

# Local Self-Government

## I. In brief

Strong and effective local (and, where appropriate, regional) governments are essential elements of the democratic fabric of modern societies and indispensable elements for social and economic success. The Council of Europe has always considered local and regional democracy as an essential European value. The **European Charter on Local Self-Government**, which entered into force in 1988, is the only international treaty in this field and has been ratified by all European states which have local authorities.

Through its **institutional machinery** (which consists of the Congress of Local and Regional Authorities, the European Committee on Local and Regional Democracy and the Centre of Expertise for Local Government Reform) the Council of Europe is the only European actor which masters all elements of the process of improving multi-level governance, from the collection of information to the support to actual reform in the countries.

## II. Background

How can "sustainable communities, where people like to live and work, now and in the future<sup>1</sup>" be created, maintained and improved?

There are two interlinked answers to this question:

- **subsidiarity**, i.e. strong local and regional government which brings decisions and services close to citizens, which deals with a substantial portion of public affairs and has the capacity to adapt the level of services to local and regional preferences;
- **good democratic governance**, i.e. an effective and efficient way of exercising public

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<sup>1</sup> Final Declaration of the Third Summit of Heads of State and Government of the Council of Europe, Warsaw, May 2005.

authority, of involving the local and regional community and of delivering local and regional public services.

## III. Comparative advantages and added value

The Council of Europe has high credibility and political leverage in the field of local and regional government reform. Its added value lies chiefly in:

- a solid **set of recognised and shared standards** (see appendix) such as the European Charter of Local Self-Government, which is the fundamental international treaty dealing with the relations between central and local authorities and setting up the conditions for effective and efficient decentralisation. Its more recent complement, the Strategy for Innovation and Good Governance at Local Level, deals more with the relation between local authorities and their citizens and creates the conditions for a continuous enhancement of the quality of local governance in order to put decentralisation to work and improve of the quality of life of citizens.
- **Monitoring** of the implementation of the European Charter of Local Self-Government by the member states is conducted regularly by the Congress of Local and Regional Authorities. On the basis of monitoring findings the Congress adopts recommendations which the national authorities are required to follow, as well as resolutions with a view to improving the governance of local and regional authorities. To this end, the Congress maintains a **regular political dialogue** with different levels of governance in the country and participates in projects aiming at reinforcing local democracy in Europe.

- An **integrated approach** covering the whole spectrum of work in the field of multi-level democratic governance, from information to action. It **collects information** about topics of interest, trends, practices through its European Committee on Local and Regional Democracy (CDLR), where ministries responsible for local and regional government from the 47 Member States are represented; the CDLR **processes such information and transforms it into knowledge**: identification of good practice, guidelines given to central, regional and local governments, conventions and recommendations prepared for the adoption by the Committee of Ministers.
- An **experienced operational structure**: the Centre of Expertise for Local Government Reform, created by the Third Summit of Heads of State and Government (Warsaw, 2005) **transforms knowledge into skills**, offering training and various know-how enhancing programmes to central, regional and local governments; the Centre also **transforms individual skills into institutional capacity** by developing, adapting to local circumstances, supporting the implementation and giving to local ownership various capacity-building "tools" (i.e. instruments and methodologies inspired from the New Public Management); moreover, the Centre **converts increased capacity into real-life reform**, as reform is part and parcel of most programmes it implements.
- **highly qualified staff** (often invited by partners such as CoR, EC, OECD, OSCE, UNDP to deliver substantial input in their respective activities) and a **well-developed network of reputed experts** (both central/regional/local

government officials and independent consultants) who have proven their effectiveness for many years and are trained to local situations but also Council of Europe's standards and tools.

The relevance of the Council of Europe's integrated approach in the field of multi-level democratic governance is proven by the success of the Centre of Expertise for Local Government Reform. Despite its young age, the Centre of Expertise has become a major player on the European market of capacity-building for local authorities. It is widely recognised for the quality and modernity of its "tools" (model programmes), for its impact orientation and for the success of its approach. In 2012, the Centre is implementing 32 full programmes in 20 countries and is obliged to refuse a large number of demands from local authorities and their associations.

#### IV. Geographic contextualisation

The Council of Europe has supported, to very good results, all Central and Eastern European countries in their efforts to decentralise (legal assistance programmes) and to improve the quality of local and regional governance (capacity-building programmes). Moreover, the Centre of Expertise for local government reform has offered assistance to local authorities in several Western and Nordic countries.

The Centre of Expertise bases its work on template programmes ("tools") which it adapts to national context and implements in co-operation with local partners. After testing and implementation, such tools are published and become the axis of new similar, but not identical, programmes. They are therefore highly replicable with proven and very successful track record.

Programmes like Leadership Development and its shortened version Leadership Academy, Best

Practice, Public Ethics Benchmarking, Local Finance Benchmarking, Performance Management of public services, Inter-Municipal Cooperation, Human Resource Management, Citizen Participation etc. are at the fore of administrative innovation and have been implemented with outstanding results in many countries.

In Serbia, the Centre of Expertise has helped central authorities to revise substantially legislation on local government and to increase both the level of decentralisation and the capacity of local authorities. After piloting a capacity-building programme on human resource management, in 2013-2016, the Centre will help to replicate results in all Serbian local authorities: preparation of clear job descriptions, mechanisms to apprise staff, hiring, promotion and firing based on competence and identification of training needs.

In Ukraine, despite a difficult political context which produced mitigated results in the field of decentralization and legal reform, the Centre has obtained excellent results in capacity building: one year after the launching of very difficult programmes like performance management of public services, benchmarking of public ethics and benchmarking of local finance, participating local authorities are

already implementing reforms of regulations and practice.

### **Legal Instruments**

#### **Conventions :**

European Charter of Local Self Government - CETS 122

Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority – CETS 207

European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities – CETS 106

Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities – CETS 159

Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation – CETS 169

Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) – CETS 206

Convention on the Participation of Foreigners in Public Life at Local Level – CETS 144

Some relevant **Recommendations** of the Committee of Ministers in the field of multi-level democratic governance

Recommendation Rec(2001)19 on the participation of citizens in local public life

Recommendation Rec(2004)1 on financial and budgetary management at local and regional levels / 04 February 2009

Recommendation Rec(2004)12 on the processes of reform of boundaries and/or structure of local and regional authorities

Recommendation Rec(2005)1 on the financial resources of local and regional authorities

Recommendation Rec(2007)4 on local and regional public services

Recommendation Rec(2009)2 on the evaluation, auditing and monitoring of participation and participation policies at local and regional level

Recommendation Rec(2011)11 on the funding by higher-level authorities of new competences for local authorities

Other Council of Europe texts relevant to multi-level democratic governance

Strategy for Innovation and Good Governance at Local Level (Valencia, 2007)

Reference Framework on Regional Democracy (Utrecht, 2009)

Local Government in Critical Times: Policies for Crisis, Recovery and a Sustainable Future (2012)

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