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2015 CALRE 世界論壇

主題：Regional and Local Representation
for a True Global Democracy

主講人：台灣地方民代公益論壇 林晉章理事長

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各位先生、各位女士，午安!

我是「台灣地方民代公益論壇」TCF 的理事長林晉章。

請容許我藉此機會歡迎各位來參加 2015 年全球區域和地方立法議會聯合會的世界論壇，我很高興能夠參加 CALRE 會議，並期待能在此會議跟各位學習與分享。

我要衷心感謝 CALRE 主席 Cattaneo 的邀請，他的工作人員，以及每一位的你們，讓我有機會參與此重要會議，並和你們交換意見，為各自地區尋求最佳的治理合作方式。

世界上的華人世界包括台灣及中國大陸，長久以來都沒有民主制度，而在台灣的中華民國在退居台灣後的 1950 才開始舉辦地方選舉，短短 65 年的選舉歷史自然無法與數百年歷史的歐美相比。台灣除了國會議員以外，地方選舉與日本相同，均屬兩級制，以 2014 年為例，台灣面積 36,193 平方公里，人口 23,465,004 人（2015 年 8 月官方統計）6 個直轄市及 16 個縣共選出了 907 位縣市議員，而第二級的民選鄉鎮市代表共 2323 位。

本人擔任 25 年的台北市議員，經歷台灣地方自治 65 年歷史中的三分之一以上，雖然台灣已是一個實施民主制度的國家，但也深知目前地方自治仍偏向中央集權，原因乃是中央立法限制了地方議會所立的法律位階受到嚴重剝奪。因此我在 2010 年成立「台灣地方民代公益論壇」(TCF)之台灣地方民代社團組織，目的就是希望結合地方民代向中央反應爭取地方權限。

另外，我們了解，世界上目前有全球性的國會議員組織，另外很多國家都有全國性的地方議員組織可以向他們自己的國家反映意見，如歐洲的 CALRE、美國的 NCSL 及南美洲的 UNALE，但迄今世界上仍無一個整合各國區域地方立法機構聯合會的全球性的組織，這就是我發起籌組「全球地方議員論壇」(Global Councils Forum, GCF)的原因。在 2014 年我們邀請 CALRE、NCSL 及日本的「日本會議(全國)地方議員連盟」參加，今年 2015 年邀請 CALRE、「日本會議(全國)地方議員連盟」及菲律賓的 PCL 來參加，也邀請法國、韓國、中國的學者一同出席發言。

因為亞洲地區已有日本、台灣、菲律賓的地方議員聯盟組織及即將籌組的馬來西亞及南韓，因此在 2015 年 8 月的會議中，決定 2016 年年底在菲律賓舉辦首次的「亞洲地方議員論壇」(Asia Councils Forum, ACF)，期盼各位屆時蒞場指導。CALRE 主席 Cattaneo 建議，既有歐洲的 CALRE 與美洲的 NCSL 在今年 8 月達成共識簽署 agreement，將來等亞洲的 ACF 成立以後，各大洲再來成立 GCF。

因為全球化關係，漸有更多國家將國家主權交給跨國組織，導致壓縮區域及地方政府主權，這是我認為不可思議的問題。

因為我們深信民主的特質是民選民意代表的代議權是來自人民，亦即其權力的來源是從下往上，不是從上往下。人民給多少，民意代表的權力就有多少。同理，從中層地方政府再到國會議員，越往上級的權力都是來自於下一級的民意代表機構，國會議員的權限也是來自於區域的 councilor，國會議員給 supranational 的權限也是來自於國家，何以會讓 supranational 剝奪國家及區域等地方政府的主權呢？

縱然在全球化的過程中，歐盟各會員國的決策權力必須不斷讓渡給歐盟，但個人很肯定 CALRE 的「輔助性原則」工作小組在這項處理歐盟與會員國主權的最高指導原則下，其在維護主權部分的表現，令人印象深刻。另外 CALRE 為了防止歐盟行政權不斷擴充成為民主赤字所做的努力，同樣也令我欽佩。

有這機會與各位共同探討是非常好的事，參與這個會來推動 true global democracy 是非常有義意的。

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2015 CALRE in Milan

World Forum

Theme: Regional and Local Representation for a True Global Democracy

Presented by TCF President Lin Chin-Chang

Date: October 23, 2015

Ladies and Gentlemen, Good afternoon.

Please allow me take this opportunity to personally welcome each of you to the 2015 World Forum of Regional and Sub-National Legislative Assemblies. I am very excited to be able to participate in the CALRE conference and look forward to learning from and meeting all of you during the meeting. I am Lin Chin-chang, the president of Taiwan Local Councils Representatives Community Forum (TCF)".

I am extremely honored to have been invited to participate in this important conference. For this, I would like to sincerely give thanks to CALRE President Raffaele Cattaneo, to his staff, and to all of you, for giving me the opportunity to engage and exchange ideas and best practices about how we can all cooperate to help better the governance of each of our respective districts.

As we know, elections are the foundation of democracy. In the Chinese-speaking world including Taiwan and Mainland China, election systems did not exist until the ROC Government was forced to move to Taiwan in 1949. In the next year, in 1950, Taiwan held its first ever local elections. However, compared with Europe and the United States, Taiwan's 65 year-old election history is relatively short.

The election system in Taiwan is the same as in Japan. In addition to nation level elections for congressmen, the two-tier local elections are designed to elect mayors, councilors and other elected officials. In an area of 36 thousand square kilometers with a population of 23 million persons, we elected 22 mayors, over 900 councilors for the first tier of the local government and about 2,000 municipal councilors for the second tier.

As a Taipei City Councilor for 25 years, I have been actively taking part throughout over one third of Taiwan's 65 years of local autonomy. Although the Taiwanese people have been living under a democratic system, there has been a tendency for governments to centralize power over local autonomy. In the Local Government Act, it is easy to see how badly the councilors' powers have been restricted.

The "Taiwan Local Councils Representatives Community Forum (TCF)" not only operates as a platform for exchange between the councilors and the government,

but is also designed to protect the councilors' legislative power from the national government. As we know, there is a global organization the members of which are MPs, like IPU (Inter-Parliamentary Union). To my knowledge, many countries have their own national or regional legislative assemblies like CALRE, the Japanese Local Councilors Alliance, the American NCSL, the Philippines PCL, the South America UNALE, the Canada FCM and the Australia ALGA.

However, it seems that there has not yet been established a global organization with members from Local Legislative Assemblies as well as international Institutions from different continents. This is the reason why I strive to set up the "Global Councils Forum (GCF)".

Last year, there was an International Forum in the TCF Annual Meeting. We invited special guests Ms. Noguera from CALRE, Mr. Bruce Starr from America NCSL and Mr. Yoshiaki Matsuda from Japanese Local Councilors Alliance to the conference. This August, we invited President Cattaneo from CALRE, President Matsuda from the Japanese Local Councilors Alliance, and National President Fernandez from the Philippines to the Global Councilors Forum in the 2015 TCF Annual Meeting.

We also invited international scholars from France, South Korea and Mainland China to attend the meeting, whose speeches were really remarkable and impressive.

Considering that Japan, the Philippines and Taiwan have already had their own local councilors alliances, we proposed to establish a regional assembly named "Asia Councils Forum (ACF)", and decided to hold the first ACF meeting in December 2016 in the Philippines. We are expecting that Malaysia and South Korea will be our new partners in the ACF.

As we know, CALRE and NCSL have signed a mutual cooperation agreement this August in Seattle, U.S.. If the ACF can be run successfully in the area of Asia in the future, according to CALRE President Cattaneo's proposal, I think establishing a real Global Councilors Forum will not be far away anymore.

In the process of Globalization, it is inevitable that, to a degree, a country has to transfer national sovereignty to supranational form of government or international institutions. However, in my personal opinion, if giving away national sovereignty means to erode a country's autonomy and ability to make political decisions, I have to voice my objection.

Within a country's territorial jurisdiction, a nation's sovereignty is exclusive and absolute. One of the fundamentals of democracy is that the power of an elected representative is legitimized by the people.

In bottom-up politics, the higher powers are derived from the lower level institutions. According to this theory, the power of MEPs comes from the regional voters, and the country then empowers the MEPs when negotiating with supranational institutions. If we adhere to this principle, we are wondering, how could supranational institutions take away regional and sub-national sovereignty? Facing globalization, we agree that, at times States have to transfer parts of their powers to supranational

form of government, for example the EU.

However, in a way, I think that could explain the reason why I established the (TCF) in the aspiration of gathering all locally elected representatives to face the plight of unbalanced power distribution and to resolve that situation.

Personally, I am impressed that the CALRE working group on Subsidiarity has done very well in assessing the balance of powers between the EU and the Member States. I also admire CALRE's democratic deficit efforts to prevent the EU from moving toward an increase in executive power and a decrease in Regional and Sub-national parliamentary control.

I am glad to have this opportunity to be here to discuss the topic of "Regional and local representation for true global democracy" with each of you. This is a very meaningful event and I am glad to be here.

Thank you for listening.