

Charter of the Congress of Local and Regional Authorities of Europe (14 January 1994)

Caption: Charter of the Congress of Local and Regional Authorities of Europe (CLRAE) adopted on 14 January 1994.

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(adopted by the Committee of Ministers on 14 January 1994, at the 506th meeting of the Ministers' Deputies)

Article 1

The objectives of the CLRAE are set out in Article 2 of Statutory Resolution (94) 3 relating to the setting up of the Congress of Local and Regional Authorities of Europe.

Article 2

1. The CLRAE shall be composed of representatives who shall be chosen from among holders of a local or regional authority electoral mandate or of a mandate as a person directly responsible to an elected local or regional body.
2. The membership of each member State's delegation in the CLRAE shall be such as to ensure:
 - a) a balanced geographical distribution of representatives from the member State's territory;
 - b) equitable representation of the various types of local and regional authorities in the member State;
 - c) equitable representation of the various political forces in the statutory bodies of local and regional authorities in the member State;
 - d) equitable representation of women and men on the statutory bodies of local and regional authorities in the member State.
3. Each member State shall have the right to the same number of seats in the CLRAE as it has in the Parliamentary Assembly. Each member State may send a number of substitutes equal to the number of representatives. Substitutes shall be members of the Chambers in the same capacity as representatives.
4. The rules and procedures governing the choice of representatives to the CLRAE shall also apply to substitutes.
5. Representatives and substitutes shall be sent for period of two ordinary sessions of the CLRAE and shall maintain their functions until the opening of the following session. In the event of the death or resignation of a representative or substitute or of loss of the mandate referred to in paragraph 1 above, a replacement shall be chosen, in accordance with the same rules and procedure, for the remainder of his or her predecessor's mandate.

Article 3

1. Representatives and substitutes to the CLRAE shall be appointed by an official procedure specific to each member State. Each government shall inform the Secretary General of the Council of Europe of this procedure. Such a procedure shall be approved by the CLRAE in conformity with the principles contained in its Rules of Procedure.
2. Each member State, when notifying the Secretary General of the composition of its delegation, shall indicate those representatives and substitutes who will be members of the Chamber of Local Authorities and those who will be members of the Chamber of Regions.

Article 4

1. International associations of local and regional authorities which have consultative status with the Council of Europe shall have observer status with the CLRAE. Other organisations may, on request, obtain observer status with the CLRAE, if its Standing Committee so decides, or with one of its Chambers under the latter's Rules of Procedure.
2. The CLRAE may, on request, grant special guest status to delegations from local and regional authorities in European non-member States which have such status with the Parliamentary Assembly of the Council of Europe. The Bureau of the CLRAE shall assign to each special guest State the same number of seats as it has in the Parliamentary Assembly. The appointment of special guest delegations shall be based on the same criteria set out in the Articles 2 and 3.
3. The observers and the members of the delegations mentioned in paragraph 2 shall take part in the proceedings of the CLRAE and of its Chambers, with the right to speak, subject to the President's consent, but not to vote. The other conditions of their participation in the Standing Committee and in working groups shall be laid down in the Rules of Procedure of the CLRAE.

Article 5

1. The CLRAE shall meet in ordinary session once a year. Ordinary sessions shall be held at the Council of Europe's headquarters, unless otherwise decided, by common consent, by the CLRAE or its Standing Committee and the Committee of Ministers.
2. The sessions of each of the two Chambers shall be held either immediately before and/or after the session of the CLRAE. On the proposal of the Bureau of the CLRAE, either Chamber may hold other sessions after prior agreement with the Committee of Ministers.

Article 6

1. The CLRAE shall organise its work within the framework of two Chambers: the Chamber of Local Authorities and the Chamber of Regions. Each Chamber has at its disposal a number of seats equal to that of the Congress itself.
2. Each Chamber shall appoint its Bureau which is composed of the President of the Chamber and of six members, respecting as far as possible a fair geographical distribution among member States. No member State shall have more than one representative on the Bureau of either Chamber.

Article 7

1. The Standing Committee shall be responsible for ensuring the continuity of the work of the CLRAE and for acting on its behalf between sessions. It shall, in particular, follow the different fields of intergovernmental activities of the Council of Europe.
2. The Standing Committee shall consist, from each national delegation, of two representatives. Members of the Bureau of the CLRAE shall be included among those representatives. States which are represented in only one Chamber shall have only one seat on the Standing Committee.

Article 8

1. The two Bureaux shall constitute jointly the Bureau of the CLRAE which shall be, responsible for the preparation of the plenary session of the CLRAE and for the coordination of the work of the two Chambers, in particular as to the distribution of work between the two Chambers, the preparation of the budget and the allocation of budgetary resources.

2. The Bureau of the CLRAE shall be presided over by the President of the Congress who is not entitled to vote at the Bureau.

Article 9

1. After the distribution of questions between the two Chambers in accordance with Article 8, the Bureau of the Chamber competent to deal with a question may set up an ad hoc working group with a limited number of members (to a maximum of eleven) empowered with specific terms of reference (preparation of a report, organisation of a conference, follow-up to a co-operation project or to specific intergovernmental activities of the Council of Europe). Organisation of the work of these ad hoc working groups shall be governed by the Rules of Procedure.

2. When a question falls within the competence of the two Chambers, the Bureau of the CLRAE may set up a mixed working group common to both Chambers.

3. The CLRAE and its two Chambers may consult, in accordance with the provisions to be set out in their Rules of Procedure, representatives of international associations of local and regional authorities mentioned in Article 4 as well as national associations of local and regional authorities designated by national delegations. The cost of participation in these consultations shall be borne by such organisations or associations.

Article 10

1. All the Recommendations and Opinions to be addressed to the Committee of Ministers and/or the Parliamentary Assembly as well as the Resolutions addressed to the local and regional authorities as a whole shall be adopted by the CLRAE at its plenary session or by the Standing Committee.

2. However, when a question is considered by the Bureau of the CLRAE as falling exclusively within the competence of a Chamber:

a) the Recommendations and Opinions relating to such a question which are addressed to the Committee of Ministers, and/or to the Parliamentary Assembly, shall be adopted by the Standing Committee, if necessary after obtaining the opinion of the other Chamber, but without any consideration of the substance of the matter;

b) the Resolutions relating to the question and which are addressed to the authorities that the Chamber represents, shall be adopted by the Standing Committee without consideration of the substance of the matter.

Article 11

The conditions under which the Committee of Ministers and the Parliamentary Assembly may be collectively represented in the debates of the CLRAE or of the Chambers and those under which their representatives may, in an individual capacity, speak therein shall be drawn up by the Committee of Ministers after consultation with CLRAE and inserted in the Rules of Procedure of the latter.

Article 12

1. The CLRAE and its Chambers shall adopt their own Rules of Procedure. In particular, each set of rules shall provide for:

a) a quorum;

- b) questions concerning the right to vote and the majorities required, it being understood that the Recommendations and Opinions addressed to the Committee of Ministers and the Parliamentary Assembly shall be adopted by a majority of two-thirds of the members who are present and take part in the vote;
- c) the procedure for the election of the President, Vice-Presidents and other members of the Bureau;
- d) the procedure for the establishment of the agenda and its transmission to delegates;
- e) the organisation of the work of ad hoc working groups.

2. Moreover, the Rules of the CLRAE shall provide for the time-limit and method of notification of the names of representatives and their substitutes and the procedure for the examination of their credentials, by taking into account in particular articles 2 and 6 of the present Charter.

Article 13

1. The Congress shall appoint its President from the members of each Chamber on an alternative basis. The President shall remain in office for two ordinary sessions.
2. Each Chamber shall choose from among its members a President who shall remain in office for two ordinary sessions.

Article 14

Secretarial services for the CLRAE shall be provided by the Secretary General of the Council of Europe.

Transitory provisions

1. On a temporary basis, States which do not possess regional authorities, i.e. authorities of a level immediately below national governmental level which have their own attributions and elected organs, may appoint to the Chamber of Regions representatives of bodies of the same level, made up, on a regional basis, of elected representatives of local authorities or of regional associations of local authorities. This provision shall be re-examined after a six-year period.
2. In preparation for the first plenary session of the CLRAE, the procedures foreseen in Article 3, paragraph 1 shall be adopted by the Committee of Ministers.
3. One month before the first plenary session of the CLRAE, the President of the Committee of Ministers shall choose by lot the Chamber which proposes candidates for the Presidency of the Congress. The Congress shall then elect its President at its first plenary session.
4. On a temporary basis:
 - a) the expenditure entailed by sessions of the CLRAE, by meetings of the two Chambers and by its organs, as well as any other expenditure connected with the activities of the CLRAE, shall be borne by the budget of the Council of Europe. Only the costs of participation of representatives are covered by the budget of the Council of Europe.
 - b) such items of expenditure as can be clearly specified may be entered in a special section of the budget.

c) for the purpose of drawing up the annual budget, the CLRAE shall make its needs known to the Secretary General, who will inform the Committee of Ministers thereof.

This provision shall be re-examined after a three-year period.