

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Resolution 77 (1999)¹ on the situation of local and regional democracy in the Netherlands

*(Extract from the Official Gazette of the Council of Europe
– June 1999)*

The Congress,

1. Having considered the state of local and regional democracy in the Netherlands on the basis of the report submitted by Moreno Bucci (Italy) and Hans-Ulrich Stöckling (Switzerland), and having regard to Recommendation 55 on the same subject;
2. Having taken note of the opinion on “the conformity with Article 2 of the CLRAE charter for central government to appoint civil servants as chairmen of a local

or regional authority’s executive board” [document CPL/GT/CEAL (4) 38 revised of 14.04.1998];

3. Having regard to the different arguments discussed concerning the procedure for appointing Mayors and Queen’s Commissioners in the Netherlands;
4. Having regard in particular to different interpretations in this connection, as to whether the present appointment procedure is consistent with Article 3, paragraph 2 of the European Charter of Local Self-Government, and also in light of the explanatory report on the charter;
5. Instructs its Working Group responsible for follow-up to the European Charter of Local Self-Government to pay particular attention to application of Article 3, paragraph 2 of the charter, with respect to local authority executive organs, in order to establish whether, according to Article 3, members or at least the chair of executive organs must always be elected, whether by the council or, where appropriate, and given the last sentence of paragraph 2 of Article 3, directly by the population. The working group is asked to report on this question to the Congress or the Standing Committee on the basis of a study that compares the situation in the different member states and examines the advantages and disadvantages of direct election of the executive by the population, in the light of experience in this area and in recognition of the democratic traditions and evolution in the different member states.

1. Debated by the Congress and adopted on 16 June 1999, 2nd sitting (see doc. CG (6) 4 draft resolution, presented by Mr M. Bucci and Mr H. U. Stöckling, Rapporteurs).