

32nd Session of the Congress of Local and Regional Authorities – 28-30 March 2017 - Local and regional democracy in Finland

## Speaking notes Artur TORRES PEREIRA

Ladies and gentlemen,

I would like to start by stressing once again a very important point that I totally share with my colleague Karim VAN OVERMEIRE – our full satisfaction with the general situation of local democracy in Finland.

Let me highlight that the culture of consultation and close cooperation between central and local authorities in Finland, notably a traditionally close partnership between the national Association of Local and Regional Authorities and the central government may be regarded as good practice among the member - states of the Council of Europe.

Thus, we particularly welcome Finland's ratification in February 2012 of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority. It is yet another indicator of national authorities respect for the principle of effective consulting of local authorities on all matters that concern them directly.

We also noted with satisfaction the Government's efforts to modernize both the equalization system and relevant rules and procedures with a view to helping municipalities to balance their finance and avoid excessive indebtedness.

However, guaranteeing local self-government is an everlasting process. That is why I would now like to present our main points of concern.

The legislation proposed in the framework of the reform may deeply affect the range of powers and responsibilities of all local authorities, and the way the public functions are fulfilled on a local level.

First, it is planned that some of the municipalities' main tasks, notably related to Healthcare and Social services, will be transferred to new regions.

We have concerns about the absence of exceptions to such transfer from the large cities.

Second, we are particularly alarmed about the risk of bureaucratization in local government. The political nature of local self-government seems to be overshadowed by technocratic and bureaucratic dynamics in many municipalities. It seems to us that the wide range of highly demanding services and activities has caused a shift of power towards the professional managers of municipal and inter-municipal authorities.

Furthermore, we are very much concerned about the weak status of the Charter in the domestic legal system of Finland and, particularly, the absence of direct applicability of its provisions. We regret that the Charter is not part of the applicable law by the Constitutional Committee unlike treaties related to human rights. The Administrative Supreme Court also rarely referred to the Charter in its rulings.

Finally, we cannot ignore the lack of special status of the city of Helsinki and its metropolitan area taking into account its demographic and economic importance for the country.

Consequently, we would like to recommend that the Finnish authorities:

- ensure the direct applicability of the Charter in the domestic legal system and that the Charter be given due consideration in court proceedings,
- foster the political accountability of local executive to the councillors and citizens, for example through their direct election, and strengthen the means for elected local representatives to handle with local decision-making,
- provide for exceptions to the on-going transfer of competences to the regional level for the largest cities with a view to allowing them to keep the tasks related to social welfare. We consider that those cities are the closest and the most capable local authorities to handle this sphere, according to the principle of subsidiarity,

- grant to Helsinki and its metropolitan area a special status, in order to ensure a more efficient and expedient decision-making system.

To conclude, I would like to stress once again how pleased we are with the high level of local democracy deeply rooted in Finnish legislation and practice.

We are therefore confident that the Finnish national authorities will pursue the reform fully respecting the provisions of the Charter and, in particular, extend its application to the new regions as my co-rapporteur Karim VAN OVERMEIRE already highlighted.

I hope you will adopt this draft recommendation, and remain at your disposal for any additional questions.

Thank you very much for your attention.