

**SEVILLE CENTRE FOR CITY-TO-CITY CO-OPERATION**

**Winter workshop**

**Legal issues for city-to-city co-operation: a framework for  
local government international action**

**CENTRO CIVICO LAS COLUMNAS**

**C/ Pureza, 79 - Seville, Spain**

**8 - 10 January 2007**



## **Background**

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In the past decades, European cities and local governments have increasingly engaged in international co-operation. International instruments as the Habitat Agenda in 1996 and the UN Millennium Summit in 2000 highlight the critical role of cities and regions in development. Nevertheless, while the national state is a legitimated actor in the international scene, the situation is not at all that clear at local government level.

In the EU context, we are assisting to a "de facto" situation where cities, provinces and regions are increasingly engaging international action while their legitimacy and the legal framework in which these new actors operate remains undefined. Even if the problematic changes from case to case, many local authorities have real problems to transform their solidarity will into practical projects and initiatives.

The main objective of this workshop is to share experience on solving legal / administrative problems and to identify useful tools for improving effectiveness of international co-operation implemented by local governments.

The activity is organised by the Seville Centre for City-to-City Co-operation, a project of the UN-HABITAT Best Practices and Local Leadership Programme supported by the Seville City Council aiming to facilitate methodologies and tools for cities and local governments to undertake projects of international co-operation in support of the MDGs.

The workshop is financed by the Development Co-operation Department of the Seville City Council.

## Objectives

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### **The objectives of this workshop include:**

- To identify common legal problems that local governments face while engaging international development initiatives.
- To examine actual available mechanisms to establish contracts between local authorities in different countries.
- To share solutions that local governments can put into practice
- To examine contract law applicable and litigation mechanisms available at international level.
- To solve a series of case studies in order to learning-by-doing

### **Anticipated Outputs include:**

- Review of the state of the art at European level. Recollection of materials for an UN-HABITAT publication.
- Training needs assessment so as to design future methodologies, training materials and courses.
- SWOT analysis of legal aspects of city to-city co-operation.

### **Participants profile:**

- Local government lawyers
- Local government policy makers
- Officers in charge of international relations in local governments

## Methodology

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Prior to the workshop, the Seville Centre will produce a document resuming the legal framework of local governments in Europe regarding their competence to intervene in international development co-operation.

The document will resume the answers of national associations of local authorities and selected local governments as well. The results of the document will be presented during the seminar.

Selected participants and local authorities will be asked to submit a practical case regarding a partnership between two local actors trying to establish an international development co-operation project. The cases can regard co-operation with non-governmental actors but an emphasis will be put into city-to-city co-operation.

The participants will try to solve the cases during the working groups sessions, in order to compare how the problematic could be solved within the different European legal frameworks.

The workshop will also try to identify instruments made available by international law.

## **Contents**

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- \* Defining International Local Government Law. Prof. Gerald Frug, Harvard Law School.
- \* The City and the World. Prof. Yishai Blank, Tel Aviv University.
- \* Partnerships between local authorities within the European Union context. Sandra Ceciari. Council of European Municipalities and Regions.
- \* International mechanisms for conflict resolution: Dr. Hans Corell, former Legal Counsel of the United Nations.
- \* National framework case studies: national regulation for local governments international action: United Kingdom, France, Italy, Spain, Belgium, Germany, Sweden and Norway.

## PROGRAMME

### Monday, January 8<sup>th</sup>

9.00	Participants registration
09.30 - 10.00	Welcome speech by <b>Alberto Moriñas, Councillor for Development Co-operation. Seville City Council.</b>
10.30 - 11.30	Opening session: International Local Government Law. <b>Gerald Frug, Local Government Law Professor, Harvard Law School.</b>  Discussion
11.30 - 12.00	Coffee break
12.00 - 12.30	Workshop methodological questions and organisation of the working groups.
12.30 - 13.30	Legal aspects of the international action of European local authorities: presentation of the results of the survey by the Seville Centre for city to city co-operation. <b>Diana A. Lopez Caramazana - UN-HABITAT / Fernanda Nicola - American University, Washington DC.</b>
13.30 - 14.30	Lunch break
14.30 - 16.30	Working groups - Session I  Case studies to be solved by the participants
16.30 - 17.30	National framework case studies: Italy, France and Spain  - <b>SPAIN: Lourdes Vidal García, Seville City Council Department for international co-operation.</b>  - <b>FRANCE: Pierre Pougnaud, French Ministry of Foreign Affairs, Local Government international</b>

	<p><b>action department.</b></p> <ul style="list-style-type: none"> <li>- <b>ITALY: Simonetta Paganini, ANCI, National Association of Italian Municipalities.</b></li> </ul>
19.00 - 20.30	Visit to the "Reales Alcazares" (Arabic Palace XII century)

**Tuesday, January 9<sup>th</sup>**

9.00 - 10.00	Partnerships between local authorities within the European Union context. <b>Sandra Ceciariini. Council of European Municipalities and Regions.</b>
10.00 - 11.00	International mechanisms for conflict resolution: United Nations representative. <b>Dr. Hans Corell, former Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations</b>
11.00 - 11.30	Coffee break
11.30 - 13.30	Working groups - Session II  Case studies to be solved by the participants
13.30 - 15.30	Lunch break
15.30 - 17.00	National framework case studies: <ul style="list-style-type: none"> <li>- <b>NORWAY: Liss Schanke, KS, Norwegian Association of Local and Regional Authorities.</b></li> <li>- <b>UNITED KINGDOM: Ken Bodfish, Deputy Chair Local Government International Bureau and Commonwealth Local Government Forum. Councillor, Brighton and Hove City Council.</b></li> </ul>

**Wednesday, January 10<sup>th</sup>**

09.00 – 10.00	The city and the world. <b>Professor Yishai Blank. Tel Aviv University.</b>
10.00 - 11.00	National framework case studies (to be confirmed)  - <b>GERMANY: IN/Went</b>  - <b>BELGIUM: VVSG</b>  - <b>SWEDEN: SALAR, Swedish Association of Local Authorities and Regions.</b>
11.00 - 13.00	National and international solutions to legal conflict regarding local government international actions. Presentation of the working group conclusions.  Agenda for future action.
13.00 - 13.30	Closing

Research, documents and materials produced during the workshop will be published in the UN-HABITAT webpage <http://www.unhabitat.org>

## Resource persons

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\* **Yishai Blank, Faculty of Law, Tel Aviv University.**

<http://www2.tau.ac.il/Person/law/researcher.asp?id=acfdidief>

Yishai Blank teaches Torts, Administrative Law and Local Government Law. He obtained his LL.B. (magna cum laude) and an additional B.A in Philosophy (magna cum laude) from Tel-Aviv University. He clerked for the Chief Justice of the Israeli Supreme Court, Prof. Aharon Barak. He continued his studies at Harvard Law School, where he was a Byse Fellowship recipient, and where he received his S.J.D. in June, 2002. His Dissertation explores theoretical and legal aspects of decentralization processes that took place in Israel since the 1980s, and the impact of law on space. Based on his Dissertation, he received an award for excellence from the American Bar Association. His recent publications include: "The Resilience of Participation," 6 Theoretical Inquiries in Law 155 (2005); "Localism in the New Global Legal Order," Harvard Journal of International Law (forthcoming 2006); and "The City and the World," Columbia Journal of Transnational Law (forthcoming 2006).

\* **Ken Bodfish, Brighton and Hove City Council, UK**

Mr Bodfish is Deputy Chair of the Local Government International Bureau, the International branch of the Local Government Association in the United Kingdom. He is the Deputy Head of the UK Delegation to Council of Regions as well as Vice President of CEMR (Council of European Municipalities and Regions) and Member of the Council of Europe's Congress of Local and Regional Authorities.

He has been Leader of the Brighton and Hove City Council where he is actually Counsellor. Amongst his previous positions are: former Chairman of the Sussex Police Authority, former Deputy Chairman South East England Regional Development Agency and former Member of Academic Staff- The Open University.



\* **Hans Corell**

[http://www.un.org/News/oss/sg/stories/corell\\_bio.html](http://www.un.org/News/oss/sg/stories/corell_bio.html)

Hans Corell has been Under-Secretary General for legal Affairs and Legal Counsel of the United Nations until 2004. Before joining the United Nations in 1994, Mr. Corell, a national of Sweden, was Ambassador and Under-Secretary for Legal and Consular Affairs in his country's Ministry of Foreign Affairs from 1984 to 1994. He served for 13 years in the Ministry of Justice, in the capacity of Under-Secretary for Legal Affairs (1981-1984), Assistant Under-Secretary (1979-1981), and Legal Adviser (in 1972 and from 1974 to 1979). Interspersed with his service in the Ministry of Justice, Mr. Corell served as an additional Member of the Svea Court of Appeal (1973), as Associate Judge of Appeal (1974), and as Judge of Appeal (1980).

Mr. Corell was a member of his country's delegation at the United Nations General Assembly from 1985 until he took his current UN appointment in 1994. In addition, Mr. Corell was a member of the Permanent Court of Arbitration at The Hague from 1990. He has also been a member of various expert committees in his country, within the Council of Europe, the Organisation for Economic Cooperation and Development (OECD), and the Conference on Security and Cooperation in Europe (CSCE), including the CSCE Moscow Human Dimension Mechanism to Bosnia and Herzegovina and Croatia (1992-1993), which presented the first proposal for the establishment of an international criminal tribunal for the former Yugoslavia. He was Chairman of the Working Group at the 1992 CSCE Expert Meeting on Peaceful Settlement of Disputes, held in Geneva. He was the Secretary-General's Representative to the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from 15 June to 17 July 1998.

- \* **Gerald Frug, Louis D. Brandeis Professor of Local Governments Law, Harvard Law School.**

<http://www.law.harvard.edu/faculty/directory/facdir.php?id=22>

Gerald Frug is the Louis D. Brandeis Professor of Law at Harvard Law School. Educated at the University of California at Berkeley and Harvard Law School, he worked as a Special Assistant to the Chairman of the Equal Employment Opportunity Commission, in Washington, D.C., and as Health Services Administrator of the City of New York before he began teaching in 1974 at the University of Pennsylvania Law School. He joined the Harvard faculty in 1981. Professor Frug's specialty is local government law, a subject he has taught for more than twenty-five years. He has published dozens of articles on the topic and is the author, among other works, of a casebook on Local Government Law (4th edition 2006, with David Barron and Richard T. Ford), *Dispelling the Myth of Home Rule* (2004, with David Barron and Rick Su), and *City Making: Building Communities without Building Walls* (Princeton University Press 1999).

- \* **Diana A. López Caramazana, Responsible, UN-HABITAT Seville Centre for city-to-city co-operation**

Mrs Lopez has a Master of Sciences on Public Service Management (University of Birmingham, UK, she also holds a BA in Political Sciences (University of Granada, Spain) and a Diploma in Political Studies and International Relations by the Robert Schuman University in Strasbourg, France. She has been working for the United Nations System since 1997, 5 years within the International Training Centre of the International Labour Organisation (Delnet Project in support of local development) and 3 years detached to the Italian Ministry of Foreign Affairs (ITENETS project in support of regional economic internationalisation). She is now UN-HABITAT officer and responsible for the Seville Centre for city-to-city co-operation.

\* **Fernanda Nicola, Professor of Law, American University, USA**

Fernanda Giorgia Nicola joined the WCL faculty in Fall of 2006. She is an expert in European and Comparative Law, the law of the European Union, Contract and Tort Law. Fernanda was most recently adjunct professor of law at New England Law School. She has also taught at Harvard Law School, and University of Turin Law School at the ILO Training Center of Turin. She has been a summer associate and law clerk at Goodwin Procter LLP, in Boston, a research assistant at Harvard Law School, and a trainee attorney at Studio Legale Ferreri in Turin, Italy. In 1995, she was an intern at the European Parliament in the Civil Rights, Civil Liberties Committee; and in 1996, at the Council of Europe, Political Affairs Committee of the Parliamentary Assembly.

\* **Lourdes Vidal García, Chief, International Cooperation Department, Seville City Council.**

With a degree in Law at the University of Seville, she completed her studies at the Institute of Political Sciences of the University Robert Schuman of Strasbourg, France, where she read European and Administrative Law. She has extensive experience working within the European Commission, providing legal support to the selection and follow up of grant projects; specifically in the field of Youth and Culture. She has act as speaker on behalf of the European Commission in seminars, courses and conferences related with Youth policy in Europe, management of European grants, procedure of adoptions of legal bases, YOUTH programme grants, etc. She has also been Head of the Department of Youth at the City Hall of Seville and Assistant Legal advisor in the Provincial Council. She was a founder partner of BSV lawyers: firm specialised in public law, environment, and urban planning.

## **PRACTICAL INFORMATION**

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The workshop will be hold at the CENTRO CIVICO LAS COLUMNAS in  
C/ PUREZA, 79 situated in the TRIANA district near the river (downtown).

For maps, please visit: <http://engcallejero.paginasamarillas.es>

The Seville City Council will offer a social dinner on Monday 8th.

Participation in the workshop is free. Admission to the event must be approved by the secretariat in base of available seats. Institutions having sent the research questionnaire will have priority. All participants must cover their travel and accommodation.

### **Useful websites:**

Local hotels association: <http://www.hotelesdesevilla.com>

Seville Tourism board: <http://www.turismo.sevilla.org>

Seville City Council: <http://www.sevilla.org>

Trains: <http://www.renfe.es> (the high-speed train from Madrid that takes two hours and a half )

Bus booking: <http://www.movelia.es>

Seville airport: <http://www.aena.es>

Cultural events in Seville: <http://www.elgiraldillo.es>

**Note:** taxis from and to the airport are subjected to a fix fare of 19 euro during the week and 21 during the weekend. There is a bus that links the airport with the Puerta de Jerez, in the centre of Seville, frecuency 20m, price 2,60 euro.

<p style="text-align: center;"><b>Secretariat</b></p>
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<p style="text-align: center;">Diana Lopez Caramazana <a href="mailto:Dlc@urbanismo-sevilla.org">Dlc@urbanismo-sevilla.org</a> Tel. +34.954.48.02.23</p>
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