

2 June 2011

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Congress of the Council of Europe

Purpose of report

For discussion.

Summary

The report summarises the UK Delegation approach to the forthcoming UK presidency of the Council of Europe, and informs the board on a forthcoming peer review on UK compliance with the Charter of Local Self-Government.

Recommendations

Members are asked to consider the key messages in the LGA/UK aims for the UK Chairmanship (paragraph 5) and to note the forthcoming international peer review of UK local democracy in 2012 (paragraphs 9-11).

Action

Officers to progress as appropriate.

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Congress of the Council of Europe

Background

1. This paper summarises the UK Delegation approach to the forthcoming UK presidency of the Council of Europe (CoE), and informs the board on a forthcoming peer review on UK compliance with the Charter of Local Self-Government.

About the Council of Europe

2. Founded in London in 1949 on the initiative of Sir Winston Churchill, the Council of Europe was established to ensure that the suffering of the two world wars would never be repeated. Its main remit is to uphold human rights and to defend democratic values through good governance. It has introduced new international treaties to tackle issues such as cybercrime, international terrorism, racism & xenophobia, people-trafficking, and most recently on domestic violence.
3. The Congress of the CoE comprises local councillors from across Europe, to which the LGA sends a delegation of 14 full members and their substitutes. It is the guardian of the Charter of Local Self-Government: it monitors national compliance with the Charter, promotes democratic values and good local governance, and observes local elections across Europe. It achieves its goals through peer pressure and exchange of good practice.

The UK Chairmanship of the Council of Europe (Winter 2011-12)

4. The Council of Europe is managed by a Committee of Ministers, comprising the foreign ministers of all the member states. The Chairmanship of the Committee of Ministers rotates every six months, and gives that country the possibility to steer the direction of the whole Council. The UK will take over from November 2011 to May 2012.
5. The LGA, through its Congress members, is seeking to influence the UK agenda for its Chairmanship. Our position is that:
 - 5.1 we support the intention of the UK Chairmanship to promote reform of the Court of Human Rights: it has a huge backlog of cases that causes unnecessary frustration and upset to all parties, whilst its large budget is

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- squeezing the valuable work on democratic values and good governance in other parts of the Council.
- 5.2 linked to this, we want the UK Chairmanship to review the budget of the Council of Europe and the Congress share of it.
 - 5.3 we believe there is a need to give a local dimension to all work of the UK Chairmanship, with particular reference to the Charter of Local Self-Government and to promoting European Local Democracy Week.
 - 5.4 we demand a more “team UK” approach to the Council of Europe, bringing together UK Ministers, diplomats, civil servants, parliamentarians and local politicians to deliver a more coherent, joined-up approach to the Council.
 - 5.5 more generally, we want to use the Chairmanship to promote greater awareness in the UK of the Council of Europe generally, and Congress specifically.
6. In this connection, the UK Delegation has met with the UK Ambassador to the Council of Europe, Mrs Eleanor Fuller, on several occasions, and has written to the Secretary of State for Communities & Local Government to seek a meeting to discuss this and other matters of relevance to the Delegation. Although the Secretary of State responded positively, no meeting date has yet been offered.
 7. In practical terms, the LGA is not resourced to host meetings of the Congress during the period of the UK Chairmanship, although that would be standard practice. However it is understood that the President of Congress, Cllr Keith Whitmore, is looking into hosting a meeting of the Congress Bureau (management committee) in Manchester, with the assistance of the local authority and other sponsors.
 8. The LGA could consider how it might use the period to promote the principles and achievements of the Congress, for example through a temporary webpage dedicated to the Congress, promotion of European Local Democracy Week, and a short publication on the Congress and CoE for dissemination to local councils.

CoE peer review of UK local democracy

9. An important role of the Congress is to monitor how each country implements its obligations under the European Charter of Local Self-Government. There are many important provisions, including the freedom of action without excessive central control, and the provision of adequate financial resources. There is a helpful overview of the Charter, with link to the full text, at:

http://www.coe.int/t/congress/Texts/conventions/charte_autonomie_en.asp

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10. The Convention has the weight of an international treaty, which means that it is not actionable in law but is enforced chiefly through collective peer evaluation: no government relishes public censure from abroad.
11. To this end, periodically the Congress publishes individual country reports. The next UK report will be researched either side of Christmas and reported to the Council of Europe during 2012, during which time Cllr Keith Whitmore from Manchester City Council will continue to be the Congress President. The LG Group will engage constructively with the Congress monitoring mission when they visit the UK, and offers will report to the Board in advance of their visit as details and dates become known.