southern shore of the Mediterranean.

The Venice Commission and the Congress had been very quick in seizing the opportunity created by the Arab Spring. Practical action had been taken in co-operation with the neighbouring regions. On the initiative of its Secretary General, Mr Jagland, the Council of Europe now had a real neighbourhood policy, but the Venice Commission and the Congress had been pioneers in this area, thanks to a flexible and pragmatic approach and their willingness to respond to all outside requests. In July, for instance the Venice Commission had taken part in a conference on decentralisation held in Morocco by the Congress and, only the previous week, the Congress had taken part in a discussion held in Venice with Tunisian representatives about their country's new constitution.

The co-operation had to be in response to requests from the neighbouring countries: the Venice Commission did not impose anything. Often, little was known about the Council of Europe outside Europe itself. It was therefore necessary, first of all, to raise neighbouring regions' awareness of what it could offer them. Especially in the area of local and regional government, even though European practices were far from always being perfect, Europe could not let slip by the opportunity the Arab Spring offered for establishing new relations with the southern shore of the Mediterranean. As far as local and regional democracy was concerned, Europe had vast and unique experience, which could serve as a model for states seeking to introduce decentralisation policies.

Although Europe's neighbouring countries were highly centralised, the situation could improve. Developments had followed different paths in these countries. There had been no revolution in Morocco, but a series of successive reforms inspired from above had been undertaken since 2004 with a view to decentralising the country. Decentralisation was now included in the new constitution which had been adopted in 2011. Many laws would be needed, however, to make it effective. The road ahead was therefore difficult, especially during a period of budgetary restrictions.

Tunisia was in a different position. A revolution had occurred and the new leaders were displaying real political will to put an end to the highly centralised system which had existed under the former regime. During that period, there had not actually been any democratically elected representatives in local and regional authorities. Governors had been appointed by central government. The Constituent Assembly had turned towards the Council of Europe. The Venice Commission and the Congress had considered the proposals concerning decentralisation and local and regional authorities. Although the process had not yet been completed, there were grounds for hoping that the future constitution would move in the right direction and incorporate the principles enshrined in the Congress' charters and reference frameworks. It would then be necessary to pass the appropriate legislation and put decentralisation into practice on the ground.

The Venice Commission had recently established contact with other countries in the region, in particular Libya. That very interesting country was traditionally made up of three regions, the east, the west and the south, and it was possible that a form of federalism might emerge there, a development which was not on the agenda in either Morocco or Tunisia.

The Congress and the Venice Commission had therefore both risen to the challenge of the Arab Spring. It was vital to carry out joint action, possibly in synergy with other Council of Europe bodies. The various measures were all part of the Council of Europe's new neighbourhood policy. Local and regional democracy was clearly one of the areas where the Council of Europe's contribution could be particularly valuable for its neighbours in the south.

The PRESIDENT (Austria, R, EPP/CD) thanked Mr Markert for his work and that of the Venice Commission and then opened the debate again.

Devrim ÇUKUR (Turkey, R, SOC) said that there were authoritarian regimes in all parts of the world and countries where the rule of law, democracy and human rights did not really exist. In many countries, leaders who had presented themselves as liberals subsequently became authoritarian. He hoped that respect for democratic values would be able to take hold everywhere. Even though there were differences between European countries and sometimes even between the regions within individual countries, Europe had managed to establish these values within its boundaries and also export them. Technological and scientific developments meant that all peoples were now demanding more democracy and freedom.

The Council of Europe embodied all these values and was willing to help the various societies which so wished. However, it had to take account of their differing sensitivities and of their traditional values. A dialogue between equals had to be established. Did the Congress want Europe to remain indifferent to the changes sweeping through neighbouring countries or did it want it to take active measures to support them? Unfortunately, the steps taken by the Council of Europe, which depended on the goodwill of the participants, only had a limited impact. It needed to take action on a larger scale and with greater determination. Economic values were currently gaining the upper hand in all areas, but it was sometimes necessary to forget them and take account of people's suffering. It was essential to prevent any fire which broke out in neighbouring regions from spreading to Europe as well.

He congratulated everyone who had been behind the new Council of Europe policy and invited all those present to move forward with it.

Marie-Madeleine MIALOT MULLER (France, R, SOC) said that she had had the honour of representing the Congress at the meeting held in Tunis in July 2012 with the Tunisian Constituent Assembly, which had also been attended by the Venice Commission. At the meeting, she had been impressed by the high standard of the discussions which had taken place, during a period of over seven hours, with the representatives of the Constituent Assembly. She underlined the importance of

the role of the Venice Commission, whose various constitutional experts and other contributions had given a very clear picture of the relationships which could be established between different authorities (president, parliament, etc), as well as the issue of checks and balances and the status of the opposition. The European approach advocated by the Congress enabled democracy to be practised in all its forms, while taking account of the difficulties, changes and threats which always affected the democratic functioning of states.

Three points were vital. The first was the role of women, which some extremists wished to reduce to nothing. Many women, including those in the Constituent Assembly, were making a very major contribution to the success of the democratic changes. The role of young people was also a vital aspect. The second point was related to the need to take account of population groups which were not minorities, in particular Berbers, who were present in large numbers in Morocco and Tunisia, with their own characteristics, in particular plurality of religions. These groups had been the first inhabitants of those countries and were sometimes forgotten in the democratic exercises in question. Thirdly, training for elected representatives was vital in the current context.

The Congress should respond to all the requests made to it, not in order to impose a model but in order to present different experiences of democratic practices. For some Congress members, local democracy was a long-standing institution, while for some others, it was more recent. Elected representatives from the Arab countries were keen to be involved in these exchanges of experience, but people were getting impatient and their frustration, compounded by economic difficulties, was hard to manage. It was therefore desirable for local democracy to be established as quickly as possible in Moroccan and Tunisian local authorities.

She fully supported the resolutions and recommendations drawn up and the amendments presented by the Governance Committee. She also supported the proposal that a special "Partner for local democracy" status be introduced for local and regional authorities in Morocco and Tunisia.

Viacheslav ROGOV (Russian Federation, L, ILDG) said that the events initially called the Arab Spring had continued and had spread to much of the Arab world. New players had emerged on the political arena. Democratisation of political institutions was taking place. The Russian Federation, which had close relations with the Arab world, had welcomed the developments. It was absolutely vital to enable all citizens to take part in the movement, regardless of their religious or ethnic backgrounds. The Russian Federation was in favour of a peaceful approach and hoped that the international legal standards would be respected. It was necessary to encourage national dialogue and prohibit the use of arms.

Questions needed to be asked about what Europe expected from the developments: did it want to see socially responsible states emerging or countries dominated by sharia law? There were sharp contrasts throughout the Arab world. It was necessary to work with the new players on the international arena, while avoiding any extremism. The governments and peoples were in a difficult transitional situation and needed help. The matter was important to peace in the region. For instance, the developments could have potentially dramatic consequences, in particularly with regard to drug trafficking. It was vital to avoid conflicts of a chronic nature. A peaceful solution had to be found to the problems in the region, for instance the Israeli-Palestinian conflict, the resolution of which would enable all conflicts in the region to be resolved.

Philippe RECEVEUR (Switzerland, R, EPP/CD) said that he had had the honour of addressing the World Forum for Democracy in Strasbourg and pointing out that the Council of Europe and its Congress were, in a sense, a model for democratic co-operation that transcended national boundaries. The exchanges which took place between local authorities helped bring about greater territorial cohesion in Europe, but the Congress' action also went beyond Europe's borders.

In the summer he had been part of a delegation, comprising himself, another Congress member, Luciano Caveri, the Congress Director and a representative of the Venice Commission, which had visited Morocco to hold talks with the highest national law-making authorities concerning the organic law on decentralisation. Ms Daoudi had said that law was the fundamental corollary to Moroccan democracy, as it would put an end to the outdated central government supervision of local and regional authorities. In this connection, he asked Ms Daoudi what part she believed the Moroccan capital could play as a driving force in the move towards greater local and regional democracy, both

from the angle of relations with the country's national authorities and of relations with the Congress of Local and Regional Authorities of the Council of Europe.

John WARMISHAM (United Kingdom, L, SOC) referred to the conference held recently in Strasbourg during the World Forum for Democracy regarding the challenges to democracy being faced by the countries of the southern Mediterranean. Morocco and Tunisia had taken part in the debate on the neighbourhood policy. It was necessary to look at citizen participation in democracy in cities such as Fes and Kairouan.

As Congress co-ordinator for European Local Democracy Week (ELDW), a pan-European event established in 2007 in order to promote democracy throughout Europe, he asked participants to visit the ELDW exhibition stand. During the week from 15 to 21 October, local authorities all over Europe were organising events in which citizens were the main contributors. These events brought citizens closer to their elected representatives and helped them find out how decision-making bodies operated. As part of ELDW, the city of Rabat was holding a conference on human rights and implementation of human rights at local level. He therefore wished to ask Ms Daoudi what European Local Democracy Week could offer the countries on the southern shore of the Mediterranean.

Larissa Khabitsova (Russian Federation, R, EPP/CD) said that the events which had occurred in the Middle East, North Africa and Central Asia were tragic for the peoples of the countries concerned. Congress members could not remain indifferent to the suffering of people who were in no way responsible for the events concerned. The Council of Europe's neighbourhood policy was based on new factors which took account of all these developments. The Congress had to help implement the policy within its area of responsibility. Alongside the introduction of the "Partner for local democracy" status, it had to define the criteria for co-operation at local and regional level. The Congress' partners had to be willing to receive its assistance: only then would the support provided by the Congress be truly beneficial and not regarded as outside interference. At the same time, it was vital to respect the specific features of the individual countries, especially in religious terms, and avoid anything that could harm their interests. The report presented by Mr Frécon was a good basis for a neighbourhood policy. Equality between the various partners should be seen as a fundamental principle. All the measures proposed should be aimed at encouraging peace and stability in the regions concerned.

Enes Ozkarsli (Turkey, R, EPP/CD) thanked the members of the Bureau and, in particular, the rapporteur, Mr Frécon, for his efforts. The Council of Europe was seeking to ensure the cohesion of neighbouring regions and had granted partnership status to some states. The Congress now needed to act to improve this cohesion and strengthen the ongoing process of democratic reforms.

As someone who lived in south-eastern Turkey, a few miles from the Syrian border, he wished to mention the situation in Syria. One of the largest cities in Syria was twinned with his own town of Gaziantep. Before the conflict in Syria, his town had been a flourishing business centre, which had been a perfect example of cross-border co-operation. Over the last three years, however, the situation had changed. Investments had slowed down. Cross-border projects had been cancelled. Relations between the two countries had reached rock bottom. A town which used to welcome large numbers of tourists was now taking in asylum seekers. The border was still more or less open in order to comply with the principle of non-refoulement of refugees. Since March 2011, over 141 000 Syrians had entered Turkey and only 42 000 had left. There were real problems in terms of education and medical and welfare services. Turkish taxpayers had spent a fortune on protecting Syrians. Gaziantep had opened schools and was trying to cater for more Syrians. However, Turkish efforts had reached their limit. Turkey could no longer act on its own and needed assistance from the international community, which, for the time being, was not responding to its appeals. Yet Turkey had also become a Syrian target. In October, for instance, towns close to the border had been hit by artillery fire and five civilians had been killed. A mother and her three children had been among the victims. He gave an assurance that Turkey wished to continue protecting Syrians and called on all Congress members for help.

The PRESIDENT (Austria, R, EPP/CD) said that, although this was a very important issue, Mr Ozkarsli should not forget the need to keep to the allotted speaking time.

Jos WIENEN (Netherlands, L, EPP/CD) believed that the Venice Commission's contribution to the drafting of new constitutions in countries such as Morocco and Tunisia was extremely important. It provided an opportunity to influence democratic developments and help the countries concerned to adopt robust constitutions. The Congress was an active stakeholder in this process and the co-operation between the Venice Commission and the Congress should be expanded still further, especially so that the new constitutions really took account of the role of local and regional authorities.

Lars O MOLIN (Sweden, L, EPP/CD) said that he had taken part in the discussions held with the Tunisian Constituent Assembly. The meeting had been very fruitful and the discussions were continuing. It was important to maintain high-quality dialogue in which there was real give and take. The economic situation in Tunisia was very difficult. There were great disparities between coastal regions and the interior. The Congress had been asked what powers could be devolved to regional authorities. He had therefore drawn up a report which had been submitted to the Bureau of the Congress, which had approved the proposal. That was a good example of the support which the Congress could provide at the request of another country.

Rouqia DAOUDI, Vice-Chair of Rabat Municipal Council responsible for decentralised co-operation, replied to the two questions put to her. The first had concerned the role of the city of Rabat and its relations with other regions and with the Council of Europe Congress. On 12 October, at the opening of its second year, parliament had made advanced regionalisation a priority, along with the independence of justice. The organic laws concerning regionalisation would have priority. When regionalisation was implemented, the regions would be independent of one another. They would not depend on the government for funding and would be free to decide how to manage their territory. That could only facilitate their relations with the Congress. Morocco would continue to be part of the programme of the EU and the Council of Europe.

The second question had concerned European Local Democracy Week. Rabat municipal council had taken part in the event and on 10 October had held a colloquy on human rights for more inclusive local authorities in co-operation with the Rabat-Kénitra regional human rights commission. Addresses had been given by various professors specialising in the field and this had been followed by a very fruitful debate involving NGOs, academics and individuals from civil society. The participants had put forward their difficulties and aspirations very openly. The debate was due to be repeated again very shortly. Rabat was therefore involved very practically in European Local Democracy Week.

Thomas MARKERT, Secretary of the European Commission for Democracy through Law (Venice Commission), said that he fully endorsed all the previous statements, in particular that by Mr Wiener, who had underlined the importance of the work done jointly by the Venice Commission and the Congress, especially in terms of drafting new constitutions in the countries in question. In the case of countries like Tunisia, where revolutions had occurred, it had to be recognised that the current leaders were under great pressure and that it was important for them to adopt legitimate new constitutions as quickly as possible. They could not afford to lose time in endless discussions; they had to act very quickly. That meant that some issues would perhaps not be addressed. Moreover, the issue of local self-government was sometimes neglected in some countries in Europe, too. The Venice Commission was therefore committed to a long-term process: it was not just a matter of ad hoc assistance with the drafting of a specific document.

The PRESIDENT (Austria, R, EPP/CD) thanked all the speakers for the interesting debate. The Congress would no doubt be called upon to discuss this major issue again in the coming years.

He also thanked Turkey for the humanitarian assistance which it was providing for thousands of refugees and hoped that European institutions would show solidarity with the country.

He then asked the rapporteurs to comment on the various contributions to the debate.

Amy KOOPMANSCHAP (Netherlands, L, SOC) thanked all the speakers who had taken part in the debate. Mr Frécon had referred to the partnership for local democracy for the countries of the southern shore of the Mediterranean. Substantial assistance could indeed be provided for those countries in that context. Mr Markert had said that Libya had also established contact with the Council of Europe and was hoping that consideration could be given to possibilities for co-operation. Mr Çukur

had asked whether Europe was remaining indifferent to what was happening in the countries. The reply was no: the various measures taken proved that Europe had decided to take action to help the countries of the southern shore of the Mediterranean. Ms Mialot Muller had referred to the importance of the role of local and regional authorities in the countries of North Africa and stressed the need to introduce best practices in those states. The report made it clear that the countries on the southern shore of the Mediterranean had decided to become involved in partnerships, some of which were already operating very satisfactorily. Mr Ozkarsli had mentioned the problem of the Syrian refugees taken in by Turkey. Clearly, it was necessary to recognise the leading part played by Turkey in this area, while hoping that the situation would not continue.

The role of the Venice Commission was very important. The Congress and the Venice Commission should continue to work together.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) said she was very pleased with the contributions by the various speakers to the debate.

Jean-Claude FRÉCON (France, L, SOC) said that many speakers had given examples of the situation in the Council of Europe's neighbouring regions. Several of them seemed to support the proposal that a "Partner for local democracy" status be established. The Moroccan representative, Ms Daoudi, had seemed particularly interested in it. Such a status could only be introduced on a gradual basis, as some structures would have to be established beforehand. The debate had also highlighted the need for strong co-operation between the Congress and the Venice Commission. The existing co-operation would have to be stepped up still further. The Congress Monitoring Committee chaired by Lars O Molin had already done a lot here, and he paid tribute to its work. It was more necessary than ever before to establish partnerships, both externally, with local authorities in other countries, and internally, with other Council of Europe bodies.

The PRESIDENT (Austria, R, EPP/CD) said that the very lively debate which had taken place had demonstrated the importance of the issue on the agenda. The Arab countries were the Council of Europe's neighbours and shared the Mediterranean Sea with it, which meant they were practically bordering countries and it was important to establish co-operation activities.

He thanked the Venice Commission and the Congress for the innovative co-operation with Morocco. He congratulated the Moroccan representatives on the outstanding co-operation established with the Parliamentary Assembly of the Council of Europe and the Congress of Local and Regional Authorities. He thanked Ms Daoudi for her participation, which underlined the quality of the co-operation.

He then proposed that the Congress vote on the various amendments tabled. Electronic voting would be used. Nine amendments had been tabled to the draft resolution presented by Ms Koopmanschap, and one amendment to the draft recommendation.

Proposed amendments to the draft resolution

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG), rapporteur of opinion CG(23)7, presented the amendments proposed by the Governance Committee.

The purpose of Amendment No. 1 was to draw attention to women's role in politics. The proposal was, in paragraph 6.b, to replace "participation by citizens (including women and young people, in particular)" with "participation and empowerment of women in access to elected office and participation by citizens, notably women and young people".

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Amy KOOPMANSCHAP (Netherlands, L, SOC) was in favour of the amendment.

Emin YERITSYAN (Armenia, L, EPP/CD) said that the Current Affairs Committee had not discussed the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 1 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) said that Amendment No. 2 concerned paragraph 6.c and was to replace “local and regional elections in Morocco” with “local, provincial and regional elections in Morocco”.

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 2 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) explained that it was important for the Congress to provide these emerging democracies with its know-how, in particular regarding the preparation and holding of local elections. The purpose of Amendment No. 3 was therefore to insert after paragraph 6.c a new sub-paragraph worded as follows: “d. offer, in co-operation with the Venice Commission, its know-how and experience in the preparation and organisation of elections, to enable the forthcoming local and regional elections in both countries to take place in the best possible conditions.”

Michael COHEN (Malta, L, SOC) said that Amendment No. 2 had mentioned “local, provincial and regional elections”, which could cause a problem of consistency with Amendment No. 3.

The PRESIDENT (Austria, R, EPP/CD) said that, under the Rules of Procedure, it was not possible to go back on Amendment No. 2.

Amy KOOPMANSCHAP (Netherlands, L, SOC) said that she understood Mr Cohen's comment. The adjective “provincial” gave the sentence greater impact.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 3 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) said that Amendment No. 4 concerned paragraph 6.f. The proposal was to replace “by offering them a special status with the Congress” with “by offering a special status with the Congress to a delegation of elected local and regional representatives from each country.”

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 4 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) said that the Governance Committee had wished to underline the importance of diplomatic activities between cities. The purpose of Amendment No. 5 was therefore to replace, in paragraph 6.h, “capacity development programmes” with “capacity development programmes and City Diplomacy activities”.

The PRESIDENT (Austria, R, EPP/CD) asked the opinion of the Current Affairs Committee's rapporteur, who was in favour of the amendment. There were no objections.

The President put the amendment to the vote.

Amendment No. 5 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) proposed that two other organisations which worked in the same field as those mentioned be added to the text of the resolution. The first was the COPPEM, with which there was a tradition of co-operation. She believed that that co-operation could be expanded and paid tribute to Mr Fabio Pellegrini, who had been President of the COPPEM and had helped her here. The second organisation was the Arab Towns Organisation. The

purpose of Amendment No. 6 was therefore to insert, in paragraph 6.j, after “Euro-Arab Cities Forum”, “COPPEM, the Arab Towns Organisation (ATO)”.

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Amy KOOPMANSCHAP (Netherlands, L, SOC) said that the two organisations were important and was in favour of the amendment.

Rouqia DAOUDI, Vice-Chair of Rabat Municipal Council responsible for decentralised co-operation, said that Rabat would in 2013 be hosting the congress of United Cities and Local Governments (UCLG), one of the organisations mentioned in the draft resolution.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 6 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) said that the Governance Committee had wished to mention transfrontier co-operation as one of the areas in which the Congress could provide know-how. This area of activity did not seem to be sufficiently developed. The purpose of Amendment No. 7 was therefore to insert, at the end of paragraph 6, a new sub-paragraph worded as follows: “k. share its experience of transfrontier co-operation with the local and regional authorities of border areas in Tunisia and Morocco, in order to assist these authorities in realising the benefits of such co-operation;”.

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Amy KOOPMANSCHAP (Netherlands, L, SOC) emphasised the importance of transfrontier co-operation and was in favour of the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 7 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) wished the resolution to include a reference to the assistance provided by the Congress to Morocco with the preparation of the draft law on advanced regionalisation. The purpose of Amendment No. 8 was to insert, at the end of paragraph 6, a new sub-paragraph worded as follows: “l. offer the experience and know-how of the Congress for the finalisation by the Moroccan Parliament of the draft law on advanced regionalisation, before its adoption;”.

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Amy KOOPMANSCHAP (Netherlands, L, SOC) was in favour of the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 8 was adopted.

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG) explained that it was necessary to mention the know-how which the Congress could offer the Tunisian Constituent Assembly. Its work, which had been due to be completed at the end of October, had been slightly delayed and was now due to be completed in 2013. The purpose of Amendment No. 9 was to insert, at the end of paragraph 6, a new sub-paragraph worded as follows: “m. offer the experience and know-how of the Congress to the Tunisian National Constituent Assembly’s Committee Responsible for Local Government to ensure that local democracy is properly defined in the new constitution.”

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 9 was adopted.

The PRESIDENT (Austria, R, EPP/CD) asked members to vote on the draft resolution, as amended, set out in document CG(23)6.

The draft resolution as amended was adopted.

Proposed amendments to the draft recommendation

Jon HERMANS-VLOEDBELD (Netherlands, L, ILDG), rapporteur of opinion CG(23)7, presented the amendment proposed by the Governance Committee to the draft recommendation set out in document CG(23)6. The Governance Committee believed that it was necessary to refer in greater detail to the obstacles to the proper functioning of local and regional democracy. The purpose of Amendment No. 1 was therefore to insert, at the end of paragraph 5, a new sub-paragraph worded as follows: "ensure, in the framework of its 2012-2014 co-operation programmes with Morocco and Tunisia, that activities concerning combating corruption and money laundering pay particular attention to these problems at local and regional levels".

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Amy KOOPMANSCHAP (Netherlands, L, SOC) was in favour of the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 1 was adopted.

The PRESIDENT (Austria, R, EPP/CD) asked Congress members to vote on the draft recommendation set out in document CG(23)6, as amended. A two-thirds majority was required to approve the text.

The draft recommendation as amended was adopted.

The PRESIDENT (Austria, R, EPP/CD) asked members to vote on the draft resolution set out in document CG(23)8, to which no amendment had been tabled.

The draft resolution was adopted.

13. DATE, TIME AND AGENDA OF THE NEXT SITTING

The PRESIDENT (Austria, R, EPP/CD) proposed that the Congress hold its next plenary sitting at 3 pm the following day, Wednesday 17 October, with an agenda in keeping with the order of business adopted by the Congress at the opening of the first sitting.

Agreed.

The PRESIDENT (Austria, R, EPP/CD) said that the two Chambers would meet at 9 am.

The sitting rose at 4.30 pm.

SITTING OF THE CHAMBER OF LOCAL AUTHORITIES

Wednesday 17 October 2012 at 9 am

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1. OPENING OF THE TWENTY-THIRD SESSION OF THE CHAMBER

The sitting opened at 9.15 a.m., with Amrit Mediratta, the oldest member present, in the chair.

Amrit MEDIRATTA (United Kingdom, ECR) declared the 23rd Session of the Chamber of Local Authorities of the Congress open, in accordance with Rule 17.1 of the Rules of Procedure of the Congress.

2. ELECTION OF THE PRESIDENT OF THE CHAMBER

Amrit MEDIRATTA (United Kingdom, ECR) stated that at this session in which delegations were to be renewed, the President and Vice-Presidents of the Chamber had to be elected. There were several other important items on the agenda including the participation of foreigners in local political life, local democracy in "the former Yugoslav Republic of Macedonia" and local elections in Serbia.

The first item on the agenda, however, was the election of the President of the Chamber of Local Authorities. The President was elected for a term of two years. The Executive Secretary of the Chamber had received only one candidature, namely that of Mr Jean-Claude Frécon (France, SOC), and this candidature met the criteria of Rule 14.2 of the Rules of the Procedure of the Congress, according to which a candidate must be nominated by at least ten delegates sitting in the Chamber, representing at least four national delegations. If there were no objections, Amrit Mediratta proposed to declare Jean-Claude Frécon President of the Chamber of Local Authorities.

On a motion from Mr Mediratta, the Chamber declared Mr Frécon President, in accordance with Rule 15.3 of the Rules of Procedure.

Amrit Mediratta congratulated Mr Frécon, who then addressed the members of the Chamber.

Jean-Claude FRÉCON (France, SOC) said that it was a great honour to have been elected President of the Chamber of Local Authorities for a second term. Several members of the Chamber, from various political parties, had expressed their support for him. Mr Frécon thanked them sincerely for the trust they had shown in him. He would continue to work as he had for the last two years. The role of the President was of course to lead debates, making sure that everyone could express their views within the limits set by the rules of procedure. The Council of Europe was at the heart of European democracy, meaning that everyone had to respect everyone else's viewpoint, even if they were politically opposed to it. The President's tasks also included team leadership, in the context of committees and working groups. All the Chamber members were invited to pass on the message in their own countries that democracy meant listening to others and that did not mean using weapons or force. All such methods should be banished from Europe.

Jean-Claude Frécon pointed out that, two years before, when he had presented his programme, he had announced his main goal, and this had related to the fundamental text of the Congress, the European Charter of Local Self-Government, which was adopted in 1985, when the Congress was still called the Standing Conference of Local and Regional Authorities. This Charter had been presented for signature in all the countries of Europe and to date, of the 47 countries concerned, 45 had signed and ratified it. Two years ago, Jean-Claude Frécon had set the goal of "100% of the Charter across 100% of Europe".

Although this goal had not yet been achieved, progress had been made in the two countries which had not yet signed the Charter. It was possible that the Republic of San Marino would sign the Charter at the beginning of 2013 and negotiations were under way with the Principality of Monaco. Jean-Claude Frécon was, moreover, due to discuss the matter with the Monegasque delegation that very evening. The reasons why the two states had not yet signed were linked to their very small surface area. The Principality of Monaco contained only one municipality, namely Monaco. Its situation therefore differed from that of a country with a large number of municipalities. However, negotiations were moving in the right direction.

Another aim was the unrestricted application of the Charter. When signing the document, some states had entered reservations to one or more articles. However, these states were gradually lifting these reservations, and the progress in this respect was the result of the work of all the

Chamber's members. When the members went to these countries on monitoring assignments – and in this connection, Jean-Claude Frécon greeted the Chair of the Monitoring Committee, Lars O. Molin, in passing – they insisted that the government tell them whether these reservations were still warranted. In most cases, this prompted the reservations to be lifted. Jean-Claude Frécon said that he was convinced that the Charter would soon be fully applied throughout Europe. He hoped that in two years, in his final report on his term of office, he could announce at last that the principles in the European Charter of Local Self-Government could be referred to by every citizen in dealings with the governments of the Council of Europe member states. At that point, all of the Council of Europe member states would have joined the great family of European local democracy.

Notwithstanding this aim, which he would still be pursuing over the next two years, Jean-Claude Frécon noted that current prospects were particularly worrying. The local and regional authorities and their inhabitants were the first victims of the current economic and financial crisis. For example, the town of Pioz, near Madrid, had a huge debt: at the current rate of repayment, it would take it 7 058 years to pay it back! This was, of course, an extreme example but the problem of debt was affecting increasing numbers of Europe's local and regional authorities. The crisis therefore was undermining their ability to perform their functions and, above anything, to offer their citizens the services to which they were entitled. The crisis was also having an impact on the social fabric of local and regional authorities by exacerbating tensions between inhabitants, processes of rejection and xenophobia. It was also affecting the confidence of citizens in their elected representatives. In this connection, Jean-Claude Frécon referred to an anecdote which he considered to be very revealing: for fifteen years, the mayor of a small municipality in Alaska called Talkeetna had been a cat. This was an amusing story, but it was also important to think about what it meant. What it showed was a distrust of the elected representatives who had managed this municipality in the past. Steps should be taken to prevent the political class from falling into such disrepute in European local and regional authorities. The members were encouraged to do everything in their power to ensure that democracy remained alive and that citizens were involved in the life of their community.

Jean-Claude Frécon considered that in the current difficult context, the members of the Congress should mount a special joint effort, and he would make sure that he contributed to this over the next two years. Having presented his "roadmap", Jean-Claude Frécon said that he was now ready for the debate.

The members of the Chamber took great pleasure in meeting together in this assembly and tribute should be paid to the people who made these meetings possible, namely the staff of the Congress and, in particular, the members of the Chamber Secretariat, Jean-Philippe Bozouls and his colleagues, and all the people working in the various departments of the Congress under the leadership of its Secretary General, Andreas Kiefer. Thanks should also go to all the support staff, particularly Jean-Marcel Ibazizen, who had been chief usher since 1978 and was scheduled to retire at the end of the year.

Jean-Claude Frécon took the chair at 9.35 a.m.

3. ADOPTION OF THE DRAFT AGENDA AND THE DRAFT ORDER OF BUSINESS OF THE CHAMBER

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[CG(23)1]PROV

The PRESIDENT (France, SOC) announced that the Chamber was required to adopt its agenda and order of business. During the previous day's session, the Congress had adopted the overall agenda of the 23rd session. The Chair noted that the draft agenda of the Chamber of Local Authorities did not call for any comments. Details of the timetabling of debates could be found in the notice of proceedings.

The agenda of the twenty-third Session was adopted.

4. ELECTION OF THE SEVEN VICE-PRESIDENTS OF THE CHAMBER

The PRESIDENT (France, SOC) said that the first item on the agenda was the election of the seven Vice-Presidents of the Chamber. These were to be appointed for a two-year term of office from

among the representatives sitting in the Chamber, in accordance with Rule 14.3 of the Rules of Procedure. The President and the seven Vice-Presidents would form the Bureau of the Chamber of Local Authorities. The Executive Secretary of the Chamber had received seven candidatures in conformity with Rules 12 and 14.3 of the Rules of Procedure.

The seven candidates were, in alphabetical order: Marc Cools (Belgium, ILDG), Gaye Doğanoğlu (Turkey, EPP/CD), Anders Knappe (Sweden, EPP/CD), Amy Koopmanschap (Netherlands, SOC), Dubravka Suica (Croatia, EPP/CD), Emilio Verrengia (Italy, EPP/CD) and John Warmisham (United Kingdom, SOC).

A vote was necessary to determine the order of precedence of the Vice-Presidents according to the number of votes obtained. In accordance with Rule 15.6 of the Rules of Procedure, the vote would be held by secret ballot.

The PRESIDENT invited each candidate to introduce him or herself. There would be no debate following these introductions. Marc Cools was absent and Dubravka Suica had had to go back to her country.

Gaye DOĞANOĞLU (Turkey, EPP/CD) congratulated the President on his re-election and then introduced herself to the members of the Chamber. She was a councillor in the municipality of Antalya, a seaside resort on the southern coast of Turkey. She had been involved in politics for over twenty years and was the head of the Turkish delegation to the Congress. She had been the rapporteur on the Charter of Local Self-Government and the Chair of the Committee on Sustainable Development. She thanked her former colleagues on the Committee, with whom she had had an excellent working relationship. Over the last two years, she had been one of the Vice-Presidents of the Chamber of Local Authorities and had been on many election observation missions, in Azerbaijan, Bosnia and Herzegovina and Serbia.

Gaye Doğanoğlu was completely committed to her activities with the Congress and attempted to provide a link between northern and southern countries and EU members and others. She was also highly involved in European Local Democracy Week (ELDW). Several Turkish towns had been registered as partner cities for the ELDW. The town of Gaziantep had been awarded the European Diploma and it sincerely hoped that one day it would be awarded the Flag of Honour. Recently, a group of students from the University of Kehl, in Germany, just across the border from Strasbourg, had visited Antalya, Gaziantep and Istanbul. Gaye Doğanoğlu said that she had been involved in numerous activities in various fields such as youth, environment, violence against women, climate change and energy issues. Over sixteen years, this had given her the opportunity to get to know all of the Congress's areas of expertise.

Anders KNAPE (Sweden, EPP/CD) congratulated the President on his re-election. He said that his most important task if he was elected to the Bureau, would be to devote himself to promoting the Council of Europe's fundamental values, namely the rule of law, democracy and human rights, which were the three core elements of Congress activities. It was also imperative to keep in mind the importance of the European Charter of Local Self-Government, which was nothing short of a tool to protect local and regional authorities. The Charter highlighted the importance of dialogue between municipalities and central government and the need for authorities to be given resources in keeping with their tasks. It had been noted that many countries failed to comply with the Charter in practice. It was therefore essential to monitor the implementation of the text, particularly in times of economic and financial crisis. The Charter was the Congress's touchstone. Furthermore, some European governments were tempted to weaken the Congress by cutting its resources and reducing the territories it covered. It was essential to give the Congress the power to work for a better world for local and regional authorities throughout Europe.

Amy KOOPMANSCHAP (Netherlands, SOC) wished the President all the best for his second term. She had been a member of the Dutch delegation for the last five years and taken part in many debates in various working groups. She had been rapporteur for issues relating to the integration of Muslim women. She had contributed to several election missions and headed a delegation on a mission to Bosnia and Herzegovina the previous month. Exchanges with other Congress members had taught her lessons about governance, democracy and human rights at local and regional level. Drawing on this experience, Ms Koopmanschap wished to present her candidature for the post of

Vice-President of the Chamber so as to be able to contribute to the activities implemented to improve citizens' lives. It was essential for the Congress to make practical recommendations which the local and regional authorities could put into practice. She was prepared to put in the effort that was needed to ensure that the Chamber of Local Authorities and its Bureau would work as well as possible.

The PRESIDENT announced that Dubravka Suica, who had been prevented from attending, had asked him to announce on her behalf that she intended to continue the work undertaken during her previous term of office, as she was an outgoing Vice-President.

Emilio VERRENGIA (Italy, EPP/CD) said that he was the Vice-Chair of the Provincial Council of Catanzaro and the Secretary General of the Italian branch of the CEMR. His candidature stemmed from a desire, at this key moment in history, to facilitate the reform of local and regional government in Italy and in Europe as a whole, and to work for better compliance with the Charter of Local Self-Government. Currently, some states seemed to be taking a step backwards where it came to direct participation by citizens in political life, subsidiarity and fair distribution of resources. Local and regional authorities were currently at a turning point in their history. The Congress's monitoring activities were very important because they made it possible to check whether governments which had ratified the Charter were really complying with it. Questions linked to the participation of young people in democratic life, human rights and gender equality were all issues concerning local authorities yet, for reasons of budgetary dogma, some states were degrading local democracy and hence undermining citizen participation. Emilio Verrengia said that he would contribute to all of the efforts of the Chamber of Local Authorities to uphold these principles. Europe was not constructed solely through treaties and finance but also through the direct mobilisation of the people.

The previous day, the Congress had paid tribute to the recently deceased Gianfranco Martini, who was one of the founding members of the Congress. Emilio Verrengia declared himself Mr Martini's heir and said that he wished to take up his fight to champion the principles of citizenship and citizen participation.

John WARMISHAM (United Kingdom, SOC) congratulated the President on his re-election and introduced himself. He had been elected in 1991 to Salford City Council, where he was responsible for the children's, social services and housing departments. As a representative of his voters, he was very close to a number of community organisations and took an active part in efforts to resolve the problems of citizens who had placed their trust in him. Since he had joined the Congress in 2008, he had been a member of the Committee on Social Cohesion and subsequently the Current Affairs Committee, where he had acted as rapporteur on questions relating to the integration of Roma. In this capacity, he had represented the Congress at various events and presented a report, which had been adopted in 2011. He had also been the political co-ordinator of European Local Democracy Week. This assignment symbolised all the values which the Congress promoted, namely social justice, human rights and local democracy. John Warmisham had a deep belief in all these values and felt very proud to be a member of such an organisation. He would be honoured to be appointed as Vice-President in order to work with a team that would help to promote the values of the Congress to move forward. As to his private life, John Warmisham was a father of three and a grandfather of five. He was a passionate sports fan and supporter of Manchester United FC. He also got a great deal of pleasure out of listening to rock music, particularly indie rock.

The PRESIDENT (France, SOC) said that, as President, it was not for him to make any comment on the candidatures. By way of information, he said that the list of seven people was the result of an agreement between the political groups which made up the Congress. The Chamber would now elect the seven Vice-Presidents.

Jean-Philippe BOZOULS, the Executive Secretary of the Chamber of Local Authorities, explained that voting would take place using a single ballot paper. The vote would be held in the anteroom of the assembly chamber, where members would vote in successive groups, in alphabetical order. Voters should select a minimum of four and a maximum of seven of the candidates listed on their ballot paper. Any ballot paper that was torn or contained crossing out or handwritten comments other than crosses in the boxes corresponding to each candidate, would be considered invalid. Any empty envelope would be counted as a blank vote. Any envelope containing more than one ballot paper would be regarded as invalid.

Jean-Philippe Bozouls announced that, before the vote, two tellers, charged with supervising the voting and counting operations, would be chosen by drawing lots.

The PRESIDENT (France, SOC) drew lots. The names of Mikail Chernishev (present), Ilona Rumszauer (absent), Ivan Kulichenko (absent), Dalia Straupaite (absent) and Alexander Sokolov (present) were drawn in turn.

Mikhail Chernishev (Russian Federation, EPP/CD) and Alexander Sokolov (Russian Federation, EPP/CD) were appointed as tellers.

Voting by secret ballot began at 10 a.m.

The PRESIDENT (France, SOC) closed the ballot at 10.40 a.m. Staff of the Secretariat of the Chamber of Local Authorities and the tellers counted the votes behind closed doors.

5. STATEMENT BY THE OUTGOING PRESIDENT

[CPL(23)1]

The PRESIDENT (France, SOC) noted that the agenda called for a communication by the outgoing President. However, the President had already described the Chamber's activities in his statement on being re-elected. He proposed therefore that the Chamber should move on to the next item on the agenda.

6. LOCAL DEMOCRACY IN "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"

[CPL(23)2](REC)

The PRESIDENT (France, SOC) invited the two rapporteurs, Simon James and Andrée Buchmann, to present the report on local democracy in "the former Yugoslav Republic of Macedonia". The report was combined with a draft recommendation, which would be put to a vote.

Simon JAMES (United Kingdom, L, ILDG), rapporteur, said that he had recently taken the place of Mr Ian Micallef (Malta, L, EPP/CD), who had left the Congress, as rapporteur. Mr Micallef had done outstanding work in preparing this report.

The report was the follow-up to Recommendation 217, adopted by the Congress in 2007. It described substantial progress towards better democracy and decentralisation. There was genuine co-operation between municipalities and central government. Powers were delegated to municipalities to reduce ethnic tensions. This country provided an excellent example of how local democracy could improve the situation and enable separate communities to cohabit peacefully in a satisfactory manner.

However, there was still room for improvement in some areas, particularly the legislation relating to the distribution of competences and financial equalisation. There were still major disparities in wealth and development between urban and rural municipalities. The participation of citizens in local government was relatively low, particularly among women. Additional efforts were needed in the areas of the distribution of competences and finances, state supervision and democratic participation.

Many tasks had been assigned to the municipalities but these had been in the form of delegated powers, which had created overlaps and exposed local authorities to the risk of central government influence. The municipalities had certain powers which were set out in the Law on Local Self-Government but other laws gave rise to interference, which prevented this law from being applied. Government grants were one of the municipalities' main sources of income as their own resources were relatively low. The transfer of ownership of lands to local authorities, which would allow them to pursue a proper municipal development policy, had not been undertaken. Furthermore, a whole series of central authorities were required to supervise municipalities under the auspices of the state inspectorate. As a result there was a risk that supervision would go beyond a review of lawfulness. Lastly, no procedures were provided for in the legislation for measures against mayors who had violated their obligations.

Existing instruments to facilitate the participation of citizens in local politics were not always used in practice and participation was still low, particularly among women. There was not a single

female mayor in the whole country. Local authorities were also the least responsive authorities to the Ombudsman's recommendations.

The report made a series of recommendations intended to continue and consolidate the decentralisation process. This was particularly important in this country, which provided a good example of how different ethnic groups could cohabit. The government authorities had reacted positively to this report, which was said by the Ministry of Local Self-Government to give an accurate overview of the state of decentralisation.

Andrée BUCHMANN (France, R, SOC), rapporteur, thanked Simon James, who knew the former Yugoslav Republic of Macedonia very well, for replacing Ian Micallef at very short notice.

A Congress delegation had made a fact-finding visit to the former Yugoslav Republic of Macedonia in December 2011 to assess the situation of local democracy in the country. The delegation had been made up of Ian Micallef, as rapporteur for the local authorities, and Andrée Buchmann, as rapporteur for the regions. Andrée Buchmann thanked Mr Micallef, who had left the Congress, for his outstanding work, as well as the consultant, Professor Jens Woelk, who had helped the delegation considerably, and Ms Sedef Cankocak, Co-Secretary of the Monitoring Committee of the Congress, for her thoughtful and capable assistance.

From 5 to 7 December 2011, the delegation had visited Skopje, Strumica and Zhelino and had met various people including mayors, municipal councillors, representatives of national, regional and local authorities, members of the Constitutional Court (practically all of whom were women), members of the State Audit Office, representatives of the Association of the Units of Local Self-Government (ZELS) and local experts.

The previous visit by the Congress to this country had taken place in 2007. The recommendations made at that time had related to the need to increase local authority resources and train local government staff, to adopt the principle of concomitant financing, ensuring that municipalities held a reasonable proportion of public property, which was mostly still owned by the state, and to appoint a single ministerial authority to supervise the decentralisation process and a single body to settle disputes between different municipalities and between municipalities and central government. Several of these recommendations had been properly taken into account by the Macedonian authorities, who had shown a genuine desire to improve the quality of local democracy.

Among the significant progress that had been made was the establishment of a Ministry of Local Self-Government and the continuous involvement of ZELS in consultations as a representative of the local authorities. Efforts had also been made to set up a fair equalisation procedure and a new balanced regional development policy. The signature of two legal instruments relating to citizen participation (the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority and the Convention on the Participation of Foreigners in Public Life at Local Level) were on the government's agenda for 2012.

However, the Congress delegation had identified four areas of concern, which had given rise to recommendations: the competences and the financial resources of municipalities, central government supervision and citizen participation.

Andrée Buchmann cited some of the recommendations made by the rapporteurs. The decentralisation process, which was particularly important because it was the very essence of democracy and, in some ways, fostered cohabitation between different ethnic groups, should be stepped up. For this purpose, the rapporteurs recommended that the law on local self-government should be clarified and the role of the Ministry of Local Self-Government should be enhanced. They also called for strategies to be developed which would take account of the specific interests of rural municipalities and possibly for a special fund to be set up for them. They recommended establishing a proper legal framework comprising procedures to increase local revenues, including local taxes and the share of national taxes (such as VAT and income tax) allocated to municipalities. This increase would be coupled with a reduction of state grants, whose aim would be to increase local autonomy. Transfers of ownership of land to municipalities could also be beneficial. Lastly, there was a need to draw up a law which defined cases in which measures could be taken against mayors who were in violation of their obligations.

The rapporteurs also called for a clear distinction to be made between the functions of the City of Skopje as a capital city and its functions as a municipality, made up of ten sub-entities. Legislative measures should also be introduced to increase the involvement of citizens, particularly women, in public life. Lastly, the rapporteurs recommended the signature and ratification of the Additional Protocol on the right to participate in the affairs of a local authority and the Convention on the Participation of Foreigners in Public Life at Local Level.

The PRESIDENT (France, SOC) noted that no-one had entered their name on the list of speakers for the following debate. The President had been a Congress rapporteur for this country fifteen years previously and noted that progress had undoubtedly been made. States which had arrived at democracy late could not be expected to reach perfection in a few years. Moreover, it was impossible for any state to reach perfection. The rapporteurs were to be congratulated for taking this context into consideration.

Viacheslav ROGOV (Russian Federation, ILDG) said that he had been in the country when the last elections had been held. The monitoring report clearly stated that progress had been made. The NGO, Freedom House, noted that local self-government in the former Yugoslav Republic of Macedonia was yielding more positive results than in Albania or Bosnia and Herzegovina. Although there was a problem with growth in the country, the measures that had been taken showed that there could be no doubt that it was on the right track. The recommendations to be adopted today by the Chamber would help the country to make positive changes.

Andrée BUCHMANN (France, R, SOC) agreed with Mr Rogov. The Congress delegation had noted that its reports were well received locally and were used to take democracy forward. As an ecologist militant, Andrée Buchmann considered that the country's worst shortcoming was in the area of citizen participation. Local authorities and central government should do more to encourage citizens to make their voices heard. Representative democracy had everything to gain from participatory democracy.

The PRESIDENT (France, SOC) called the Chair of the Monitoring Committee.

Lars O. MOLIN (Sweden, EPP/CD) said that this was an outstanding report.

Per Bodker ANDERSEN (Denmark, SOC) said that he had been the Co-Chair of the Joint Consultative Committee on behalf of the Committee of the Regions of the European Union for the former Yugoslav Republic of Macedonia. This was a very good report but follow-up action was essential. Although much progress had been made, it was vital for the Committee of the Regions or the Congress of Local and Regional Authorities to underline to the government that the local level of government needed to be respected.

Abulfaz BABAYEV (Azerbaijan, EPP/CD) congratulated the President on his re-election. This was a very comprehensive report. The issues raised were characteristic both of this country and of others in the same situation. It was important for the Chamber to take a particular interest in the problem of disadvantaged people in rural areas. The Association of municipalities in rural areas of Azerbaijan had considerable experience in this sphere.

Andrée BUCHMANN (France, R, SOC) approved of Mr Babayev's statement. There were indeed major disparities between rural and urban municipalities, particularly in Skopje, which contained rural areas. The problem was linked to resources, infrastructure and staff training. It was proposed in the report that a special fund should be set up for rural areas.

The PRESIDENT (France, SOC) invited the members of the Chamber to vote on the recommendation. No amendments had been tabled and a majority of two-thirds of votes cast was required. The electronic voting system would be used.

The draft recommendation contained in document CPL(23)2 was adopted.

7. THE PARTICIPATION OF FOREIGNERS IN LOCAL POLITICAL LIFE

The PRESIDENT (France, SOC) welcomed Mr Alphonse Goueth, Deputy President of the French Council for Residence-based Citizenship (CoFraCiR) and member of the Council for Foreign Residents of Strasbourg. Mr Sadik Harchaoui, Chairman of FORUM (Institute for Multicultural Affairs) and RMO (Council for Social Development) in the Netherlands, who had been due to take part in this debate, was unable to attend.

In October 2010, the Congress had held a joint conference with the City of Strasbourg and the Strasbourg Club on integrating foreign residents into local public life, which had been attended by representatives of towns and cities that had established consultative councils of foreign residents. This conference had resulted in the establishment in April 2011, for the first time in Europe, of a network of French towns and cities with councils of foreign residents, the French Council for Residence-based Citizenship. The Council was currently under the Chairmanship, for the first two-year term, of the City of Strasbourg, and had held its first Congress in Lille the previous weekend.

Mr Goueth was an active campaigner for the right to vote of non-EU foreign residents in local elections and their integration into local and regional authorities. The President highlighted the importance of integration. Population movements were common and everyone should be able to express their views in the place where they lived.

Alphonse GOUETH, Deputy President of the French Council for Residence-based Citizenship (CoFraCiR) and member of the Council for Foreign Residents of Strasbourg, thanked the President on behalf of all France's foreign residents for his comments.

The implementation of the Treaty of Maastricht had established EU citizenship, meaning that anyone who had the nationality of a member state was considered a citizen of the Union. As a result, it had become possible for people to exercise a residence-based form of citizenship, separate from the rights attached to nationality. In truth, however, this arrangement had established a form of discrimination against certain foreigners, who had now become "second-class" foreigners. Nonetheless, some cities, such as Strasbourg, Bordeaux, Lille and Grenoble, had arranged for the participation of non-EU foreigners in local politics. The participation systems that had been set up were flexible, progressive, and geared to the actual circumstances in each city. Measures had been adopted to inform foreign residents fully about their civic rights and duties. Consultative councils or other similar bodies had been established to enable foreign residents to have their views heard. These participatory bodies had been added to other activities that were already under way because, in many places, campaigns had already been going on for three decades or more to raise public awareness about the political rights of foreign residents.

However, until recently there had been no single body capable of transposing these local schemes to the national level. The initiative to do this had come from the Council for Foreign Residents of Strasbourg, with the unconditional support of the City of Strasbourg and, in particular, its Senator and Mayor, Roland Ries, who had provided this Council with the means to spread its message throughout France. The implementation of the plan had also been supervised by the Deputy Mayor responsible for citizenship affairs, who was also the President of CoFraCiR, Ms Anne Pernelle Richardot. Alphonse Goueth welcomed her to today's meeting, together with the Deputy Mayor responsible for international relations, Ms Nawel Rafik-Elmrini.

Alphonse Goueth explained that he had wanted to bring together the towns which had set up councils for foreign residents so as to establish a body which could serve both as a forum to pool experiences and a national mouthpiece. Accordingly, at a meeting on 16 April 2011 in Toulouse, the towns of Aubervilliers, Creil, Paris, Lille, Grenoble, Saint-Denis, Toulouse and Strasbourg had decided to establish, with their consultative councils for foreign residents, a French Council for Residence-based Citizenship (CoFraCiR).

The City of Strasbourg, which was currently chairing this Council, had been assigned several tasks, at both national and international level. At national level, the Mayor of Strasbourg had launched an appeal to mayors for the right for foreign residents to vote and to stand in local elections. This appeal had been disseminated by the CoFraCiR and had been signed to date by over a hundred French municipalities. The Senate had also heard a statement by Ms Anne Pernelle Richardot on the

issues in France vis-à-vis the right of foreign residents to vote in local elections. This hearing had been held by the Senate just before it had adopted the draft legislation on the subject. Again at national level, the first Congress of the CoFraCiR had been held in Lille from 12 to 14 October 2012 and had resulted in the adoption of a motion addressed to the people of France.

At international level, the CoFraCiR had been invited to Brussels to take part in the European Integration Forum. Representatives of the CoFraCiR had also travelled to Istanbul and Frankfurt.

Another of the CoFraCiR's aims was to start a national campaign for foreign residents' right to vote and to stand as candidates in local elections. As a result, it had campaigned actively for the emergence of a new hope, and its members, even if they could not vote, had been unstinting in their efforts to bring about a change. The CoFraCiR had contributed to the victory of François Hollande and the current parliamentary majority. Today, the hesitation and attempts to go back on the implementation of the 50th item on François Hollande's campaign manifesto were fuelling the debate on the right of foreign residents to vote in local elections. For instance, the Minister of the Interior had said that this right was not something that French society particularly insisted on and that instead the real challenge was actually that of integration. It was also worth noting that for some years now non-EU foreigners had been serving effectively as political bargaining chips.

There were currently many challenges to be met in France in the fields of racism, discrimination and intolerance. These social ills not only eroded people's dignity and rights but also acted as a poison, undermining neighbourly relations, security and social cohesion in our communities. They amounted to an assault on the fundamental values of democracy.

In this context, Alphonse Goueth urged local elected representatives to take clear political positions to support the government in its implementation of manifesto item 50. The task was undoubtedly a politically delicate one, but any kind of evasion would mean leaving the way clear for populism. The opponents of the proposal made skilful use of the problems and conflicts which had grown so substantially in French society. They played on the population's fears, such as the fear of losing one's job or of alleged foreign influence. They completely oversimplified complex problems and made scapegoats of people, generally among immigrants and religious and ethnic minorities.

Alphonse Goueth called on the Chamber members not to be frightened of the future. He was convinced that the decision to award the right to vote in local elections to foreign residents now lay in the hands of local elected representatives. Their success depended on their sincere commitment to serving their communities while fostering social cohesion and securing residence-based citizenship.

The PRESIDENT (France, SOC) opened the debate. He welcomed the Deputy Mayors of Strasbourg, Ms Nawel Rafik-Elmrini, who was also a member of the Chamber, and Ms Anne Pernelle Richardot, and invited speakers to talk of their experiences in other local authorities.

Nawel RAFIK-ELMRINI (France, SOC) congratulated the President on his re-election. The conference held by the Congress in October 2010 had related not only to the integration of foreign residents but also to that of Roma communities. The meeting had been highly productive because it had given rise both to the CoFraCiR and to the Alliance of Cities and Regions for Roma Inclusion.

Nawel Rafik-Elmrini welcomed Mr Alphonse Goueth's unstinting efforts on behalf of the CoFraCiR, which was a network of ten French towns that were particularly active on issues related to "living together". Building social cohesion had to involve everyone, particularly foreign residents. Local communities were often the setting for social, ethnic and religious tensions and this made it quite clear how important it was to have a network such as the CoFraCiR, which advocated understanding and acceptance of others. CoFraCiR's message was simple: anyone who lived in and was involved in the life of his or her community had both duties and rights. The network fought for foreign residents to have a say in politics and to have access to all the most fundamental rights. Granting these rights was a vital stage in the modernisation of French democracy. Mr Alphonse Goueth was to be congratulated as there was no doubt that he was helping to change mentalities in France and in Europe.

Xavier CADORET (France, SOC) also welcomed the work done by Alphonse Goueth and his association. It was true that local democracy in France did fall short where it came to the voting rights of non-EU foreign residents. The French President had included this priority in his programme but the

reform called for an amendment of the Constitution, and that required a two-thirds majority in both parliamentary chambers. Yet the situation was made worse by the economic crisis. It was indeed the local elected representatives who would have to continue to educate people about this issue. Local representatives had an influence over national ones because senators were elected by local representatives. This system could give rise to fears that foreign residents would use local elections to exert influence at national level. In view of these difficulties, Xavier Cadoret encouraged the CoFraCiR to carry on fighting and congratulated the City of Strasbourg on the example it was setting. By providing an example and informing people about the issues, local elected representatives could help to make progress in this area.

John WARMISHAM (United Kingdom, SOC) congratulated Mr Goueth on his commitment. He himself was particularly concerned about the problems of Roma. Some asylum seekers were looked on as “non-people”, without papers or rights, so the question was how they could vote. This was something that the Congress should be looking at. It was highly gratifying that the City of Strasbourg was making efforts to bring about some progress on this issue. The work in Strasbourg provided a fine example of what to do about inclusion.

John Warmisham announced that he was launching an activity called the AMICALL project, whose aim was to promote intercultural policies, fight prejudice against migrants and raise public awareness of their cultures. Any activity in this area had to be taken seriously. Alphonse Goueth’s presentation provided a good example of practices that should be supported and widely disseminated but Mr Warmisham also reiterated his appeal not to overlook “non-people”.

Alphonse GOUETH, Deputy President of the French Council for Residence-based Citizenship (CoFraCiR) and member of the Council for Foreign Residents of Strasbourg, remained convinced that, in the light of the awareness-raising that had been conducted on the ground for so many years, President François Hollande’s 50th manifesto proposal would still be included on the legislative agenda. Local elected representatives were invited to step up their efforts and sign the appeal to mayors to ensure that there would be a parliamentary majority in favour of this law. The problem was purely political.

In reply to Mr Warmisham, he said that the CoFraCiR maintained contacts with Luxembourg and other European cities. In his view the question of people without rights was a European issue.

The PRESIDENT (France, SOC) emphasised that Alphonse Goueth’s appeal could only be signed by French elected representatives. However, every member of the Chamber could take inspiration from the example provided by the City of Strasbourg or at least use it as fuel for debate, and act according to the circumstances in his or her own country.

8. RESULTS OF THE ELECTION OF THE SEVEN VICE-PRESIDENTS OF THE CHAMBER

The PRESIDENT (France, SOC) announced the results of the election of the seven Vice-Presidents.

- Number of voters: 125
- Blank or spoiled papers: 9
- Votes cast: 116

The votes received by each of the candidates were as follows, in the order of the number of votes obtained:

- Anders Knappe (Sweden, EPP/CD): 109 votes
- Gaye Doğanoglu (Turkey, EPP/CD): 104 votes
- John Warmisham (United Kingdom, SOC): 98 votes
- Amy Koopmanschap (Netherlands, SOC): 96 votes
- Marc Cools (Belgium, ILDG): 94 votes
- Emilio Verrengia (Italy, EPP/CD): 87 votes
- Dubravka Suica (Croatia, EPP/CD): 84 votes

The seven members were elected as Vice-Presidents. Anders Knape had obtained the largest number of votes so he would be the first Vice-President of the Chamber of Local Authorities.

The President congratulated the seven Vice-Presidents and looked forward to working with them for the next two years. The President and the Vice-Presidents represented the members of the Chamber, which meant that they should listen to their views. Together they would extend local democracy across Europe.

The President thanked the two Vice-Presidents who had not stood again, namely Fabio Pellegrini of Italy and Onno van Veldhuizen of the Netherlands, for the work they had done.

9. LOCAL ELECTIONS IN SERBIA (6 MAY 2012)

[CPL(23)3] (RES et REC)]

The PRESIDENT (France, SOC) said that the next item on the agenda was the examination of the report by Nigel Mermagen on the local elections in Serbia on 6 May 2012.

Nigel MERMAGEN (United Kingdom, ILDG), rapporteur, congratulated the President on his re-election.

In response to an invitation from the Serbian authorities, the Congress had decided to observe the local and regional elections in Serbia on 6 May 2012. Nigel Mermagen had been appointed head of the Congress delegation. Like several of the Congress members accompanying him, he had been a member of the delegation sent by the Congress to observe the 2008 elections, and this had given them the opportunity to assess progress since that date. Nigel Mermagen thanked Renate Zikmund for her invaluable assistance as well as all the Council of Europe staff in the Belgrade office. Members of the EU Committee of the Regions had also joined the Congress delegation.

For the first time in 2012, three elections, at local, parliamentary and presidential level, had been held concurrently. The Serbian President had decided to shorten his mandate, and this had proved to be a miscalculation on his part, as he had lost. On the same day, regional elections had been held in the Province of Voivodina, meaning that in some places, up to seven votes had taken place simultaneously. As a result of all this, the election day had been called "Super Sunday".

Before election day, Nigel Mermagen had headed a five-member pre-election mission, which had travelled to Belgrade from 17 to 19 April in order to prepare for the main mission, which had been carried out from 3 to 7 May. For this purpose, a 13-member delegation had travelled to Belgrade to meet various stakeholders, before deploying throughout the country in seven teams to meet the candidates and observe the elections. Several relevant laws had been passed since the previous elections. These had included a law on financing of political activities and another setting up a new anti-corruption agency. Another law had established a unified voters register, which had enabled voters to check easily on the Internet whether they had been included in the electoral registers and which polling station they should go to.

On election day itself, except for some isolated incidents, the elections had been carried out in a calm and orderly manner. Polling stations had coped well with their task despite the large number of ballot papers they had had to process for the various elections. For this reason, some polling stations had been late opening. Some smaller polling stations in which regional elections had been held in addition to the three other elections had suffered from a lack of space. Overcrowding had not been helped by the large number of observers present: local polling boards could comprise up to forty members in certain polling stations. Few observers were impartial, as most represented political parties or candidates.

The secrecy of the vote was still a problem. Most polling stations were set up in schools, where cardboard cross-separations placed on low tables were used instead of proper polling booths, meaning that secrecy could not be guaranteed. In some areas, minority groups, particularly Roma, had clearly been particularly vulnerable to practices such as controlled voting and vote buying, especially in the current economic context. One in three candidates had been women. The practice of "blank resignations", which had been used in previous elections, had been abolished before this election, and this had increased women's chances of being elected and taking office.

Because of the large number of ballot papers, the count had been quite problematic and there had been some backlogs. Votes for the national elections had been counted first and the count for the local elections had often finished very late at night.

The fact that the local elections had been held at the same time as the national ones, particularly the presidential ones, meant that local issues had often been overlooked in the media. The Congress delegation stressed that journalists should be able to work in safety and that local journalists were particularly vulnerable.

The delegation had made several recommendations to the Serbian authorities. The first had been to revise the practice of including all interested parties in the local polling boards and to consider instead introducing a system of accredited domestic observers. The second related to the unified voters register, and called for inconsistencies in voters' lists in the southern part of the country to be remedied. The delegation also recommended increased transparency in party and media financing and the enforcement of anti-corruption measures. Lastly, secrecy of voting should be secured by using proper polling booths.

Some other problems in the country were linked to the local elections. Among the most notable of these were the problems of the Albanian minority in the south of Serbia and those of the Bosniac minority in the Sandžak of Novi Pazar. There had been progress on these issues under the previous government and it was to be hoped that the new government would continue along these lines. Some questions, however, were still unresolved, such as the issue of Kosovo, which was considered taboo. Local authorities also faced financial problems because of the reductions in transfers from national authorities. The delegation hoped that in future, local election issues would not be overshadowed by national ones.

The rapporteur noted that several of the recommendations made by the Congress in 2008 had been acted upon by the Serbian authorities. For example, blank resignations had been abolished and this had considerably improved the transparency of the election process.

In conclusion, Mr Mermagen said that he regretted that it had not been possible for the Serbian delegation to be present at this session to express its views and he invited the Chamber members to make comments on the report.

The PRESIDENT (France, SOC) said that the report was accompanied by draft resolutions and recommendations, which would be put to a vote. He invited Väino Hallikmägi to speak on behalf of the members of the Committee of the Regions who had taken part in the observation mission. There was an agreement between the Council of Europe Congress and the EU Committee of the Regions for the latter to take part in election observation missions to improve its knowledge of certain countries, some of which were candidates for membership of the European Union.

Väino HALLIKMÄGI, member of the Committee of the Regions of the European Union, thanked the President for inviting him to take part in this debate. The Committee of the Regions was highly committed to fostering democracy and the rule of law, both in the EU members states and in neighbouring countries. It was the only EU body to observe local and regional elections, albeit with modest means. Co-operation with the Congress therefore was particularly important. The Bureau of the Committee of the Regions had, moreover, stressed this point when it had adopted the rules for joint observation election missions and pre-election missions. The latter were an excellent means of understanding the prevailing situation in the country concerned.

The elections in Serbia had been carried out in a calm and orderly manner in well organised polling stations. It was also clear that improvements had been made to the legal framework and the electoral system. Holding the local elections at the same time as the parliamentary and presidential elections had posed major organisational challenges. The Committee of the Regions was currently preparing an opinion on EU citizens' electoral rights, in which it was being investigated whether holding local and national elections concurrently might increase voter turnout. However, in Serbia, the national debate had clearly overshadowed local issues. In its annual report on states that were candidates for EU membership, the Committee of the Regions had noted the progress that had been made in Serbia but had stressed the importance of further developments in democratic procedures to

cater more for minority and local government rights and the participation of civil society. The opinion to be given on the accession of Serbia to the European Union would take account of the findings of this observation mission. The report of the mission would be presented in the relevant EU committees, which Väino Hallikmägi invited Mr Mermagen to take part in.

The PRESIDENT (France, SOC) thanked Väino Hallikmägi and underlined how keen the Congress was to co-operate with the Committee of the Regions.

György ILLES (Hungary, ILDG), who had taken part in the observation mission, congratulated Nigel Mermagen on the quality of his report and thanked Renate Zikmund and the entire team from the secretariat. The report was a fair reflection of the electoral process in Serbia. Many members of the mission, who had already observed the previous elections, had noticed the progress that had been made. György Illes was convinced that the Serbian delegation to the Chamber of Local Authorities would have approved the report. Lastly, he wished to describe a positive experience which the observation mission had had while in the country: In a region where the majority of the inhabitants were Roma, there had been a very high turnout at the elections and, in some polling stations, Roma had been members of the local polling board. One of the polling stations had even been run by a member of the Roma community.

Henry FERAL (France, EPP/CD) had also been a member of the observation mission. He regretted the cramped conditions in polling stations resulting from the number of elections held on the same day. Two points therefore needed to be emphasised: firstly, premises used for voting should be more spacious and suited to the purpose; secondly, local elections should be separated from national ones, as they did not pursue the same aims, and the national elections detracted from the importance of the local elections, increasing the potential for voter apathy. Henry Féral also thanked the technical team which had organised the mission.

Mikhail GULEVSKIY (Russian Federation, ILDG) congratulated both Nigel Mermagen for his constructive report and the Serbian authorities for succeeding in organising these nationwide elections despite the organisational challenges that this posed. Voter turnout had been satisfactory and, despite the shortcomings that had been highlighted, the result had been positive from a political viewpoint. Mr Gulevskiy was sure that the next election observation mission would find that there had been a further improvement.

The PRESIDENT (France, SOC) invited the rapporteur to reply to the speakers.

Nigel MERMAGEN (United Kingdom, ILDG), rapporteur, thanked his colleagues for their support. He wished to reply in particular to Mr Féral's comments. Holding several elections together had advantages and disadvantages. It had probably resulted in a higher turnout and led to considerable financial savings. The disadvantage was that local issues had often been overshadowed by national ones, except perhaps in the largest cities. In addition, the process of counting the votes for several elections had been truly laborious. On the whole, the elections had been well run, but on balance, Mr Mermagen felt that democracy was better served by having separate local and national elections. Above all, financial considerations should not be allowed to dominate.

The PRESIDENT (France, SOC) invited the members of the Chamber to vote on the draft resolution, to which no amendments had been tabled.

The draft resolution contained in document CPL(23)3 was adopted.

The PRESIDENT (France, SOC) invited the members of the Chamber to vote on the draft recommendation, to which no amendments had been tabled. For the adoption of a recommendation, a two-thirds majority of the votes cast was required.

The draft recommendation contained in document CPL(23)3 was adopted.

10. CLOSE OF THE TWENTY-THIRD SESSION OF THE CHAMBER

The PRESIDENT (France, SOC) thanked the rapporteurs, the people who had assisted them, the staff of the secretariat and the members of the Chamber who had taken part in this session. The

24th Session of the Chamber of Local Authorities would be held during the 24th Session of the Congress, which was scheduled for 19 to 21 March 2013.

He reminded all members that they were required to sign the statement set out in Rule 6.3 of the Rules of Procedure. Everyone was expected to subscribe to the principles of the Council of Europe.

A meeting of the Statutory Forum would be held that afternoon at 2 p.m. The Bureau of the Chamber of Local Authorities would meet the following day at 8 a.m., followed by the Bureau of the Congress at 8.35 a.m.

Lastly, he invited all the members to attend the exhibition on the AMICALL project (on Attitudes to Migrants, Communication and Local Leadership).

He declared the 23rd Session of the Chamber of Local Authorities closed.

The meeting rose at 12.05 p.m.

SITTING OF THE CHAMBER OF REGIONS

Wednesday 17 October 2012 at 9 am

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1. OPENING OF THE TWENTY-THIRD SESSION OF THE CHAMBER

The sitting was opened at 9.15 am with Ms Karin Dubin (Denmark, SOC), the oldest member present, in the chair.

Karin DUBIN (Denmark, SOC) (interpretation), in accordance with Rule 17.1 of the Rules of Procedure of the Congress, declared the twenty-third session of the Chamber of Regions open.

2. ELECTION OF THE PRESIDENT OF THE CHAMBER

Karin DUBIN (Denmark, SOC) (interpretation) announced that the first item on the agenda was the election of the President of the Chamber of Regions. Only full members could be elected, for a two-year term. The Executive Secretary of the Chamber had only received one candidature, which had been submitted in accordance with the procedure set out in Rules 12 and 14.2 of the Rules of Procedure and Administrative Regulation No. 1. Under these Rules, the candidature had to be submitted by at least ten full members of the Chamber representing a minimum of four national delegations. The candidature in question was that of Ms Nataliya Romanova, a Ukrainian belonging to the liberal group.

Karin Dubin invited Ms Romanova to present her candidature. The presentation would not be followed by a debate.

Nataliya ROMANOVA (Ukraine, ILDG) (interpretation) thanked the members of the Chamber for having accepted her candidature. The post of President was a considerable responsibility. The President had to expend the utmost efforts to unite all the members of the Chamber and enable all of them to work towards implementing the priorities identified. Nataliya Romanova said that she spoke Russian, the language of Pushkin and Tolstoy, in the Common European Home where the languages of Churchill and Molière were more often heard. She was aware of the language barriers and was in fact currently learning various European languages. Nevertheless, all the members of the Congress stood shoulder-to-shoulder here to defend human rights. Nataliya Romanova would do everything in her power to unite the members of the Chamber, from EU and non-EU countries, so that they could all work effectively together. One priority was to extend transfrontier and inter-regional co-operation. With this in mind, the Chamber should base its action on the Innsbruck initiative and all the actions which had already been conducted, making the most of all the ideas which had already been expressed.

Karin DUBIN (Denmark, SOC) (interpretation) noted that Ms Romanova was the sole candidate and, in the absence of opposition, she proposed electing her by acclamation in accordance with Rule 15.3 of the Rules of Procedure.

On a motion from Ms Dubin, the Chamber declared Ms Romanova President of the Chamber of Regions in accordance with Rule 15.3 of the Rules of Procedure.

Nataliya Romanova took the chair.

3. ADOPTION OF THE DRAFT AGENDA OF THE CHAMBER

[CPR(23)OJ1]

The PRESIDENT (Ukraine, ILDG) (interpretation) recalled that the timetable of meetings of the Chamber of Regions had been established at the previous Congress session. She asked the members of the Chamber if they wished to table any amendments to the draft agenda set out in document CPR(23)OJ1.

The President noted the absence of proposed amendments.

The draft agenda was adopted.

4. ADOPTION OF THE DRAFT MINUTES OF THE LAST SITTING OF THE CHAMBER (21 MARCH 2012)

[CPR(22)PV1am]

The PRESIDENT (Ukraine, ILDG) (interpretation) observed that the draft minutes of the sitting of 21 March 2012 had been distributed to the members of the Chamber. She asked whether any of them wished to comment on this document.

The President noted the absence of comments.

The draft minutes set out in document CPR(22)PV1am were adopted.

5. ELECTION OF THE SEVEN VICE-PRESIDENTS OF THE CHAMBER

The PRESIDENT (Ukraine, ILDG) (interpretation) announced that the Chamber had to elect seven Vice-Presidents for two-year terms from among the full members, in accordance with Rule 14.3 of the Congress Rules of Procedure. The President and the seven Vice-Presidents made up the Bureau of the Chamber of Regions. The Secretariat had received seven candidatures in conformity with Rules 12 and 14.3 of the Rules of Procedure.

The candidates were Gunn-Marit Helgesen (Norway, EPP/CD), Clemens Lammerskitten (Germany, EPP/CD), Michael O'Brien (Ireland, SOC), Svetlana Orlova (Russian Federation, EPP/CD), Helena Pihlajasaari (Finland, SOC), Ludmila Sfirloaga (Romania, SOC), and Urs Wüthrich-Pelloli (Switzerland, SOC).

The President observed that the vote would be by secret ballot. Each candidate had three minutes to present his or her candidature. No questions would be taken.

The President said that she would first like to amend the agenda. Mr van Staa, the outgoing President of the Chamber of Regions, who had been elected to the office of President of the Congress, wished to speak at this stage. In the absence of any objections, the President invited Mr van Staa to speak.

6. STATEMENT BY THE OUTGOING PRESIDENT

[CPR(23)1]

Herwig VAN STAA (Austria, EPP/CD) (interpretation) congratulated the President on her election and thanked her for allowing him to present his activity report straight away, since he had to inaugurate a conference afterwards.

Many events had taken place during his presidency of the Chamber of Regions, such as the International Conference of Regions with legislative powers in Innsbruck. Thanks *inter alia* to the work of Karl-Heinz Lambertz at the Governance Committee, the Council of Europe was consistently firmly promoting the regions. The aforementioned Conference had attracted a great deal of attention, highlighting the Council of Europe's priorities, particularly the expansion of democracy and co-operation transfrontier. A range of conferences had been held on the theme of transfrontier co-operation, and this subject had been addressed at the previous session of the Chamber of Regions. The new European Union bodies were now opening up to Council of Europe member countries, particularly in the macro-region context. The strategy for the Danube area, for example, facilitated the involvement of EU non-member countries. Similarly, the European local co-operation groupings were fostering the development of co-operation with EU neighbouring countries, and therefore with Council of Europe member states.

Two meetings had been held in Tirana during the Albanian Chairmanship of the Council of Europe: the Bureau of the Chamber of Regions had met in Tirana, and an international seminar had taken place to discuss regionalisation, particularly in Albania. Herwig van Staa had attended this event, as had the Secretary General of the Congress, Andreas Kiefer, and the Italian Professor Francesco Palermo. On this occasion he had discussed local and regional democracy with the Albanian Prime Minister.

Three Round Tables had been organised at the last Chamber session in March 2012, exemplifying the importance of the Chamber's work. Many guests had attended, such as Mr Wüthrich-Pelloli, President of the Assembly of European Regions, and representatives of the EU Committee of the Regions and of the Council of European Municipalities and Regions. The Chamber of Regions had maintained relations with these institutions for many years, which in fact held observer status with the Congress and could attend Bureau meetings.

Several eminent guests had attended the plenary session, including a representative of the Moroccan Parliament, and on the day before the event, the Deputy Mayor of the city of Rabat, Morocco. It was important to maintain good relations with the countries of North Africa, which were the Council of Europe's neighbours. During the Round Tables, it was pointed out that transparency, efficiency and supervision were vital parts of good governance. The audit authorities, which should operate at both the national and the regional levels, were helping strengthen democracy and combat corruption, which was a genuine threat to the development of democracy at the local and regional levels.

The Chamber of Regions had also debated many other subjects, such as ombudspersons and citizens' responsibilities at the local and regional levels.

Herwig van Staa then went into the future activities of the Chamber of Regions. The Governance Committee had been instructed to prepare a report on special-status regions, ie regions with special autonomous powers. An inter-regional group was working on this question. Even though Portugal, for instance, was not a federal country, it did have two autonomous regions, namely the Azores and Madera, and the same applied to Finland, where the Åland islands were concerned. Austria and Germany had regional states, and in other States, such as Italy, decentralisation was particularly well-developed. This issue would be included on the Chamber's agenda, as would the development of international and inter-regional co-operation.

Herwig van Staa wished the President of the Chamber of Regions every success, and voiced the hope that all the members of the Chamber would enjoy their work on deepening the unity of Europe. He asked them to respect the Council of Europe's values at all times and to ensure their application at the regional and local levels. Respect for human rights had to be guaranteed at all levels. Where Congress members were subjected to pressure or persecution, as had happened recently, the Bureau had to intervene. It was important to act in order to continue developing local democracy and ensuring universal respect for human rights. The existence of a European Court responsible for guaranteeing respect for human rights was insufficient, whatever might have been thought in the past. Breaches of human rights were being observed every day in the Council of Europe neighbourhood, but also in municipalities and regions in the member states. This issue had to be constantly and universally spotlighted. An environment of democracy and tolerance was required in order to ensure that those who had been relegated to the fringes of society or otherwise excluded could be integrated and to guarantee social peace.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked Mr van Staa for his energetic work as President of the Chamber of Regions. She hoped that he would be even more enthusiastic in his endeavours as President of the Congress, and assured him of the support of the members of the Chamber.

The President proposed resuming the procedure for electing the Vice-Presidents.

5. ELECTION OF THE SEVEN VICE-PRESIDENTS OF THE CHAMBER (CONTINUED)

The PRESIDENT (Ukraine, ILDG) (interpretation) asked each of the candidates to speak in turn.

Ms Gunn-Marit HELGESEN (Norway, EPP/CD) (interpretation) introduced herself. She was the President of the Norwegian Association of Local and Regional Authorities, had been born in 1958 in Porsgrunn, in the Telemark region, and had studied chemical engineering. She had worked in chemical engineering for fifteen years before beginning her political career. In 1986, she had become a member of Porsgrunn Municipal Council. After an initial mandate, she had been elected to the Regional Council in 1992. In 1995, she had become deputy mayor of Porsgrunn, for eight years, and

had then been elected county mayor, also for eight years. She belonged to the Conservative Party of Norway, and in the Congress of Local and Regional Authorities she was a member of the EPP group. She had played an active role in various international organisations. For instance, she had served as First Vice-President of the pan-European organisation CRPM (Conference of Peripheral Maritime Regions of Europe) and been President of the North Sea Commission for eight years.

Gunn-Marit Helgesen considered herself a true European citizen, even though Norway was not a member of the European Union. She was looking forward to co-operating with the other members of the Council of Europe and would devote herself fully to her duties as Vice-President of the Chamber of Regions if she was the successful candidate.

Clemens LAMMERSKITTEN (Germany, EPP/CD) (interpretation) said that he was a member of the *Landtag* of Lower Saxony, a *Land* with a population of 8 million. He belonged to the Domestic Affairs Committee and chaired the Committee on European Relations. He was also firmly rooted in local political life thanks to his mandate in Osnabrück, a constituency with a population of 360 000, and he was furthermore a municipal councillor.

Clemens Lammerskitten attached great importance to regional identity and local democracy. The Chamber's priorities had been established for the next few years, and he hoped to be able to make his contribution to these efforts. He proposed to use his competences and knowledge in pursuit of these goals, and would rely on the support of Chamber members so that together they could move Europe forward with respect for regional and local identities.

Michael O'BRIEN (Ireland, SOC) paid tribute to the President of the Chamber, who was an excellent politician. He was looking forward to co-operating with her in making this Chamber of Regions a major player in the work of the Congress. Michael O'Brien had become a member of the Congress thirteen years previously. At that time he had been spending more time in Strasbourg than in his own country, and he had lost the local elections for which he had been standing. He had been President of the Socialist Group from 1994 to 1999. After the break-up of the USSR, the Congress had faced many challenges, and Michael O'Brien had had the opportunity of working on these issues alongside several public figures, including Mr Van Staa, the outgoing President of the Chamber. Michael O'Brien stressed that he had acquired a certain reputation and that he had got to grips with a number of subjects alongside colleagues from different political groups. He had always co-operated with the latter in these activities, which had to benefit the whole Congress.

Svetlana ORLOVA (Russian Federation, EPP/CD) (interpretation) said that following its reform, the Congress now wielded considerable political punch, whence the importance of the ideas and recommendations put forward by its members. Svetlana Orlova was Vice-President of the Federation Council, the upper house of the Russian Parliament. She represented the Kemerovo region, which was famous for coal-mining. As part of her duties in the Congress, Svetlana Orlova had first of all dealt with the issue of climate change, leading to a wide range of activities in this field. She had then worked on the consequences of the financial crisis, a subject of enormous importance to the Congress. A report was under preparation on this matter. Lastly, Svetlana Orlova was addressing the problems facing young people, particularly the sexual exploitation and sexual abuse of children. In fact, the Congress was supporting the Council of Europe's "ONE in FIVE" Campaign.

Svetlana Orlova was hoping to work as professionally as possible in compliance with the Charter. There was a Russian saying that the road was made easier by the meeting of souls, and Svetlana Orlova thought that together the members of the Chamber could ensure major progress in the work of the local and regional authorities.

Helena PIHLAJASAARI (Finland, SOC) (interpretation) explained that she was a local and regional councillor in central Finland. She had over twenty years' experience as a local councillor behind her, and had been a member of the Congress for fourteen years. She had also been President of the Finnish Port Association for over eight years. She had been a qualified nurse and had worked in hospitals, including night work, while at the same time carrying out her duties during the day. Nowadays she worked as a councillor full time. She had time, determination and experience which she wanted to devote to the Congress.

The PRESIDENT (Ukraine, ILDG) (interpretation), stressed, before asking Ms Ludmila Sfirloaga to speak, that the latter had done a great deal to help the previous presidencies of the Chamber of Regions.

Ludmila SFIRLOAGA (Romania, SOC) (interpretation) congratulated the President on her election. Women knew just how difficult it was to strike a balance between family life and professional or political life. She was convinced that Nataliya Romanova would discharge her duties in the Chamber of Regions extremely well, with the support of all, particularly the Bureau members. For the moment, quotas had had to be introduced for gender representation in the national delegations, but Ludmila Sfirloaga proclaimed that women were on their way! She herself came from Romania, where she had worked for an oil refinery. Over the last few years she had decided to become more deeply involved in political life. She had been elected to four terms on the Romanian County Council. She belonged to the Social Democratic Party and was Vice-President of her regional socialist party. She had held various posts at the national and regional levels and had chaired a number of committees in her regional council.

Ludmila Sfirloaga had been a Congress member for many years, but things had never been so difficult as during the past few days, when she had had to say goodbye to a number of colleagues who were leaving the Congress. She was also missing the former President of the Congress, Yavuz Mildon, although she hoped to find new friends in the Chamber. There had been numerous developments since she had joined the Congress. A few years previously, for instance, the Congress had struggled to establish quotas, an endeavour in which she had actively participated. She thanked Alan Lloyd in particular for his efforts in this connection. The Congress now had a new face, with a new Charter, new Rules of Procedure and new delegations. Ludmila Sfirloaga had worked on various issues with Anders Knape, including verifying the national delegations' compliance with the new rules. One of the problems had been the composition of the Albanian delegation. A compromise had been found, but this issue still had to be monitored. Other delegations raised specific problems, for example in Serbia, where it was sometimes difficult to find female elected representatives.

Ludmila Sfirloaga had taken part in several Congress missions from 2005 to 2011, including observing the elections in Montenegro, Armenia and other countries. She was also a founding member of NALAS and CEPI. She was keen to promote female representation within the Congress.

The PRESIDENT (Ukraine, ILDG) (interpretation) pointed out that the following candidate, Urs Wüthrich-Pelloli, Switzerland, a member of the Socialist Group, had unfortunately been unable to attend. However, the members of the Chamber knew him well and he had the full backing of his political group. His CV was available on the Congress website.

Gudrun MOSLER-TÖRNSTRÖM (Austria, SOC) (interpretation), on behalf of the Social Democratic Group, was pleased that Nataliya Romanova, whom she considered as one of the most active members of the Chamber, had been elected President. She wanted to say a few words on behalf of Urs Wüthrich-Pelloli. He sent his apologies for absence, as he had been detained by his duties in the Basle Urban Canton Government. He was responsible for educational affairs. He was a highly experienced politician and had already served as Vice-President of the Chamber of Regions. In future he would like to devote his energies mainly to the Congress, of which he had been a member for many years. Gudrun Mosler-Törnström was convinced that Urs Wüthrich-Pelloli would be a great asset to the Bureau thanks to his broad experience, and asked members to support his candidature.

The PRESIDENT (Ukraine, ILDG) (interpretation) gave the floor to Renate Zikmund to explain the election procedure.

Renate ZIKMUND, Executive Secretary of the Chamber (ad interim) (interpretation), announced that the voting would be by single ballot. Beforehand, two tellers responsible for observing the voting operations had to be drawn by lots from among the members of the Chamber. Obviously, neither the candidates nor the President herself could be appointed as tellers.

The PRESIDENT (Ukraine, ILDG) (interpretation) drew lots. The names of Mr Catalin Nechifor (absent), Ms Elzbieta Polak (absent), Mr Konstantinos Agorastos (absent), Mr Leen Verbeek (present), and Ms Merita Jegeni Yildiz (present) were successively drawn by lots.

Merita Jegeni Yildiz (Turkey, EPP/CD) and Leen Verbeek (Netherlands, SOC) were appointed tellers.

Andrée BUCHMANN (France, SOC) (interpretation) asked how many x's had to be entered on the ballot paper for it to be valid.

Renate ZIKMUND, Executive Secretary of the Chamber (*ad interim*) (interpretation) said that the members of the Chamber would be invited to vote by successive groups in alphabetical order. Only full members could vote. The ballot paper would comprise the names of seven candidates. Voters had to choose a minimum of four candidates and a maximum of seven. Only one ballot paper should be inserted into the envelope, otherwise the vote would be invalid. Any ballot paper which was torn or comprised comments would be considered spoilt. Any empty envelopes would be counted as blank ballot papers. Voters had to sign the voting register.

The PRESIDENT (Ukraine, ILDG) (interpretation) opened the voting. The proceedings of the Chamber would be interrupted for the time required for the voting.

The Chamber proceeded to vote by secret ballot.

The sitting was suspended from 10.05 to 10.35 am.

The PRESIDENT (Ukraine, ILDG) (interpretation) closed the voting and proposed continuing examination of the agenda during the counting of the ballot papers.

7. INTRODUCTION OF THE NEW EXECUTIVE SECRETARY OF THE CHAMBER

The PRESIDENT (Ukraine, ILDG) (interpretation) introduced Denis Huber, the new Executive Secretary of the Chamber of Regions. She stressed his enormous experience.

Denis HUBER, Head of Department II, (interpretation) explained that he had taken up his new duties the previous Monday, and said that this session would help him grasp the functioning of the Congress of Local and Regional Authorities. Coming from a French diplomatic background, he had entered the Council of Europe nineteen years previously. He had worked for the Committee of Ministers for ten years, and had then decided to work in the field.

Denis Huber continued his statement in English. He said that he had spent two years in Serbia as special representative of the Secretary General of the Council of Europe, and then almost five years in Lisbon as Director of the Council of Europe North-South Centre. This blend of experience had shown him what the Council of Europe could and could not do. He had also dealt with project management, particularly in the context of EU-funded projects, which had enabled him to establish excellent relations with his colleagues in Brussels. Denis Huber hoped that he would discharge his duties as effectively as his predecessor, Jean-Paul Chauvet, who had retired. He was taking up his new duties with great enthusiasm and a determination to learn and to place his experience at the disposal of members of the Chamber. He was sure that they would be able to work efficiently together.

The PRESIDENT (Ukraine, ILDG) (interpretation) hoped that Denis Huber's extremely wide diplomatic experience would be a great asset to the Chamber and help strengthen the position of the Chamber of Regions and of the Congress. On behalf of all the members of the Chamber, she was looking forward to their future co-operation.

8. THE GOVERNANCE OF MACRO-REGIONS IN EUROPE

[CPR(23)2]

The PRESIDENT (Ukraine, ILDG) (interpretation) presented the report by the Governance Committee on "The governance of macro-regions in Europe", for which Mr Erwin Mohr was the Rapporteur. The Chamber would also be hearing Mr Luciano Caveri, member of the Congress and of the Committee on Environment, Climate Change and Energy of the EU Committee of the Regions.

Erwin MOHR (Austria, L, EPP/CD), Rapporteur (interpretation), explained that regional and transfrontier co-operation were a priority not only for the Congress but also for such EU bodies as the

Council of European Municipalities and Regions, of which he had been Vice-President, and the Committee of the Regions, of which he was a member.

He would be presenting his report on the basis of three different questions. What was a macro-region ? Were macro-regions a mode of co-operation specific to the European Union or could they also be adapted to suit non-EU countries, particularly the Council of Europe states? And what added value did a macro-region provide?

What was a macro-region ? This form of regional co-operation took a variety of forms, eg European territorial co-operation groupings, Euro-regions, euro-regional co-operation groupings and work communities. This list was not exhaustive. The macro-region concept was gaining in importance at the EU level. There were forms of intergovernmental co-operation which involved partnerships in northern and southern Europe, with EU funding which also benefited non-member states, often for co-operation projects beyond the borders of Europe.

Within the European Union, macro-regions had to comply with three principles: no new rules, no new structures and (unfortunately!) no new funds.

The Council of Europe Euro-regions were examples of macro-regions. There was no real difference between a Euro-region and a macro-region. However, the term "Euro-region" confined the activities to Europe. If the Council of Europe wished to develop co-operation in the Mediterranean area, for example, it would be better to use the term "macro-region". Furthermore, since the term "Euro" was strongly linked to the currency, the "Euro-region" concept could lead to confusion with monetary union. For all these reasons, Erwin Mohr recommended changing the name to "macro-region", which covered all forms of regional co-operation, whatever the legal and political framework. In fact there was no exact definition of the macro-region, even though many very broad definitions were in circulation.

The report drew on three criteria for defining a macro-region. The first was the spatial dimension. Most macro-regions had been created on the basis of a very specific geographical delimitation, as for instance the Danube, Baltic Sea and Alpine macro-regions. The second criterion involved common themes and concepts. The partners should all be facing common challenges which they would like to tackle together. The third criterion was that the macro-region should cover different policy areas. There was no such thing as a single-theme macro-region. For example, the strategy on the Danube addressed not only the theme of water pollution but also all kinds of issues relevant to the people living in the Danube area.

Were macro-regions a mode of co-operation specific to the European Union, or were they also appropriate for all Council of Europe member states? The answer was simple: the EU had no monopoly on the term "macro-region". Co-operation did not stop at the borders of the EU, or even at the borders of the Council of Europe.

What was the added value of a macro-region ? All modes of co-operation had advantages for the partners involved. Environmental problems did not stop at national borders. Similarly, citizen mobility now transcended the national boundaries. In the economic, employment market, training, educational and other fields, the policy implemented should not be confined within national boundaries. The added value of macro-regions lay in the sharing of experience and knowledge and the pooling of specific resources. Moreover, such co-operation improved mutual understanding, which helped consolidate efforts at peace-building.

Transfrontier co-operation often began at the local level. For decades, Austrian populations in the German and Swiss border regions had been co-operating with their neighbours, which had often helped solve common problems at local authority level. All macro-regions comprised entities of this kind. They maximised the efforts to settle region-wide problems. The co-operation process often led to State participation within these macro-regions. It had regularly been noted that it was often difficult to bring together all the genuine stakeholders. Many obstacles had to be overcome: language, culture, and differing legal systems and administrative structures.

Several lessons could be learnt from the existing macro-regions. The report highlighted the strengths and weaknesses of some macro-regions. Some degree of caution was needed in order to

avoid setting overly ambitious goals for the co-operation process. Some macro-regions which had been set up with highly ambitious aims in mind were not working, or were malfunctioning. Aims and strategies should be extremely clear, adopting a pragmatic approach to the programmes adopted.

How could the Congress help further develop macro-regions? The Congress could play an extremely important role in encouraging this type of co-operation. Political representatives from all the European regions met in the Congress to address shared problems, and many of them were already actively participating in transfrontier projects. The Congress could be a driving force in this field, eg by organising seminars for the exchange and dissemination of good practices. This would lay solid foundations for building up macro-regions.

Erwin Mohr concluded by encouraging the Council of Europe's member states to ratify the Madrid Convention and its protocols. Macro-regional co-operation helped remove boundaries, whether actual national borders or the barriers that existed in citizens' minds.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked the Rapporteur for his exceptional work, and gave the floor to Mr Luciano Caveri, a member of the Committee of the Regions of the European Union. The EU had invented the concept of macro-regional strategies, which made Mr Caveri's contribution especially valuable.

Luciano CAVERI (Italy, ILDG) (interpretation) drew the President's attention to the need to monitor what was happening in Italy. The Monti Government, which was the first ever Government made up exclusively of technical experts, was attacking local government, and particularly the regional authorities. Luciano Caveri, as the representative of the Aosta Valley, added that it was also attacking linguistic minorities. It might seem attractive to replace politicians with technocrats, especially in view of the crisis facing Italian democracy. However, he said that caution was required.

Luciano Caveri considered that Mr Mohr had very accurately described the characteristic features of macro-regions. It should be remembered that macro-regions were not new institutions. In times of economic crisis, when politicians were trying to save public funds, it would be strange to set up new structures. Macro-regions were geared to improving the approach to solving the practical problems of populations on either side of a given border. Moreover, since borders had been partly abolished in Europe, it would be preferable to replace the expression "transfrontier co-operation" with "territorial co-operation".

The planned creation of an Alpine macro-region provided an interesting example here. There was definitely such a thing as an Alpine civilisation which stretched from Slovenia to the Principality of Monaco, at the other end of the Alps. The history of the Alps was dotted with a whole range of macro-regional approaches. Although the Council of Europe had of course developed the concept of transfrontier co-operation in the Madrid Convention and its protocols, it was interesting to note the legal improvements made by the European Union. The Alps had long been recognised under international law. For instance, the Alpine Convention had been signed in the early 1990s by the Alpine States, albeit without explicit reference to the regions and populations in question. Recently, in the context of this Convention, a meeting of the relevant ministers had taken place in Poschiavo in the Swiss Canton of Graubünden, but the ministers had discussed the Alps without any exact knowledge of the problems of this territory. The German Minister, who had begun by adopting a fairly lukewarm stance, had changed his mind when he noticed the great importance of this Alpine macro-region to Bavaria. The Alpine Convention therefore remained a state preserve. On the other hand, in the 2000s a structural fund had been introduced for the "Alpine Space", largely managed by the regions. This mode of management had highlighted the fact that mountain populations, whether in Slovenia, Switzerland, Piedmont or the Rhône-Alpes Region, faced the same problems in the agricultural and environmental fields, and in terms of infrastructures for access to high bit rate systems, etc.

How should the macro-regions react to these challenges? Macro-regions could be designed either top-down or bottom-up. In order to foster the emergence of the Alpine macro-region, the regions were currently trying to reach a mutual agreement, which they subsequently had to persuade their respective states to accept, since the latter were the decision-makers. In Innsbruck, for instance, the Austrian Government had recently confirmed its desire to address the issue of the Alpine macro-region, in tandem with the French Government, at the Alpine Conference scheduled for December.

Luciano Caveri explained that he had been in politics for 25 years. As representative of an Italian autonomous region, he thought that thanks to its capacity for mediation, politics was always capable of managing difficulties and finding intelligent solutions. On the other hand, this did not always apply to technocrats. For instance, he had met with senior officials from various governments who were supposed to be helping establish the Alpine macro-region. They always began with the question: "was the macro-region a foreign policy issue or not? If so, it was a matter for the state". That was the paradox: it was a case of recognising the regions' capacity for managing a European policy which was not a foreign policy. Alongside the Europe of ambassadors and ministers, another Europe existed, and the macro-regions were there to prove it.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked M. Caveri for his extremely interesting presentation. The Alpine macro-region raised a multitude of questions: the historical framework, relations at the regional and state levels, etc.

The President gave the floor to M. Lambertz, who had wide experience in the field, was well acquainted with this question, and was a major thinker in the field of transfrontier co-operation.

Karl-Heinz LAMBERTZ (Belgium, SOC) (interpretation) congratulated Mr Mohr on his excellent report, which had managed to shed some interesting light into the "jungle" of transfrontier co-operation. The Council of Europe had been working hard to promote transfrontier co-operation. Karl-Heinz Lambertz recalled that he had attended, together with the new President, a meeting of a Congress working group responsible for this subject. Europe had more borders than any other continent. A border constituted not only a dividing line but also an opportunity for co-operation. Europe currently had over 200 transfrontier co-operation bodies, each of which was very important to the local populations. Transfrontier co-operation was a sign of healthy European cohesion. It was therefore important for the Congress to continue dealing with transfrontier co-operation and also working on inter-regional co-operation.

The report clearly defined macro-regions. This issue was important not only to the European Union but also to the Council of Europe. The report proposed food for thought on the decisive issue of the added value of macro-regions.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked the speakers and closed the discussion. She proposed holding a vote on the draft resolution set out in document CPR(23)2. No amendments had been tabled.

On a motion from Karl-Heinz Lambertz (Belgium, SOC), accepted by the President, the vote was held by a show of hands.

The draft resolution was adopted.

The PRESIDENT (Ukraine, ILDG) (interpretation) called for a vote on the draft recommendation set out in document CPR(23)2, to which no amendment had been tabled. The vote was held by a show of hands.

The draft recommendation was adopted.

9. REGIONAL LEGISLATION AND ACTION TO COMBAT SEXUAL EXPLOITATION AND SEXUAL ABUSE OF CHILDREN

[CPR(23)3]

The PRESIDENT (Ukraine, ILDG) (interpretation) introduced the next item on the agenda. Mr Van den Hout would, on the Rapporteur's behalf, present the report entitled "Regional legislation and action to combat sexual exploitation and sexual abuse of children". Subsequently, the Chamber would hear Mr Ruelle, Chair of the Committee of Parties to the Convention on the Protection of Children against sexual exploitation and sexual abuse.

Johan VAN DEN HOUT (Netherlands, SOC) (interpretation) said that he was representing Dusica Davidovic, who had been unable to attend the sitting. It was estimated that in Europe, one in five children had suffered some kind of sexual violence. This figure was extremely shocking. And yet

the statistics came from UNICEF, the International Labour Organisation and the World Health Organisation, based on various surveys conducted in Europe. It was extremely difficult to gain any precise idea of the extent of sexual violence. This crime was often not reported: it was a so-called "silent crime". Sexual violence took on a variety of forms: incest, pornography, prostitution, trafficking, corruption, soliciting via Internet, sexual exploitation and sexual abuse. The media often drew the general public's attention to prowlers, but children were often exposed to greater risks from contact with persons they knew well: members of their own families, individuals responsible for them, or even other children. All these offences could cause children serious damage in terms of their physical and mental health. Child victims of such abuse had to live with the consequences until adulthood.

Therefore, protecting children from violence had been a Council of Europe priority for many years now. In 2010, the Council of Europe had launched the "ONE in FIVE" campaign to tackle this problem. The aim was to ensure that as many countries as possible signed and implemented the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention). The local and regional authorities had a role to play in protecting and promoting children's rights, as did the national governments. The Bureau of the Congress had therefore adopted a strategic action plan the previous year in order to address the local and regional dimension of the "ONE in FIVE" campaign. The aim was to alert local and regional authorities, associations of local authorities and other partners to the need to promote the Council of Europe's legal standards in this field. This was why the Congress had initiated the Pact of Towns and Regions to Stop Sexual Violence against Children. This Pact proposed a list of initiatives which towns and regions could implement in order to protect children. The previous month, the Bureau of the Congress had adopted a declaration urging municipalities and regions to sign this text.

The Lanzarote Convention was the first ever international instrument to criminalise these different forms of sexual abuse of children, including in the family setting, with use of force, duress or threats. Many provisions of the Convention should be transposed into civil and criminal legislation, which was a matter for the signatory States. Nevertheless, some crucial questions in the field of protecting children could fall under the jurisdiction of the regions, eg regulating and organising social services, health services and child welfare services. It was important to adopt specific measures and structures to protect children.

Ms Davidovic's report included recommendations for the regions. For instance, Ms Davidovic advised the regions to set up an independent body responsible for protecting children from sexual abuse and sexual exploitation, co-ordinating the different services involved in this field: education, health, social services, etc, as well as the law enforcement and judicial authorities. The suffering of child victims of sexual abuse seldom ended with the discontinuation of the physical act. Such violence could have lasting repercussions. The Lanzarote Convention emphasised the principle of a multidisciplinary approach. The regions were therefore invited to introduce interdisciplinary centres specifically for children, where the latter could talk about the act inflicted on them and where they could undergo medical examinations and receive therapeutic advice without having to repeat their accounts several times over and therefore suffer additional trauma.

All persons and agencies involved in assisting children (social services, youth workers, police and judicial services and health professionals, as well as those responsible for sports, cultural and recreational activities) should have appropriate training in order to understand this phenomenon. The regions might implement such training in order to highlight the needs and rights of children under these circumstances.

The previous week in the Netherlands, a report had been published on sexual abuse inflicted on children in public institutions. The children in question had been institutionalised and were supposed to be under the protection of both the State and the local authorities. These facts were extremely shocking, particularly because the children in question were highly vulnerable. The Dutch Committee recommended the adoption of measures relating to the child's environment and entourage in order to prevent the recurrence of such abuse. It was important to work with the social services and the child welfare services.

The report invited the regional authorities to promote the aims of the "ONE in FIVE" campaign and to implement the Congress's strategic action plan. The plan could be implemented in co-operation with the local and central agencies. As representatives of the European regions, the members of the

Chamber should exert pressure on their national governments to sign the Lanzarote Convention. The regions, for their part, should adopt policies and structures to prevent sexual violence against children. Any community which strove to respect human rights was under an obligation to ensure that no such acts could be committed.

Johan Van den Hout stressed that violence against children was an extremely serious matter, and he invited participants to undertake to put an end to this scourge. He strongly urged them to adopt Ms Davidovic's report.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked Mr Van den Hout and gave the floor to Mr Eric Ruelle, judge, first Vice-President of Meaux Regional Court in France, and Chair of Committee of Parties to the Lanzarote Convention.

Eric RUELLE, Chair of the Committee of Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (interpretation), briefly introduced himself. He had chaired the committee which had prepared the Lanzarote Convention and was also a member of the French judiciary.

The Committee of Parties to the Lanzarote Convention (monitoring committee) currently had 23 member states, about half of the Council of Europe members that had signed the Convention. The Committee had two main tasks: ensuring the implementation of the Convention by States Parties, which involved an evaluation mechanism, and identifying good practices for implementing the instrument. The Committee had held three meetings so far. It had begun by adopting its rules of procedure, and then initiated discussions on both the appropriate means of sharing good practices and the implementation of an evaluation mechanism. The efforts would be based on a specific theme, preventing and combating sexual abuse of children within relationships of trust. The monitoring committee would ascertain how this theme was dealt with by the various signatories. Questionnaires would be sent to each of the States Parties in order to initiate the evaluation process.

Eric Ruelle went on to describe the role which the Congress of Local and Regional Authorities could play in implementing the Convention. The convention had an extremely broad scope, covering not only the criminal-law field but also prevention and assistance for victims. Furthermore, the Convention did not differentiate between implementation by the States themselves and implementation by decentralised or federate authorities. Some of the measures set out in the convention involved mobilising the local, and particularly the regional, authorities, in most states. For instance, assessment of sexual abuse inflicted on children usually involved local appraisal. Training for staff in contact with children and information for public officials on this phenomenon were often matters for the regions, which exercised competences in the health, family and educational fields in many states. Local public service staff were in contact with constant the families, and their training was a vital part of prevention. The development of victim advice and assistance services and the creation of reception centres also generally involved the local authorities. Lastly, the Convention stressed the development of partnerships between the public authorities and civil society and recommended a multidisciplinary approach. It also advocated involving children in devising policies to prevent sexual abuse, and in fact such approaches would be much easier to implement at the local than the national level. For all these reasons, the local and regional authorities should be directly involved in implementing the Convention. Moreover, when states answered the evaluation questionnaire, they would have to include the regional contributions in their replies.

Eric Ruelle welcomed the interest shown by the Chamber of Regions in implementing the Lanzarote Convention and voiced his hope that co-operation could be initiated on this subject.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked Mr Ruelle, and stressed that the Congress could play a major role in this area. She pointed out that some very young children suffered this kind of abuse. The utmost had to be done to prevent adults from defiling the innocence of such children.

Svetlana ORLOVA (Russian Federation, EPP/CD) (interpretation) said that no issue was more important than child welfare and that the Chamber should take time to debate this matter.

Zinaida DRAGUNKINA (Russian Federation, EPP/CD) (interpretation) pointed out that the Current Affairs Committee had debated this report the previous day. No amendments had been tabled. Zinaida Dragunkina considered it vital to adopt the draft resolution. This extremely pragmatic text clearly explained the possibilities for implementing it at the local level.

Zinaida Dragunkina recalled that she had spoken on several occasions in the Congress in favour of protecting children's rights, but that the Russian Federation had only recently signed the relevant documents. The fact was that the situation had changed in 2012. In March 2012, the Federation Council had approved a Law amending the Russian Penal Code in order to reinforce sanctions in matters of sexual exploitation and sexual abuse of minors. Furthermore, the President of the Federation Council, Valentina Matvienko, had worked with the Russian delegation to the Congress of Local and Regional Authorities on a draft action plan for children, and Maud of Boer-Buquicchio had spoken on this subject in Moscow before the Duma. On 1 June, International Children's Day, the Russian President had signed a declaration largely based on the Council of Europe Convention on the protection of children. It was a case of setting ambitious goals in order to ensure that the Russian towns and regions adopted a responsible approach to children's rights. On 28 September 2012, at the UN, the Russian Minister for Foreign Affairs, Sergei Lavrov, had signed the optional protocol to the Convention on the Rights of the Child, which prohibited child prostitution. Lastly, Alexander Alexeev, the representative of the Russian Federation in Strasbourg, had signed the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Russia had now initiated the procedure for ratifying these different texts. To date, 45 Council of Europe states had signed the Lanzarote Convention and over 20 had ratified it.

The report raised an extremely important question. It was vital for adults to act when they saw a child in tears. The "ONE in FIVE" campaign had been presented in Moscow and St Petersburg, attracting very active support from civil society.

Zinaida Dragunkina considered that beyond sexual abuse, the issue of violence against children was present in all countries. In some countries, for instance, children were forcibly sent abroad for adoption. This was an instance of real violence. All these questions cropped up regularly. Zinaida Dragunkina was attempting to promote the Convention on the Rights of the Child, and hoped that the Congress would do its utmost to ensure that real protection was at last available for children.

The PRESIDENT (Ukraine, ILDG) (interpretation) said that Zinaida Dragunkina had spoken as a mother, and gave the floor to the next speakers.

Yasemen CELIK (Turkey, SOC) (interpretation) recalled that Turkey had signed the Council of Europe Convention on the Protection of Children in 2007. Turkey was hoping that signing this Convention would help it to make progress in this field, because it was seeing more and more cases of sexual abuse of children. 17 241 cases had been registered in 2007 and 18 334 in 2011. 75 % of these cases concerned young girls. The rate of child abuse in Turkey ranged from 10 % to 53 %, which was considerably higher than the average of one child in five for Europe as a whole. The perpetrators of such abuse were subject to criminal sanctions, and the children's families should be held to account. Unfortunately, abuse was often committed by family members, who escaped sanctions. The press was reporting more and more cases of children having to be taken into care because of abuse in their families. Child protection centres had been set up, staffed with physicians, psychologists and welfare assistants who provided for the children. Efforts were also being made to alert parents to the problem.

Philippe CHESNEAU (France, SOC) (interpretation) considered the report very pertinent. However, he would like to add that far more girls than boys suffered sexual exploitation. This was a vital element which was not explicitly mentioned in the report. In order to combat such violence he considered it necessary to combat the idea peddled by pornographic media that human beings were objects for assuaging sexual urges. This required action against such media. The problem concerned us all, including the families and the local and regional authorities.

Yoomi RENSTRÖM (Sweden, SOC) (interpretation) said that the judicial system often had to provide its own interpretation of the legislation adopted. Where child abuse was concerned, they had to ensure that the interpretation of the law really reflected the legislature's intentions if they wanted the situation to progress.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked the speakers. She invited the members of the Chamber to transmit their declarations in writing, if they so wished.

The President submitted the draft resolution set out in document CPR(23)3 to the vote. No amendments had been tabled. This vote and the next one were held by a show of hands.

The draft resolution was adopted.

The PRESIDENT (Ukraine, ILDG) (interpretation) submitted to the vote the draft recommendation set out in document CPR(23)3, to which no amendments had been tabled. She recalled that a two-thirds majority was required in order to adopt a recommendation.

The draft recommendation was adopted.

10. RESULTS of THE ELECTION of SEVEN VICE-PRESIDENTS

The PRESIDENT (Ukraine, ILDG) (interpretation) informed the members of the Chamber of the results of the election of the seven Vice-Presidents.

- Number of voters: 90
- Number of spoiled or blank ballots: 2
- Number of votes cast: 88

The seven candidates had been elected as Vice-Presidents. The President gave their names in order of number of votes gained, determining their order of precedence:

- Michael O'Brien (Ireland, SOC): 72
- Helena Pihlajasaari (Finland, SOC): 64
- Gunn-Marit Helgesen (Norway, EPP/CD): 63
- Urs Wüthrich-Pelloli (Switzerland, SOC): 61
- Clemens Lammerskitten (Germany, EPP/CD): 54
- Svetlana Orlova (Russian Federation, EPP/CD): 44
- Ludmila Sfirloaga (Romania, SOC): 44

The President pointed out that lots had had to be drawn to decide between Ms Svetlana Orlova and Ms Ludmila Sfirloaga, who had gained the same number of votes. Ms Orlova was thus the sixth Vice-President, in order of precedence, and Ms Sfirloaga the seventh Vice-President.

The President congratulated the Vice-Presidents and assured them of her support.

11. CLOSE OF THE TWENTY-THIRD SESSION OF THE CHAMBER

The PRESIDENT (Ukraine, ILDG) (interpretation) announced that the Statutory Forum would take place that day at 2 pm. The Vice-Presidents, Heads of Delegation and members of the Congress who were members of this Statutory Forum were invited to attend. The Bureau of the Chamber would meet on 18 October at 8 am, and the Bureau of the Congress on 18 October at 8.35 am.

The President reminded members of the Chamber that they had to sign the declaration of principle, in accordance with Rule 6.3 of the Rules of Procedure of the Congress.

Michael O'BRIEN (Ireland, SOC) pointed out that he was from a small country on the periphery of Europe and wished to pay tribute to the representatives of various states, particularly the larger ones, who, by electing him Vice-President, had shown their determination to act with justice and fairness. He assured the President of his unconditional support.

The PRESIDENT (Ukraine, ILDG) (interpretation) thanked all the participants.

She declared the twenty-third Session of the Chamber of Regions closed.

The sitting rose at 11.55 am

SECOND SITTING OF THE CONGRESS**Wednesday 17 October 2012 at 3 pm**

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The sitting was opened at 3 pm with Mr Herwig van Staa (Austria, R, EPP/CD), President du Congress, in the Chair.

1. ADOPTION OF THE MINUTES OF THE PLENARY SITTING OF 16 OCTOBER 2012

The PRESIDENT (Austria, R, EPP/CD) said that the minutes of the previous plenary sitting were available at the document counter. The names of substitutes who were present at the session and whose names had been given to the Chair would be appended to the minutes.

The minutes were adopted.

2. STATEMENT BY GABRIELLA BATTAINI-DRAGONI, DEPUTY SECRETARY GENERAL OF THE COUNCIL OF EUROPE

The PRESIDENT (Austria, R, EPP/CD) welcomed the Deputy Secretary General of the Council of Europe, Ms Gabriella Battaini-Dragoni, who had recently been elected to the post and was representing the Secretary General Thorbjørn Jagland at this session of the Congress.

The President congratulated Ms Battaini-Dragoni on her election to this key post after a particularly brilliant career which had begun at the Council in 1976. In 2001, she had become Director General of Social Cohesion, the first woman appointed to such a high-level post within the Organisation. From 2004 to 2011, she had been Director General of Education, Culture and Heritage, Youth and Sport, and had worked to modernise the concept of the European social model, incorporating various new dimensions into it. Since 2011, as Director General of Programmes, she had supervised the preparation and implementation of the now biennial programme of activities for the intergovernmental sector. She had wished to involve all Council of Europe bodies, including the Congress, in these activities. Her determination as the person responsible for the mobilisation of external resources had imparted new impetus to synergies within the Organisation, in which the Congress had been fully involved. The improved co-operation among the different bodies had benefited the operation of the entire Council of Europe.

The Congress had worked with Ms Battaini-Dragoni on many occasions during her previous duties, and the President voiced the hope that they would maintain their excellent working relations.

The Secretary General and the Deputy Secretary General were responsible for carrying out a reform of the organisation which would further boost the synergies between the various Council of Europe bodies with an eye to implementing comprehensive and ambitious programmes. The Congress was already contributing to these programmes and intended to continue along the same path. This was the spirit in which it had developed its priorities, adopted the previous day.

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, reminded participants that the former French Prime Minister Edouard Herriot, who had served as mayor of Lyon for many years and had been one of the first advocates of local democracy in Europe, had declared: "Everything divides states, everything unites the municipalities". Evidence of the truth of the second part of his statement had been provided on 17 October 1953, when about 1,000 mayors from 16 countries had met in Versailles to adopt the European Charter of Municipal Liberties. Some people considered this day as having marked the birth of European local democracy, while others held that it had also been the date on which the idea of setting up the Congress of Local and Regional Authorities had first emerged.

Ms Battaini-Dragoni congratulated the President on his election as head of the Congress and saluted the newly elected Bureau. She was convinced that Mr van Staa's in-depth knowledge of the Congress would enable him to fulfil his duties with determination and vision. She also paid tribute to Keith Whitmore, who had worked closely with the Council of Europe for sixteen years and whose leadership had facilitated the transformation of the Congress, rendering it more effective.

In the past three years, the Congress had undergone significant changes, both political – revising its priorities and refocusing the action on the Council of Europe's core objectives – and structural – adapting its working methods to the new realities. The work of the Congress was now

more closely linked to that of the institution's other bodies. Setting priorities for the coming four years enabled the Congress to dovetail better with the Council's overall mission.

The European democratic model could not work without a strong local and regional democracy dimension. The World Forum for Democracy held in Strasbourg the previous week had confirmed that without local democracy, a democracy remained fragile at best. It was at the local and regional level that the authorities were closest to the citizens and that "grassroots democracy" took on meaning, enabling public action to really meet the citizens' expectations.

In Istanbul, the 2nd Conference of Ministers responsible for Social Cohesion had mentioned worrying trends in several states, such as the marginalisation and social exclusion of part of the population. Stringent austerity measures and growing unemployment had had political and social costs and had led to protest demonstrations. The gap between the citizens' expectations and governmental responses was widening, and the crisis was fostering increasing extremism, violence, xenophobia and racism. Governments were constantly seeking to reduce their budgets while investing at the same time in "security", but what was needed was to ensure social cohesion. The austerity measures had also significantly reduced the resources of the local and regional authorities. In times of crisis, states tended to increase decentralisation, but they did so without the necessary additional resources. And yet the local authorities had a responsibility to ensure the well-being of their citizens, including the most vulnerable groups. The local and regional authorities played a crucial role in combating discrimination. These issues should be addressed in the towns and regions, in direct contact with the citizens.

The economic crisis was not only impacting on specific vulnerable social groups. In reality, the whole of society was being undermined. The European socio-economic model set up after World War II was at risk, and in this connection European policymakers should adopt a clear framework for action, part of which would be the European Charter of Local Self-Government. It was up to all Council of Europe members to ensure that the political responses to these upheavals remained compatible with the states' obligations under the Charter.

Ms Battaini-Dragoni welcomed the action taken by the Congress to improve the situation of Roma people in Europe, especially the creation of the European Alliance of Cities and Regions for Roma Inclusion and the co-operation with the Secretary General's Special Representative on Roma issues. These activities were essential for implementing the 2010 Strasbourg Declaration on Roma. The Alliance would no doubt be playing a key role in improving the living conditions of the Roma in the coming years.

The establishment of the Alliance, the Strategic Action Plan adopted by the Congress for the "One in Five" Campaign, its Pact of Towns and Regions to combat sexual violence against children and other initiatives which were in hand were proof of the Congress's growing operational capacity. The Congress was also actively involved in the Council's co-operation programmes, such as the Action Plan for Ukraine and the work with Albania. The missions to observe local and regional elections were a perfect illustration of the Congress's operational capacities in the area of local democracy. The monitoring activities were one of the Congress's major assets, and should be strengthened. Ms Battaini-Dragoni was pleased that the Congress was working to improve the follow-up to its recommendations and to set up post-monitoring co-operation programmes.

Ms Battaini-Dragoni then referred to co-operation with the Council's neighbours. The upheavals in North Africa since December 2010 had led the Council to consider new opportunities for co-operation with these countries, and the Congress was well-placed to work with the Arab Spring states and help them defend their local democracy. The World Forum for Democracy had reiterated the need, in a context of growing interdependence, to strengthen links with neighbouring countries.

Ms Battaini-Dragoni pointed out that the new activities initiated by the Congress were prompting great expectations and that she was convinced that the Congress would be able to boost its operational capacities by working closely with the other Council of Europe bodies.

Ms Battaini-Dragoni said one of her priorities was to improve institutional dialogue within the Council of Europe and to strengthen the synergies between the Council's statutory bodies. A veritable "common agenda" was required. She assured the Congress of her full support, as well as that of the

Secretary General, in fulfilling its role as defender of local democracy, which was particularly crucial in a period of crisis.

The PRESIDENT (Austria, R, EPP/CD) said Ms Battaini-Dragoni had kindly agreed to answer written questions from members of the Congress. Those present in the chamber could therefore table their questions. Nine had been tabled. Questions 1 and 2 were on the same subject and would be dealt with together.

Ann BESKOW (Sweden, L, SOC) thanked the Deputy Secretary General for the example she had set. The local authorities should take effective action to guarantee respect for the rights of all citizens. With this in mind, she had asked the Congress to appoint a rapporteur on the situation of LGBT people (lesbians, gays, bisexuals and transgender peoples) at the local level. She asked Ms Battaini-Dragoni how she planned to co-ordinate measures within the Council of Europe to promote LGBT rights. How could the situation of these individuals be improved at the national and local levels?

Andrew BOFF (United Kingdom, R, ECR) said that LGBT people's freedom of expression was being increasingly restricted. Even though they realised that it was wrong to prohibit the sexual orientations of such people, some municipalities were refusing to support them and were therefore banning a whole series of events organised by them. In a number of European towns and cities people could say that they were homosexual but not that they were happy as homosexuals. On the pretext of maintaining public order, Gay Pride-type parades were often prohibited in a large number of municipalities even though such events enabled LGBTs to show that they had their place in society. What measures could be introduced to protect these persons' rights?

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, said that discrimination against LGBTs was unfortunately still taking place, and that extensive differences of opinion between the member states had been noted in this field. She believed the Council could do useful work on the basis of respect for human rights. LGBT rights should be considered in the context of the fundamental rights of all individuals, which were confirmed by the founding texts of the Council of Europe. Substantial progress had nonetheless been recorded in the past few years, especially with the adoption of anti-discrimination laws, but there were still instances of reactionary behaviour in Europe, and tendencies to curb certain LGBT freedoms, particularly freedom of association, were sometimes noted.

Mr Jagland, Secretary General of the Council of Europe, was keeping a very watchful eye on these matters. For example, he had reacted on two occasions in the previous month: after the banning of a Gay Pride parade in Serbia and after the introduction of a draft law in Ukraine making "the promotion of these sexual orientations" a criminal offence. The text had had its first reading in Parliament, but following Mr Jagland's intervention the Ukrainian Government had reminded members of the international principles in force, so that the draft law should probably ultimately be rejected. LGBT people had their rightful place in a modern democracy, and states should uphold their rights, especially the right of assembly.

Non-discrimination on grounds of sexual orientation was one of the Committee of Ministers' priorities. The Council of Europe had accordingly set up an LGBT Unit in order to help member states to address these issues. The very fact of setting up this Unit sent out a strong signal to member states. The Council could also make its expertise available to local authorities.

Jean-Claude FRÉCON (France, L, SOC) referred to the Council of Europe's policy on neighbouring regions, especially the countries on the southern shore of the Mediterranean affected by the movement known as the "Arab Spring". How could the Council, and also the Congress in the context of the Council's policy, best help those involved? The Congress was pleased to have been associated from the outset with the Council's policy towards neighbouring countries. How could the Deputy Secretary General help the Congress to achieve these co-operation objectives, including financial assistance?

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, replied that she attached immense importance to this subject. She had been responsible for drawing up the first action plans on co-operation with Tunisia and Morocco. A third action plan concerned Jordan, while a fourth was being drawn up for Kazakhstan. Very early on, the question had arisen how these

programmes could take account of all areas of co-operation rather than concentrating on intergovernmental activities. The aim was to incorporate the contribution of the Assembly and the Congress into these programmes. How was it possible to speak of democracy while ignoring local democracy? Accordingly, for the first time in the Council's history a section of an action plan had highlighted the activities to be initiated by the Congress. This approach had now also been adopted for action plans intended to benefit the Organisation's member states, for instance in the programmes for Albania and Ukraine. Therefore, whether action plans were for member states or neighbouring countries, the Congress's proposals would be incorporated into the action plan.

The Neighbourhood Policy enjoyed the political support of the Council of Europe Committee of Ministers and both the political and financial support of the European Union. The policy was currently exclusively financed by the South Facility programme, which had been signed in early 2012 by the Secretary General of the Council of Europe and Commissioner Füle, on behalf of the EU, and was funded to the tune of some € 4.5 million. Ms Battaini-Dragoni said the Council was continuing to look for additional resources to finance programmes of this nature.

Lars O. MOLIN (Sweden, L, EPP/CD) said the Congress had discussed ways of improving the implementation of its recommendations. With this aim in mind, the political dialogue which was established with national authorities during monitoring visits should be continued. Bosnia and Herzegovina had been the first member state in which this process had been launched. In this context, the national authorities had asked the Congress to draw up a "roadmap" for the implementation of its recommendations. Mr Molin requested Ms Battaini-Dragoni's support in ensuring that the Congress's recommendations would be taken into consideration in the Council of Europe's assistance programmes on local and regional issues. He also asked for her support in ensuring that the Congress had the resources it needed for its post-monitoring activities and, in particular, in seeking outside funding for co-operation and internal assistance programmes.

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, pointed out that a large number of debates were under way at the Council of Europe on how to improve the Organisation's ability to meet expectations. The member states entered into obligations when they ratified conventions, but some conventions involved commitments which would have to be assumed by other parts of society, especially the local and regional authorities. How could the Council make the supervision of compliance with all these commitments more effective? Such supervision could involve monitoring activities, corrective measures or technical assistance. The Congress's concern to improve its monitoring mission therefore corresponded to one of the Council's priorities. The Secretary General would soon be turning his attention to this question, and the Congress could help here in explaining what was actually happening on the ground.

Governmental funding was being reduced, but voluntary contributions remained stable. It was accordingly thanks to voluntary contributions from some member states that a new approach had been introduced for the action plans in support of Ukraine or Albania. It was clear that monitoring activities required financial resources, and Ms Battaini-Dragoni would ensure that they were distributed fairly around all sectors of the Council.

Johan VAN DEN HOUT (Netherlands, R, SOC) reminded participants that the Council had launched the "One in Five" Campaign two years previously in order to combat the sexual exploitation and sexual abuse of children, especially by implementing the Lanzarote Convention. The Congress had been actively involved in this campaign through its strategic action plan relating to the local dimension of the Campaign. The Bureau of the Congress had recently approved a Pact of Towns and Regions comprising concrete proposals for local action. That very morning, the Chamber of Regions had unanimously adopted a report on regional legislation geared to preventing sexual violence against children. Mr Van den Hout asked for Ms Battaini-Dragoni's views on the role of the local and regional authorities in this area and her take on the future of the "One in Five" Campaign.

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, said the local level was without doubt the most suitable one for protecting children's rights and avoiding violence against children. After all, the schools which children attended or the public parks they went to were managed at this level. Ms Battaini-Dragoni pointed to the success of the "One in Five" Campaign, which had raised the awareness of member states and persuaded a large number of them to ratify the Lanzarote Convention. In her opinion, a similar campaign should be launched to promote

the Convention on preventing and combating violence against women and domestic violence. So far, this Convention had been ratified by only one member state, namely Turkey.

The “One in Five” Campaign would end in 2014. Eleven ratifications of the Lanzarote Convention had been obtained. 17 campaigns were still to be launched. The Congress had actively endeavoured to ensure that concrete measures to protect children were taken at the local level and that the Convention was implemented. The text was now in force as a result of the many ratifications secured.

Vladimir VARNAVSKIY (Russian Federation, R, ILDG) said that a General Assembly against neo-Nazism had been held in Strasbourg on 9 and 10 October 2012. A resolution had been adopted calling on states to introduce measures, especially educational and cultural ones, to prevent the radicalisation of society and the propagation of neo-Nazi opinions. The gathering had expressed the desire to join the Advisory Council of civil society leaders currently being set up by the Secretary General of the Council of Europe. What measures could be introduced at Council of Europe level to combat Nazism, racism and xenophobia, and what concrete contributions could be made by the Congress in this area?

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, said she unfortunately agreed with Mr Varnavskiy’s analysis of the seriousness of the situation, in view of the resurgence of neo-Nazi and xenophobic movements. The issue was a matter of concern for the Council of Europe, which was keeping a close eye on the situation, especially through the European Commission against Racism and Intolerance (ECRI), which could also issue opinions on national laws in this area.

The Secretary General had attached the utmost importance to the report published the previous year entitled “Living together – Combining diversity and freedom in 21st-century Europe”. It emphasised the fact that the dignity of all human beings was too important for any type of discrimination or hate speech to be accepted. The Council was conducting awareness-building activities among youth movements in order to counter the propagation of hate speech on the Internet, and was encouraging young people to blog in order to put a stop to such comments. Particular attention was being paid to the expressions of hatred which were emerging in member states, with an eye to preventing the expansion of such trends. These movements were a threat to democratic societies and should be combated. The Council was working with civil society, including both youth and adult organisations.

Leen VERBEEK (Netherlands, R, SOC) said he was the Queen’s Commissioner for the Dutch province of Flevoland. He had represented the Congress at the World Forum for Democracy and attended the meeting of the Working Group on “Multiple identities and living together”, as well as the workshop on regionalisation and democracy organised by the Congress together with the Alsace Regional Council and the Assembly of European Regions. He had participated in numerous other debates, enabling him to listen to participants from Africa, Asia, South and North America and the Middle East discussing whether democracy was a truly universal value and whether it was possible to reconcile cultural diversity and social cohesion. What follow-up would the Council of Europe be providing for the Forum? Would any concrete measures emerge from these discussions? How would the Congress be involved in such follow-up?

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, said that the World Forum for Democracy had ended just a few days previously and that the Council was about to begin drawing conclusions from it. The event was very important for the Council’s various activities. The UN Secretary-General’s speech had given the Forum a global dimension.

Without pre-empting the forthcoming analysis, she hoped that Strasbourg would eventually become the Forum’s headquarters. If the assessment was positive, it was planned to hold the Forum every two years so that it became a place for regular dialogue. The various contributions had proved extremely interesting. Democracy faced many challenges, which had to be transformed into assets in order to win the battle. The Council was conducting many activities in this area, especially in the field of promoting intercultural dialogue – “living together”. The battle had to be fought worldwide, not just in Europe. The Council possessed the necessary instruments and values, and seemed to be the only organisation capable of examining how to live together in a multicultural society while at the same time

fully respecting the dignity of all persons on an equal footing. Human rights protection was the essential starting-point for the discussions. All the conditions were fulfilled for the Council to act as the forum for debating democracy. The existence of such a debating forum was vital at a time when democracy was sadly being questioned because of the current socio-economic difficulties. The Forum should continue to meet, and democracy was clearly inconceivable without local democracy.

Zinaida DRAGUNKINA (Russian Federation, R, EPP/CD) thanked Ms Battaini-Dragoni for the very helpful meeting she had had with the Russian delegation. The Russian Federation had signed the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse on 1 October. At the same time, the "One in Five" Campaign had been launched in Russia. Ms Dragunkina asked Ms Battaini-Dragoni how she assessed the extent of the co-operation between the Council and the Russian Federation in this and other areas.

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, said it had been a great pleasure to meet the Russian delegation, headed by Ms Orlova. She hoped that the Lanzarote Convention would be ratified by the Russian Federation in the near future, as Ms Orlova had been actively advocating such a move. She wanted to draw attention to the efforts being made by the Russian government, particularly in terms of initiating the "One in Five" Campaign in Russia. Moreover, a number of structural decisions had been taken in this area, including the appointment of a Special Representative of the President for the protection of children's rights. Russia had clearly demonstrated its desire to implement pragmatic measures. A network had been set up in the various Russian regions to put these measures on a permanent footing.

Ms Battaini-Dragoni stressed that the Russian Federation was an important member of the Council and welcomed the excellent co-operation which had been established in many areas. The judges of the European Court of Human Rights were noting that judgments handed down on Russia were actually being enforced. The Russian Federation was very much involved in measures associated with social cohesion and the concept of "living together in diversity". There were also many other areas of co-operation. Even though difficulties could occur, as in the case of all member states, the main thing was to maintain constructive dialogue so that the Russian Federation could be given help when it requested it, for example assistance with the reform of the judicial system. A programme of activities was being implemented in this specific area. The more active the co-operation was and the more it improved, the greater would be the benefit for both Russia and the Council of Europe.

Svetlana ORLOVA (Russian Federation, R, EPP/CD) said the Congress actively defended democracy. Even in times of crisis, it continued to adopt recommendations and organise hearings. However, its budget was being cut. It had been asked to contribute 7% to the effort to reduce staffing levels at the Council of Europe. The resources available to the European Union's Committee of the Regions were of a quite different order. However, the Congress wanted to continue to support the local and regional authorities, which were the first to respond to people's problems. To that end, Ms Orlova asked Ms Battaini-Dragoni for her support in preventing the Council from reducing the budget allocated to the Congress. She pointed out that the Congress had demonstrated its professionalism, its tolerance and its ability to adopt concrete decisions.

Gabriella BATTAINI-DRAGONI, Deputy Secretary General of the Council of Europe, said the budget debate was crucial. The foreign ministries of most member states, which contributed to the Council's resources, were facing budget cuts themselves. However, the situation differed from one European country to another, with some experiencing GDP growth and others being far from doing so. Given this difficult situation, the real question was whether the Council of Europe budget was fair or not. The fairer the budget, the more targeted the activities would be. The Committee of Ministers was already prepared to study justified proposals from the various sectors. The other sectors of the Council of Europe would also be subject to budget restrictions, which would in some cases be more stringent than those affecting the Congress. In this difficult period, it was proving necessary not only to be efficient but also to engage in creative discussions in order to identify alternative ways of securing additional resources, for example in the form of voluntary contributions, joint programmes with the European Union or other modes of co-operation.

The PRESIDENT (Austria, R, EPP/CD) thanked the Deputy Secretary General on behalf of the Congress.

3. LOCAL AND REGIONAL DEMOCRACY IN AZERBAIJAN

[CG(23)12] (RES and REC)

The PRESIDENT (Austria, R, EPP/CD) announced that the next item on the agenda was the debate on the report on local and regional democracy in Azerbaijan.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, described the situation in Azerbaijan as encountered during her mission to this country.

No observation of local and regional democracy had been carried out there by the Congress since 2003. She had travelled to Baku in 2009 on an election mission and had seen significant changes in the city. Financial resources were now available and the architecture reflected both the country's potential and the skills of the population. The mission hoped that this expertise would be used to implement the Congress's recommendations.

Azerbaijan had ratified the European Charter of Local Self-Government on 15 April 2002, one year after joining the Council of Europe. The ratification had been interpreted as a sign of the authorities' political will to ensure local and regional democracy in the country. However, the last recommendation adopted by the Congress in 2003 had mentioned several grounds for concern, beginning with the definition of a municipality, which had not been clear at that time. For example, Article 2.1 of the Law on the Status of Municipalities had read as follows: "The municipalities are public authorities of the Republic of Azerbaijan, as independent elements of the system of public administration". These municipalities could not freely use their resources to carry out their functions. Public state funds were not distributed on the basis of objective and transparent criteria. The Constitution of Azerbaijan made no reference to organisation at the regional level but did contain a section on the Nakhichevan Autonomous Republic. Although the latter had its own parliament and regional government, it seemed to be largely dependent on central government, especially as its budget very much depended on the Azerbaijan State budget.

The Congress's first recommendation, dating from 2003, had drawn mainly on the fact that very few of the provisions of the European Charter of Local Self-Government had been respected. During its visit, the Congress delegation noted that the situation had not improved and that the national authorities had disregarded the recommendation. This was why the draft text submitted to the Congress that day reiterated many of the recommendations made in 2003. Moreover, it was proposed that the Congress adopt a resolution which provided for several initiatives to closely monitor the situation, especially by inviting the Azerbaijan Justice Minister to the Congress during the October 2013 session in order to describe the measures planned by the national authorities in response to the Congress recommendation. The resolution also proposed the early organisation of a seminar in Baku on the implementation of the Charter, which would involve all the local democracy stakeholders. Finally, a monitoring visit could be conducted in 2014 in order to assess any progress made.

Ms Mosler-Törnström expressed her deep concern about the fact that Azerbaijan had virtually no local and regional democracy. The country had ratified the Charter ten years previously, but not only had no improvement been noted but the authorities had not mentioned any "roadmap" for implementing the Congress's recommendations.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, confirmed that the Congress delegation had seen no significant change in the situation since 2003, with the exception of the creation in 2006 of three national associations of local authorities, in response to one of the Congress's recommendations. Local self-government was virtually non-existent, but the authorities had undertaken to introduce it when Azerbaijan had ratified the Charter. The municipalities were subject to stringent regulation by the national authorities and had a very low level of financial resources. There was no official procedure requiring the national authorities to consult the municipalities, even on matters which directly concerned them.

Mr Wienen said that during a monitoring visit the Congress delegation normally examined the reservations made at the time of ratification of the Charter in order to ascertain the feasibility of lifting such reservations. In Azerbaijan, in view of the large number of provisions which had been ratified but not implemented, the delegation had decided not to consider those which were the subject of a reservation.

The Rapporteurs welcomed the setting up of three national associations of local authorities, even though they did not seem in practice to represent the interests of the municipalities and were not consulted on a regular basis. The Rapporteurs thought these associations should play a more active role.

The draft recommendation asked the Committee of Ministers to call on the Azerbaijan authorities, *inter alia*, to:

- review the law of the Republic of Azerbaijan on the status of municipalities as decentralised institutions exercising some degree of sovereign authority;
- reconsider the division of tasks and powers between parallel structures of local public administration, transferring the most important local public functions to democratically and politically accountable municipalities;
- allocate financial resources to municipalities commensurate with their functions and ensure that municipalities could freely dispose of them;
- create appropriate consultation procedures;
- improve the efficiency of the tax collection mechanisms (municipalities did not have the proper means to collect taxes);
- clarify the role of the administrative authorities empowered to exercise legal supervision over municipalities;
- abolish the obligation on local governments to report to Parliament on their own operations;
- put in place a democratically elected local government in the city of Baku.

Mr Wienen pointed out that the recommendation covered virtually all the Charter's key obligations. He hoped that the resolution and recommendation would facilitate progress and that the Azerbaijan authorities would in future comply with the Charter's provisions. He also recommended that the Congress consider establishing a specific action plan as part of a post-monitoring process. Vigilance had to be maintained vis-à-vis the situation in this country. The existence of powerless municipalities without resources undermined the democratic process.

The Congress delegation had not considered the human rights situation in Azerbaijan but had noted certain facts, which were set out in Appendix 1 to the report. For example, some people had been evicted from their property and expropriated.

Mr Wienen called on the Congress to consider how best to help Azerbaijan meet its obligations in order to ensure that the Charter remained meaningful.

The PRESIDENT (Austria, R, EPP/CD) thanked the Co-Rapporteurs for their meticulous work and opened the debate, reminding participants that the monitoring procedure should not be regarded as a burden on a state but as a stocktaking geared to improving the situation.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) thanked everyone involved in drawing up the report.

The representatives of the Azerbaijan local authorities were unanimous, which was to say that they agreed on some points but regretted that on other matters the facts described did not correspond to the truth and had been presented to the Rapporteurs by various agitators. The Azerbaijan delegation had already expressed its views on the report in committee. The national authorities had made a number of observations but, like the Azerbaijan delegation's comments to the Congress, they had regrettably been more or less disregarded.

Mr Ibrahimov was of the opinion that the aim of monitoring a state should be to improve the democratic process and obtain results beneficial to the national population. It was not a simple bureaucratic procedure. He emphasised that Azerbaijan had been able to solve many economic problems, as the report in fact acknowledged. It seemed contradictory to claim at the same time that the country's structures were not as they should be. Azerbaijan was relying on the support of its European friends in order to press on with its reforms, especially in terms of democratising local government. Criticism should be constructive and fair. For example, the report mentioned expropriations in Baku, but the people concerned had been compensated. Why did it not mention the

situation in the occupied territories or the people displaced by force? At least a million people were involved. Criticism should be justified and honest.

Mr Ibrahimov pointed out that the Azerbaijan delegation had made a number of comments to the Rapporteurs and requested that the report be amended accordingly. He called on those present to show some understanding towards his country: Azerbaijan had been independent for only twenty years and had been participating in the Congress's work for only five.

Merita JEGENI YILDIZ (Turkey, R, EPP/CD) noted that being a fully fledged democracy and meeting all the Council of Europe's criteria was a difficult challenge. As the report stressed, Azerbaijan had made progress in the past few years, especially by setting up three associations to represent the interests of the municipalities. At the same time, the development of transfrontier co-operation with neighbouring states and the signing of the Presidential Decree in 2010 were positive steps and proved that the constructive criticism from various Council of Europe bodies had been accepted by the Azerbaijan authorities. The report also mentioned many aspects which needed improvement, as was the case in many other countries. Certain steps had to be taken to enable the people of Azerbaijan to achieve the optimum level of democratic functioning.

Ms Yildiz said she was convinced that the country's authorities would take note of the criticism and do what was necessary. She believed the report should take account of the views expressed by a country which was being monitored. Some expressions used were not very encouraging, and a more constructive approach would be more effective and should be prioritised. Ms Yildiz advocated supporting the amendments tabled by the Azerbaijan delegation, thus helping to offset the general tone of the report and encouraging the Azerbaijanis to appropriate its content. What was the point of a monitoring procedure if it did not actually help the state concerned?

Devrim ÇUKUR (Turkey, R, SOC) said that the report was very comprehensive and innovative and might serve as an example for other developing democracies. A monitoring report should not only be seen as an indictment but above all as a recommendation to introduce concrete improvements. Even though he did not agree with all the claims contained in the report, he considered the approach correct.

Mr Çukur referred to the many human rights violations in the Nagorno-Karabakh region occupied by Armenia. The people there had been deprived of their basic rights for almost twenty years, and the region made up 20% of the area of Azerbaijan. Very many Azerbaijanis were accordingly deprived of essential public services because of the illegal Armenian occupation, which he would like to see come to an end.

Farid MUKHAMETSHIN (Russian Federation, R, ILDG) thanked the Rapporteurs for their steadfast work in a difficult situation. The socio-economic progress was clear but there was a delay in the development of democratic institutions in Azerbaijan. The Russian delegation thought close co-operation should be maintained with Azerbaijan in all Council of Europe bodies, especially the Congress. Mr Mukhametshin said he was convinced that Azerbaijan would continue to advance along the path to the universal values defended by the Council of Europe, but progress took place at different speeds depending on the country, and there had been progress in Azerbaijan. Valid criticism would enable the authorities at different levels of administration in Azerbaijan to draw the right conclusions from the report. The national leaders should pursue the democratic reforms at the same rate as they overcame the difficulties facing their country, whether they be internal problems or problems concerning its borders. Azerbaijan wanted to set its democratic development on a firm footing, and this was a priority for its leaders.

Anders KNAPE (Sweden, L, EPP/CD) wished to clarify the Congress's role, which was to verify the implementation of the European Charter of Local Self-Government with the help of independent experts. Rapporteurs tried to draw up fair and balanced reports. When Sweden had been the subject of a monitoring procedure, he had been pleased that the rapporteurs had drawn attention to certain matters which the Swedish government had neglected or to certain provisions of the Charter which were not being properly implemented. The role of the delegations to the Congress was not to defend governments but to highlight the shortcomings of local democracy. If the Congress wanted to remain credible it had to help to ensure that all member states did their utmost to preserve local and regional democracy and the powers of the local authorities, such as the right to collect taxes. It was

accordingly not possible to table amendments which obscured the weaknesses established by the rapporteurs and were at odds with recommendations aimed at improving the situation of the local authorities. The Congress should venture to say that the situation of local democracy was far from being optimal, including, and above all, for the Azerbaijanis.

The PRESIDENT (Austria, R, EPP/CD) said the debate was limited by time. All those on the list who had been unable to speak could submit their speeches to Table Office for inclusion in the minutes of the session. The President asked the Rapporteurs to respond to the speakers.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, said that he had listened to the comments by the Azerbaijan delegation, which regretted that the report did not mention the situation of the country in terms of economic success and modernisation. However, this was not the purpose of the Congress's mission, which was to focus on local democracy. Ms Mosler-Törnström had expressed her admiration for the results achieved in a number of areas, but the Congress's role was to advance local democracy in Azerbaijan. The report had been criticised for not being sufficiently encouraging but an honest statement was essential if progress was to be made, and no progress on local democracy had been noted. The Rapporteurs could only be critical in this connection in order to highlight the fact that the situation was untenable.

Mr Wienen acknowledged that the situation in Nagorno-Karabakh was a major problem, but this issue lay outside the Rapporteurs' remit.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, said the Congress delegation had on several occasions had to contend with people saying: "We're a young democracy and you can't compare us with European countries which have built their democracies over a period of centuries". The aim of the monitoring mission was not to make comparisons but only to verify the implementation of the Charter, which had been signed by Azerbaijan in 2002. The country's authorities had been aware at that time of the commitments they had entered into. To be sure, it was not necessary to wait until all the recommendations made in 2003 were implemented, but the provisions of the Charter should have been implemented step-by-step, and the rapporteurs had noted no development in that direction. The emphasis should not be on the criticism but, rather, on the report's many recommendations. The arguments put forward by the Azerbaijan delegation had been taken into account, but all the countries which had signed the Charter should endeavour to transpose its provisions, even if this took some time.

The PRESIDENT (Austria, R, EPP/CD) called the Chair of the Monitoring Committee.

Lars O. MOLIN (Sweden, L, EPP/CD) said that the Monitoring Committee had examined the report at its July meeting and approved it unanimously after a long but constructive debate.

The PRESIDENT (Austria, R, EPP/CD) proposed that the members of the Congress discuss the draft resolution contained in document CG(23)12. Five amendments had been tabled.

Samira ALIYEVA (Azerbaijan, L, SOC) presented Amendment No. 1 signed by Mamuka Abuladze (Georgia, L, EPP/CD), Merita Jegeni Yildiz (Turkey, R, EPP/CD), Larissa Khabitsova (Russian Federation, R, EPP/CD), Nikolay Dudov (Russian Federation, R, EPP/CD), Oleksandr Luk'ianchenko (Ukraine, L, EPP/CD), Gaye Doğanoglu (Turkey, L, EPP/CD), Anar Ibrahimov (Azerbaijan, R, EPP/CD), Rauf Aliyev R. (Azerbaijan, R, EPP/CD), Osman KIDIK (Turkey, L, EPP/CD), Bülent Hamdi Cingil (Turkey, L, EPP/CD), Sule Tunali (Turkey, L, EPP/CD), Enes Ozkarsli (Turkey, R, EPP/CD), Hande Özsan Bozatli (Turkey, R, EPP/CD), Deniz Yavuz (Turkey, L, EPP/CD), Yazgul Rzayeva (Azerbaijan, R, EPP/CD) and Humbat Huseynov (Azerbaijan, L, NI). Amendment No. 1 proposes the deletion of the following in paragraph 2: "*but regrets at the same time that they do not enjoy an active role to represent municipal interests*". Ms Aliyeva pointed out that the associations of local authorities mentioned in this paragraph brought together all municipalities without exception and were actively involved in solving the country's problems.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, advocated rejecting the amendment but proposed an alternative wording for the offending paragraph by way of compromise, as set out in Amendment No. 2.

Andreas KIEFER, Secretary General of the Congress of Local and Regional Authorities, said Amendment No. 2 had been tabled by the Co-Rapporteurs and should be discussed separately.

Lars O. MOLIN (Sweden, L, EPP/CD), agreeing with the Co-Rapporteurs, also proposed rejecting Amendment No. 1.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 1 to the vote. Both this and the subsequent votes were carried out electronically.

Amendment No. 1 was rejected.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, presented Amendment No. 2 on behalf of both Rapporteurs, which was to replace in paragraph 2 the end of the sentence *“but regrets at the same time that they do not enjoy an active role to represent municipal interests”* by *“but wishes that they could play a more active role in representing municipal interests”*.

Lars O. MOLIN (Sweden, L, EPP/CD) supported Amendment No. 2, which he considered an excellent compromise.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment and put it to the vote.

Amendment No. 2 was approved.

Samira ALIYEVA (Azerbaijan, L, SOC) presented Amendment No. 3, which had been signed by the same members as Amendment No. 1, consisting in replacing *“most”* by *“some”* in paragraph 3. The paragraph would thus be worded as follows: *“In addition, it observes that some of the recommendations addressed in 2003 to the national authorities have not been implemented ...”*.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, could not accept the amendment as the Rapporteurs had been able to establish objectively that the majority of the Congress's recommendations had not been implemented.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 3 to the vote.

Amendment No. 3 was rejected.

Samira ALIYEVA (Azerbaijan, L, SOC) presented Amendment No. 4 signed by the same members as before. It consisted in replacing *“most”* by *“several”* in paragraph 4. She pointed out that Azerbaijan had always held that the Charter's principles took priority, so that *“most”* did not correspond to the actual situation.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, asked that the amendment be rejected. Azerbaijan's failure to transpose the Charter's principles had already been established in the 2010 report on the Neighbourhood Policy. 18 of the 25 Charter provisions ratified by Azerbaijan had not been transposed. The Rapporteurs had only been able to ascertain the actual transposition of two provisions.

Lars O. MOLIN (Sweden, L, EPP/CD) said the amendment should be rejected.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 4 to the vote.

Amendment No. 4 was rejected.

Samira ALIYEVA (Azerbaijan, L, SOC) presented Amendment No. 5, signed by the same members as before. It consisted in deleting the word “*serious*” in paragraph 4. Azerbaijan had always prioritised the implementation of the Charter.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, asked that the amendment be rejected. No one could imagine that non-compliance by a member state with most of the provisions of the Charter was not a serious concern for the Congress.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 5 to the vote.

Amendment No. 5 was rejected.

The PRESIDENT (Austria, R, EPP/CD) put to the vote the draft resolution contained in document CG(23)12 as amended by the one amendment which had been accepted.

The draft resolution contained in document CG(23)12 was adopted as amended.

Anders KNAPE (Sweden, L, EPP/CD) pointed out that some Congress members were using several electronic ballot boxes at the same time in order to vote. This practice was contrary to the Rules of Procedure and to democratic principles.

The PRESIDENT (Austria, R, EPP/CD) said that the practice falsified the vote and that such behaviour was undemocratic.

The President declared the previous vote null and void and put the draft resolution to the vote once more. If the President discovered that certain members were trying to vote twice, he would arrange for these persons to be excluded from the Congress.

The draft Resolution contained in document CG(23)12 was adopted as amended.

The PRESIDENT (Austria, R, EPP/CD) proposed examining the Recommendation contained in document CG(23)12. Several amendments had been tabled.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 1, which consisted in replacing “*most*” by “*some*” in paragraph 4 of the Recommendation in order to take account of the creation of the three associations of municipalities.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, asked that the amendment be rejected. As in the Resolution, the word “*most*” should be retained to reflect the actual situation.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 1 to the vote.

Amendment No. 1 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 2. The Law on the Status of Municipalities defined their powers, especially those delegated by the central authorities. The Venice Commission had produced an expert opinion on this law, so he proposed deleting indent 4.a of the Recommendation.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to this amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, said that Article 1 of the Law on the Status of Municipalities was ambiguous, and that the Rapporteurs were stressing the need to clarify these provisions. The amendment should therefore be rejected.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 2 to the vote.

Amendment No. 2 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 3. It had originally proposed deleting the words “*which only have a formal role*” in indent 4.b, but following a discussion with the Rapporteurs it was proposed to replace “*formal role*” in indent 4.b by “*very limited role*”. This was no mere formal matter, as the municipalities actually did have a function. Agreement on the new wording had been reached with the Rapporteurs. The signatories to Amendment No. 3 therefore in fact supported the counter-proposal tabled by the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, said that Amendment No. 3 had originally been worded differently. The Rapporteurs had rejected the amendment and proposed the wording mentioned by Mr Ibrahimov, which was the subject of Amendment No. 4. She therefore asked the signatories to Amendment No. 3 to withdraw it.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) agreed to withdraw Amendment No. 3 and to vote for the counter-proposal tabled by the rapporteurs.

Amendment No. 3 was withdrawn.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, presented Amendment No. 4 proposed by the two Rapporteurs. This consisted in replacing “*formal role*” in indent 4.b by “*very limited role*”. In the discussions with the Azerbaijan delegation, “*formal role*” had appeared rather vague.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment.

Lars O. MOLIN (Sweden, L, EPP/CD) approved the amendment.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 4 to the vote.

Amendment No. 4 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 5, which consisted in deleting indent 4.c. However, a compromise had been reached with the Rapporteurs, and the signatories to the amendment proposed withdrawing it, subject to retaining the amendment proposed by the Rapporteurs. The Azerbaijan delegation disputed the existence of a hierarchical relationship between the various local authorities.

Amendment No. 5 was withdrawn.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, presented Amendment No. 6 tabled by the Rapporteurs. This consisted in replacing the words "*the hierarchical relationship subordinating municipalities to*" in indent 4.c by "*the subordination, in practice, of municipalities to*". The new wording was a better reflection of the actual situation.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 6 to the vote.

Amendment No. 6 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 7, which proposed deleting indent 4.e, given that the Azerbaijan Parliament had increased the grants to the municipalities.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, said there were several arguments in favour of rejecting the amendment. Firstly, the Azerbaijani Minister himself had informed the Rapporteurs of the weak financial potential of the municipalities. Secondly, the form of words used in the report corresponded to a situation observed *in situ* by the Rapporteurs. The total budget of all the municipalities of this country, with a population of 10 million, amounted to € 35 million, which was just a quarter of the amount received by his own municipality alone.

Lars O. MOLIN (Sweden, L, EPP/CD) said that he agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 7 to the vote.

Amendment No. 7 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 8, which consisted in deleting indent 4.g. Local government mergers were based on laws passed at the initiative of the local authorities, account being taken of public opinion, the opinion of the opposition and the European experience. Such mergers were also based on Congress recommendations. The lack of transparency charge was therefore unfounded.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, said that the Rapporteurs were willing to accept the amendment as they had been provided with contradictory information since the meeting of the Monitoring Committee. The Rapporteurs were no longer completely certain about this conclusion and therefore preferred to delete it.

Lars O. MOLIN (Sweden, L, EPP/CD) supported the amendment.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 8 to the vote.

Amendment No. 8 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 9, which proposed deleting indent 4.j. The procedure for supervising the municipalities should not be confused with the obligation to report to Parliament. Moreover, a draft law on the obligation to submit reports was being drawn up, and the Azerbaijan delegation was proposing asking the Venice Commission for its opinion on the subject. It was therefore too soon to assess the process.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, said he would like the amendment to be rejected. The supervision procedure revealed an obvious lack of clarity. Moreover, in its Opinions 518

and 559, the Venice Commission had firmly condemned the requirement for the municipalities to report to Parliament on their activities. This rule was in breach of the Charter.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 9 to the vote.

Amendment No. 9 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) explained that the aim of Amendment No. 10 was to delete indent 4.k. However, as the Rapporteurs had presented a counter-proposal the signatories to the amendment had decided to withdraw it.

Amendment No. 10 was withdrawn.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, presented Amendment No. 11. With an eye to a more explicit wording, it was proposed to add to the end of indent 4.k the words "*in the light of Article 4-6 of the Charter*". The Azerbaijan delegation had indicated its agreement with the proposal.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment.

Lars O. MOLIN (Sweden, L, EPP/CD) supported the amendment.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 11 to the vote.

Amendment No. 11 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 12, which was to delete "*with no democratic control*" in indent 4.l. There were in fact several municipalities in Baku: the capital was administered by 30 elected municipal entities, so it was not correct to speak of the lack of democratic supervision. Moreover, draft legislation was being prepared on the status of the City of Baku.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, pointed out that the Rapporteurs could not accept the amendment. It had emerged from many discussions with the Baku municipality and authorities that no democratic supervision was exercised over the City's administration.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 11 to the vote.

Amendment No. 12 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 13, which proposed deleting indent 4.n. The Rapporteurs referred to a document which did not tally with the facts. The Azerbaijan delegation had presented the Rapporteurs with different documents.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, said that the Rapporteurs had been convinced by the information provided by the Azerbaijan delegation and accepted the amendment.

Lars O. MOLIN (Sweden, L, EPP/CD) supported the amendment.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 13 to the vote.

Amendment No. 13 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) announced that Amendment No. 14, which consisted in deleting indent 5.c, had been withdrawn since a compromise had been reached with the Rapporteurs.

Amendment No. 14 was withdrawn.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, presented Amendment No. 15 as tabled by the Rapporteurs. For the same reasons as for Amendment No. 6, it proposed replacing “*revoke the hierarchical relationship subordinating municipalities to*” in indent 5.c by “*put an end to the subordination, in practice, of municipalities to*”. The new wording clarified the relations between the municipalities and the local executive committees.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment.

Lars O. MOLIN (Sweden, L, EPP/CD) voiced his agreement with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 15 to the vote.

Amendment No. 15 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 16. It proposed adding to indent 5.f “*and actively co-operate with municipalities, in order to better ensure*” and deleting “*ensuring the presence*”.

The PRESIDENT (Austria, R, EPP/CD) noted that there appeared to be no objections to the amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, observed that the Rapporteurs were calling for the introduction of co-operation with the municipalities, and accordingly approved this amendment.

Lars O. MOLIN (Sweden, L, EPP/CD) supported the amendment.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 16 to the vote. As the electronic system was not working properly, the vote was taken by a show of hands.

Amendment No. 16 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 17, which proposed replacing “*develop effective measures*” in indent 5.i by “*raise the effectiveness of measures*”.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, considered the amendment acceptable.

Lars O. MOLIN (Sweden, L, EPP/CD) supported the amendment.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 17 to the vote. The vote was carried out via the electronic ballot box.

Amendment No. 17 was adopted.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 18, which consisted in deleting indent 5.k. He considered that the Rapporteurs had not understood the legislative system. Enforcement of the law in Azerbaijan was an executive prerogative, in accordance with the principle of the separation of powers. It was accordingly for the President to appoint a specific body responsible for such enforcement. In this particular case, a decree had been adopted assigning the task of enforcing the law and ensuring the administrative supervision of the municipalities to the Ministry of Justice.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, asked that the amendment be rejected. It was essential to clarify the legislation. For example, the municipalities had to submit their decisions to the Ministry of Justice within two weeks of their adoption, but this obligation was at variance with the Charter. The Venice Commission had pointed out in paragraph 36 of its Opinion 518 that this unusual form of supervision could undermine the independence of local self-government. In its Opinion 559, it had recommended that the supervisory authority be determined by law and that the exact scope of this supervision be clearly specified, in accordance with Article 8 of the Charter.

Lars O. MOLIN (Sweden, L, EPP/CD) said that the Monitoring Committee always took account of the Venice Commission's opinions and that he therefore agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 18 to the vote.

Amendment No. 18 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) presented Amendment No. 19, proposing to delete the following in indent 5.l: *"abolish the obligation on local governments to report to Parliament about their own operations and"*. This recommendation to the Government could not be implemented as the obligation resulted from a referendum held in 2009 and only Parliament had the power to call a referendum.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to the amendment.

Gudrun MOSLER-TÖRNSTRÖM (Austria, R, SOC), Rapporteur, explained that the Rapporteurs rejected the amendment as the obligation imposed on municipalities was not in conformity with the Charter, even if it had been approved by referendum.

Lars O. MOLIN (Sweden, L, EPP/CD) agreed with the Rapporteurs.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 19 to the vote.

Amendment No. 19 was rejected.

Anar IBRAHIMOV (Azerbaijan, R, EPP/CD) said that Amendment No. 20, which consisted in replacing *"involve"* in indent 5.m by *"strengthen the participation of"*, had been withdrawn on the basis of a new proposal presented by the Rapporteurs.

Amendment No. 20 was withdrawn.

Jos WIENEN (Netherlands, L, EPP/CD), Rapporteur, presented Amendment No. 21, which was the result of a compromise with the Azerbaijan delegation. The latter had argued that there was actually some involvement by the local authority associations. The investigation carried out by the Rapporteurs on the ground had not revealed the form of this involvement. However, by way of a compromise it was proposed to insert *"or strengthen the involvement of"* in paragraph 5.m after the word *"involve"*.

The PRESIDENT (Austria, R, EPP/CD) noted that there were no objections to this amendment.

Lars O. MOLIN (Sweden, L, EPP/CD) supported the compromise.

The PRESIDENT (Austria, R, EPP/CD) put Amendment No. 21 to the vote.

Amendment No. 21 was adopted.

The PRESIDENT (Austria, R, EPP/CD) put the draft recommendation, as amended, to the vote.

The President noted that the two-thirds majority required for the adoption of a recommendation had been reached.

The draft recommendation contained in document CG(23)12 was adopted as amended.

The PRESIDENT (Austria, R, EPP/CD) thanked the Rapporteurs, the authors of the amendments and all the speakers. He called Ms Orlova on a point of order.

Svetlana ORLOVA (Russian Federation, R, EPP/CD) said she was somewhat disappointed with the debate which had just taken place on the situation in Azerbaijan. Even though the Rapporteurs had worked professionally in assessing the country's compliance with the Charter, the question of the action programme to be implemented had not been resolved. How could the Congress help this country? It was essential for all countries to be treated equally.

The PRESIDENT (Austria, R, EPP/CD) asked Ms Orlova to comply with the Rules of Procedure: the debate could not be reopened after the vote on the Resolution and Recommendation. However, time should be taken to discuss the question raised by Ms Orlova, and the matter would be dealt with in the context of a debate on the monitoring activities.

The President proposed moving to the next item on the agenda, namely relations between young people and democracy.

Anders Knappe (Sweden, L, EPP/CD), Vice-President of the Congress, took the chair 5.40 pm.

4. YOUTH AND DEMOCRACY: THE CHANGING FACE OF YOUTH POLITICAL ENGAGEMENT

[CG(23)9](RES and REC)

The PRESIDENT (Sweden, L, EPP/CD) pointed out that according to recent surveys two in ten young people in the European Union had said they had not voted in the past three years. These figures appeared to reveal that young people were no longer committed to the democratic process. However, in order to build an inclusive and prosperous democratic society it was crucial for all citizens to feel that they were stakeholders in this process. The report to be submitted to the Congress explored the phenomenon of the apparent decline in the commitment of young people. As Ms Els Ampe, Rapporteur for the Current Affairs Committee, was not available, the report would be presented on her behalf by Ms Bozatli.

Hande Özsan BOZATLI (Turkey, R, EPP/CD) said that Ms Ampe was unable to present the report herself as she had to attend elections in her region.

The Congress had long wished to promote the participation of young people in local and regional initiatives. It seemed indispensable to listen to young people in order to build more democratic societies. However, statistics showed that the youth of today were turning away from traditional politics. A recent study carried out by the European Union had revealed that two in ten young people under the age of thirty had not voted in a political election at the local, regional or European level in the past three years. Other statistics showed that these young people tended not to join political parties, which they also tended to distrust. At the same time, protest demonstrations had taken place in a large number of European cities, for example Puerta del Sol, Lisbon, Paris and Athens, so it seemed that this "lost generation" had found different ways of making itself heard.

The situation might appear particularly worrying: how could the democratic institutions be considered legitimate if people did not support them? When abstention rates reached record levels, was it still possible to speak of a democratic process, especially when so few young people were taking part? The demonstrations and riots revealed deep disillusionment among young citizens.

The causes of this disillusionment were easy to understand. The youth unemployment rate had considerably increased since 2008 and had, for example, exceeded the 50% mark in Spain and Bosnia and Herzegovina. Even when they did find a job, young people were affected more than other sections of the population by an unstable employment situation leading to a feeling of insecurity. Moreover, the longer people were unemployed the more difficulties they had re-entering the job market and the greater the risk of impoverishment and social exclusion.

At the same time, the report established that young people were still making a strong contribution to society. New forms of citizenship were re-emerging, based on young people's values, identities and lifestyles. For example, young people were particularly active in online social communities, such as Facebook and Twitter, which offered them different opportunities for achieving their political aspirations. Demonstrations were another means of mobilising young people across borders and in different communities.

The Congress had long recognised that the effective participation of young people was vital in bringing about a healthy and democratic society. Young people had to be able to play a role in the decision-making process. Two problems emerged here. Firstly, how could young people vote for politicians whose proposals did not reflect "their" situation? Few elected representatives could claim to know what the life of a young person was like today. Those who knew young people best were the young people themselves. Politicians had to talk to young people in order to understand exactly what they expected of them. It seemed essential to take account of young people's opinions when developing government policies, which should reflect the situations experienced by young people in order to encourage them to become involved in political life. Local and regional elected representatives had a crucial role to play in this area. Indeed, it was at the municipal and regional levels – the tiers of government closest to the population – that a genuine culture of youth participation should materialise.

Secondly, it was necessary to examine the ways in which young people could participate in the democratic process. One solution might be to set up youth councils, democratically elected at the local and regional levels, to help take decisions on youth issues. A good example of this was the system for co-managing the youth sector in the Council of Europe. However, other avenues should be explored, together with young people, in order to create new forms of citizenship.

The Resolution proposed by the Rapporteurs called on Council of Europe member states to include a larger number of young people in the national delegations to the Congress. However, this required more young people to stand for local and regional elections. The Congress had its own instrument for promoting the participation of young people, viz the revised European Charter on the Participation of Young People in Local and Regional Life.

Even though the young people of today would be the adults of tomorrow, they were entitled to live their lives today as young people. Public policies should give them opportunities to develop their knowledge and experience in order to achieve their aspirations and help them address the challenges facing them. This would enable young people to play their full role on the job market and in civil society. Local and regional authorities should work with young people to help them reach adulthood and fully develop their potential.

The PRESIDENT (Sweden, L, EPP/CD) thanked Ms Özsan Bozatli for presenting the report. In view of the lack of time, he was forced to close the list of speakers, which already contained five names. If other members of the Congress wished to contribute to the debate, they could hand in a written speech for inclusion in the minutes.

The President welcomed Isabelle Weykmans, Minister of Culture, Tourism and Media of the German Community of Belgium, whose mandate also included youth affairs. The German Community comprised 22,000 people aged from 5 to 29, or nearly 30% of the population, a percentage higher than in the rest of Belgium. The participation of young people in drawing up public policies had been

made possible by the Council of German-Speaking Youth, a body made up of young people who might or might not belong to youth organisations.

Isabelle WEYKMANS, Minister of Culture, Tourism and Media, Government of the German Community of Belgium, stressed there could be no democracy without participation, otherwise democracy would die from a lack of communication with society because politicians would then be cut off from daily life. This finding applied to all sections of society, and young people should participate in taking political decisions. Youngsters were actually politically involved, albeit not always through conventional channels but rather via alternative forms of expression. Nonetheless, it was important to convince young people that political involvement in the traditional sense was still relevant and could enable them to influence decisions.

There were two ways of encouraging of young people to become politically involved. Firstly, improving the socio-economic situation of young people enabled them to make their contribution to society. For example, young people needed to be offered a wide range of training and job opportunities so that they could play their full role in society. Secondly, it was important to establish structured dialogue and enable young people to really participate in political life. Such arrangements could be introduced first and foremost at the local and regional levels.

Ms Weykmans took as an example the measures introduced by the German Community of Belgium. A few years previously this Community had decided to concentrate on youth issue and allow youngsters to participate in decision-making not only on subjects affecting them directly but also on all the issues potentially important to them, such as education, health, employment, etc. A five-year strategic plan had been drawn up with various youth organisations. In this context, highly pragmatic measures had been decided on to improve young people's quality of life. The first phase had been completed a few weeks earlier. Young people had very much welcomed the offer of participation, which was not confined to just supplying an opinion from time to time when so requested, and a proper process with follow-up had been put in place. It had been noted that, as a result, young people tried to enter the traditional political arena in order to exert their influence on decisions taken in their town or region. The intended goal was to establish structured dialogue based on tried and tested scientific methods.

The German-Speaking Community had accordingly enshrined the principle of youth participation in its legislation, as well as the practical arrangements for such participation. A Youth Council, set up thirty years previously, was specifically mandated to provide the framework for this structured dialogue. In 2003, an important legal instrument had been adopted on the participation of young people in political life at the local and regional levels in order to give young people a permanent right of participation in decision-making. The Youth Council could launch initiatives under the strategic plan and had the resources for autonomous action.

At the local level the mechanisms were in place for young people to participate in decision-making. For example, there were local children's and youth councils. Young people were also involved in school decision-making processes.

With all these measures, the German Community had wanted to go beyond school social studies classes and get young people interested in public life. Young people had to take responsibilities and actually become involved. This enabled them to move towards genuine political commitment. Dialogue was essential. Young people were prepared to become more involved if they knew they were being listened to. The solution was very simple: to treat young people like all the other players in local public life.

Ms Weykmans explained that she had decided to become involved in politics after noticing the genuine determination of politicians in her region to involve young people in decision-making. Such an attitude was particularly important in difficult times, as young people were the first group to be affected by a crisis. In such a situation, they needed more than ever to be integrated into political life.

The PRESIDENT (Sweden, L, EPP/CD) thanked Ms Weykmans, and gave the floor to Maria Paschou, President of the Council of Europe's Advisory Council on Youth and representative of the National Youth Council of Greece. The Council of Europe remained determined to increase youth participation. This desire was embodied in the co-management system of the Advisory Council, which

brought together representatives of youth NGOs and governments to take joint decisions on priorities, budgets and youth sector programmes. The Advisory Council was also an important partner for the Congress in developing its youth policy and had helped in the preparation of the report.

Maria PASCHOU, Chair of the Advisory Council on Youth of the Council of Europe, thanked the Congress for its invitation. The decisions at meetings of the Advisory Council on Youth were taken on the basis of a system unique in the world, which placed the two parties (young people and government representatives) on an equal footing.

Ms Paschou emphasised the quality of the report submitted to the Congress, which addressed a variety of issues and made a series of concrete proposals. However, she would like to highlight three points. First of all, participation in democratic life and political involvement by young people should never be confined to voting in elections. Online participation was no doubt important, but it had to be structured. It was a tool and should not be regarded as an end in itself. Finally, the role of youth councils at the local and regional levels was very important but was not without its limits.

Ms Paschou elaborated on these points. The extent of the participation of young people in political life was constantly decreasing, and an effective way to combat this disengagement was to involve young people in policy-making. The role of youth organisations, which offered young people a means of participating in society, should be recognised. The co-management system developed by the Council of Europe's youth sector over the past four years was an exceptional instrument which should be extended to all decision-making levels. Only when young people felt that their voices were being heard and that they could fully participate in projects would they change their minds about the political system. However, turning out at elections, although important, was not the only way to be involved in political life. In some countries, not only did youngsters have to wait until the age of eighteen in order to vote, but also they could still not stand for election at that age. Lowering the voting age to sixteen could encourage the participation of young people, but other methods should also be used. She would mention several examples.

In Slovenia, the National Youth Council and the Slovenian network of youth centres had developed a one-year project on structured dialogue at the local, regional and national levels. All the Slovenian regions had taken part, and young people had been consulted in order to ascertain their concerns and their proposed solutions. All the contributions made by young people had been submitted to local policymakers (mayors, municipal councillors, directors of employment agencies, parliamentarians, etc). The project was only just beginning. This approach showed young people that their voices would be heard and that their efforts would not be in vain.

The second example concerned Portugal's Algarve region, which was establishing systems for the participation and consultation of young people at the local and regional levels. Special bodies would be set up for young people to discuss local youth policy. This was a preliminary stage before the introduction of joint decision-making.

These examples showed that there were mechanisms for young people to be recognised as fully-fledged stakeholders whose views had to be heard. At the same time, they had to be convinced of the need to fully occupy their rightful space. Local youth councils or local associations had a role to play in this connection.

Ms Paschou then discussed online participation. Online voting was attractive for dynamic young people but was only one of a number of ways of voting. Such an arrangement would not necessarily increase young people's motivation to vote and would definitely not help them to take an informed decision. The new media could no doubt play an effective role in enabling young people to express their views, but they had both advantages and drawbacks, and a structured approach was necessary. The conditions for interpreting and using the results had to be clearly defined. There was still a risk that a large number of purely negative opinions would emerge as it was easier to criticise behind the mask of anonymity. The limits to online participation had to be clearly defined.

Nonetheless, online participation was potentially an excellent means of understanding the position held by young people. New modes of consultation should be introduced, and it was essential for those who took part in these consultations to know what follow-up would be given to them. It was after all extremely demotivating for young people not to obtain any feedback on their contributions.

Finally, Ms Paschou mentioned the role of local and regional youth councils. Such councils provided an excellent means of fostering the participation of young people, but they did have certain limits. Youth councils which were merely small groups of people who spent their time in an office would quickly be perceived as elitist, and they would therefore have to ensure that they regularly sought out the opinion of young people at the local level. Moreover, as it was crucial to empower young people, genuine co-ordinated action was necessary in this direction. It was essential for local and regional players to be willing to work with young people. Some youth councils were not sufficiently independent of the mayor's office or the government, which sometimes used them to further their own interests.

Ms Paschou mentioned the example of Greece, where five years previously, local youth councils had been recognised by law. Elections had been held to these councils, but at the end of the first term of office the government had refused to hold fresh elections, so that the councils were now moribund and were attracting fewer and fewer young people.

Ms Paschou concluded by pointing out that structured dialogue at local and regional authority level was essential to improve the participation of young people in local political life. It was also necessary to identify projects at the European level in order to provide young people with support. The Advisory Council on Youth would be pleased to help the Congress to develop projects for young people in this area.

The PRESIDENT (Sweden, L, EPP/CD) thanked Ms Paschou and assured her that the Congress was keen to continue its co-operation with the Advisory Council on Youth. He gave the floor to Omer Kaya, who had been a youth worker for the past seven years and had worked on several youth projects, organised seminars and instructed young people in various fields. He was currently a co-ordinator at the Youth Information and Counselling Centre in the Turkish city of Izmit, The Centre grouped together various bodies such as university clubs, NGOs, youth centres, etc.

Omer KAYA, a youth worker in Izmit, Turkey, thanked the Congress for its invitation, particularly the head of the Turkish delegation to the Congress, Ms Gaye Dođanođlu, as well as the Mayor of Izmit, Mr Nevzat Dođan, on whose support he had always been able to rely.

Mr Kaya said that when he had chosen to study German at university in the early 2000s, with the aim of working in the tourism sector, he had chanced upon a booklet which had led him to change direction in favour of working with young people, and he had been engaged in this field since 2005. In 2009, he had returned to his native city of Izmit, where he had met local elected representatives and been able to work in a truly professional institution dealing with youth issues.

The Turkish Government drafted legislation within a centralised system, but it had, with a view to joining the European Union, granted the local authorities more powers. The municipality of Izmit, one of the largest in the country, had adopted a slogan which promoted the right to lifelong education. It had also set up an information desk on children's rights. There were information desks of this type all over Turkey, serving over 50,000 children and their parents. They informed families about the Universal Declaration of Human Rights, family relations, the dangers facing children, the behaviour of children and young people, and so on, and they took action in cases of violence against young people. Furthermore, representatives were elected in every school to deal with these problems. 75 children were members of the Izmit Children's Municipal Assembly, which had seven sub-committees and met on a regular basis.

The city of Izmit, a member of the "Cities for Children" network of European municipalities, was actively involved in efforts to improve young people's quality of life. It believed that democracy should protect the rights of all groups in society, of which children and young people were particularly important. The young not only represented the future but the past, present and future of society. Each year, 2,500 children and young people attended a youth camp on the Black Sea coast, where various activities were organised to foster the participants' personal development.

The Izmit municipality, which held that national and international development began at the local level, acted as a leader in the youth policy field. It also co-ordinated a national project in co-operation with several ministries. Under this project, 80 meetings in 80 different towns and cities, 8

regional meetings, and national meetings involving 250 young people had been organised. More than 5,000 young people had directly participated in the project, which had lasted nine months. The project had been submitted in response to a call for projects by the European Commission and had received an award from the Turkish National Agency. Mr Kaya hoped that it would serve as an example for other countries and invited youth representatives in the Congress's member countries to take part in an international summit planned in connection with this event.

The municipality had also set up a Youth Information and Counselling Centre, which provided free information on various subjects (education; cultural, sports and social activities; the environment; employment; Europe; health; international co-operation, and so on). It helped young people organise projects at the local, national and international levels. In addition, a two-day session had been attended by more than 100 volunteers to work on proposals made by young people from Izmit with a view to drawing up a constitution. The conclusions had been forwarded to the Turkish Parliament and the Constitutional Commission, thus enabling young people to participate directly in the political debate. However, the desire to be involved in democratic life presupposed being well-informed, and the municipality of Izmit had won a prize awarded by the Eurodesk network for its work in keeping young people informed.

Izmit had also launched a project entitled "You're the mayor", which involved giving young people an opportunity to theoretically govern the city by presenting their plans and ideas on camera. The footage was then discussed by a team of experts and the conclusions sent to the city council, which could draw inspiration from them and adopt new measures.

Finally, Mr Kaya mentioned a number of statistics: 60% of the Turkish population (about 40 million people) were less than thirty years old. This was the largest percentage of young people in any European country. The unemployment rate for this group was under 10%. Turkey was enjoying economic development and a great deal of investment had been made. However, investments in favour of young people were considered a priority, as shown by the creation of a Ministry of Youth and Sport. Mr Recep Tayyip Erdoğan, the Turkish Prime Minister, had decided to lower the age of majority to eighteen. In Mr Kaya's opinion, Mr Erdoğan had every reason to be proud of Turkish youth, who wanted to apply Mustafa Kemal Atatürk's motto "Peace at home, peace in the world".

The PRESIDENT (Sweden, L, EPP/CD) opened the debate.

Mikhail GULEVSKIY (Russian Federation, L, ILDG) said that in an ever-changing society the authorities should exploit every innovative means of involving young people. The modernisation of the Russian Federation was important in all areas. It was crucial for young people to participate in political life in a constructive way. Young people made up 30% of the population of the region from which he came, a relatively high percentage which showed that youth was a formidable force.

Local elected representatives supported all initiatives carried out in favour of young people. In particular, municipal grants were available to fund certain projects developed by youngsters. Many measures were carried out in the fields of employment or leisure activities or in support of young people suffering from disabilities, etc. A general youth action plan was being drawn up. An advisory council had been set up to work with young people, and it was co-operating with youth NGOs and Russian parliamentarians. A budget had been earmarked for implementing a youth programme. The municipalities had recently organised a competition to select projects which had been drawn up by young people geared to developing their leadership skills. The youth measures were designed to educate future municipal executives. Measures were also being carried out to develop young people's attitudes to voting in elections. A youth parliament set up eight years previously participated actively in the political work of the parliaments of the various territories of the Russian Federation. This year, an increase had been noted in the number of individuals participating in these activities.

However, not all young people were prepared to become involved in working with local authorities, so other forms of participation, especially via the internet, should be developed. For the maintenance of social stability, it was essential for local and regional authorities to adopt a more open attitude to young people.

Natalia PILYUS (Russian Federation, L, ILDG) thanked the Rapporteur and the members of the Congress working in the field of youth policy. On 24 and 25 September 2012, she had participated

in the 9th Council of Europe Conference of Ministers responsible for Youth, which had been attended by representatives of youth organisations. The subject developing political participation by young people had been discussed, as had issues relating to cultural diversity and inter-generational dialogue. In particular, a debate had been held on the voting age – would lowering it encourage young people to vote?

The young people present had held a lengthy discussion on the problem of unemployment, which was one of their major concerns. Youth poverty was increasing dramatically, and the need had emerged for social measures to protect young workers. The youth representatives had also mentioned social partnerships with the private sector.

Ms Pilyus said that she was conducting an active youth policy in her constituency, and that a youth council had been set up. Elections to the youth parliament had in fact been organised during European Democracy Week. Lengthy discussions had been held on ways of increasing the participation of young people in political life. Events were planned for 2013 in the context of European Democracy Week. In conclusion, she agreed with the Turkish representative that young people represented a country's past, present and future.

Jean-Louis TESTUD (France, L, EPP/CD), on behalf of the French delegation, said that youth was one of their central concerns. Young people were creative and passionate, often impertinent and sometimes at odds with the Establishment. He mentioned the case of three young women sentenced in Russia to long periods of imprisonment. The social networks throughout the world were outraged by these sentences, which were disproportionate to the offences committed. The French delegation asked the Bureau of the Congress to speak to the Russian delegation and the Russian authorities and ask them to ensure that any appeals lodged were given a fair hearing in accordance with the European Convention on Human Rights. Failing this, the French delegation hoped that Russia's highest authorities would exercise their right of remission of sentence or their prerogative of mercy in order to secure these young women's early release. Mr Testud asked the Russian delegation to pass on this message.

Hande Özsan BOZATLI (Turkey, R, EPP/CD) said that it was not enough to speak about young people. Rather, concrete measures were necessary to enable them to take part in decision-making. In a period of austerity, it was necessary to prevent the reduction of budgets for youth-related activities. The day's debate had certainly been interesting and productive, but work on this issue had to continue.

Farid MUKHAMETSHIN (Russian Federation, R, ILDG), Chair of the Current Affairs Committee, thanked Ms Ampe and Ms Bozatli. The Current Affairs Committee had debated the report at length. Two aspects seemed crucial: young people were far less involved in traditional political activities but still attached the same importance to democratic values as in the past. The document proposed various ways of strengthening their involvement in local political life. After adopting the report, the Committee had also adopted a draft resolution and draft recommendation. Mr Mukhametshin welcomed the co-operation with young people on drawing up these texts.

The PRESIDENT (Sweden, L, EPP/CD) closed the debate and invited the members of the Congress to discuss the draft resolution.

Hande Özsan BOZATLI (Turkey, R, EPP/CD) presented Amendment No. 1 on the Rapporteur's behalf. The revised European Charter on the Participation of Young People in Local and Regional Life recommended setting up youth councils and youth parliaments. The Council of Europe youth sector operated a joint decision-making system involving government representatives and representatives of youth organisations. The Rapporteur also considered it necessary to act at the local and regional levels, so the amendment proposed replacing *"representative and legitimate municipal and regional youth councils and parliaments, and by means of such tools as the European Local Democracy Week"* in indent 9.d by *"joint decision-making mechanisms, mirroring the Council of Europe's co-management system, in the form of joint councils composed of elected local/regional councillors and youth representatives"*.

The PRESIDENT (Sweden, L, EPP/CD) noted that there were no objections to the amendment and asked the Chair of the Current Affairs Committee for his opinion.

Farid MUKHAMETSHIN (Russian Federation, R, ILDG) supported the amendment.

The PRESIDENT (Sweden, L, EPP/CD) put Amendment No. 1 to the vote.

Amendment No. 1 was adopted.

John WARMISHAM (United Kingdom, L, SOC) presented Amendment No. 2, signed by Hande Özsan Bozatli (Turkey, R, EPP/CD), Eunice Campbell-Clark (United Kingdom, R, SOC), Gaye Doğanoglu (Turkey, L, EPP/CD), Amy Koopmanschap (Netherlands, L, SOC) and Nataliya Romanova (Ukraine, R, ILDG) and proposing to add a new paragraph 12 worded as follows: *“The Congress invites the Co-ordinator of the European Local Democracy Week to propose that a future edition of the Week be devoted to youth, youth participation and promoting young people’s access to human and social rights”*, d renumbering the ensuing paragraphs accordingly. European Local Democracy Week enabled young people to meet elected representatives.

The PRESIDENT (Sweden, L, EPP/CD) noted that there were no objections to the amendment and asked the Rapporteur and the Chair of the Current Affairs Committee for their opinions.

Hande Özsan BOZATLI (Turkey, R, EPP/CD) supported the amendment.

Farid MUKHAMETSHIN (Russian Federation, R, ILDG) also expressed his support.

The PRESIDENT (Sweden, L, EPP/CD) put Amendment No. 2 to the vote.

Amendment No. 2 was adopted.

The PRESIDENT (Sweden, L, EPP/CD) put the draft resolution, as amended, to the vote.

The draft resolution contained in document CG(23)9 was adopted as amended.

The PRESIDENT (Sweden, L, EPP/CD) invited the members of the Congress to discuss the draft recommendation.

Sandra BARNES (United Kingdom, L, ECR) presented Amendment No. 1 to the draft recommendation. Resolution 1885 of the Council of Europe Parliamentary Assembly called for measures to be taken in favour of young people to enable them to become more involved in democratic life, in the current economic and financial crisis, and benefit from social security coverage. The resolution text went further than the draft recommendation, so the amendment proposed replacing indent 6.c by the following indent: *“c. implement Resolution 1885(2012) of the Parliamentary Assembly of the Council of Europe on the young generation sacrificed: social, economic and political implications of the financial crisis;”*.

The PRESIDENT (Sweden, L, EPP/CD) noted that there were no objections to the amendment and asked the Rapporteur and the Chair of the Current Affairs Committee for their opinions.

Hande Özsan BOZATLI (Turkey, R, EPP/CD) said he supported the amendment.

Farid MUKHAMETSHIN (Russian Federation, R, ILDG) also approved the amendment.

The PRESIDENT (Sweden, L, EPP/CD) put Amendment No. 1 to the vote.

Amendment No. 1 was adopted.

The PRESIDENT (Sweden, L, EPP/CD) put the draft recommendation, as amended, to the vote.

The draft recommendation contained in document CG(23)9, was adopted as amended.

The PRESIDENT (Sweden, L, EPP/CD) thanked the Rapporteur and the Current Affairs Committee for their excellent work.

5. THE RIGHT OF LOCAL AUTHORITIES TO BE CONSULTED BY OTHER LEVELS OF GOVERNMENT

[CG(23)11] (RES and REC)

The PRESIDENT (Sweden, L, EPP/CD) said that as it was getting late the debate on this subject would be continued the following day. He welcomed Sir Alan Meale, the Parliamentary Assembly's General Rapporteur on Local and Regional Authorities, who was also the Congress's interlocutor for the follow-up to the 2011 Ministerial Conference in Kyiv. After this conference, it had been announced that the various political partners within the Council of Europe intended to work together more closely on matters relating to local democracy, and at the previous session of the Parliamentary Assembly, the President of the Congress and Sir Alan had therefore agreed to co-ordinate their activities relating to citizen participation in political life and the promotion of human rights at the local level.

Sir Alan MEALE, General Rapporteur on Local and Regional Authorities, Council of Europe Parliamentary Assembly, welcomed the election of Herwig Van Staa as President of the Congress. He also paid tribute to his predecessor, Keith Whitmore, with whom he had worked for twelve years, especially on issues relating to climate change.

Sir Alan pointed out that he was not only the representative of the Committee on Social Affairs, Health and Sustainable Development but also, since April 2012, the Parliamentary Assembly's General Rapporteur on Local and Regional Authorities. In this capacity, he closely monitored the debates held in the Congress. He had noted with great interest the Congress's new priorities for the period 2013-2016 and congratulated the Congress on having set itself such ambitious objectives. He assured the members of the Congress that they had the support of the Parliamentary Assembly, which did not determine its priorities for such a long period and preferred to react when new challenges arose. The Assembly's eight political committees accordingly tried to establish a balance between all the urgent matters to be dealt with at any one time. However, in connection with any action which might be taken by the Assembly, he would present the Congress's proposals to the committee of which he was a member, which would be meeting in Moscow on 19 November 2012.

Sir Alan considered the subject being discussed that day crucial because the right of local authorities to be consulted by other levels of government was one of the fundamental principles of local democracy, as stated in the European Charter of Local Self-Government. Member states were accordingly duty-bound to lay down procedures for the local and regional authorities to take part in all consultation processes. These authorities should therefore play an active role in developing reform programmes decided by states in order to adapt to the current economic crisis.

However, how could we ensure that the local and regional authorities were consulted on all matters affecting them? This problem had been debated in the Committee on Social Affairs, Health and Sustainable Development. The resolution submitted to the Congress called on the associations of local and regional authorities to work together and regularly share good practices on the subject. Sir Alan was convinced that this co-operation would be one of the principal means of guaranteeing that the local and regional authorities would play an active role in decision-making processes. If these authorities spoke in unison, governments would listen to them. In its draft recommendation, the Congress set out a number of detailed proposals which the Committee of Ministers should forward to all member states. In view of current priorities and the balance of power between Council of Europe bodies, he was sceptical about the impact of this message, which he believed was insufficient. Member states should be reminded of the present crisis situation and made to understand to what extent it was important, in a similar context, to involve the local and regional authorities in decision-making. It was important to identify the challenges which the local authorities would face in the years to come and to promote their participation in decision-making in these specific areas. Regularly sending the same message to governments was the best way to make them understand.

The crisis was forcing all authorities, both local and national, to make the best use of limited resources. In this context, it was essential to make clear to central governments that the constraints to which they were subjected should not make them lose sight of their social responsibilities vis-à-vis their citizens. The local authorities had a responsibility to look after the most vulnerable groups in society: the sick, the disabled, the deprived and the young. At the same time, they also had to implement government policies, so it was crucial for them to participate in all decisions in this connection. He assured the members of the Congress that it could count on his and the Assembly's full support in enabling them to continue with their work.

The right of consultation referred to the relations between the various Council of Europe bodies. Through the Congress, the local authorities could contribute to the Council's work and be consulted. The British Chairmanship of the Committee of Ministers had initiated a discussion on improving the co-ordination of the Council's bodies and on drawing up a common agenda, such as that advocated by the Conference of European Ministers responsible for Local and Regional Government in Kyiv in November 2011. Sir Alan, who had participated in this conference, stressed the importance of close co-operation between all Council bodies, which should result in a more or less formalised common agenda. This co-operation would also include all the urgent challenges to be met in the area of local and regional democracy. The aim was to avoid duplication, which undermined efficiency.

The Assembly was hoping to develop closer relations with the Congress as well as with the intergovernmental sector of the Council of Europe, and would be adopting concrete measures to this end in the coming months.

Sir Alan thought that the Assembly, like the Congress, was in some respects treated as being of secondary importance by governments and ministries. It was necessary to defend the democratic process, pointing out that a top-down approach was not enough and that a bottom-up approach was essential for passing on the messages from the grassroots. However, a bottom-up approach was only possible in partnership with others, and he promised the members of the Congress, on behalf of the Assembly, that the latter would do its utmost to establish this partnership.

The PRESIDENT (Sweden, L, EPP/CD) thanked Sir Alan for his contribution and for his support for the Congress. The Congress would take up the offer of a partnership with the Parliamentary Assembly.

The President said the discussions would continue at the next day's sitting, after the statement by the Estonian Minister of Regional Affairs.

6. DATE AND TIME OF THE NEXT SITTING

The PRESIDENT (Sweden, L, EPP/CD) said that the next sitting of the Congress would be held the following day, 18 October, at 10 am.

This was agreed.

The sitting rose at 7.05 pm.

THIRD SITTING OF THE CONGRESS

Thursday 18 October 2012 at 10 am

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The sitting opened at 10.05 am, with Herwig van Staa, President of the Congress, in the chair.

1. FORMAL ADOPTION OF TEXTS APPROVED BY THE CHAMBERS

[CG(23)10]

The PRESIDENT (Austria, R, EPP/CD) said that the Chamber of Local Authorities and the Chamber of Regions had approved a series of texts, which were set out in document CG(23)10. He proposed that the Congress formally adopt the texts, in accordance with Rule 21 of the Rules of Procedure.

The texts set out in document CG(23)10 were adopted.

2. ADDRESS BY SIIM KIISLER, MINISTER FOR REGIONAL AFFAIRS, ESTONIA

The PRESIDENT (Austria, R, EPP/CD) welcomed Mr Siim Kiisler, Minister for Regional Affairs of Estonia, who was to report on the action taken by the Estonian government in response to the recommendations made by the Congress in 2010. Before being appointed minister in 2008, Mr Kiisler had worked in local and regional government. The Congress wished to expand its post-monitoring activities to ensure that its recommendations were implemented and therefore maintained a dialogue with national governments for that purpose. Initial contacts had taken place when a Congress delegation had studied the situation of local and regional democracy in Estonia in April 2010. Mr Kiisler had then written to the Congress in January 2011 to report on the action plan decided upon by the government in response to the Congress' recommendations. This offered a perfect example of dialogue with national authorities of the kind sought by the Congress. He assured Mr Kiisler that the Congress would fully support him in any action he took to strengthen local democracy in his country.

Siim KIISLER, Minister for Regional Affairs, Estonia, thanked the Congress for its invitation. The visit by the Council of Europe delegation to monitor the situation of local democracy in Estonia in 2010 had led to the adoption of a recommendation. Following the budget cuts at local level implemented by the Estonian government in 2009, it had been decided that a monitoring delegation should be carried out to check whether the cuts complied with the principle of the financial autonomy of local authorities laid down in the European Charter of Local Self-Government. During the monitoring visit, the Congress delegation had reached the conclusion that local authorities had suffered a reduction in income for which they had received no real compensation, but that the relevant Estonian legislation had not rendered local authorities unable to fulfil their tasks.

As an open market economy, Estonia had been severely hit by the global recession. The government had taken swift and severe measures to retain control of the situation. These radical decisions had been necessary to avoid an even worse scenario. Through the measures, Estonia had not only managed to avoid further budget cuts but had also been able to meet the Maastricht criteria and join the euro zone at the beginning of 2011. Economic growth had even resumed. The revenues of local authorities were expected to return to the pre-crisis situation in 2013 and increase in 2014. Their share in tax receipts compared to GDP had risen. According to OECD figures, local authorities' share in tax receipts had risen by 8.4% from 2007 to 2010. For comparison, the corresponding figures for Finland and Sweden had been 12.2% and 6.2% respectively, while there had been falls in other member states: -6.6% in Greece, -11.2% in Spain, -7.3% in Italy and -12% in France. This confirmed that the measures taken in Estonia had been right.

With the aid of Mr Kenneth Davey, the Council of Europe had studied the impact of the economic downturn on local government. Previous recessions had affected local budgets two to three years after general economic recovery. In Estonia, however, the financial situation of local authorities was improving and the risks described by Kenneth Davey did not seem to be materialising. The situation was different in a number of other countries because of the serious doubts which had emerged since 2011 about their ability to pay off their sovereign debt. In the United Kingdom, for instance, annual funding for local government was due to fall by 7.1% between 2011 and 2015. The very prompt measures taken by Estonia had therefore been praised rather than criticised at international level.

He then presented the current situation in Estonia. The local government system dated from 1993 and included 226 municipalities, which varied greatly in size. The capital city, Tallinn, had over

400 000 inhabitants, while the smallest municipality was an island with 97 inhabitants. Half of the municipalities had less than 1 800 inhabitants. The municipalities had substantial autonomy. Even if their budgets were hypothetically to be doubled, there were reasons to doubt that they would be able to deliver better services. Unfortunately, most local authorities in Estonia were too small to perform their current tasks properly. The OECD report on the system of governance in Estonia had confirmed this point. Transforming income tax into a local tax could be considered only once local authorities had increased in size.

While some of the recommendations made by the Congress had been applied, his priority was to reform local government with a view to establishing local government units that were able to perform their functions properly and democratically. A further aim was to create better conditions for entrepreneurship and thus create new jobs. Unless the reform was implemented, it would be hard to improve local authorities' financial situation without violating their autonomy by reducing their responsibilities.

In conclusion, the radical measures taken by the Estonian government at the start of the crisis had, in the long term, proven to be the right approach, and improving the capability of local authorities could only be achieved through an overall reform of local government.

The PRESIDENT (Austria, R, EPP/CD) congratulated the Estonian government on having undertaken reforms. On two visits to Estonia, he himself had seen just how committed the local and national authorities were to implementing the reforms. He also congratulated the government on the excellent economic and financial decisions it had taken and thanked it for the solidarity which it had shown on many occasions towards Europe and, more specifically, the Council of Europe and also the EU Committee of the Regions.

The President opened the debate.

Nigel MERMAGEN (United Kingdom, L, ILDG) said that the Congress had made recommendations on the consultation of local authorities by central government in accordance with Article 4 of the European Charter of Local Self-Government. Consultations had to be held on budgetary matters within specific timeframes and with safeguards concerning the decisions taken following the negotiations. Sometimes, however, there had been no discussions. In his 2011 letter, the minister had said that the political parties had agreed that no decision would be taken without the approval of local government associations. However, was a tacit agreement a sufficient safeguard? In his view, the local authorities did not have a legal guarantee that the government would consult them properly.

In addition, many questions had been raised by the government's plan to centralise education. He asked whether associations of municipalities would have any say in the matter.

Siim KIISLER, Minister for Regional Affairs, Estonia, said that the system of consultations and negotiations between the government and local authority associations worked quite well. An interdepartmental committee on which the associations were represented met regularly. Although the negotiations were often difficult, sufficient time was allowed, for instance concerning the budget for the following year. Nevertheless, the economic situation did sometimes impose unexpected budgetary restrictions, which could affect local authorities. The last time a decision of this kind had been taken, the government had not been able to trigger the consultation process because of the urgency involved. That was, of course, regrettable, but the government had decided to respond very quickly to the crisis, which had led to changes during the financial year. It was true that some feeling of uncertainty had been caused by the announcement of the cuts, which had been imposed at very short notice. Fortunately, the situation had improved since then and some expenditure which had been stopped had been reinstated.

The measures taken in 2009 had affected the whole of the public sector, not only local authorities. The government had wanted everyone to bear their share of responsibility, in solidarity with the other sectors. The local authorities had only been consulted as to whether taxes should be increased or the equalisation fund reduced. The local government associations had found this choice unacceptable and the negotiations had been very difficult. That period had now passed, however, and Estonia had returned to growth.

Lastly, the tacit agreement between parties which Nigel Mermagen had mentioned mainly concerned the reform of local government.

Jos WIENEN (Netherlands, L, EPP/CD), rapporteur on local democracy in Estonia, thanked the minister for sending the Congress a letter on the implementation of the recommendations made in 2010. The letter bore witness to the good co-operation which had developed. He had been impressed by the way in which the Estonian government had dealt with the financial crisis. He hoped that municipalities' financial resources would increase in future. Many measures had been taken to take account of the Congress' recommendations through the action plan for 2011-2015 and the ratification of the additional protocol.

The recommendation on the status of Tallinn had not been applied. He understood that some arguments spoke against it. The matter had already been debated in the Congress. He asked the minister what his opinion on the matter was: what should be the role and status of the capital of Estonia, which was home to a third of the population?

Siim KIISLER, Minister for Regional Affairs, Estonia, said that there were differing views on the subject. The Tallinn city government felt that the capital should take on greater responsibilities and that the resulting costs should be offset by the national budget. Many other players believed that Tallinn, which accounted for a large share of the country's GDP, already had a clear advantage and that the funding allocated to it should be reduced. Being the capital of the country involved many benefits, in particular in terms of employment and growth. In his view, therefore, additional funding would not be justified and the same financial principles should apply to Tallinn and to the other local authorities. He also did not believe that it was necessary to alter Tallinn's legal status, as the legislation already stipulated that it was the capital of the country. In the absence of specific funding arrangements, special legislative measures were unnecessary.

Vsevolod BELIKOV (Russian Federation, L, EPP/CD) said that Russia and Estonia maintained good relations. Regular exchanges took place in the area of higher education, for instance. However, he was concerned about the teaching of the Russian language in Estonia. Several thousand people were affected by the matter, on which several recommendations had been issued by the Council of Europe and, in particular, the Congress, as well as other institutions that defended the rights of the citizens concerned. What measures did the Estonian government intend taking?

Siim KIISLER, Minister for Regional Affairs, Estonia, did not understand the particular problem which Mr Belikov wished to raise. Estonia applied a particularly liberal language policy and Russian was spoken throughout the country.

Helena PIHLAJASAARI (Finland, R, SOC) congratulated the minister on his willingness to advance local democracy in Estonia. His presence at the Congress was a strong political signal. The letter which he had sent to the Congress had mentioned shortcomings in the administrative capacity of local authorities in Estonia. Tax-raising, for instance, required certain capabilities. The Congress' report on local democracy in Estonia confirmed these observations. In her own country of Finland, a major administrative reform was underway and she asked what the Estonian government was intending to do in this area.

Siim KIISLER, Minister for Regional Affairs of Estonia, said that he was relatively familiar with the situation in Finland. The problems in Finland and Estonia were similar. In both countries, there was only one tier of local government, which meant that it had to deal with all local issues. But a municipality with 100 inhabitants or even 1 000 inhabitants was not capable of delivering all the public services needed. When local structures were weak, there was a natural tendency to centralise services at national level, as had been mentioned in connection with education. In his view, the local government tier had to be strengthened. For that reason, debate was necessary about the appropriate size of authorities, based on the number of inhabitants.

Consideration could be given to establishing a second tier of local bodies, which would be responsible for certain services. However, findings from neighbouring countries such as Denmark and Finland showed that a single-tier system was more suitable for small countries like Estonia.

He hoped that a compromise solution could be found concerning the minimum number of inhabitants in a municipality. Voluntary groupings of municipalities were strongly encouraged, but they remained inadequate. Only 20 such groupings, for a total of 226 municipalities, had been registered in recent years.

Artur TORRES PEREIRA (Portugal, L, EPP/CD) said that the economic crisis had meant falling revenues for local and regional authorities, even though they were simultaneously having to provide increased assistance for people in hardship, whose numbers were rising constantly. In some countries, over 50% of young people were unemployed. Some provisions of the European Charter of Local Self-Government were no longer being applied. Yet local authorities had a real part to play in economic recovery. The European ministers responsible for local and regional government had acknowledged this themselves. How did the minister see the interaction between central government and grassroots authorities in terms of tackling the crisis? What policies could be drawn up jointly, including in the budgetary and fiscal fields, to ensure the autonomy of local authorities?

Siim KIISLER, Minister for Regional Affairs, Estonia, said that tackling the economic crisis was a matter for all public institutions. The Estonian government had assumed its responsibilities by adopting unpopular measures very swiftly. At the time, other states had expressed shock on seeing such austerity measures. However, the quick response had enabled Estonia to overcome the crisis more quickly than other countries. At present, unemployment, including among young people, was declining and GDP was growing, as were the revenues of local authorities. These results proved that a model of this kind could work. The budget cuts had been unpopular, but delaying them would only have made matters worse. It was essential, however, that there was solidarity between the central and local levels when such measures were applied. It was unfortunate that no agreement had been reached with the local level at the time when the decisions had been taken. Joint measures were the best means of achieving satisfactory outcomes.

The PRESIDENT (Austria, R, EPP/CD) closed the debate and warmly thanked the minister and all the speakers. Estonia offered a brilliant example of a successful monitoring process.

3. THE RIGHT OF LOCAL AUTHORITIES TO BE CONSULTED BY OTHER LEVELS OF GOVERNMENT (CONTINUED)

[CG(23)11] (RES and REC)

The PRESIDENT (Austria, R, EPP/CD) said that he had to leave the sitting and gave the chair to the first Vice-President of the Congress, Mr Frécon, President of the Chamber of Local Authorities.

Mr Jean-Claude Frécon, first Vice-President of the Congress, took the chair at 10.45 am.

The PRESIDENT (France, L, SOC) said that the Congress was now going to resume consideration of an item which had been on the agenda the previous day, namely the right of local authorities to be consulted by other levels of government. The previous day, Congress members had heard a statement by Sir Alan Meale from the Parliamentary Assembly of the Council of Europe. He gave Ms Irmeli Henttonen the floor to present the report drawn up by Ms Britt-Marie Lövgren.

Irmeli HENTTONEN (Finland, L, ILDG) said that Britt-Marie Lövgren apologised to members for absence.

The Governance Committee believed that the report was vital. Once the recommendation had been adopted by the Committee of Ministers and sent to all member states, the right to be consulted would become a political instrument which could be used at all levels. Articles 4.6, 5 and 9.6 of the European Charter of Local Self-Government specified that all local authorities should be consulted on matters which concerned them. That was a vital aspect of local democracy. The Governance Committee also believed that the same rights should apply to the regional level.

In particular, local authorities should be consulted about any changes to their legal status, their functions or their economic or financial situation. Consultation should take place in such a way that local authorities had a real opportunity to prepare their opinions and were able to influence the

decision-making process. Consultation was a tool for establishing multilevel governance that operated effectively and democratically.

The Governance Committee had seen only limited progress over the seven years since the previous report on the subject had been drafted. Nevertheless, more regular consultation did take place in some countries and made for more effective co-operation in tackling the economic crisis. The situation in some other countries such as Finland and Hungary, for instance, was less satisfactory, however. Moreover, local authority funding had been reduced in some countries because of the crisis.

The draft resolution underlined the important part which national associations played in representing the interests of their local and regional authorities. When there were several such associations in a single country, it was important for them to co-operate so as to enhance their ability to influence government policies. The resolution called on the associations to lobby national and regional authorities so as to ensure that they were regularly invited to take part in the various legislative and policy initiatives and were able to make use of their right to petition governments. Even if member states had accepted the articles of the Charter which guaranteed the right to be consulted, local elected representatives had to be proactive in ensuring that the right was actually implemented. The resolution also proposed that the Congress draw up some guidelines for national and regional authorities on the application of the provisions of the Charter.

The draft recommendation called on member states to review their arrangements for consultation processes if necessary. The format, the timeframes, the level of participation and the subjects covered by the consultations should be clearly defined. Consultation should be in writing and sufficient time should be allowed.

The Governance Committee also recommended that local and regional authorities should be able to provide input when public policies were being developed, rather than merely being consulted at the end of the process.

She urged Congress members to adopt the resolution and the recommendation and to use the texts in their own countries so that their right to be consulted was respected. On behalf of Britt-Marie Lövgren, she thanked the Swedish Association of Local Authorities and Regions and the Group of Independent Experts on the European Charter of Local Self-Government for their contribution to the preparation of the report.

The PRESIDENT (France, L, SOC) welcomed Onno Van Veldhuizen, who had been a Congress member for six years in the past, had chaired the Netherlands delegation and had been a Vice-President of the Congress. Mr Van Veldhuizen would discuss the consultation practices in force in the Netherlands.

Onno VAN VELDHUIZEN, member of the Committee on European and International Affairs of the Association of Netherlands Municipalities (VNG) and mayor of Hoorn, Netherlands, said he wished to share his thoughts about the situation in the Netherlands with Congress members. He did not believe that practices had improved notably over the last seven years. In this area, his country was probably about average or a little above average in Europe. There was no formal legislation on the matter. An informal system depended on two powerful associations, VNG and IPO, which respectively represented local and regional authorities. The right to be consulted was negotiated between central government and local and regional authorities. Central government was traditionally more powerful than local and regional authorities because it passed laws, funded the other bodies and had a higher profile in the press. Central power was strengthened more particularly during times of crisis.

What were the specific features of the Netherlands in this respect? The country had 16 million inhabitants and an area similar to that of Estonia, which meant it was much more densely populated. It had 12 provinces and 400 municipalities, stemming from a process of concentration in the 1960s. There was no hierarchy between the different local and regional authorities. The Netherlands was a decentralised unitary state. Municipalities should be regarded as the key authorities, as they were closest to citizens. Unfortunately, they often had to fight a tendency towards centralisation.

Were local and regional authorities really consulted by central government? In order to develop a flourishing economy and implement efficient policies, the government needed decentralised

authorities. Local and regional authorities in the Netherlands fought actively to have this recognised, and could even go on strike to defend their rights. It was important for all local and regional authorities in a country to unite in this connection, regardless of their political affiliations. Moreover, the EU Committee of the Regions had access to a court when the principle of subsidiarity was not respected, which could offer certain opportunities.

Since 2004, the consultation arrangements in the Netherlands had been based on a code of intergovernmental relations, rather than legislation. Under the agreement, the Association of Netherlands Municipalities (VNG) had to be consulted whenever a new law or policy concerned municipalities. Central government had to provide an overview of the financial and administrative consequences of the plans. Any new provisions had to respect the principles of self-government, complementarity and proportionality. Central government was also required to conduct implementation trials. This enabled local and regional authorities to assess the impact of the measures. For two months, the VNG secretariat then consulted the various advisory and political bodies with a view to achieving a united position.

Nevertheless, this informal system was not applied uniformly throughout the country. Unless municipalities joined forces, things would only develop slowly. VNG campaigned for a decentralised form of government, which was as close as possible to citizens. When local and regional authorities were united and had no qualms about striking, they succeeded in making their voice heard. He called for better co-ordination at international level to ensure that the provisions of the Charter and the Lisbon Treaty were applied. The work of the EU Committee of the Regions to promote respect for the principle of subsidiarity should enable the treaty to be put into practice.

The PRESIDENT (France, L, SOC) opened the debate.

Yuri MISHCHERYAKOV (Russian Federation, L, ILDG) said that, as a representative of a local authority, he believed it was vital to co-operate with the other tiers of government to manage services in accordance with citizens' needs and implement legislation that was in line with their concerns. The issue under discussion had been debated at all levels in Russia. Some central government practices were used to circumvent the consultation arrangements provided for by law. For instance, municipalities' views were not taken into account regarding the apportionment of responsibilities. However, that question had to be resolved as appropriately as possible so that local issues could be addressed. Municipalities had to be able to harness local resources, whether natural, human or of any other kind. Many problems could be resolved at local level, but municipalities did not have enough resources of their own for dealing with them. Numerous conflicts arose with national authorities and breaches of legislation were noted on both sides, which aggravated the social situation. The various authorities should implement the provisions of the European Charter of Local Self-Government, in particular those which provided for the consultation of local authorities. He therefore supported the draft resolution and hoped that the Congress would monitor the implementation of its provisions.

Rositsa YANAKIEVA (Bulgaria, L, SOC) wished to speak about the situation in Bulgaria, in particular the negotiation processes between central government and the National Association of Municipalities, to which Bulgaria's 264 municipalities belonged. One of the association's tasks was to co-operate with the government when it came to drafting legislative texts and strategy documents which concerned municipalities directly. Over 40 proposals from the association had been accepted. The association was also involved in budget negotiations at local level. The process was particularly time-consuming. Discussions began in spring and a list of priorities was drawn up for the following year. In the autumn, actual negotiations began between the cabinet and the association's leaders. When a consensus emerged, an agreement was drawn up. The government's budget was then reviewed by parliament. Moreover, every year since 1998, a Day of Dialogue had been held on 24 September. On that day, meetings were held by members of parliament, governors, mayors, experts and non-governmental organisations to discuss priorities. In 2012, 1 200 people had taken part.

These various exchanges had brought about major progress in terms of legislation, in particular concerning water resources. The negotiations had lasted six months. The association had also signed a co-operation agreement with central government. Since 2001, three similar agreements had already been signed. Each of these agreements emphasised the devolution of powers to the

local level. This process had been essential to enable the country to join the European Union and to receive support from the various EU funds.

Devrim ÇUKUR (Turkey, R, SOC) said that this was a crucial issue. In Turkey, moves were underway to abolish 1 500 communes and replace them with larger municipalities. This process was in total breach of the provisions of the Charter and the principles of the Council of Europe. The town of Izmir would be confronted with the problem and small municipalities would disappear. The government was in the process of establishing provincial assemblies and intermediate municipalities would be abolished. There was also a risk of village authorities being done away with. His party had protested against these moves, which it said would weaken decentralisation. Although differing views had been expressed on the matter, he urged Congress members to keep an eye on what became of the 1 500 municipalities which were due to be abolished.

Antonio EROI (Italy, L, EPP/CD) supported the report prepared by the Governance Committee. It had to be stressed that European local and regional authorities were suffering the consequences of a crisis that had begun in American banks. In addition to its financial impact, the crisis was weakening democracy. The government in Italy was also abolishing municipalities, which restricted the sovereignty of the people. It was unfair to have to choose between sovereignty and the European Union. Citizens should not have to pay for the consequences of the crisis. The associations of municipalities, provinces and regions were facing serious financial difficulties and might be forced to dismiss staff. Citizens' rights had to be protected. The ethical aspect should not be neglected. In this connection, the more democratic representatives there were, the closer they were to citizens and the better were the decisions taken.

Andreas GALSTER (Germany, L, EPP/CD) drew attention to the existence of the Lisbon Treaty. Co-operation arrangements between local authorities enabled national legislation to be implemented. Moreover, the work done at supranational level had a direct impact on the powers of municipalities. He asked the Governance Committee whether there were local authority associations at international level which could defend the authorities' interests and avoid their having to suffer the consequences of central government decisions.

The PRESIDENT (France, L, SOC) closed the debate and gave the rapporteur the floor.

Irmeli HENTTONEN (Finland, L, ILDG) thanked the speakers for their support for the report. It was important for the Congress to make sure that governments were actually aware of the provisions of the Charter concerning local authorities' right to be consulted. Consultation was an essential aspect of local democracy and the resources allocated to local and regional authorities had to be sufficient to enable them to make proper use of it. The arrangements established in Bulgaria and their real impact on the decision-making and legislative process were particularly interesting. As far as the situation in Turkey was concerned, the consultation process was vital to the survival of local authorities. Mr Eroi had underlined the vital role of the right to be consulted during financial crises. It was important to keep the issue on the Congress' agenda.

The PRESIDENT (France, L, SOC) gave the Chair of the Governance Committee the floor.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) underlined how essential the consultation of local authorities by other levels of government was to the smooth functioning of public bodies. The concept of "multilevel governance" largely depended on the success of the consultation machinery. The draft resolution instructed the Governance Committee to continue working on the subject, in particular by appointing a thematic rapporteur and drawing up a strategy to strengthen consultation processes, and asked it to submit a fresh report in 2016.

He fully agreed with the rapporteur about the amendments which were about to be discussed.

The PRESIDENT (France, L, SOC) said that four amendments to the draft resolution and three to the draft recommendation had been tabled.

Tatiana BADAN (Republic of Moldova, L, ILDG), speaking on behalf of the Congress of Local Authorities of Moldova and the Moldovan delegation, said that she fully supported the report, which defended a right that was vital both for the smooth functioning of local authorities and also for responding to citizens' real needs. In some less developed countries, central bureaucracies caused

difficulties for individuals, local authorities and their associations. Grassroots authorities therefore had to be the first to respond to antidemocratic tendencies. In this context, Amendment No. 1 to the draft resolution, signed by Alexandru Ambros (Republic of Moldova, L, ILDG), Grigore Cobzac (Republic of Moldova, R, ILDG), Grigore Policinski (Republic of Moldova, R, SOC), Ion Parea (Republic of Moldova, R, ILDG), Emin Yeritsyan (Armenia, L, EPP/CD) and Andris Jaunsleinis (Latvia, L, ILDG), was to insert, at the end of paragraph 1, “*as well as to ensure that public resources are spent and competencies are distributed according to the interests of the citizens*”.

The PRESIDENT (France, L, SOC) said that there were no objections to the amendment.

Irmeli HENTTONEN (Finland, L, ILDG), speaking on behalf of the rapporteur, said that she disagreed with the amendment, which she believed led to repetition with a sentence already included at the start of the report.

The PRESIDENT (France, L, SOC) put the amendment to the vote. Electronic voting was used for the vote and those which followed.

Amendment No. 1 was rejected.

Tatiana BADAN (Republic of Moldova, L, ILDG) presented amendment No. 2, which was to replace, at the end of paragraph 2, “*in the consultation process*” with “*in the consultation and decision-making process, in line with the Charter provisions and in the spirit of local autonomy.*” The Moldovan delegation believed that local authorities should be consulted about national decisions which concerned them.

The PRESIDENT (France, L, SOC) said that there were no objections to the amendment.

Irmeli HENTTONEN (Finland, L, ILDG) accepted the amendment, which was in line with the provisions of the European Charter of Local Self-Government.

The PRESIDENT (France, L, SOC) put the amendment to the vote.

Amendment No. 2 was adopted.

Tatiana BADAN (Republic of Moldova, L, ILDG) said that, following discussion with the rapporteurs, the signatories of Amendment No. 3 had agreed to withdraw it.

Amendment No. 3 was withdrawn.

Tatiana BADAN (Republic of Moldova, L, ILDG) presented Amendment No. 4, which was to add, at the end of sub-paragraph 4.c.i, the following: “*in the spirit of local autonomy, which will be directed towards safeguarding local autonomy and national democracy. Such guidelines on rights and privileges of local government authorities will be proposed for approval by member states as a normative document in correlation with the European Charter of Local Self-Government*”. The purpose of the amendment was to foster dialogue between governments and associations of local authorities and to help the latter to cope with difficult working conditions in less developed countries or with tendencies towards recentralisation.

The PRESIDENT (France, L, SOC) said that there were no objections to the amendment.

Irmeli HENTTONEN (Finland, L, ILDG) was against the amendment, which she believed involved repetition and did not improve the document.

The PRESIDENT (France, L, SOC) put the amendment to the vote.

Amendment No. 4 was rejected.

The PRESIDENT (France, L, SOC) put the resolution, as amended by the amendment which had been accepted, to the vote.

The draft resolution set out in document CG(23)11, as amended, was adopted.

The PRESIDENT (France, L, SOC) asked the Congress to consider the amendments to the draft recommendation.

Tatiana BADAN (Republic of Moldova, L, ILDG) presented Amendment No. 1, which was, in paragraph 2, after *“Local authorities should therefore be consulted”*, add the following *“and shall have an active role in adopting the decisions”*.

The PRESIDENT (France, L, SOC) said that there were no objections to the amendment.

Irmeli HENTTONEN (Finland, L, ILDG) accepted the amendment.

The PRESIDENT (France, L, SOC) put the amendment to the vote.

Amendment No. 1 was adopted.

Tatiana BADAN (Republic of Moldova, L, ILDG) presented Amendment No. 2, which was to add, at the end of paragraph 2, *“Consultations shall be carried out at three essential stages – at the conceptual stage of policy/legislation elaboration, at the stage of public/governmental/parliamentary discussions and at the stage of the final approval of the document in order for all sides to hear the comprehensive, consolidated position of local governments and for local governments to be aware of the final decision on the amendments proposed by them and of the arguments for any rejection of local government authorities’ proposals/concerns”*. The purpose of the amendment was to avoid any misinterpretation of the right to be consulted: local authorities had to be consulted from the outset.

The PRESIDENT (France, L, SOC) said that there were no objections to the amendment.

Irmeli HENTTONEN (Finland, L, ILDG) was against the amendment, which did not seem to strengthen the text. The purpose of the recommendation was to ensure compliance with the principles of the Charter, without setting them out in excessive detail.

The PRESIDENT (France, L, SOC) put the amendment to the vote.

Amendment No. 2 was rejected.

Tatiana BADAN (Republic of Moldova, L, ILDG) presented Amendment No. 3, which was, at the end of sub-paragraph 5.c, after the phrase *“to consult with”*, to add *“and grant an active role in decision-making to”*. The aim was to strengthen the participation of local authorities in decision-making processes.

The PRESIDENT (France, L, SOC) said that there were no objections to the amendment.

Irmeli HENTTONEN (Finland, L, ILDG) rejected the amendment. The report dealt with the consultation process, not direct participation in decision-making, even though that issue was, of course, important.

The PRESIDENT (France, L, SOC) put the amendment to the vote.

Amendment No. 3 was rejected.

The PRESIDENT (France, L, SOC) put the draft recommendation to the vote. A majority of two-thirds of the votes cast was required to adopt the text.

The draft recommendation set out in document CG(23)11, as amended, was adopted.

The PRESIDENT (France, L, SOC) thanked all the speakers and gave Mr Herwig van Staa the chair.

Herwig VAN STAA (Austria, R, EPP/CD) took the chair at 11.35 am.

4. SECOND-TIER LOCAL AUTHORITIES – INTERMEDIATE GOVERNANCE IN EUROPE

[CG(23)13] (RES and REC)

The PRESIDENT (Austria, R, EPP/CD) asked Mr Emilio Verrengia to present his report on second-tier local authorities.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, said that several EU and Council of Europe member states had reformed or reorganised their local authority systems. This raised the question of the conformity of the changes with the principles laid down in the European Charter of Local Self-Government. The report now being presented to the Congress had been approved at the meeting of the Governance Committee held in Innsbruck. In the meantime, a number of European countries had sought to reduce the cost of public policies and limit the budgets of local authorities by introducing reforms that went against the interests of citizens. In all the countries concerned, intermediate tiers of government played a vital if not essential role in many areas such as education, infrastructure, employment, tourism and social security, etc. These sectors all involved immediate needs of citizens. A policy geared towards budget savings at any price ran counter to the obligation to maintain all these services. Moreover, the reforms had often been introduced without any consultation with local government associations or citizens' associations.

Hastily decided measures of this kind were posing a real threat to local democracy. Reforms had already been underway for some time in Germany, Spain, France, Italy and Poland, etc. It was essential for citizens to be able to express their views directly on the subject. The mistaken approach which consisted in limiting institutional expenditure in any way possible undermined the democratic principle that fostered the expression of the public will. The Congress' task was precisely to ensure compliance with that principle. While local authorities in general did have to be reorganised, this should not be at the expense of citizen participation.

Emilio Verrengia said that the report had been discussed with the European Confederation of Local Intermediate Authorities (CEPLI) and the EU Committee of the Regions, as well as the Council of European Municipalities and Regions (CEMR) and the Assembly of European Regions (AER). All those bodies had recognised the need to strengthen the powers of intermediate local authorities, both to defend the interests of citizens and also to reinforce democratic principles. It was absolutely vital for the public to have a direct say in electing their leaders.

The PRESIDENT (Austria, R, EPP/CD) opened the debate.

Mikhail CHERNISHEV (Russian Federation, EPP/CD) endorsed the content of the report. It was true that some governments were seeking to abolish the second tier of local authorities because of the financial crisis. However, local authority structures which were close to citizens were actually a means of overcoming the consequences of the crisis. Funding and powers should be allocated in such a way as to enable local authorities to deliver the services expected by citizens.

The Russian President and Assembly set particular store by this point. One of the latest decrees issued by Mr Putin set out a whole series of measures to ensure stability in this respect. Budgetary relations, in particular, were the subject of debate. Measures were therefore being taken to strengthen the financial autonomy of local authorities and enable them to perform their tasks. A common agenda had been agreed.

Lastly, any measures taken by governments to reorganise intermediate tiers of authorities had to be properly thought through so that they increased effectiveness, while respecting citizens' interests.

Nigel MERMAGEN (United Kingdom, L, ILDG) congratulated the rapporteur, but said that the references in paragraph 26 were inaccurate and did not reflect the actual situation in the United Kingdom. The structures were different in each part of the United Kingdom and in rural and urban areas. He represented a district council in England, which covered 121 town and parish councils. Town councils had a special status, but no statutory meaning. The county which the district was part of exercised certain functions for things such as social services, highways, education and so on. However, the district council was in no way subordinate to the county council and reported directly to central government on such matters as spatial planning, housing and local tax collection. It was therefore very difficult in England, and

probably also in the rest of the United Kingdom, to say what constituted second-tier or intermediate local authorities.

György ILLES (Hungary, L, ILDG) said that the report highlighted a crucial problem. Governments were having to make budget cuts and the savings were mainly being made at the intermediate level, between central government and the local level. However, the intermediate level had an important role to play. The issue should therefore remain on the Congress' agenda in future.

Andrew BOFF (United Kingdom, R, ECR) wished the matter to be referred back to the committee. He believed that the report had lost its meaning in trying to apply to the rest of Europe a structure which concerned one or two countries. Parts of the report were plain wrong and poorly researched. At no point did the report make any reference whatsoever to the economies of scale which were necessary for the delivery of certain services. The possibility of establishing consortia between local authorities or freely entering into agreements between municipalities was never mentioned. The report should seek to promote local powers as close as possible to citizens, but by talking about intermediate local authorities it lost its meaning. He was afraid that he could not support the report in its current form and therefore wanted it to go back to the committee to be refined so that all Congress members could approve it, regardless of the tradition of local government which they came from.

The PRESIDENT (Austria, R, EPP/CD) asked the rapporteur and the Chair of the Governance Committee for their views on the motion to refer the report back to the committee.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, said that the motion was a bit late. The matter had already been discussed several times in the Governance Committee. While the discussions went on, governments were continuing to weaken local authorities, in particular the intermediate tiers. In his view, the report took account of the different developments in European countries, while asserting the need to respect citizens' views. He did not challenge the importance of other bodies such as consortia, but bodies elected by citizens should be sovereign as the direct expression of popular will. He was therefore against referring the report back to the committee.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) said that the subject was extremely complex and the situations in the various states were very different. The report focused on the second local tier, which should be distinguished from the regional tier. Although he could understand the reasons for the motion, he did not believe that discussing the matter in greater depth at committee level would produce a more convincing text and he was therefore against the motion.

The PRESIDENT (Austria, R, EPP/CD) called a vote on a point of order to refer the report back to the committee. He asked members in favour of the reference to stand up.

He said that four members were in favour

The motion was rejected.

The President closed the debate and asked Congress members to consider the amendments proposed. Seven amendments to the draft resolution had been tabled.

Ludmila SFIRLOAGA (Romania, R, SOC) announced that the signatories of Amendment No. 1 had decided to withdraw it after discussions with the rapporteur and the Chair of the Governance Committee.

Amendment No. 1 was withdrawn.

Ludmila SFIRLOAGA (Romania, R, SOC) presented Amendment No. 2, which was to insert, after paragraph 1, a new paragraph worded as follows: *"Furthermore, in most Council of Europe member states a number of important functions are entrusted to intermediate local authorities, relating to the environment, economic development, transport and education. For these functions those authorities have resources of their own. In compliance with the principle of fiscal autonomy, those intermediate authorities benefit from fiscal resources."*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, accepted the amendment.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) said that he agreed with the rapporteur concerning all the amendments which had been tabled.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote. Electronic voting was used for the vote and those which followed.

Amendment No. 2 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 3, the purpose of which was to highlight the role of the CEMR, the AER and the CEPLI, which had played a major part in the preparation of the report, and to promote the application of the principle of subsidiarity. The amendment was to insert, after paragraph 2, a new paragraph worded as follows: *"The Congress welcomes the efforts of the European associations of local and regional authorities, such as the CEMR (Council of European Municipalities and Regions), the AER (Assembly of European Regions) and the CEPLI (European Confederation of Local Intermediate Authorities), which represent the different levels of territorial authority and help to champion and defend the importance of local democracy and the application of the subsidiarity principle."*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 3 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 4. Its purpose was to underline the efforts of the CEPLI, which represented local authorities in 11 European countries, in defending the role of the intermediate level. It was to add, after the paragraph added by Amendment No. 3, a new paragraph worded as follows: *"The Congress is particularly appreciative of the efforts of the CEPLI (European Confederation of Local Intermediate Authorities), to defend the intermediate level of governance in countries where it is or has been called into question."*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 4 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 5, which sought to strengthen the role played by another association, the Latin Arch, while mentioning the Salerno Manifesto, which highlighted the role of intermediate local governments in Europe. The amendment was to add, after the paragraph added before, a new paragraph worded as follows: *"The Congress has in particular taken note of the Salerno Manifesto adopted by the General Assembly of the Latin Arch (Ravello-Salerno, 16 March 2012) in which its members called for a renewed role for intermediate local governments in Europe and expressed the wish that any process of reforming or renewing the institutional architecture guarantee the role of intermediate local authorities as key players in good local governance."*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 5 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 6. Its purpose was to strengthen the direct election of local authority representatives by citizens. To that end, it was to insert, after paragraph 4, a new paragraph worded as follows: *"In this connection, the Congress is particularly concerned by the fact that reorganisation plans, including in Italy, that these authorities will no longer be directly elected, which would weaken local democracy at this level of governance."*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 6 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 7, which, like the previous one, concerned the direct election of the representatives in intermediate tier authorities. Elections should not be seen as a cost factor for citizens but as an opportunity for them to express their will. The amendment was to add a new sub-paragraph worded as follows: *“5.a.ii to ask that the direct election of councillors be maintained in order to preserve local democracy at this level of governance.”*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 7 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 8, which was also intended to strengthen direct election, while reasserting the principles of the European Charter of Local Self-Government. It was to insert a new sub-paragraph worded as follows: *“5.c would like to see an organic reform of local intermediate authorities which, while revising territorial boundaries, reiterates, in the spirit of the European Charter of Local Self-Government, the democratic nature of these authorities and maintains the direct election of their governing organs by citizens.”*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 8 was adopted.

The PRESIDENT (Austria, R, EPP/CD) said that Mr Boff, who had moved a point of order, had said that the procedure used for rejecting it had not complied with the rules of procedure. The President ought to have asked who wanted to vote against the motion. The President therefore held a new vote. Congress members voted by standing up.

The motion was rejected.

The President proposed that members vote on the draft resolution as amended.

The draft resolution set out in document CG(23)13, as amended, was adopted.

The PRESIDENT (Austria, R, EPP/CD) announced that nine amendments to the draft recommendation had been tabled.

Ludmila SFIRLOAGA (Romania, R, SOC) presented Amendment No. 1, which was to insert, after paragraph 1, a new paragraph worded as follows: *“It can thus be stated that, in a high proportion of Council of Europe member states, a number of central functions relating to the environment, economic development, transport and schools are entrusted to intermediate local authorities. For these functions those authorities have resources of their own which, in the name of fiscal autonomy, come from taxes.”*

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and asked the rapporteur and the Chair of the Governance Committee for their views.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, was in favour of the amendment.

Karl-Heinz LAMBERTZ (Belgium, R, SOC) said that he agreed with the rapporteur concerning all the amendments to the draft recommendation.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 1 was adopted.

Ludmila SFIRLOAGA (Romania, R, SOC) announced that the signatories wished to withdraw Amendments Nos. 2 and 3.

Amendments Nos. 2 and 3 were withdrawn.

Ludmila SFIRLOAGA (Romania, R, SOC) presented Amendment No. 4, which was to replace, in paragraph 7, “*hasty and ill-considered reforms*” with “*hasty reforms without broad prior consultation and dialogue.*”

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, was in favour of the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 4 was adopted.

Ludmila SFIRLOAGA (Romania, R, SOC) presented Amendment No. 5, which was to add, at the end of paragraph 7, the following sentence: “*All the more so if – as might be proposed, in Italy in particular – members are no longer elected by direct ballot, but in an indirect election.*”

The PRESIDENT (Austria, R, EPP/CD) noted that no members wished to speak against the amendment.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, was in favour of the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote. The vote and those which followed were by show of hands.

Amendment No. 5 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 6, which sought to underline the key role played by the CEPLI. To that end, it was to insert, after paragraph 8, a new paragraph worded as follows: “*The Congress welcomes the efforts of the European Confederation of Local Intermediate Authorities (CEPLI) to defend the intermediate level of governance in countries where it is called into question.*”

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 6 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 7, which was to insert, again after paragraph 8, a new paragraph worded as follows: “*The Congress also notes the stance taken by the Latin Arch Association which, by adopting the Salerno Manifesto at its General Assembly held in Ravello-Salerno on 16 March 2012, called for a renewed role for intermediate local governments in Europe and expressed the wish that any process of reforming or renewing the institutional architecture guarantee the role of intermediate local authorities as key players in good local governance.*”

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 7 was adopted.

Ludmila SFIRLOAGA (Romania, R, SOC) presented Amendment No. 8, which was to add, at the end of sub-paragraph 9.d, the following: “*but lead to clear identification of the functions entrusted to the different levels of territorial governance, and, with a view to curbing costs, preference is given to rationalising those bodies which – in their areas – exercise similar functions.*”

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, was in favour of the amendment.

The PRESIDENT (Austria, R, EPP/CD) put the amendment to the vote.

Amendment No. 8 was adopted.

Emilio VERRENGIA (Italy, L, EPP/CD), rapporteur, presented Amendment No. 9, which was to add, after sub-paragraph 9.d, a new sub-paragraph worded as follows: "*e. these reforms are carried out organically and that – while revising territorial boundaries – the democratic nature of these authorities and the direct election of their governing organs by citizens are reiterated.*"

The PRESIDENT (Austria, R, EPP/CD) said that there were no objections to the amendment and put it to the vote.

Amendment No. 9 was adopted.

The PRESIDENT (Austria, R, EPP/CD) asked members to vote on the draft recommendation as a whole. Electronic voting was used.

The draft recommendation set out in document CG(23)13, as amended, was adopted.

The PRESIDENT (Austria, R, EPP/CD) congratulated the rapporteur and thanked all the speakers.

5. ADOPTION OF THE DRAFT MINUTES OF THE SITTINGS OF THE CONGRESS AND OF THE CHAMBERS ON 17 OCTOBER 2012

[CG(23)PV2]
[CPL(23)PV1]
[CPR(23)PV1]

The PRESIDENT (Austria, R, EPP/CD) said that the minutes of the previous plenary sitting and of the two Chamber sittings were available at distribution. He asked members to adopt them. The names of the substitutes present and communicated to the Chair would be published in an appendix.

There were no objections.

The minutes were adopted.

6. CLOSE OF THE TWENTY-THIRD SESSION OF THE CONGRESS

The PRESIDENT (Austria, R, EPP/CD) announced that there were no further items on the agenda of the 23rd session of the Congress.

The session had been most interesting: it had seen the renewal of the delegations, the renewal of the presidents, the renewal of the Congress' priorities and, above all, the renewal of Congress members' commitment to stronger local and regional democracy in Europe.

He once again thanked Congress members for placing their trust in him to lead the Congress' work in accordance with the priorities adopted. He would seek to give tangible effect to their aspirations throughout his term of office. The post-monitoring and partnership programmes would be expanded so as to ensure more effective follow-up to the Congress' recommendations. The thematic work would be stepped up to enable local and regional authorities to tackle the challenges facing them. There would be closer co-operation with the Council of Europe's neighbouring countries so as to help their national, regional and local authorities build democratic local and regional self-government.

During the session, the Congress had held fruitful exchanges of views with the Chairmanship of the Committee of Ministers, the Commissioner for Human Rights and the Deputy Secretary General, who had all underlined the vital role of the local and regional dimension of European democracy. The Congress had a key part to play in making sure that Europe's towns, cities and

regions enjoyed strong and dynamic democratic governance and that public action was geared to the needs of citizens.

He thanked all Congress members for taking part in the session and also thanked the secretariat and the interpreters.

The President declared closed the 23rd Session of the Congress of Local and Regional Authorities of the Council of Europe.

The 24th Session of the Congress would be held in Strasbourg from 19 to 21 March 2013.

The Congress stood for the European anthem.

The sitting rose at 12.25 pm.