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Report
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How are social rights guaranteed at the local and regional levels? A comparative study based on selected country examples

Committee on Social Inclusion and Human Dignity

Rapporteurs:¹ Cecilia DALMAN EEK, Sweden (R, SOC/G/PD)
Martine DIESCHBURG-NICKELS, Luxembourg (L, ILDG)

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Summary

Social rights are human rights underpinning human dignity and social justice. They serve as a pre-condition for the fulfilment of other human rights and full democratic participation. In the light of growing socio-economic inequalities in Europe, they are increasingly recognised as a safeguard against political polarisation, social fragmentation and multiple forms of discrimination that may undermine social cohesion and democratic stability.

Local and regional authorities are uniquely placed to protect and promote social rights thanks to their knowledge of local realities and their competences in key policy areas. On that basis, this report provides a comparative analysis of local and regional social rights competences, pointing to structural, legal and financial obstacles met by local and regional governments, and additional support needed from national governments.

The Congress invites local and regional authorities to guarantee the full implementation of social rights by developing relevant strategies and addressing social protection gaps, including for groups in vulnerable situations, to monitor their compliance with the provisions of the European Social Charter (revised), and to engage with relevant civil society organisations. The Congress calls upon member states' governments to ensure the clear distribution of competences and concurrent funding within the state's governance system, and to regularly consult local authorities in public planning and decision-making processes, making adjustments as needed.

¹L: Chamber of Local Authorities / R: Chamber of Regions.
EPP/CCE: European People's Party Group in the Congress.
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
ILDG: Independent Liberal and Democratic Group.
ECR: European Conservatives and Reformists Group.
NR: Members not belonging to a political group of the Congress

RESOLUTION 525 (2026)²

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:
 - a. the European Charter of Local Self-Government (ETS No. 122), in particular Articles 4 to 9 specifying the powers and responsibilities of local authorities;
 - b. the European Social Charter (revised) of the Council of Europe (ETS No. 163) as the most recent European instrument guaranteeing the widest scope of social rights;
 - c. the Council of Europe Reference Framework for Regional Democracy (2009), approved by the Ministers of Local and Regional Government of the Council of Europe as a code of rights and duties of regional entities;
 - d. Congress Recommendation 528 (2025) “The role of local and regional authorities in protecting and promoting social rights and fostering social development”, which promotes a rights-based approach to social policy and the sharing of knowledge and good practice in responding to persistent and emerging common challenges;
 - e. Congress Resolution 514 (2025) and Recommendation 534 (2025) “Addressing the housing crisis in European cities through social housing innovations” which respectively call on local and regional authorities to re-invest in the social rental housing sector and on national governments to assign competences to local and regional authorities in the most effective manner;
 - f. Congress Resolution 504 (2025) and Recommendation 517 (2025) “Ageing communities ensuring access to quality social care for older persons” which respectively call on local and regional authorities to create a favourable context for ageing communities and ensure the well-being, social inclusion and full enjoyment of human rights by older persons and on national governments to co-operate with local and regional authorities and their associations to develop the necessary legal, policy and administrative frameworks;
 - g. the “Vilnius Declaration” adopted by the High-Level Conference on the European Social Charter on 4 July 2024 in Vilnius, Lithuania, recalling that “all human rights are universal, indivisible, interdependent and interrelated”, and that “these rights include social rights”, for which local and regional authorities have competence alongside national governments;
 - h. the 2025 Report by the Secretary General of the Council of Europe entitled “Towards a new Democratic Pact for Europe”, pointing to the overlapping crises affecting Europe with regard to social justice, public health and the environment as well as the effects of the current cost-of-living crisis [...] and rising social inequalities;
 - i. the International Covenant on Economic, Social and Cultural Rights and the United Nations Agenda 2030 for Sustainable Development, the implementation of which requires effective enforcement of social rights;
 - j. the explanatory memorandum on “How are social rights guaranteed at the local and regional levels?”.
2. In light of the consequences of the acute cost-of-living crisis putting pressure not only on household incomes but also on public budgets at all levels of government, and its comparative study on social rights competences of local and regional authorities, the Congress notes with concern that:
 - a. the equal access to and the provision of social rights and social services are seriously undermined, leading to feelings of injustice among many low to middle income groups, which may result in political polarisation, reduce trust in democratic systems and threaten social cohesion;

² Debated and adopted by the Congress on 1 April 2026 (see document CG(2026)50-18, explanatory memorandum), co-rapporteurs Cecilia DALMAN EEK, Sweden (R, SOC/G/PD) and Martine DIESCHBURG-NICKELS, Luxembourg (L, ILDG).

b. social rights policies and measures are not always implemented in the most effective manner, due to a lack of data collection, evidence-based policies, clear division of competences and coordination between government levels and agencies, as well as insufficient funding for specific services.

3. Against this background and with a view to reverting some of these trends and preventing further erosion of social rights and services, the Congress calls on local and regional authorities in Council of Europe member states to:

a. step up their efforts to guarantee the full implementation of social rights at local and regional levels, according to their respective responsibilities and competences within the country's governance system, notably by:

- i. developing local and regional housing strategies in coordination with their national governments and other stakeholders, using social housing as a key tool to guarantee equal access to decent and affordable housing for all in local and regional communities;
- ii. addressing any social protection gaps that fall under their responsibility;
- iii. protecting the right to health and safety in workplaces under their responsibility, and ensuring equal access to healthy living conditions and health services in local and regional communities;
- iv. ensuring equal access to quality education for all residents, including by providing relevant guidance and support to young people;
- v. promoting the rights to work and to fair working conditions by initiating or supporting relevant training programmes, and by creating appropriate working conditions within their own agencies;
- vi. developing targeted strategies and evidence-based priorities for the protection of children and young people, marginalised groups, and groups in vulnerable situations, including older persons, with a view to combating poverty and social exclusion in local communities;

b. raise awareness of the importance of equal provision of social rights and equal access to social services as rights which are interdependent with other human, civic and political rights;

c. monitor their compliance with the provisions of the European Social Charter (revised) at local and regional levels, improving data collection, identifying implementation gaps, and setting evidence-based objectives and priorities as part of dedicated strategies and policies developed towards each of the category of rights covered by the Charter;

d. engage with civil society organisations at local and regional levels, to complement public action in favour of guaranteeing social rights and providing social services.

4. With a view to increasing their capacity to adjust their social rights policies and measures to acute crisis situations, the Congress calls on its members and their respective national associations to engage in a dialogue with national authorities about any violations identified in this context, including via the Congress' co-operation with the European Committee of Social Rights (ESCR) under the European Social Charter (revised), and request for a review of the distribution of social rights competences and budgets as needed;

5. The Congress further calls upon its statutory bodies, in particular the Committee on Social Inclusion and Human Dignity, to prioritise and mainstream social rights as an essential category of human rights in its activities, not least as a contribution to ongoing political processes at Council of Europe level, including the continuous promotion of the European Social Charter and the implementation of the future Democratic Pact for Europe.

RECOMMENDATION 547 (2026)³

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 - d. Congress Recommendation 528 (2025) “The role of local and regional authorities in protecting and promoting social rights and fostering social development”, which promotes a rights-based approach to social policy and the sharing of knowledge and good practice in responding to persistent and emerging common challenges;
 - e. Congress Resolution 514 (2025) and Recommendation 534 (2025) “Addressing the housing crisis in European cities through social housing innovations” which respectively call on local and regional authorities to re-invest in the social rental housing sector and on national governments to assign competences to local and regional authorities in the most effective manner;
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 - g. the “Vilnius Declaration” adopted by the High-Level Conference on the European Social Charter on 4 July 2024 in Vilnius, Lithuania, recalling that “all human rights are universal, indivisible, interdependent and interrelated”, and that “these rights include social rights”, for which local and regional authorities have competence alongside national governments;
 - h. the 2025 Report by the Secretary General of the Council of Europe entitled “Towards a new Democratic Pact for Europe”, pointing to the overlapping crises affecting Europe with regard to social justice, public health and the environment as well as the effects of the current cost-of-living crisis [...] and rising social inequalities;
 - i. the International Covenant on Economic, Social and Cultural Rights and the United Nations Agenda 2030 for Sustainable Development, the implementation of which requires effective enforcement of social rights;
 - j. the explanatory memorandum on “How are social rights guaranteed at the local and regional levels?”.
2. In light of the consequences of the acute cost-of-living crisis putting pressure not only on household incomes but also on public budgets at all levels of government, and its comparative study on social rights competences of local and regional authorities, the Congress notes with concern that:
 - a. the equal access to and the provision of social rights and social services are seriously undermined, leading to feelings of injustice among many low to middle income groups, which may result in political polarisation, reduce trust in democratic systems and threaten social cohesion;

³ Debated and adopted by the Congress on 1 April 2026 (see document CG(2026)50-18, explanatory memorandum), co-rapporteurs Cecilia DALMAN EEK, Sweden (R, SOC/G/PD) and Martine DIESCHBURG-NICKELS, Luxembourg (L, ILDG).

b. social rights policies and measures are not always implemented in the most effective manner, due to a lack of data collection, evidence-based policies, clear division of competences and coordination between government levels and agencies, as well as insufficient funding for specific services.

3. Against this background and with a view to reverting some of these trends and preventing further erosion of social rights and services, the Congress calls on the Council of Europe member States to:

a. ensure a clear distribution of social rights competences and concurrent funding within the state's governance system, with a view to guaranteeing social rights and providing social services to all in the most effective manner, according to the relevant provisions of the European Charter on Local Self-Government (articles 4 to 9), and in all social rights areas covered by the European Social Charter;

b. regularly consult local authorities in public planning and decision-making processes regarding social rights and social services, according to the European Charter on Local Self-Government (article 4.6) and reinforce their dialogue and co-operation with local and regional authorities where needed, also regularly reviewing co-operation mechanisms to maintain the capacity for adjustments to emerging trends;

c. support the specific role and actions of local and regional authorities in the guarantee of social rights and the provision of social services, by developing clear national frameworks for multilevel governance, grounded in a coherent, needs-based distribution of competences and resources, and a human rights-based and people-centred approach to the guarantee of social rights and provision of social services;

d. ratify the European Social Charter (revised) if they have not yet done so, and promote the highest social rights standards as guaranteed by this instrument, including by consulting and involving local and regional authorities in relevant implementation processes.

4. The Congress calls upon the Committee of Ministers to recognise the essential role of local and regional authorities in promoting and implementing the European Social Charter (revised) and in shaping a future Democratic Pact for Europe that reflects their realities and challenges. It also invites the Committee of Ministers to continue involving the Congress as a key stakeholder in relevant processes led at Council of Europe level on social rights, particularly those concerning local and regional authorities.

EXPLANATORY MEMORANDUM

**How are social rights guaranteed at the local and regional levels?
A comparative study based on selected country examples**

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1. INTRODUCTION: BACKGROUND, REASONS AND OBJECTIVES OF THE REPORT⁴

1. Social rights are human rights that underpin human dignity and social justice. In light of the evident increase in socio-economic inequalities in many member states over recent years and decades - and the many consequences of this in terms of income, wealth, equal opportunities and wellbeing - a greater understanding has evolved over the need to ensure social rights in practice, as a safeguard against political polarisation, social fragmentation and multiple forms of discrimination occurring on a daily basis and the threat that these pose to democratic stability in Europe.

2. Developed after civil and political rights, the prominence and relevance of social rights has only grown. A milestone on this journey was the "Vienna Declaration and Programme of Action" agreed at the World Conference on Human Rights in 1993, affirming the universality, indivisibility, interdependence and interrelatedness of all rights. Along these lines, the justiciability of social rights has been gradually recognised over past decades.⁵ Social rights cover, among other things, access to education, housing, healthcare, employment, and social protection, as provided by the European Social Charter.⁶ Guaranteeing these rights allows people to meet their basic needs and live with autonomy and dignity.

3. Social rights play a key role in contributing to social justice. They are not only essential to personal well-being but also serve as a pre-condition for the fulfilment of other human rights as well as full democratic participation. When people feel excluded, neglected or unable to access basic social goods, this creates fertile ground for radicalisation and mistrust in democratic institutions. By contrast, guaranteeing social rights contributes to inclusive and resilient societies where individuals are empowered to engage meaningfully in civic life.

4. In this context, local and regional authorities (LRAs) are uniquely placed to protect and promote social rights due to their proximity to citizens, their knowledge of local realities, and their competencies in key policy areas.⁷ Their role is not only administrative but also normative, since they support the implementation of social rights in a practical, people-centred manner, as regularly highlighted by the Congress of Local and Regional Authorities ("the Congress" hereafter).

5. Unlike national governments, which often operate through uniform, top-down policies, local authorities have the obligation and the flexibility to adapt their policies to the specificities of the local context including the special needs of groups in vulnerable situations.

6. However, local and regional authorities regularly face diverse structural, legal and financial obstacles to meeting their social rights obligations linked to the distribution of competences, insufficient clarity of the legal framework, or lack of finances, caused by a low level of own revenues or resources provided by higher levels of government.

⁴ This explanatory memorandum has been prepared with support by the mandated expert-consultant, Prof Dr. Christina Binder, E.MA (Bundeswehr University Munich).

⁵ See e.g. for further reference, C. Binder, The Social and Economic Rights Committee – The Power of Subjective Rights: Comment with special focus on the protection of social and economic rights in the case law of the Inter-American and the European Courts of Human Rights, 14 *Oxford Journal of Human Rights Practice* (2022) 75.

⁶ The term "[European Social Charter](#)" used in this study covers the full European Social Charter system comprising both the first Charter of 1961 and the revised version of 1996. The Revised European Social Charter (ETS No.163) adopted in 1996 embodies in a single instrument all the rights guaranteed by the 1961 Charter and its Additional Protocol of 1988 (ETS No. 128); it is gradually replacing the initial 1961 treaty. However, in 2025, six states remain bound by the 1961 Charter (Croatia, Czech Republic, Denmark, Luxembourg, Poland, United Kingdom) and four states have not ratified any of the texts (Liechtenstein, Monaco, San Marino and Switzerland). For the purpose of this report, the European Social Charter (revised) serves as the main reference.

⁷ Report CG36(2019)12final of the Congress, 3 April 2019, on "[Social rights of young people: the role of local and regional authorities](#)".

7. Against this backdrop, this report provides a comparative analysis of the distribution of social rights competences among local and regional authorities. In doing so, it also points to areas where challenges may arise from the assignment or lack of competence and resources and highlights selected innovative and effective practices. It will further seek to strengthen the practical understanding of how social rights are implemented on the ground and to explore ways in which local and regional authorities can be better supported in fulfilling their human rights obligations. The role of national governments is discussed briefly and included as contextual information, given that in most countries, national authorities contribute to upholding social rights according to relevant legal and political frameworks.

8. The report is the first step in a broader process. It will feed into Congress preparations for the High-Level Conference on the European Social Charter to be held in Chişinău in March 2026, under the Moldovan Presidency of the Committee of Ministers, and notably for a side event co-organised by the Parliamentary Assembly and the Congress. It will also pave the way for future Congress activities, including the examination of specific instances of non-compliance with the European Social Charter and deeper analyses of social rights violations, their causes, and how this might be addressed. Through such continuous action, the Congress reaffirms its commitment to supporting local and regional authorities in their mission to guarantee human rights, promote democratic governance, and support inclusive and cohesive societies across Europe.

9. The findings of this report are based on several sources: (i) an online survey on the role of local and regional authorities conducted among delegations of the Congress' Social Inclusion Committee between June and September 2025⁸; (ii) a desktop review of national legislation and academic literature complementing the survey with information on further countries; (iii) secretariat research undertaken via the CARTA-MONITOR,⁹ notably to extract information on the assignment of competences to local and regional levels from the monitoring reports assessing compliance with the European Charter of Local Self-Government (ETS No. 122);¹⁰ and, finally (iv) additional elements provided by some of the members of the Group of Independent Experts (GIE) of the Congress. In the final overview tables (Appendix I), the different research methods have been combined, and information received via the survey was completed from the other sources. Countries where no information or only very incomplete information was found, were indicated as "not informed".

10. General lessons are drawn from evidence and common traits between different countries under specific social rights categories. Finally, policy-oriented proposals are made for local and regional authorities, national governments, and the Council of Europe to reinforce the protection of social rights at the grassroots level.

2. LEGAL FRAMEWORK: SOCIAL RIGHTS AS HUMAN RIGHTS AT GLOBAL AND EUROPEAN LEVELS

2.1. Social rights are human rights

11. In classic approaches to human rights law, social rights are part of the second generation or dimension of human rights, reflecting the historical evolution of human rights over time.¹¹ The first human rights dimension comprises civil and political rights - such as the rights to life, liberty, freedom of expression, and protection from discrimination - which primarily require States to abstain from interfering in individual freedoms. Social rights, as part of the second dimension of rights, are considered to require positive State action, for example in the areas of education, health care, housing, employment, social protection and adequate standards of living. They are often considered to be more cost- and resource-intensive than civil and political rights as they regularly require States to set up institutions and allocate significant administrative and financial means.

⁸ Reception of responses from 15 countries and 23 respondents by the end of September 2025 (see details in Appendices I-III).

⁹ See the [CARTA-MONITOR](#) database and website, providing access to summary results of the Monitoring of the European Charter of Local Self-Government; both by country and by article.

¹⁰ For any information extracted from one of the monitoring reports related to the Charter (and via the CARTA-MONITOR), the present report simply refers to the "monitoring report" of respective countries.

¹¹ <https://www.coe.int/en/web/compass/the-evolution-of-human-rights>

12. This conceptual distinction was formalised at the international level in 1966 with the adoption of two complementary treaties by the United Nations: the International Covenant on Civil and Political Rights (ICCPR)¹² and the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹³ A similar dual structure exists within the Council of Europe system, which adopted the European Convention on Human Rights (ECHR) in 1950 to safeguard civil and political rights, and the European Social Charter (ESC) in 1961, revised in 1996, to enshrine social rights.

13. This distinction of different human rights dimensions has evolved over the past decades. Both human rights dimensions are now increasingly considered universal, indivisible, interdependent and interrelated, conceptually, in political debate and in practice. Social rights are also increasingly considered justiciable, both at domestic and at European and international level.

2.2. International and European social rights instruments and their implementation by local and regional authorities

14. The protection and promotion of social rights at local and regional levels are supported by a broad legal and normative framework composed of both binding (hard law) and non-binding (soft law) instruments. These texts define the obligations of public authorities and offer practical guidance on how to ensure the realisation of social rights in line with European and international standards.

15. The key instrument at Council of Europe level is the European Social Charter. The revised Charter of 1996 is more far-reaching and covers essential social rights categories in a comprehensive manner, including education, healthcare, housing, employment, and other social goods. It serves as the main reference for the structure of the present report. Other instruments directly or indirectly guaranteeing social rights are the European Convention on Human Rights (ECHR; ETS No. 5), the European Charter of Local Self-Government (ETS No. 122), and the Additional Protocol to the European Charter of Local Self-Government on the Right to Participate in the Affairs of a Local Authority (CETS No. 207). In the spirit of the indivisibility of human rights, the two Congress instruments in particular establish participatory democracy at the local level as a key condition for inclusive and responsive social policymaking, underlining the importance of involving citizens in decisions affecting their social rights.

16. Local and regional authorities are increasingly recognised as key players for the implementation of human rights, and social rights in particular. This is rooted in legal principles and practical realities, and also regularly recognised by international bodies¹⁴ and in academic debate.¹⁵

17. Recent reports and guidance such as the European Committee of Social Rights' Report on Social Rights and the Cost-of-Living Crisis (2025),¹⁶ the Guidance document on inclusion strategies, adopted by the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) on 2 July 2025,¹⁷ the Congress report on Ageing Communities - ensuring access to quality social care for older persons¹⁸ - and the Parliamentary Assembly's report on Sustainable Urban Development Fostering Social Inclusion (2018)¹⁹ reaffirm the prominent role of local and regional authorities in protecting and promoting social rights, particularly in combatting poverty, marginalisation, and social exclusion.

¹² <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

¹³ <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

¹⁴ In its [2015 final report](#), the United Nations Human Rights Council Advisory Committee recognised that the duty to protect human rights exists at both national and local levels.

¹⁵ See F. Mégret, Local and Regional Governments and Human Rights Cities. In: Binder Christina et al (eds.), *Elgar Encyclopedia of Human Rights*, London: Edward Elgar Publishing, (2002) 433; R. Pavoni, Sustainable Development as a Cornerstone of Cities Engagement with International Law, in *Italian Yearbook of International Law* 30/2020, 59-79; C Binder, Human Rights in the Face of the Climate Crisis. What Role for the Local Level? The Example of the European Urban Charter, in *Zeitschrift für Menschenrechte* 1/2024, 66, for further detail.

¹⁶ European Committee of Social Rights (2025): "[Social Rights and The Cost-of-Living Crisis](#)".

¹⁷ CDADI (2025): [Guidance document on inclusion strategies](#)

¹⁸ Congress report on "[Quality care for older persons](#)", prepared to back up Resolution 504 (2024) and Recommendation 5017 (2024) adopted by the Congress in October 2024.

¹⁹ Parliamentary Assembly report on "[Sustainable Urban Development Fostering Social Inclusion](#)", adopted by the Parliamentary Assembly of the Council of Europe in 2018.

3. SOCIAL RIGHTS COMPETENCES AND CHALLENGES AT LOCAL AND REGIONAL LEVELS

3.1. Social rights in focus

18. The scope of local and regional competences in the social rights field varies across member States, depending on national constitutional and legislative frameworks. Nevertheless, across most jurisdictions, subnational authorities are entrusted with critical responsibilities related to the delivery, facilitation and protection of social rights. Local and regional authorities are often either directly responsible for - or play a supporting role in - ensuring access to several core rights protected under the European Social Charter (revised) which serves as a main reference here. The range of rights and scope of responsibilities varies in Council of Europe member States depending on the mandate of their subnational authorities.

19. While further examination and understanding of this division of competencies would be valuable, this initial work suggests that the following core rights are most relevant to the work of local and regional authorities:

- (i) Right to Work and Fair Working Conditions (Articles 1–6, 24–28): Local authorities may administer active labour market policies, vocational training programmes, and employment services. They also contribute to inclusive local economic development strategies, promote gender equality in employment, and support initiatives that enhance access to decent work and professional development;
- (ii) Right to Social Welfare and Social Security (Articles 12 and 14): Municipal social services are often the first point of contact for individuals in need of assistance, including the elderly, people with disabilities, children, migrants, and people experiencing poverty or homelessness. Sub-national authorities regularly deliver or coordinate cash and in-kind support, housing allowances, food distribution, and care services;
- (iii) Right to Health and Safety (Articles 11 and 13): Local authorities often oversee primary healthcare delivery, preventive health services, public health campaigns, and access to health infrastructure. They are also essential in creating environments conducive to physical and mental wellbeing, promoting sport and recreation, and responding to public health emergencies;
- (iv) Right to Education (Article 17): Subnational authorities frequently manage early childhood education, primary and secondary schooling, and non-formal education initiatives. They play a crucial role in ensuring inclusive, equitable, and culturally appropriate education - especially for children from vulnerable, marginalised, or minority backgrounds;
- (v) Right to Housing (Article 31): Municipalities are key actors in ensuring access to adequate, affordable, and secure housing. This includes responsibilities for social housing provision, homelessness prevention and mitigation, access to water and sanitation, and urban planning that promotes diversity and accessibility.

20. In addition to these sectoral rights, the implementation of social rights must be achieved by multiple means,²⁰ to ensure that policies and services address both individual needs and potential structural barriers; these cross-cutting dimensions are in particular:

- (i) Equality and non-discrimination, ensuring that access to rights is guaranteed regardless of, for example, race, colour, sex, language, religion, political or other opinion, health, association with a minority, birth or other status (Article E, Part V);
- (ii) The social rights of vulnerable and marginalised groups, such as children, older people, people with disabilities, migrants and refugees, LGBTI people, Roma and Travellers, and the working poor hit by the cost-of-living crisis (e.g. Articles 7, 17, 19, 23);

²⁰ Social Cohesion and Integration (Articles 7–10, 15–23, 29–30): Local and regional authorities are central to fostering inclusive communities. They develop and implement integration policies for migrants and minorities, promote intergenerational and intercultural dialogue, ensure access to cultural life, and protect the linguistic and cultural rights of national minorities and local communities.

(iii) Protection against poverty and social exclusion (Article 30).

21. Finally, and even though the notion of gender is not explicitly mentioned by the (revised) European Social Charter, there are more and more local authorities in particular that adopt gender-based budgeting approaches to integrate human rights - including social rights - obligations in their policy and budgetary planning, expenditure, and monitoring.

22. Certain rights - while related in a broader sense - fall outside the immediate scope of this specific report. These include the political right to a healthy environment, or the right to an adequate standard of living as an overarching right (which are not at this time acknowledged as self-standing rights in the European system).²¹ While undeniably relevant to social justice and long-term well-being for all, these areas involve different legal frameworks and institutional competences.

23. There are certain key determinants of the role and responsibilities of subnational authorities in the field of social rights and the leeway they enjoy in their implementation. These include, most importantly, a country's constitutional and legal framework which defines the role of local and regional authorities in the overall constitutional setting; which determines, for example, whether a country is organised federally or centrally, and what are the concrete competences of local and regional authorities. Likewise of relevance for the effective exercise of competences are the level of staff and financial resources assigned.

3.2. Competences of local and regional authorities – information gathered via survey, CARTA-MONITOR and desktop research

24. The online survey led by the Congress between June and September 2025 has produced 23 replies from 15 different countries (see the list of countries in Appendix III).²² This limited sample covers a broad geographical spread, including Western, Central, and Eastern European countries, as well as countries from both Northern and Southern Europe. It also includes larger Council of Europe member States such as France and Italy, alongside smaller States like Luxembourg and San Marino. However, the relatively small number of responses means that the evidence generated through the survey cannot be considered statistically representative of all member States.

25. Furthermore, within different countries, different institutions have replied, further demonstrating that the implementation of social rights can vary considerably within a specific country, depending on factors such as governance structures, resource availability, and local priorities. Accordingly, while the findings provide valuable comparative insights and point to key trends, they also emphasise the need for additional research to capture fully the diversity of local and regional competences in the field of social rights.

3.2.1 Work and Fair Working Conditions

26. Work and fair working conditions are recognised as fundamental social rights, guaranteeing the opportunity for fulfilling, dignified work under safe and healthy conditions, with fair wages that afford a decent living for oneself and one's family. Various frameworks affirm the universal right to decent work, fair wages, and safe working environments. Next to the European Social Charter (revised; Art 1-6, 24-28, see above), the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognises, in Article 6, the right to work and appropriate earning opportunities. Article 7 further mandates fair wages, equal remuneration for work of equal value, safe and healthy working conditions, and adequate rest and leisure.²³

²¹ See however the right to an adequate standard of living as incorporated in Art 11 ICESCR; the right to a healthy environment as acknowledged in (the non-binding) 2022 UN General Assembly Resolution, 'The human right to a clean, healthy and sustainable environment', A/Res/76/300, 28 July 2022 and in the 2021 Resolution of the Human Rights Council, 'The human right to a clean, healthy and sustainable environment', A/HRC/RES/48/13, 8 October 2021, as well as in other regional systems (Art. 13 of the African Charter on Human and Peoples' Rights; Art. 11 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights).

²² In addition, three responses were received from academic experts who are members of the Congress Group of Independent Experts (GIE), relating to Moldova, Greece and Cyprus. They are considered in the practical examples and the Appendix, but not in the statistics at the beginning of each section.

²³ These guarantees are further detailed in soft law instruments. For example, for the EU, the European Pillar of Social Rights sets out a political commitment to strengthening employment rights. Principle 5 focuses on secure and adaptable employment; Principle 6 affirms the right to fair wages; and Principle 7 ensures transparent and predictable employment conditions as well as protection in cases of dismissal. These are complemented by the Pillar's broader framework of twenty principles, covering equal

Competences and role of local and regional authorities

27. The role of local and regional authorities in implementing work and fair working conditions varies across countries but is relatively minor. Amongst the 23 respondents of the survey, only 26.09% reported that their local or regional authorities have formal competences within the national administrative system for work and fair working conditions. Of these respondents, 26.09% reported that the responsibility for this social right is allocated locally, whilst 43.5% responded that it was a regional authority responsibility, and 43.5% responded that it was neither local nor regional but another authority.²⁴

28. This overall trend is supported by desk research. The 2025 San Marino monitoring report of the Congress of Local and Regional Authorities points to the fact that local authorities have “limited competencies and decision-making powers, limited financial resources,” and are subject to “overly detailed administrative supervision.”²⁵ In a similar vein, in the Republic of Moldova, the right to work and fair working conditions are defined as national competences, with very limited local or regional involvement. This structural limitation restricts subnational authorities’ capacity to influence employment-related policies or working conditions.

29. The situation is different in Hungary and Finland, where local authorities have a more visible role. In Hungary, according to Act CVII of 2011 on Public Works and Public Employment, mayors and chief administrative officers of municipalities (*jegyző*) are responsible for organising centrally aided and managed public employment schemes as a special measure to support the unemployed - which relates to the Charter’s aim of achieving full employment. However, smaller municipalities remain heavily dependent on state subsidies, largely financed through solidarity contributions from larger municipalities. By contrast, in Finland, local authorities hold direct responsibility for implementing policies related to work and fair working conditions, and this decentralised model is generally regarded as particularly effective in ensuring fair and equitable employment practices.

30. In Italy, regions manage regional labour centres and implement regional policies, while municipalities have limited roles - mainly advisory and counselling services for jobseekers and some administrative orientation assistance.²⁶ Italian local and regional authorities report difficulties in fulfilling employment rights, reflecting both the absence of strong formal authority and limitations in administrative capacity.

31. In Austria, on the other hand, the constitutional framework grants municipalities a broad role in delivering local services, but employment-specific competences are not explicitly enumerated. The federal government retains primary authority, particularly through fiscal centralisation and limited financial autonomy for local entities. While strategic frameworks such as vocational education and labour market policies are set at the federal level, their implementation is often carried out at regional and municipal levels - though municipalities themselves play only a limited direct role.²⁷ This shows that local and regional authorities often lack the necessary legal mandate and resources to fully realise work-related rights at the local level.

opportunities, working conditions, and social protection. While not legally binding, the Pillar encourages coordinated action at all levels of governance - including regional and local authorities - often supported by initiatives such as the EUROCITIES pledges.

²⁴ NB: to be noted that survey questions did not produce “either / or” responses on competence distribution between different governance levels, because in many cases, both local and regional authorities would have a competence; statistics indicated at the beginning of each chapter, do therefore not add up to 100% but show a multilayered picture.

²⁵ [“Congress calls on San Marino to strengthen local authorities’ competences”](#). As a result, local and regional authorities in San Marino have no formal competences in this area and instead prioritise other social rights, particularly for children and youth.

²⁶ <https://portal.cor.europa.eu/divisionpowers/Pages/Italy-Employment.aspx>

²⁷ https://www.oecd.org/en/publications/the-role-of-subnational-governments-in-adult-skills-systems_5f532fa6-en/austria_364a8784-en.html

32. In Sweden, core labour rights - including equal pay, non-discrimination and occupational health and safety - are also nationally legislated.²⁸ Municipalities and regions have no formal competence to regulate working conditions, and their role is instead indirect, focusing on complementary services that shape access to decent work. Municipalities, for example, provide social assistance, education and training opportunities, and integration measures, including housing and language support, which affects access to decent work.²⁹ Oversight and enforcement of work environment standards is centralised: the Swedish Work Environment Authority (*Arbetsmiljöverket*), a national inspectorate under the Ministry of Employment, is tasked with ensuring compliance with the Work Environment Act and related provisions on working hours and workplace safety.³⁰

33. In the same vein, in the Netherlands, labour law at the national level guarantees minimum wage,³¹ occupational safety and equality. Municipalities, for their part, hold major competences in providing social assistance, promoting inclusive communities,³² and supporting labour market integration, while Labour Mobility Teams at the regional level assist vulnerable citizens through education and training programmes.³³ Municipalities may also influence fair work indirectly through procurement policies, local employment projects,³⁴ and the monitoring of social return clauses in contracts.³⁵ Under the Civic Integration Act (2021), municipalities have an important role in helping newcomers complete the civic integration programme and access employment, while the Netherlands Labour Authority is responsible for enforcing compliance with labour law.³⁶

34. Another interesting example of shared responsibility is the United Kingdom (UK), where fundamental employment rights are established at the national level through legislation such as the Employment Rights Act 1996 and the Equality Act 2010.³⁷ The Department for Work and Pensions oversees unemployment benefits and employment support nationwide³⁸. However, the delivery of employment services is largely managed at the local level. Local authorities are responsible for implementing employment and skills programmes tailored to the needs of their communities - for instance, initiatives like the "Work Local" programme advocate for devolved employment and skills services, allowing local leaders to design and deliver services that address specific local challenges and opportunities.³⁹ The forthcoming Fair Work Agency will further consolidate enforcement of workers' rights, including the National Minimum Wage and protection against exploitation, ensuring consistent application across the country.⁴⁰ This structure illustrates the UK's dual approach: national legislation sets the standards, while local authorities address local labour market needs.

Challenges and potential

35. The comparative study found that work and fair working conditions were among the areas least likely to be reported as being well implemented by local and regional authorities, with only 17% of survey respondents reporting that they were performing well. Among the various challenges or obstacles, the lack of formal competences and lack of finances figured prominently. Indeed, several respondents reported that there were no formal competences for local or regional authorities (e.g. Italy or the Netherlands).

²⁸ <https://www.government.se/government-policy/labour-law-and-work-environment>

²⁹ <https://arbetsformedlingen.se/other-languages/english-engelska/about-us/our-mission/a-sustainable-labour-market/national-cooperation>

³⁰ <https://www.av.se/en/about-us/our-task/>

³¹ <https://www.eurofound.europa.eu/en/countries/netherlands/minimum-wage>

³² <https://ec.europa.eu/newsroom/just/items/682674/en>

³³ https://www.oecd.org/en/publications/the-role-of-subnational-governments-in-adult-skills-systems_5f532fa6-en/netherlands_3d320170-en.html

³⁴ https://www.oecd.org/en/publications/starting-scaling-and-sustaining-social-innovation_e870b06b-en/sustainable-employability-in-regions-and-sectors-in-the-netherlands_70fb849f-en.html

³⁵ https://www.oecd.org/en/publications/2023/04/providing-local-actors-with-case-studies-evidence-and-solutions-places_20b385f4/social-return-policy_82d6a47d.html

³⁶ <https://www.government.nl/topics/integration-in-the-netherlands/civic-integration-act>

³⁷ <https://www.legislation.gov.uk/primary+secondary?title=equality%20act>

³⁸ <https://www.gov.uk/government/organisations/department-for-work-pensions>

³⁹ <https://www.local.gov.uk/about/campaigns/work-local>

⁴⁰ <https://www.theguardian.com/politics/2024/oct/10/new-enforcement-agency-will-protect-workers-rights-as-part-of-watershed-bill>

36. Lack of funding was frequently reported as a challenge, for example, by a British respondent indicating that there were no areas in which local and regional authorities were performing particularly well in the country, including in work and fair working conditions, and attributing this to a lack of funds.⁴¹ A Cypriot regional authority representative maintained that the overall effectiveness of local and regional authorities in the implementation of social rights, including in the area of work and working conditions was limited by budgetary constraints. Indeed, municipalities in Cyprus receive just 1.06% of the national budget - the lowest in the EU - and have seen cuts of 20% since 2022,⁴² which directly affects social rights guarantees. Additional sources indicate regular budget delays, threats to suspend payments, and lack of funding autonomy.⁴³

37. Some countries reported missing or limited staffing as a problematic issue. For example, San Marino reported understaffing as a constraint on authorities, next to a lack of formal local and regional competences in implementing work and fair working conditions within the national administrative system.

38. A need for prioritisation in light of limited resources, especially in countries with aging populations, was highlighted as another challenge, since more resources were going to older populations not belonging to the work force anymore.⁴⁴ In Italy as well as other countries, including Cyprus, Switzerland and Austria, this also appears to be challenge, showing a general pattern of demographically ageing countries prioritising the social protection of older people over work and fair working conditions and struggling with the effective protection of employment rights.

39. Coordination issues further exacerbate these challenges. Divergence between national policy priorities and the operational realities at the local level can slow down or fragment implementation. Overall, local and regional authorities frequently operate without sufficient legal competences, staffing, or specialised expertise to translate national commitments into actionable measures. In many cases, responsibility for implementing work-related rights falls to authorities whose primary mandates lie outside labour regulation. Limited financial, personal and other resources restrict local and regional authorities' ability to launch initiatives, enforce labour standards, or conduct regular compliance monitoring. Strong coordination mechanisms between national and subnational authorities are therefore essential to reflect local labour market needs while upholding international standards.

3.2.2 Social Protection

40. Social protection guarantees that everyone, regardless of age or ability to work, has the means necessary to secure basic needs and services. It encompasses the right to adequate social security, protection against poverty, and access to essential services, ensuring that individuals can live in dignity and participate fully in society. Several human rights instruments protect these rights. In Europe, the European Social Charter (revised) enshrines social protection in several provisions. Article 12 guarantees the right to social security, while Article 13 ensures the right to social and medical assistance. Article 14 affirms the right to benefit from social welfare services, and Article 23 recognises the right of elderly persons to social protection.⁴⁵

⁴¹ Indeed, one of the explanations given eg by a British local authority was, that budget cuts occurring since 2008 had harmed services, with many local authorities facing bankruptcy and running a substantial, growing deficit; particularly in regard to workers' rights. See also the Bulgarian respondent in this sense.

⁴² <https://cyprus-mail.com/2025/04/11/local-authorities-in-funding-crisis>

⁴³ <https://cyprus-mail.com/2025/03/14/municipalities-threaten-payment-suspensions-over-budget-delays>

⁴⁴ Cf summary of online survey: this could suggest that issues such as work and fair working conditions may be less prioritised in a country like San Marino with ageing populations as they are primarily concerned with the protection of those who are no longer in the work force, and thus, such policies are less universally impacting than social rights which protect older people. Over 23.1% of San Marino's population are aged over 65, the largest group of the population by a large margin.

⁴⁵ The European Committee of Social Rights interprets these provisions, stressing the importance of accessibility, adequacy, and effective implementation, including by subnational authorities where relevant. In the area of soft-law, for the EU, the European Pillar of Social Rights serves as a political commitment to strengthen social protection systems across all levels of governance: The Pillar encourages national, regional, and local authorities to work in a coordinated manner to guarantee effective access to benefits and services.

41. At global level, the International Covenant on Economic, Social and Cultural Rights (ICESCR) establishes relevant standards. Article 9 affirms the right of everyone to social security, including social insurance. The Committee on Economic, Social and Cultural Rights (CESCR) provides authoritative guidance on these obligations through its General Comments: General Comment No. 19 (2007) elaborates on the right to social security, emphasising universal coverage, adequate benefits, and targeted protection for vulnerable groups; General Comment No. 20 (2009) addresses non-discrimination, requiring equal access to social protection without distinction of any kind.

Competences and role of local and regional authorities

42. The distribution of competences and, more generally, responsibilities for social protection differs across countries and governance systems. Some general observations can nevertheless be made. In many cases, local and regional authorities play a central role in delivering services related to poverty and social exclusion, while national authorities often oversee broader social security and protection schemes. More specifically, out of the 23 respondents surveyed, a significant majority - approximately 69,56% - stated that the competence for implementing social protection as a social right lies with the local authorities, whereas 47.8% indicated that the regional authorities also have competences in this field. Meanwhile, 26% explicitly stated that this competence is shared between both local and regional levels.⁴⁶

43. Indeed, as further research shows, competences are fairly well distributed as regards social protection, but systems are diverse. For example, France's decentralised system assigns specific social protection duties to various levels of government, including the central State, regional and departmental councils, and local municipalities. France offers an example of coordinated subnational delivery where departments, for example, are responsible for key schemes such as the *Allocation personnalisée d'autonomie* (APA) for older persons, the disability compensation benefit (PCH), and the minimum income (RSA), all within a national legislative framework.⁴⁷ This ensures a degree of territorial equity while allowing for adaptation to local demographic and social conditions.

44. In Greece, the National Social Care System set-up in 1998 established a multi-level framework that assigns shared responsibilities among municipalities, the State, and the social sector. Municipalities play a central role in providing care to those with reduced functional capabilities, including older people. These services cover, among others, home visits, open centres for the elderly (*KAPI*), and municipal nursing homes. This arrangement illustrates Greece's hybrid model, where the State defines the framework and financing mechanisms, while municipalities ensure the practical delivery of social care in their communities.

45. In the Republic of Moldova, social protection competences are also shared but have undergone restructuring following the RESTART reform of the social sector. The reform recentralised certain functions while delegating targeted powers to the municipality of Chişinău and the autonomous territorial unit of Gagauzia, both financed through special-purpose State transfers. These authorities are responsible for administering local social assistance services, developing and managing community-based programmes for vulnerable groups, and monitoring service quality. The mayor exercises local guardianship powers and coordinates assistance for vulnerable populations. This reflects an evolving balance between national coordination and local autonomy within Moldova's social governance framework.

46. In Italy, competences are shared between local and regional authorities. Italy has a strong regional autonomy tradition, with regions possessing considerable legislative power in social policies and welfare services. At the same time, local municipalities also play key roles in implementing social programmes, particularly social assistance and services linked to community needs. Accordingly, in Italy, the decentralisation process - particularly for activation policies like income support - has led to a clearly defined division of responsibilities between central, regional, and local authorities, though coordination challenges seem to persist.

⁴⁶ The responses highlighting "other authority" competence were both from Luxembourg, where respondents also mentioned local competence. There is no mention in a regional aspect as Luxembourg does not have any regional authorities. This dual mention may reflect Luxembourg's unique governance system, where social protection responsibilities often involve coordination between the national government and local authorities. Luxembourg is a small country with a highly centralised administrative framework, but local governments still play a role in service delivery.

⁴⁷ <https://www.collectivites-locales.gouv.fr/competences/action-sociale-et-sante-repartition-des-competences>

47. Sweden is an example of strong local responsibility, for instance in eldercare: Swedish municipalities are responsible for this under the Social Services Act, with funding coming largely through municipal taxes and State grants.⁴⁸ This local ownership facilitates integration with housing and community services, although service levels can vary significantly between municipalities. Likewise in the Netherlands, the 2015 Participation Act shifted significant responsibilities for social assistance and labour market reintegration to municipalities, encouraging localised and sometimes innovative activation approaches.

48. Another example is the United Kingdom which follows a devolved approach, particularly in Scotland, Wales, and Northern Ireland, where certain social security functions have been transferred from the UK government. Scotland, for instance, has established Social Security Scotland, which administers several new benefits - such as the Adult Disability Payment (replacing Personal Independence Payment) and the Scottish Child Payment.⁴⁹

49. Luxembourg, by contrast, operates a predominantly nationally managed social protection system. Core elements, such as family and unemployment benefits, are administered nationally. Municipal social offices handle certain complementary functions, including local social assistance, under central supervision⁵⁰. Municipal expenditure on social protection is relatively modest (14.6% of subnational spending), compared to central government dominance.⁵¹

50. Sometimes, the distribution of competences in the area of social security is complex. This seems to be particularly the case for Switzerland where social assistance is regulated and financed by the cantons,⁵² with municipalities playing an important role in service delivery. The Swiss Conference for Social Welfare (SKOS) issues nationally recognised guidelines, which, while formally advisory, are widely adopted and integrated into cantonal frameworks. These guidelines help ensure a degree of uniformity in benefit levels and eligibility criteria. Under the Swiss Federal Constitution, cantons bear primary responsibility for social assistance, while municipalities implement local welfare services in line with cantonal rules. This decentralisation allows social security measures to be adapted to local conditions, though it also requires strong inter-cantonal coordination to avoid disparities in benefit levels and eligibility criteria.

51. Another rather complex case is Austria, where the federal, regional and local levels all share responsibilities in social protection. The Länder (regions) administer social services and health care (hospitals), social assistance including minimum-income schemes, while municipalities provide social services locally and are involved in policy implementation and direct delivery. A key example is the "*Bedarfsorientierte Mindestsicherung*" (means-tested minimum income scheme), which is governed at the regional level, though municipalities often administer or facilitate access.⁵³

52. In Ukraine, a major decentralisation reform led since 2014 has redistributed competences so that local self-government bodies (territorial communities) now carry significant responsibilities for social protection and social services.⁵⁴ Local councils are mandated under the Law on Local Self-Government to provide social protection, child protection, and related services. However, many local or village communities lack the financial and administrative capacity to fully discharge all these duties, resulting in some functions being managed or supported at district or regional levels.⁵⁵

⁴⁸ <https://sweden.se/life/society/elderly-care-in-sweden>

⁴⁹ <https://blogs.lse.ac.uk/politicsandpolicy/lessons-from-scotland-for-uk-social-security/>

⁵⁰ <https://portal.cor.europa.eu/divisionpowers/Pages/Luxembourg-social.aspx>

⁵¹ https://www.sng-wofi.org/country_profiles/luxembourg.html

⁵² <https://globalcompactrefugees.org/good-practices/cip-cantonal-integration-programmes>

⁵³ <https://www.eurofound.europa.eu/en/publications/all/austrian-provinces-take-minimum-income-scheme#overview>

⁵⁴ <https://www.oecd.org/en/about/news/press-releases/2022/12/regional-and-municipal-authorities-key-to-ukraine-s-resilience.html>

⁵⁵ <https://portal.cor.europa.eu/divisionpowers/Pages/Ukraine.aspx>

53. Similarly, in Denmark, municipalities hold primary responsibility for delivering social protection and welfare services, including social assistance and eldercare.⁵⁶ This strong local role is embedded in the Danish welfare model, which combines generous universal benefits with extensive municipal service delivery. The State sets national legislation and funding frameworks, while municipalities adapt implementation to local conditions. The 2007 structural reform reduced the number of municipalities and consolidated competences, aiming to increase efficiency and standardisation.⁵⁷ However, disparities in service quality and capacity between municipalities remain a point of debate.⁵⁸

Challenges and potential

54. The examples provided demonstrate that decentralisation in terms of devolution of competences can enhance the flexibility and relevance of social protection and social security measures, but it also introduces structural limitations and may lead to disparities and unequal social protection levels across a country. Complex governance arrangements, overlapping mandates, and administrative fragmentation often slow policy implementation and reduce efficiency. The challenge for both central and subnational authorities lie in maintaining equity and consistency of social protection while preserving the local responsiveness that decentralised systems can offer.

55. Another example worth highlighting is Azerbaijan. According to the monitoring report of 17 June 2021, this country faces significant challenges regarding the status and competences of municipalities. The legislative framework, notably the Constitution (Article 144.I) and the Law on the Status of Municipalities (Articles 4-6), assigns municipalities responsibilities in several key areas such as local social security and social development, local economic development, and environmental programmes. However, the distribution of powers between municipalities and local executive authorities remains ambiguous and poorly defined. As a result, this creates unclear lines of accountability and inefficient governance structures at the local level.

56. Overall, the challenges in the area of social protection result first from the complex division of roles and overlapping competences and ensuing needs for co-operation.⁵⁹ There is substantial potential to strengthen social protection through enhanced coordination across governance levels and more integrated policy approaches. Expanding local and regional competences, particularly in addressing poverty and social exclusion, could improve responsiveness to local needs.

57. In fact, all countries should prioritise a clear allocation of responsibilities across local, regional, and national authorities to reduce fragmentation and ensure consistent delivery of social protection services. Strengthening multilevel coordination will facilitate efficient service provision, minimise territorial inequalities, and improve the capacity of policies to address local requirements.

58. Local and regional authorities should develop social protection plans to coordinate initiatives across municipalities. Such plans should support the most vulnerable groups while engaging the wider population to promote social inclusion and diversity. They can encompass multiple, coordinated strands, including socio-occupational integration, access to adequate housing, access to health care and social services, and the strengthening of social, intergenerational, and intercultural connections. By involving local partners, voluntary organisations, and community members, these plans promote shared responsibility and enhance the overall efficiency and impact of social protection measures.

3.2.3 Health and Safety

59. Occupational health and safety (OHS) standards, but also more generally the right to enjoy “the highest possible standard of health attainable”,⁶⁰ are recognised as fundamental social rights under international and regional frameworks, including the revised European Social Charter and the International Covenant on Economic, Social and Cultural Rights (ICESCR). More specifically, Article 3 of the European Social Charter (revised) guarantees the right to safe and healthy working conditions; Article 11 affirms the right to health protection throughout working life, and Article 19 secures the rights

⁵⁶ <https://www.kl.dk/om-kl/english/municipal-responsibilities>

⁵⁷ <https://www.kl.dk/om-kl/english/local-government-reform>

⁵⁸ https://vbn.aau.dk/ws/portalfiles/portal/761784359/Denmark_Policy_Drivers.pdf

⁵⁹ In the United Kingdom, the evolution of decentralisation has contributed to the above-mentioned territory-specific inequalities in access to social protection <https://www.mdpi.com/2075-4698/13/8/185>

⁶⁰ This report refers mainly to occupational health and safety and touches on health standards and services more generally only via very few examples, as this represent a wider area which merits more in-depth consideration than it is possible here.

of workers in cases of employment-related accidents and occupational diseases.⁶¹ At the global level, the ICESCR sets out broad protections in Article 12, incorporating the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.⁶²

Competences and role of local and regional authorities

60. The distribution of competences again varies between national, regional and local levels. Broad patterns can nevertheless be observed. Survey data indicate that competence lies primarily at the national level in most cases (26%), yet subnational authorities also play a significant role: local authorities were identified as competent in 52% of cases, regional authorities in 69%, with 35% explicitly reporting shared responsibilities across both levels. In a few instances, responsibility was reported as lying outside the local or regional framework, as in Luxembourg, while in San Marino respondents marked OHS as “not applicable”. In France, on the other hand, responsibilities on health and safety are distributed between all levels.

61. In Hungary, under the 1997 CLIV Act on Health Care, municipalities are responsible for providing general practitioner and basic dental services, though these are coordinated by central government agencies; specifically in Budapest, district municipalities manage outpatient health services.

62. In Cyprus, local authorities do not provide medical services directly but rather ensure environmental hygiene and conduct prevention and awareness campaigns - for example, the Municipality of Lakatamia organises public health initiatives on issues such as breast cancer and diabetes awareness.

63. In Greece, municipalities also provide primary health services and operate facilities such as nurseries, day care centres, and homes for the elderly, often complementing State, private, and social sector initiatives. Their role has expanded significantly since the economic crisis of 2009. Regions, meanwhile, are primarily responsible for sanitary controls and food safety, the latter often in cooperation with decentralised services of the Ministry of Agriculture.

64. Concrete examples illustrate this diversity. In Italy, the 2008 Consolidated Act on Occupational Health and Safety (Legislative Decree No. 81/2008) allocates key responsibilities to the *Regioni* and their local health units, which conduct inspections, risk assessments, and training activities.⁶³ In Switzerland, The Federal Coordination Commission for Occupational Safety (FCOS) outlines the roles of various implementation bodies in occupational safety and health. According to FCOS, the 26 cantonal labour inspectorates are usually responsible for enforcing the Accident Insurance Act in companies. Each canton operates independently in this matter and fulfils other tasks in the enforcement of federal decrees, cantonal laws, and ordinances.⁶⁴

65. In France, OHS is primarily centralised, with the Ministry of Labour overseeing national policies and ensuring their application through a network of regional and departmental authorities. The Ministry of Labour defines and coordinates government policies on occupational safety and health, particularly through the national occupational health plan.⁶⁵ In Luxembourg, competence lies almost exclusively at the national level, with minimal involvement from municipalities. The key authority overseeing OHS is the *Inspection du Travail et des Mines (ITM)*, which operates under the Ministry of Labour, Employment, and the Social and Solidarity Economy.⁶⁶

⁶¹ The European Committee of Social Rights has elaborated on the scope of these provisions through its monitoring practice and collective complaints procedure, increasingly highlighting the responsibility of states, including local and regional authorities, to ensure effective enforcement.

⁶² 12... 2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for: (a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child; (b) The improvement of all aspects of environmental and industrial hygiene; (c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases; (d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.”

⁶³ <https://oshwiki.osha.europa.eu/en/themes/osh-system-national-level-italy>

⁶⁴ <https://www.ekas.admin.ch/en/about-us/implementation-bodies>

⁶⁵ <https://www.inrs.fr/home/prevention-in-france/osh-system-in-france.html>

⁶⁶ <https://itm.gouvernement.lu/en.html>

66. Denmark's OHS system is characterised by a strong partnership between national authorities and social partners, including trade unions and employers. The Danish Working Environment Authority (*Arbejdstilsynet*) sets national regulations, while employer and employee organizations collaborate to implement and monitor OHS practices at the workplace level, which allows flexibility and responsiveness to sector-specific needs.⁶⁷

67. In the Netherlands, OHS responsibilities are shared between national and regional authorities. The Ministry of Social Affairs and Employment sets national policies, while the Netherlands Labour Authority (*Nederlandse Arbeidsinspectie*, NLA) enforces these regulations.⁶⁸ Regional health and safety services (*Arbodiensten*) support employers in implementing OHS measures.⁶⁹

68. Estonia's OHS system is another more centralised example, with the Labour Inspectorate under the Ministry of Economic Affairs and Communications overseeing national policies and enforcement.⁷⁰ While regional offices manage local inspections, the overarching policies and enforcement mechanisms are coordinated nationally. Local authorities have limited involvement, focusing primarily on public health and safety issues rather than direct OHS governance. Likewise in the Republic of Moldova social protection has (recently) been centralised in the context of the RESTART reform, with health defined as a national competence. Within the framework of the same reform, the powers of central public authorities in the field of social assistance were delegated to the public authorities of the municipality of Chisinau and the autonomous territorial unit of Gagauzia and are financed through special purpose transfers from the state budget.⁷¹

69. In sum, even when legislative authority remains centralised, the effectiveness of OHS often depends heavily on subnational engagement. Local and regional authorities, when equipped with adequate resources, play a vital role in adapting standards to local conditions, conducting inspections, and promoting preventive measures. As the Council of Europe has emphasised, ensuring clarity in the division of responsibilities and strengthening coordination across governance levels are essential to guaranteeing that the right to safe and healthy working conditions, as enshrined in the European Social Charter (revised), is realised in practice.

Challenges and potential

70. Challenges in the implementation of health and safety rights relate first to the uneven division of competences, partly related constraints in administrative capacity, and limited financial resources. Coordination across multiple levels of governance often proves complex, resulting in gaps in enforcement and monitoring. Even in countries with strong regulatory frameworks, such as Italy and Switzerland, respondents to the survey noted that operational difficulties at the subnational level can undermine consistency and effectiveness. These challenges are compounded by uncertainties regarding leadership: in Luxembourg, for instance, respondents highlighted ambiguity over whether national or local authorities should take the lead in driving workplace safety improvements.

71. In the Republic of Moldova, respondents also highlighted that the efficiency of LRAs in promoting and protecting social rights remains limited due to the high degree of centralisation. The lack of a clear division of competences between central and local levels, combined with insufficient resource allocation, even for delegated responsibilities, significantly constrains local capacity. Local authorities face persistent difficulties in implementing health care and social assistance. Municipalities are heavily dependent on central transfers, which restricts their ability to develop and sustain community-based services such as homecare. Ambiguities in the division of responsibilities between first- and second-level LRAs and the central government lead to overlaps and service gaps. Furthermore, shortages of qualified staff, especially in social work and healthcare, and inadequate infrastructure in rural areas further limit effective local action.

72. In Denmark, according to the monitoring report of 25 October 2022, the main challenges in the health sector stem from demographic change - particularly an ageing population - and the growing pressure on public expenditure. The report points to coordination difficulties between municipalities and regions in the delivery of health services, recommending a redefinition of the framework of cooperation and a clearer distribution of responsibilities between these levels of government, in consultation with

⁶⁷ <https://at.dk/en/about-us/about-arbejdstilsynet/>

⁶⁸ <https://www.arboned.nl/en/compliance-law/dutch-working-conditions-act>

⁶⁹ <https://business.gov.nl/regulation/working-conditions-employees/>

⁷⁰ <https://www.tooelu.ee/en/43/contact-institutions-estonia?>

⁷¹ See reply from Moldovan expert of the GIE to questionnaire.

associations of local and regional authorities. Danish municipalities exercise extensive competences defined by sectoral legislation, including public health and preventive services, rehabilitation and social psychiatry. However, as health competences are shared with regional authorities, responsible primarily for hospitals and specialised medical care, effective collaboration remains essential to ensure coherent service delivery and financial sustainability.

73. Enhancing the role of local and regional authorities offers significant potential to improve health and safety outcomes. By strengthening coordination mechanisms between governance levels, gaps in enforcement and monitoring can be reduced, and responsibilities can be clarified. Shared competency arrangements, when clearly defined, can leverage the strengths of both local and regional actors to achieve more responsive and context-specific implementation. Examples of successful initiatives highlight the impact of empowering local and regional authorities in OHS.

74. In the United Kingdom, for instance, local authorities play a key role in enforcing health and safety regulations across sectors such as retail, wholesale distribution, hotels and catering, offices, and leisure industries. They work closely with the Health and Safety Executive (HSE), which coordinates national policies, shares best practices, and supports over 380 local authorities in ensuring compliance. This partnership demonstrates how clearly defined responsibilities and strong coordination between governance levels can enhance enforcement and deliver more context-specific, effective occupational safety outcomes.⁷²

75. Countries should prioritise a clear delineation of competences and, more generally, responsibilities between national, regional, and local authorities in the field of occupational health and safety, in order to minimise overlaps, close implementation gaps, and ensure that standards are applied consistently across all territories. Strengthening intergovernmental coordination mechanisms will not only improve efficiency in enforcement but also reduce territorial disparities and enhance the responsiveness of policies to specific workplace conditions.

76. Moreover, effective collaboration between governance levels should be reinforced through shared responsibility and mutual support. Clearly defined shared competence arrangements leverage the comparative advantages of each level of government: national authorities provide legal frameworks and oversight, regional authorities contribute strategic capacity and technical expertise, and local authorities maintain proximity to workplaces and communities. This layered approach delivers more responsive, context-specific, and ultimately more effective health and safety protections.

3.2.4 Education

77. The right to education affirms that every individual has the right to access quality education without discrimination. This right is explicitly enshrined in the European Social Charter (revised) as well as in the International Covenant on Economic, Social and Cultural Rights (ICESCR). The European Social Charter, in Article 10, recognises the right to vocational guidance, Article 11 ensures the right to education - including measures to eliminate inequalities in access.⁷³ At the global level, the ICESCR sets out relevant standards in Article 13 which recognises the right of everyone to education, highlighting free primary education, the availability and accessibility of secondary and higher education, and the progressive introduction of free higher education. Article 14 emphasises the role of education in developing an individual's capacities and promoting social and economic well-being. The ICESCR provides authoritative guidance on these obligations through General Comment No. 13 (1999), which stresses that states must ensure access, quality, and equality in education, and facilitate participation by local and regional authorities where appropriate.

⁷² <https://www.hse.gov.uk/lau/enforcement-allocation.htm>

⁷³ The European Committee of Social Rights interprets these provisions, emphasizing the importance of inclusive education and the roles of subnational authorities in ensuring both access and quality of learning.

Competences and role of local and regional authorities

78. Competences in education vary significantly across Europe, reflecting different governance models and degrees of decentralisation. The survey reveals a strong recognition of local and regional authorities' formal competences in implementing education as a fundamental social right. Specifically, 91.3% of respondents identified education as an area where these authorities hold responsibility within the national administrative framework. When breaking down competencies by level of government, 47.8% of respondents indicated that regional authorities have formal competency in education, while 69.6% pointed to local authorities. In Italy, Switzerland, and Ukraine, both local and regional authorities share responsibility, enabling collaborative governance in educational policy. By contrast, in San Marino and France, neither local nor regional levels are formally responsible for education, generally pointing to highly centralised systems.

79. In Italy, education governance is characterised by a dual system where both regional and local authorities share responsibilities. Regions set policy frameworks, while municipalities manage the implementation, such as school maintenance and teacher employment.⁷⁴ This collaborative approach allows for tailored educational services that meet community needs; however, the complexity of this system has led to challenges in clearly defining the responsibilities of each level of government, sometimes necessitating intervention by administrative courts to delineate competences more effectively.

80. Switzerland's education system is decentralised, with cantons holding primary responsibility for education policy. Municipalities play a significant role in the delivery of educational services, ensuring that local contexts and needs are addressed.⁷⁵ The Swiss Conference of Cantonal Ministers of Education (EDK) provides coordination, promoting consistency across cantons while respecting local autonomy.⁷⁶ This decentralised structure allows for a high degree of local adaptation and responsiveness to community needs.

81. In Greece, municipalities and regions share distinct responsibilities across different levels of education. Municipalities are primarily in charge of the infrastructure and provision of preschool, primary, and secondary education, including the construction and maintenance of school buildings, utilities, and support staff such as custodial and catering personnel. The recruitment and remuneration of teachers, however, remain the exclusive responsibility of the central government. Municipalities also manage school canteens, typically operated through public procurement procedures. Regions, for their part, are responsible for student transport, vocational training, adult education, and lifelong learning programmes. This division of competences enables local authorities to deliver educational services close to communities, while ensuring national coherence in staffing, teaching standards, and curricula.

82. In the same line, Ukraine has undergone significant decentralisation reforms, granting local authorities greater autonomy in managing education. Regional and local authorities collaborate to implement educational policies, with regional departments overseeing quality assurance and local governments managing schools and resources. This shared responsibility enhances responsiveness to local educational needs. However, challenges remain in ensuring equitable resource distribution and maintaining quality standards across all regions.⁷⁷

83. In contrast, San Marino's education system is primarily managed at the national level, with limited involvement from local or regional authorities. The government oversees educational policies and funding, resulting in a centralised system of governance. While there have been efforts to align local self-government with European standards, the role of local authorities in education remains minimal.

84. Likewise, France's education system is highly centralised, with the national government holding primary responsibility for education.⁷⁸ Regional and local authorities have limited roles, primarily in administrative support and implementation of centrally determined policies. The national government sets educational standards and curricula and develops teacher training programmes, ensuring uniformity across the country.

⁷⁴ <https://eurydice.eacea.ec.europa.eu/eurypedia/italy/administration-and-governance-local-and-or-institutional-level>

⁷⁵ <https://www.edk.ch/en/education-system-ch/general-information/>

⁷⁶ <https://www.cdep.ch/en/the-edk>

⁷⁷ <https://www.tandfonline.com/doi/pdf/10.1080/1060586X.2025.2520167>; <https://www.coe.int/en/web/congress/-/congress-assists-ukraine-in-revamping-its-decentralisation-reform-concept>

⁷⁸ <https://www.virtualcampuses.eu/index.php/France/>

85. According to the monitoring report of 26 March 2025 concerning Liechtenstein, education financing illustrates a tension between shared funding and limited local influence. Although municipalities co-finance education and cover 50% of teachers' salaries in municipal schools, they have little say in determining expenditure levels. Under the Municipalities Act (Art. 12), the establishment and maintenance of kindergartens and primary schools fall under municipal competence, yet policy direction and oversight remain largely centralised.

86. In turn, the Republic of Moldova maintains a system where education is a delegated competence: preschool education (kindergartens) is managed by first-level local public authorities, while pre-university education (schools) falls under second-level authorities. These activities are financed through earmarked state transfers. Respondents noted that Moldovan local authorities perform particularly well in managing institutions close to citizens' daily lives, such as schools and kindergartens, ensuring maintenance, utilities, and transport. Finland also reported high effectiveness of local educational governance, with municipalities demonstrating strong competence and accountability in service delivery.

87. Denmark, Sweden, and the United Kingdom all provide additional perspectives on the interaction between local and national competences. In Denmark, municipalities are in charge of primary and lower secondary education (*folkeskole*), including school operations, staffing, and financing, while the state sets overall objectives, regulations, and quality assurance mechanisms. Upper secondary education is primarily managed at the national level, ensuring alignment with national priorities and consistency across regions.⁷⁹ In Sweden, municipalities (*kommuner*) are responsible for public education up to upper secondary level, managing staffing, budgets, and school operations while adhering to national educational objectives. This decentralised system promotes local adaptation to community needs but requires coordination to ensure equity across municipalities.⁸⁰

88. The United Kingdom presents a mixed scenario: while England has seen a move towards greater autonomy for schools, particularly through the expansion of academies,⁸¹ Scotland, Wales, and Northern Ireland maintain a more centralised approach to education governance.⁸² Here, local authorities play a significant role in the delivery of education, but the curriculum and policy frameworks are determined centrally to ensure consistency and equity across the education system.

89. In Estonia, both Harku Municipality and the national association of municipalities emphasised the local level as particularly effective in ensuring access to education. In contrast, centralised systems like that in France may offer uniformity and efficiency but can face challenges in addressing regional disparities and specific local needs. The balance between centralisation and decentralisation in education governance continues to be a critical factor in shaping educational outcomes across Europe.

90. Overall, these examples illustrate the diverse approaches to education governance across Europe. At the same time, competences of local and regional authorities in the field of education are relatively strong. Out of the respondents surveyed, 60% reported that local authorities hold clear competence in this area, while half pointed to a significant role for regional authorities. Countries with strong traditions of multi-level governance, such as Italy, Switzerland, Ukraine, the Republic of Moldova, Sweden and Denmark, often highlighted shared responsibility as a key strength, supporting collaborative delivery of educational services. They are also more closely aligned with local contexts and needs. However, these systems require effective coordination between different governance levels to avoid fragmentation and ensure equity.

91. Notwithstanding the differences in distribution of roles, there is an overall relatively strong competency of local and regional authorities in education. This appears to reflect positively on performance as 47% of respondents identified education as an area where local and regional authorities are performing particularly well in implementing social rights. This suggests a broad recognition of effective service delivery, though it also leaves room for improvement and underscores that education remains a central focus in strengthening social rights implementation.

⁷⁹ <https://portal.cor.europa.eu/divisionpowers/Pages/Denmark-Education.aspx>

⁸⁰ <https://www.skolverket.se/download/18.6bfaca41169863e6a65ac91/1553965398302/pdf3183.pdf>

⁸¹ <https://www.gov.uk/types-of-school>

⁸² <https://commonslibrary.parliament.uk/research-briefings/cbp-9834/>

Challenges and potential

92. Notwithstanding this, educational systems face a range of interconnected challenges. One major issue lies in the complex division of roles and overlapping competences, which often create coordination difficulties between local and regional authorities and complicate planning and service delivery. In highly centralised systems, bureaucratic rigidity can further limit responsiveness to local needs, reducing the system's capacity to adapt. Persistent disparities in access and quality remain a concern, particularly where uneven administrative capacity and fiscal resources at the subnational level contribute to territorial inequalities in provision.

93. These coordination challenges are clearly illustrated in Montenegro. According to the monitoring report of 27 March 2024, municipalities are responsible for carrying out transferred tasks in education and other areas of local interest, in accordance with Article 32 of the Law on Local Self-Government. However, this legal provision remains vague and inconsistently applied, as it does not specify when, how, or to which municipalities specific tasks are delegated. This legal uncertainty creates a structural gap in coordination and limits the effective exercise of local competences. By contrast, Poland offers an example of both the challenges and opportunities associated with recentralisation. As noted in the monitoring report of 2 April 2019, the reform of the education system increased the powers of the school superintendent, who now oversees the approval of school network plans, provides binding opinions on school closures, and participates in the appointment of school heads. While this reform strengthened state oversight and consistency, it simultaneously reduced the autonomy of municipalities and districts, raising questions about the balance between local flexibility and national control.

94. To strengthen the right to education, countries should begin by clearly defining the competencies of local and regional authorities, reducing fragmentation and ensuring coherent governance structures. Strengthening collaboration between governance levels, particularly in decentralised and federal systems, will help ensure that responsibilities are coordinated, and policies are implemented consistently.

3.2.5 Housing

95. The scope of the right to adequate housing is broad; relevant international instruments guarantee that every individual has access to safe, affordable, and habitable housing, as well as protection against forced eviction and homelessness. More particularly, for Europe, Article 31 of the European Social Charter (revised) establishes the right to housing, requiring states to facilitate access to adequate housing, prevent homelessness, and make housing affordable. At the global level, the International Covenant on Economic, Social and Cultural Rights (ICESCR) sets the standard. Article 11(1) recognises the right of everyone to an adequate standard of living, including housing, food, and clothing. The UN Committee on Economic, Social and Cultural Rights has elaborated this right in General Comment No. 4 (1991), clarifying that States must ensure accessibility, habitability, affordability, and security of tenure, and that housing rights must be realised progressively.

Competences and role of local and regional authorities

96. Of all social rights mentioned in the questionnaire, housing was one of the weakest in terms of both having formalised competences in the national framework on a local and regional level. 65% reported having local level competences, 43% reported having regional competences, and 30% having both local level and regional level formalised competences. Four reported having no formalised competency on either level.

97. The distribution of responsibilities for housing policy varies across governance systems, yet some general patterns can be observed. While regional and combined competences are often limited, most local and regional authorities hold formal competences and frequently play a central role in implementing housing measures, particularly through the provision of social housing, urban planning, and homelessness prevention. In many cases, local authorities manage housing allocations, maintain the social housing stock, and deliver municipal-level support services, while regional authorities are responsible for broader planning, funding distribution, and policy coordination. By contrast, in more centralised systems, the formal competences and financial autonomy of local and regional authorities may be limited, constraining their ability to implement national housing policies effectively. The balance of responsibilities across governance levels therefore directly shapes the reach and quality of housing services, with subnational involvement proving essential for tailoring housing policies to local needs and conditions.

98. Limited competences, particularly at the regional and combined levels, also reflect negatively on performance. National contexts illustrate how these structural variations shape practice. In France, municipalities are legally required under the Solidarity and Urban Renewal (SRU) Law to ensure that at least 20% of housing stock consists of social housing in larger urban areas. In a 2013 reform, this requirement was increased to 25 percent by 2025 for communities in which more than half of the French population lives.⁸³ While this gives local governments a clear mandate, implementation has been uneven, with many municipalities failing to meet their targets,⁸⁴ reflecting the challenge of aligning local capacity with national housing objectives.

99. By contrast, Italy represents a case of multi-level governance where regions enjoy strong legislative competences in housing, while municipalities are responsible for administering the social housing stock and services. This layered governance allows for local adaptation to diverse socio-economic realities but often results in fragmented implementation and stark territorial inequalities, particularly between northern and southern regions.

100. In Cyprus, following the 2024 reform, urban and town planning competences were transferred from municipalities to the newly established District Local Government Organisations (DLGOs). Municipalities now cooperate with DLGOs in implementing urban renewal and social housing programmes but no longer manage planning permits directly. For instance, the DLGO of Nicosia has developed urban renewal plans focusing on social cohesion and the integration of vulnerable groups, which illustrates a new, collaborative governance model under this reformed framework.

101. Sweden represents one of the most decentralized systems in Europe, where municipalities bear primary responsibility for housing policy under the Housing Provision Act and the Social Services Act.⁸⁵ Municipalities are obliged to ensure that residents have access to adequate housing, largely through municipally owned housing companies. This strong form of local ownership fosters integration between housing, social services, and community planning, but also leads to significant disparities in quality and affordability between municipalities with different financial capacities.

102. In the Netherlands, the 2015 Housing Act reinforced municipal responsibilities by placing stronger regulation on housing associations, requiring them to focus primarily on low-income groups and coordinate closely with local governments.⁸⁶ This has enabled municipalities to pursue more targeted housing strategies, though variations in resources continue to produce uneven results across the country.

103. In the Republic of Moldova, housing is defined as a local competence: first-level local councils manage municipal housing stock, allocate social housing, and register vulnerable individuals. Until 2024, second-level authorities were also responsible for regional social units and the coordination of community services for vulnerable groups. These powers are now delegated only to the municipality of Chisinau and the Autonomous Territorial Unit of Gagauzia, while in other cases, social rights are implemented through decentralised branches of central authorities. A different pattern emerges in Greece, where municipalities are less involved in direct housing provision and instead focus on urban development and regeneration programmes. According to the survey respondents, local governments may allocate municipal plots or provide temporary accommodation for homeless or economically disadvantaged citizens, often in cooperation with municipal charitable foundations or social shelters. This illustrates a more limited but socially responsive local role within a broader, state-led housing framework.

104. In Hungary, local authorities also play a significant role in the provision of housing, and their performance was regarded as relatively effective by the respondents, particularly given their limited financial and administrative resources. Several urban municipalities demonstrate good practices in delivering inclusive and integrative social care services, and innovative projects have been developed in the field of urban housing. Nevertheless, the housing crisis remains a serious challenge. Municipalities are responsible for social housing, which operates under an independent legal framework separate from the social care system, and they are also mandated to provide a local social benefit, a

⁸³ <https://www.urban.org/urban-wire/lessons-france-creating-inclusionary-housing-mandating-citywide-affordability>

⁸⁴ https://www.academia.edu/120383652/The_SRU_Law_twenty_years_later_evaluating_the_legacy_of_France_s_most_important_social_housing_program

⁸⁵ https://www.academia.edu/120383652/The_SRU_Law_twenty_years_later_evaluating_the_legacy_of_France_s_most_important_social_housing_program

⁸⁶ <https://www.capitalvalue.nl/en/news/new-housing-act-in-the-netherlands-as-per-1-july-2015/>

means-tested supplementary allowance. While municipalities retain discretion over the specific content of this benefit, the Act III of 1993 on Social Administration and on Social Benefits provides general guidance. The benefit may cover regular housing expenses, subsidize individuals caring for chronically ill relatives over 18, assist with medication costs, or help address accumulated housing arrears, and under Section 7 of the Act, municipalities may define additional purposes to meet local social needs.

105. These findings point to a fragmented and often weak governance framework for housing rights in Europe. While subnational authorities are frequently tasked with implementation, their role is not consistently formalised or adequately supported. Country examples show that decentralisation can enhance responsiveness and adaptability, but without clear allocation of competences, sufficient financing, and strong coordination, inequalities in access to adequate housing are likely to persist. Strengthening vertical and horizontal coordination, alongside guaranteeing resources for LRAs, is therefore essential to ensure that the right to housing is realised across Council of Europe member States.

Challenges and potential

106. Challenges in implementing housing policies relate, first, to the high degree of centralisation and the limited autonomy and resources available to local and regional authorities. Ambiguities in the distribution of responsibilities between national, regional, and local levels often lead to unclear accountability, weak coordination, and delays in service delivery. Even where subnational competences are formally recognised, they are frequently undermined by insufficient financial and administrative support. Respondents repeatedly stressed that devolved tasks must be accompanied by adequate means; or as one local representative from the Netherlands noted: “no tasks without money.”

107. These constraints are particularly visible in countries where resource limitations exacerbate local housing challenges. In Hungary, for example, the urban housing crisis represents a significant constraint, as municipalities lack sufficient tools to address rising housing demand and affordability pressures. In rural areas, means-tested benefits, which serve as a key social support mechanism, are often underfunded, limiting the ability of local authorities to provide adequate assistance to vulnerable households.

108. Despite most respondents reporting that their local or regional authorities hold housing competences, centralisation still emerged as a key limitation. National housing strategies and budgetary frameworks continue to shape the availability of affordable housing, leaving subnational actors constrained in both scope and capacity. In the Netherlands, for example, one respondent even highlighted that local and regional authorities lacked not only the competences to intervene meaningfully but also the policy freedom and financial resources to adapt national measures to local needs.

109. Social housing represents a particularly critical area of concern. Respondents from Cyprus, for example, reported that municipal-level social housing initiatives are largely inactive due to limited engagement, inadequate funding, and insufficient institutional support. This reflects a broader pattern in which local authorities struggle to operationalise social housing policies despite growing social demand.

110. Republic of Moldova respondents mentioned examples of both potential and persistent challenges. Local governments bear responsibility for providing housing and related services to socially vulnerable groups, a mandate that requires substantial national support and targeted funding. First-level local public authorities act as front-line actors, identifying at-risk populations such as elderly persons living alone, families in precarious situations, or individuals with disabilities. This proximity enables LPAs to integrate social rights into local development plans, including housing and infrastructure strategies. Many municipalities collaborate with NGOs, faith-based organisations, and international donors to co-finance services that local budgets cannot sustain. Nevertheless, financial and strategic constraints remain significant: while wealthier municipalities (e.g. Chişinău, Bălţi, and some rayon centres) can offer a broader range of services, small rural communes often struggle to ensure even basic provision. In this sense, many successful initiatives - such as social housing and childcare centres - have relied heavily on donor funding, raising questions about their long-term sustainability.

111. These pressures expose a structural weakness in Europe's housing governance: without clearer allocation of responsibilities, adequate funding, and stronger mechanisms for subnational involvement, the right to housing risks remaining unevenly realised across and within territories. Nonetheless, there is considerable potential to strengthen housing policy delivery through enhanced decentralisation, clearer allocation of responsibilities, and improved collaboration across governance levels. Expanding local and regional competences, when supported by adequate resources, can increase responsiveness to community-specific needs and encourage innovative solutions. Coordination across national, regional, and local authorities is particularly effective when national frameworks are combined with the contextual knowledge and proximity of subnational actors, enabling more equitable and targeted housing strategies.

3.3 Cross-cutting dimensions

3.3.1 *Protection of Children and Young People*

112. The protection of children and young people is prominently inscribed in the European Social Charter (revised). This includes a framework for safe working conditions (e.g. general minimum age of admission to employment of 15 years; safeguards and allowances around working hours, vocational training) and special protection against the physical and moral hazards children and young people are exposed to (Art 7); as well as a right to social, legal and economic protection more generally (Art 17). At the universal level, the Convention on the Rights of the Child (CRC) is most relevant, incorporating social rights standards, for example in the fields of education (Art 19, 28), physical and mental health (Art 24, 25), social security (Art 26) and employment (Article 32). The “best interests of the child” concept is considered of paramount importance. The social rights of children and young people are therefore firmly enshrined at both European and the broader international level.

113. Out of 23 respondents, a significant majority, 87%, indicated that responsibility for protecting children and young people lies with local and regional authorities. Within this, 78% identified it as a local competency, while 48% also indicated regional authorities as responsible. Seven respondents explicitly noted shared competence between local and regional authorities, including two from Italy, one from Ukraine, one from Denmark, one from Bulgaria, one from Finland, and one from Switzerland.

114. This pattern aligns with the decentralised or federal systems in these countries, where social protection responsibilities for children and young people are distributed across several levels of government. Italy's strong regional autonomy and Switzerland's federal system support dual competence, while Ukraine often relies on collaboration between local and regional bodies to address social needs. One respondent from the UK, representing a local authority, identified responsibility as regional. However, in a related question on resource allocation, this respondent noted that approximately 60% of their budget was dedicated to adult social care. This suggests that local authorities may prioritise adult services over child and youth protection, potentially deferring responsibilities or resources to regional bodies.

115. In Austria, competence is primarily exercised at the level of the nine federal States, each with its own youth welfare offices responsible for implementing child protection services.⁸⁷ The federal government sets the overall legal framework through the Youth Welfare Act, ensuring a degree of uniformity across provinces, but delivery remains highly decentralised. A similar pattern is seen in France, where the departmental councils carry out most social services related to children (as *Aide Sociale à l'Enfance* (ASE)),⁸⁸ but in accordance with national legislation that sets the standards and provides oversight, reflecting a system of local implementation under national direction.

116. Other countries rely more heavily on municipalities, though under strong national guidance. In Sweden, local authorities are responsible for social services and child protection,⁸⁹ with the national parliament defining the legal framework and providing financial transfers to guarantee minimum standards. The Netherlands has also assigned child protection and youth care almost entirely to municipalities since a 2015 reform,⁹⁰ while maintaining national inspection bodies to monitor quality and compliance. Estonia follows the same trend, granting municipalities primary responsibility but relying on the national Social Insurance Board to provide coordination, resources, and oversight.

⁸⁷ <https://www.bundeskanzleramt.gv.at/en/agenda/family/youth-welfare/youth-welfare-services.html>

⁸⁸ <https://gnius.esante.gouv.fr/en/secteur-social-medico-social/structures/protection-enfancements>

⁸⁹ <https://www.government.se/articles/2023/07/every-child-in-sweden-has-the-right-to-a-safe-secure-and-bright-future/>

⁹⁰ <https://www.nji.nl/english/introduction-dutch-youth-policy>

117. Hungary is a similar case, where local authorities are mainly responsible for basic social care and children's protection services. According to Act XXXI of 1997 on the Protection of Children and on the Administration of the Children's Protection, municipalities are required to provide access to family and child assistance services, including family and children advisory offices for municipalities operating independent municipal offices or serving as centres of joint municipal offices. Municipalities with more than 10,000 inhabitants must maintain nurseries, and those with larger populations - over 20,000 or 30,000 inhabitants - are obliged to maintain temporary children's homes and family temporary homes, respectively. Municipalities also manage nurseries through inter-municipal associations or administrative contracts when thresholds of children under three years are met. Additionally, the chief administrative officer (*jegyző*) is responsible for granting the regular child protection allowance, a means-tested benefit delegated by the central government. This framework ensures a structured, locally anchored system for child and family protection, although its implementation varies according to population size and local capacities.

118. The Republic of Moldova is also seen as a good example in child and family protection. According to a survey respondent, the country has been cited regionally for its efforts in the deinstitutionalisation of children, with local authorities actively supporting the transition toward family- and community-based care. Legislation governing the powers of local public authorities, along with the social assistance and social services legal framework, explicitly assigns first-level local authorities a role in providing social assistance to children, while child protection remains a shared national-local competence. Overall, the effectiveness of local authorities in guaranteeing the protection and promotion of social rights is limited to moderate.⁹¹ Their role is crucial in delivering social services, yet structural obstacles - such as limited funding, unclear division of responsibilities, insufficient human capacity, and infrastructural deficits - hinder full effectiveness. LPAs are well-positioned to identify vulnerable groups and tailor community services, including home care, social canteens, and support for children. Many municipalities have also developed local social assistance services in collaboration with NGOs or international donors.

119. By contrast, Cyprus represents a more centralised approach, where the Social Welfare Services under the Ministry of Labour and Social Insurance hold direct responsibility for child protection and intervention in cases of abuse or neglect.⁹² This model mirrors the situation in Luxembourg, where national institutions play a central role, though with some involvement of local actors in implementation.⁹³ These cases highlight how smaller or more centralised states tend to rely on national competence, whereas larger federal or decentralised countries distribute responsibilities more widely across levels of government.⁹⁴

120. The protection of children and young people as a social right is managed through a complex interplay of local, regional and sometimes national authorities, depending on the country's administrative system. Countries with decentralised governance tend to share competences (and generally responsibilities) across levels, while smaller or more centralised states, such as Luxembourg, involve national authorities more directly. Overall, responses reflect a generally positive view of implementation too, tempered by recognition of ongoing challenges. This underscores the dynamic and evolving nature of child and youth protection across Europe's diverse social and political landscapes.

3.3.2 *Non-discrimination and protection of marginalised groups (e.g. migrants, refugees, people with disabilities, people experiencing homelessness)*

121. Non-discrimination and the protection of marginalised groups is enshrined as a broad, transversal, non-discrimination principle in Article E of the European Social Charter (revised) which established: "The enjoyment of the rights set forth in this Charter shall be secured without discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national extraction or

⁹¹ According to the Charta Monitoring report of 4 April 2019 on Moldova, the lack of specialised and qualified personnel prevents many local authorities from properly and professionally fulfilling their responsibilities. In some cases, when mayors refrain from taking action or intervening in a given issue due to this lack of capacity, they risk being prosecuted for prevarication by omission. One example concerns the area of children protection: under Law No. 140 of 2013, towns and villages must provide protection for children at risk and for minors who are abused or abandoned; however, many local authorities do not have essential staff, such as social workers, psychologists, etc, making it impossible to provide adequate protection to children.

⁹² <https://nidisineurope.eu/projects/dublin-support-for-guardians/dublin-support-cyprus/>

⁹³ With regard to Luxembourg, it is important to underline that the competence for the various subjects listed in this report is always shared between the national and local levels, according to variable distribution patterns, but always with interaction between the two.

⁹⁴ <https://fra.europa.eu/sv/content/decentralised-child-protection-responsibilities>

social origin, health, association with a national minority, birth or other status.” At international level, the ICESCR contains a similarly framed prohibition of discrimination in Art 2 para 2, providing that “2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” Further standards are incorporated for specific groups in other treaties, as for migrant workers and their families in the International Convention on the Rights of All Migrant Workers and Members of their Families of 1990, which has however not been widely ratified.⁹⁵ Relevant standards on non-discrimination can be derived from these instruments.

122. The protection of marginalised groups⁹⁶, while showing variation, is also often within the core competence of local and regional authorities. Out of 23 respondents, 60% indicated that local and/or regional authorities hold competence for non-discrimination and the protection of marginalised groups. Within this, 70% identified local authorities as competent, while 35% identified regional authorities, all of whom also confirmed local authority involvement, indicating overlapping responsibilities. In Cyprus, the United Kingdom and Italy, some respondents marked the issue as “not applicable,” suggesting that these responsibilities may not formally fall within local or regional authorities’ remit. Two respondents from Luxembourg highlighted the role of national authorities, reflecting the country’s centralised governance. Conversely, other respondents from Germany, Switzerland, France, and others confirmed local or regional competence, reflecting differences in decentralisation, governance structures, and political priorities.

123. Country examples confirm this diversity. In Greece, refugee integration remains a state responsibility, but municipalities contribute by hosting reception centres and implementing integration programmes in partnership with NGOs. In Hungary, municipalities with more than 10,000 inhabitants are required to provide day care services for persons with physical or mental disabilities, while smaller municipalities must ensure access to such services through inter-municipal cooperation. In Cyprus, local authorities focus on supporting homeless individuals, migrants, and other vulnerable groups, often in collaboration with NGOs and state social services - for instance, the Municipality of Nicosia’s “New Start” programme provides housing, psychosocial assistance, and reintegration support. In Montenegro, the 2024 monitoring report highlights a good practice: the use of minority languages in local public administration in municipalities where ethnic minorities form the majority.

124. Further research also provides a mixed picture as regards the competence for non-discrimination/protection of marginalised groups: the Netherlands presents a model where municipalities are legally required to maintain independent Anti-Discrimination Bureaus accessible to all residents. These bodies handle complaints of discrimination on grounds such as race, religion, gender, or sexual orientation, providing a decentralised mechanism of protection that feeds into the work of the National Institute for Human Rights.⁹⁷

125. In Estonia, responsibility for non-discrimination is primarily vested in the national *Gender Equality and Equal Treatment Commissioner*, who has a mandate under national law to monitor compliance, issue opinions, assist individuals with discrimination complaints, and advise public authorities, including local governments.⁹⁸ Meanwhile, municipalities are increasingly taking part in integration efforts. For example, local government development plans sometimes include language immersion programmes,⁹⁹ and local authorities have been tasked in past integration strategies with cooperating with non-profit organisations to increase involvement of migrant or minority-background residents.¹⁰⁰

126. In the Republic of Moldova, national legislation explicitly assigns first-level local authorities a role in providing social assistance to people with disabilities, large families, victims of domestic violence, and other vulnerable groups. Services include community canteens, home care, and local social assistance administration. While strategic responsibility for non-discrimination remains national, local authorities are expected to implement equality and inclusion measures, including gender equality plans

⁹⁵ [UNTC](#) shows a total of 62 ratifications.

⁹⁶ For this comparative study, marginalised groups considered include migrants, refugees, persons with disabilities, people who experience domestic violence, and people who experience homelessness and poverty, whose vulnerabilities can hinder access to social rights.

⁹⁷ <https://www.government.nl/topics/discrimination/reporting-discrimination>

⁹⁸ <https://www.tooelu.ee/en/36/equal-treatment>

⁹⁹ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migrant-integration/migrant-integration-hub/eu-countries-updates-and-facts/migrant-integration-estonia_en

¹⁰⁰ <https://fra.europa.eu/en/promising-practices/integration-monitoring-estonian-society>

and local focal points. Many municipalities integrate these efforts into broader local development strategies, often supported by international donors and NGOs. However, limited financial and human resources, combined with structural barriers, constrain their ability to promote equality proactively, particularly in rural areas where capacity gaps are most pronounced.

127. Cyprus relies heavily on national institutions such as the Office of the Commissioner for Administration and the Protection of Human Rights,¹⁰¹ which serves as the equality body, while local authorities have a more limited role in this field. Luxembourg follows a similar centralised approach through the Centre for Equal Treatment,¹⁰² reflecting its smaller size and unitary governance. These cases demonstrate that while some countries place competence for non-discrimination squarely with national bodies, others, particularly those with federal or decentralised structures, rely on a multi-level approach in which local and regional authorities play an active role in protecting marginalised groups.

128. In sum, responses reflect an uneven landscape as regards competences in non-discrimination and the protection of marginalised groups in Europe, shaped by administrative structures, political contexts, and evolving social challenges. Sustained attention, adequate resources, and coordination across governance levels are essential to ensure that all individuals can enjoy their rights fully and without discrimination.

3.3.3 *Social Protection of Older Persons*

129. The protection of older persons is specifically enshrined in Article 23 of the European Social Charter (revised) which provides for the “right of elderly persons to social protection” in a variety of forms. At international level, a specific Convention on the rights of older persons is still under negotiation. However, relevant standards may be derived from the general non-discrimination principle.

130. While specific survey data on the competences of local and regional authorities in relation to older persons is limited, responses indicate that social protection for older populations is closely linked to local and regional competences and, most importantly, the capacities of local and regional authorities to deliver welfare services. In countries with decentralised governance structures, local authorities often play a direct role in providing community-based services, including care programmes, social support, and opportunities for social participation.

131. In terms of concrete figures, a large majority of 83% of all participants reported having a formal competence in regard to the social protection of older persons. Many reported that the competence was shared between the local and regional levels. 74% reported that local authorities had a formal competency, whilst 43.5% also reported a formal competence for regional authorities; 26% of respondents therefore explicitly indicated competences on both the local and regional levels.

132. In Cyprus, local authorities are increasingly active in providing social services for the elderly, including “Home Assistance” programs, day-care centres, and community centers. For example, the former Municipality of Strovolos and the Municipality of Aglantzia operate elderly care facilities, food aid programs, and social work services. Respondents highlighted areas of good performance, such as elderly care programs in the Municipality of Agios Athanasios.

133. On the distribution of competences, additional research provides details. For example, in Sweden, municipalities are directly responsible for elder care under the Social Services Act.¹⁰³ They organise domestic help, special housing and social activities, financed largely through local taxation and state transfers. Reforms in the 1990s shifted elder care responsibilities from county councils to municipalities, which today stand at the core of service delivery. Although the system is widely regarded as effective, demographic pressures have created new challenges, with smaller municipalities struggling to finance adequate services while larger ones experiment with technology-assisted solutions to meet rising demand. In the same vein, the monitoring report for Norway (26 March 2024) highlights the growing challenge of human resource shortages in elder care and health professions, risking the quality of services provided by municipalities and counties.

¹⁰¹ <https://equineteurope.org/eb/cp-slug-11/>

¹⁰² <https://luxembourg.public.lu/en/living/quality-of-life/discrimination.html>

¹⁰³ <https://sweden.se/life/society/elderly-care-in-sweden>

134. In Italy, competence is shared across levels of government. The national government defines broad frameworks and allocates funding, while the regions regulate and finance most long-term care services.¹⁰⁴ Municipalities, together with local health authorities, are responsible for direct service delivery, ranging from home care to residential services. This decentralised model enables regional and local innovation, but it also results in significant territorial inequalities. While some regions have developed advanced integrated care models, others lag behind due to limited resources or administrative fragmentation, underscoring the importance of governance capacity at the subnational level.

135. Luxembourg represents a more centralised model, with the Ministry of Family Affairs overseeing elder care policy, accrediting providers, and supervising long-term care institutions. The adopted Law on service quality for the elderly strengthens quality controls and oversight mechanisms, ensuring consistent standards across the country.¹⁰⁵ Nevertheless, municipalities also play a role through local “seniors’ services,”¹⁰⁶ offering support such as meals-on-wheels, home assistance, and community activities. This mix of strong national leadership and complementary local action illustrates how even in centralised systems, municipalities can contribute to the social protection of older persons by addressing community-level needs.

3.3.4 Poverty and Social Exclusion

136. At the European level, a specific provision in the European Social Charter (revised), Article 30, provides for protection against poverty and social exclusion. At international level, the ICESCR does not enshrine such a specific right. Still, several rights incorporated in the Covenant, including the right to social security (Art 9) or an adequate standard of living (Art 11) incorporate similar safeguards in protection.

137. Addressing poverty and social exclusion is widely recognised as a core competence (and, more generally, responsibility) of local and regional authorities. Among 23 respondents, 78% indicated that competence for these issues lies at the local and/or regional level, with 73% identifying local authorities and 43% identifying regional authorities as responsible actors. In several countries, including Switzerland, Italy, the United Kingdom, and Ukraine, responsibilities are shared across governance levels, reflecting the complex and overlapping nature of social protection frameworks.

138. Italy’s regional governments have substantial authority over social policies, but local municipalities play essential roles in service delivery, resulting in overlapping competences/responsibilities. In the United Kingdom, recent austerity measures and shifts in welfare policy have led to variation in how poverty alleviation is managed across devolved regions and local authorities, and the response marking poverty as “not applicable” may reflect jurisdictional differences or uncertainty about the precise locus of competence. Luxembourg’s emphasis on national government involvement aligns with its centralised social welfare model, where national authorities predominantly oversee social policy, even as local governments contribute.

139. Other countries demonstrate variations in competence allocation. In Austria, the competence for tackling poverty and social exclusion is primarily exercised at the level of all nine provinces, which oversee regional social assistance systems, while municipalities implement emergency assistance, housing support, and integration services.¹⁰⁷ Countries such as Denmark and Sweden place primary competence in supporting people at risk of poverty and exclusion on municipalities, which are expected to administer integration policies. In Sweden, the 2016 Settlement Law requires municipalities to provide accommodation for newly arrived refugees, while also overseeing services such as education and social assistance, which are essential for tackling poverty and exclusion¹⁰⁸.

¹⁰⁴ <https://pmc.ncbi.nlm.nih.gov/articles/PMC12066302/>

¹⁰⁵

https://mfsva.gouvernement.lu/en/actualites/gouvernement2024%2Ben%2Bactualites%2Btoutes_actualites%2Bcommuniques%2B2023%2B07-juillet%2B20-vote-chd-agees.html

¹⁰⁶ <https://www.vdl.lu/en/the-city/city-departments-at-your-service/service-seniors>

¹⁰⁷ <https://www.eurofound.europa.eu/de/publications/all/austrian-provinces-take-minimum-income-scheme>

¹⁰⁸ <https://www.glimer.eu/wp-content/uploads/2019/02/Sweden-WP3.pdf#:~:text=In%202016%20the%20Swedish%20government%20introduced%20a%20Settlement,organise%20accommodation%20for%20a%20specified%20number%20of%20refugees.>

140. In smaller or more centralised states, competences are usually retained nationally. Luxembourg's Ministry of Family Affairs and National Solidarity Fund oversee minimum income schemes and housing benefits, with municipalities providing complementary community support.¹⁰⁹ Cyprus adopts a similar model: the Social Welfare Services under the Ministry of Labour, Welfare and Social Insurance directly manage most poverty reduction measures, with municipalities engaged only in supplementary roles.¹¹⁰ San Marino's small scale means that the Department of Social Security and the *Istituto per la Sicurezza Sociale* carry almost exclusive responsibility for anti-poverty measures, leaving municipalities with a limited community role.¹¹¹ In the Netherlands, the 2015 Social Support Act placed responsibility for poverty prevention, debt counselling, and social inclusion almost entirely with municipalities,¹¹² while national authorities maintain oversight and inspection functions.

141. Undoubtedly, municipalities play a crucial role in addressing poverty and social exclusion. The Turkey monitoring report of 24 March 2022 notes that municipalities may also carry out "optional" functions in areas such as social services, education, culture and sports, occupational courses, home care for vulnerable populations, and construction and maintenance of state schools. Municipalities also have the authority to issue binding local regulations, enabling them to tailor interventions to the specific needs of their communities.

142. In sum, the role of local and regional authorities in addressing poverty and social exclusion is extensive. This is efficient because local and regional authorities know best where the biggest problems of poverty and social exclusion are situated in their area and what solutions might work best.

4. CONCLUSIONS & RECOMMENDATIONS

4.1 Summary of main findings and conclusions

143. The distribution of competences between local and regional authorities for the provision of social rights and social services varies considerably across Europe. Key determinants for the role of local and regional authorities in this area include their formal competences as outlined in the constitutional and legal frameworks of the respective countries. Competences also vary depending on whether a country is organised federally or centrally, or the degree of devolution in different national contexts.

144. Moreover, the role of regional authorities will depend, among other things, on the evolution of regions in the governance systems or the size of countries (e.g. regions play a minor role at most in small States, such as Luxembourg or microstates such as San Marino). From the comparative study of countries, it appears that regional governments regularly have substantial authority over social policies, and that local municipalities more often play essential roles in service delivery,

145. Respondents frequently reported a high degree of complexity in the allocation of powers, combined with resource constraints (including limited human, financial, and administrative capacity) that restrict the ability of local and regional authorities to perform their functions effectively. Many remain heavily dependent on central funding, with limited discretion to generate or manage their own revenues. As a result, local authorities often exercise consultative or administrative functions, with key decisions requiring coordination with, or approval from, central agencies. For example, the Republic of Moldova's monitoring report (4 April 2019) highlights several limitations: a) relatively low local competences; b) total dependence on state transfers and subsidies; c) limited capacity to frame and implement policies in the interest of residents; d) insufficient human resources; and e) small local budgets relative to total public expenditure. Moldovan indicators remain below the European average, underscoring the need to better align local financial resources with competences, clarify supervision and division of responsibilities, and promote more diversified and flexible revenue systems (as also highlighted in the monitoring report of Germany of 22 March 2022). Insufficient consultation and dialogue between governance levels - federal and local, as well as regional and municipal - further compound these challenges.

¹⁰⁹ <https://mfsva.gouvernement.lu/en/le-ministere/attributions.html>

¹¹⁰ https://www.dmsw.gov.cy/dmsw/sws.nsf/home_en/home_en?opendocument

¹¹¹ <https://www.iss.sm/on-line/home.html>

¹¹² <https://www.government.nl/topics/care-and-support-at-home/social-support-act-wmo>

146. In certain policy areas, such as work and working conditions, the intervention by local and regional authorities appears to be limited by a lack of formal competences assigned or the lack of funding for such responsibilities. Strong coordination mechanisms between national and subnational authorities are therefore essential to reflect local labour market needs in national policies and services, while upholding international standards, backed by appropriate financial mechanisms and resources.

147. Some policy areas, such as housing or education, are delivered more effectively at subnational levels, in line with the principle of subsidiarity. This is because local and regional authorities are closest to the population and particularly responsive to their needs. However, once again the effective guarantee of social rights and delivery of relevant services by local and regional authorities depends not only on formal competences, but also on the level of financial, administrative and staff resources assigned.

148. Some of the examples included in this report show that alongside meeting their formal responsibilities for social rights, local and regional authorities sometimes pursue more proactive and complementary political strategies and measures. Examples include social protection plans coordinating initiatives across or within municipalities, initiatives engaging the wider population to promote social inclusion, respect and tolerance, and fostering intergenerational and intercultural connections. In close co-operation with civil society organisations, such measures could further enhance social cohesion and the effectiveness and impact of social rights policies and service delivery within local and regional communities.

149. Overall, it is evident that next to a clear and coherent distribution of responsibilities within a state's governance system, better coordination of policies between levels of governance will produce better results, especially in cases where competences involve all administrative levels. Moreover, close co-operation between agencies at different levels is essential. Joint planning, resource-sharing and participatory decision-making is crucial for the effective delivery of social rights and services by local and regional authorities.

150. Social justice is widely recognised as a factor for social cohesion and democratic stability. Where social rights are not delivered equally between territories of a member State, disparities grow between regions, cities and towns – and between different groups in society. This can create feelings of injustice and discrimination that in turn lead to political polarization and radicalization - phenomena that are all too familiar in contemporary European societies and which public policy should seek to prevent.

4.2 General recommendations

For social rights to be best addressed at local and regional levels:

151. There should be a clear delineation of competences between local and regional as well as national authorities.

152. Where local and regional authorities hold relevant formal competences, such devolution of competences should be followed by the provision of sufficient means - i.e. financial, administrative and staff resources which are essential for the effective exercise of these competences and, accordingly, the realisation of social rights.

153. Mechanisms to foster coordination and co-operation between different levels and agencies should be put in place especially in case of shared competences to reduce overlap, duplication and inconsistencies.

154. Efforts to strengthen/enhance coordination and co-operation between different authorities (local, regional and national) are needed; they should be ongoing and draw on previous and comparative experiences. In doing so, communication between different levels within a country as well as between countries should be facilitated.

For further work to be undertaken by the Congress:

155. The Congress should continue to focus on promoting social rights as a cornerstone of stable democracies and effective human rights protection. In doing so, it should particularly pay attention to the competences of local and regional authorities, aligning with the principle of subsidiarity and the assumption that many social services are delivered most effectively and fairly at subnational levels, closest to citizens.

156. To support the work done by the European Committee of Social Rights, the Congress of Local and Regional Authorities should raise with relevant local and regional authorities, via national delegations, failures to comply with the case law of the European Committee of Social Rights, in the same way that it seeks to assist with the execution of the judgments of the European Court of Human Rights.

APPENDIX I

Overview of the distribution of competences in Council of Europe member States¹¹³

	Work and Fair Working Conditions		Social Protection		Health and Safety		Education		Housing	
Albania			Local		Local		Local			
Andorra					Local					
Armenia	Not informed**									
Austria*	Local	Regional	Local	Regional		Regional	Local	Regional	Local	
Azerbaijan	Local		Local		Local		Local			
Belgium			Local	Regional	Local	Regional		Regional	Local	
Bosnia and Herzegovina	Local				Local		Local		Local	
Bulgaria		Regional	Local	Regional	Local	Regional	Local	Regional	Local	
Croatia	Not informed									
Cyprus		Regional	Local	Regional	Local	Regional		Regional	Local	Regional
Czechia	Local	NA	Local	Regional	Local	Regional	Local	Regional	Local	
Denmark	Local		Local	Regional	Local	Regional	Local		Local	
Estonia	Local		Local		Local		Local		Local	
Finland	Local		Local	Regional	Local	Regional	Local		Local	Regional
France	NA***	NA	Local	Regional	NA	NA	NA	NA	NA	NA
Georgia				Regional		Regional	Local			
Germany	Local				Local		Local			
Greece			Local				Local	Regional		
Hungary	Not informed									
Iceland			Local				Local			
Ireland	No information available									
Italy		Regional	Local	Regional	Local	Regional	Local	Regional	Local	Regional
Latvia	Local		Local		Local		Local		Local	
Liechtenstein	Local		Local				Local*		Local	
Lithuania	Not informed									
Luxembourg ¹¹⁴	Local		Local		Local		Local		Local	
Malta	Local	Regional	Local	Regional	Local	Regional	Local	Regional		
Monaco	Not informed									
Montenegro	Local		Local		Local		Local			
Netherlands	NA	NA	Local		Local	Regional	Local	Regional*	Local	Regional
North Macedonia			Local		Local		Local			
Norway	Local		Local		Local		Local			
Poland	Not informed									
Portugal	Not informed									
Republic of Moldova	Not informed									
Romania			Local		Local		Local		Local	
San Marino	NA	NA	Local		NA	NA	NA	NA	NA	NA
Serbia	Not informed									
Slovak Republic					Local	Regional	Local	Regional	Local	Regional
Slovenia			Local		Local*		Local		Local	
Spain			Local		Local		Local			
Sweden	Local	Regional	Local			Regional	Local		Local	
Switzerland	NA	Regional	Local	Regional		Regional	Local	Regional	Localq	Regional
Türkiye	Local		Local		Local	Regional	Local	Regional		
United Kingdom	Local	Regional	NA	Regional	Local	Regional		Regional	Local	Regional
Ukraine	Local	Regional	Local	Regional	Local	Regional	Local	Regional	Local	Regional

¹¹³ Technical explanations for reading the two tables:

* Highlighted in grey: all delegations having contributed to the survey led by the Congress secretariat.

** No information for this country provided by this delegation via the survey or available through other sources

NA***: single categories indicated as "non applicable" via the survey

¹¹⁴ With regard to Luxembourg, it is important to underline that the competence for the various subjects listed in this report is always shared between national and local levels, according to variable distribution patterns, but always with interaction between the two. This will also be the case in other countries, but is not reflected in the table itself, as the national level was not specifically addressed by the present report. The aspect of distribution of competences between national and subnational levels could be further specified by future additional research.

**Overview of the distribution of competences for cross-cutting dimensions
in Council of Europe member States**

	Protection of Children and Young People		Non-discrimination and protection of marginalised groups		Social Protection of Older Persons		Poverty and Social Exclusion	
Albania	Not informed*							
Andorra	Not informed							
Armenia	Not informed							
Austria	Local	Regional	Local		Local	Regional		Regional
Azerbaijan	Not informed							
Belgium	Not informed							
Bosnia and Herzegovina	Not informed							
Bulgaria	Local	Regional	Local	NA	Local		Local	Regional
Croatia								
Cyprus	Local	Regional	Local	NA	Local	Regional	Local	Regional
Czechia	Local		Local		Local			Regional
Denmark	Local	Regional	Local		Local	Regional	Local	
Estonia	Local		Local		Local		Local	
Finland	Local	Regional	Local	Regional		Regional		Regional
France	Local		Local	NA	Local		Local	
Georgia	Not informed							
Germany	Not informed							
Greece	Not informed							
Hungary	Not informed							
Iceland	Not informed							
Ireland	Not informed							
Italy	Local	Regional	Local	Regional	Local	Regional	Local	Regional
Latvia	Not informed							
Liechtenstein	Not informed							
Lithuania	Not informed							
Luxembourg ¹¹⁵	Local		Local		Local		Local	
Malta	Not informed							
Monaco	Not informed							
Montenegro	Not informed							
Netherlands	Local		Local		Local		Local	
North Macedonia	Not informed							
Norway	Not informed							
Poland	Not informed							
Portugal	Not informed							
Republic of Moldova	Not informed							
Romania	Not informed							
San Marino	Local		Local			NA	NA	Local
Serbia	Not informed							
Slovak Republic	Not informed							
Slovenia	Not informed							
Spain	Not informed							
Sweden	Local		Local	Regional	Local		Local	
Switzerland	Local	Regional	Local	Regional	Local	Regional	Local	Regional
Türkiye	Not informed							
United Kingdom		Regional	Local	Regional		Regional	Local	Regional
Ukraine	Local	Regional		Regional	Loca	Regional	Local	Regional

¹¹⁵ With regard to Luxembourg, it is important to underline that the competence for the various subjects listed in this report is always shared between national and local levels, according to variable distribution patterns, but always with interaction between the two. This will also be the case in other countries, but is not reflected in the table itself, as the national level was not specifically addressed by the present report. The aspect of distribution of competences between national and subnational levels could be further specified by future additional research.

APPENDIX II

Questions used in the survey

1. *For which social rights do local and regional authorities have a formal competency within the national administrative system with regard to their implementation?*
2. *For each social right, please indicate if the competence is local or regional, or other.*
3. *How would you rate the effectiveness of local and regional authorities in guaranteeing the protection and promotion of social rights? If effectiveness is limited, please specify the major obstacles (e.g. lack of funding, lack of clarity of responsibilities, and decision-making procedures, etc.) in the provided commentary box.*
4. *What are the areas where local and regional authorities in your country are performing particularly well in implementing social rights? Please specify further in the provided commentary box.*
5. *What are the areas where local and regional authorities in in your country face challenges in implementing social rights? Please specify further in the provided commentary box.*
6. *Is there anything else you would like to share about the role of local and regional authorities in the implementation and protection of social rights?*

APPENDIX III

Responding countries (represented by national associations or local and regional authorities)

Austria – 2 respondents
Bulgaria – 2 respondents
Cyprus – 1 respondent
Czechia – 1 respondent
Denmark – 1 respondent
Estonia – 1 respondent
Finland – 1 respondent
France – 1 respondent
Italy - 3 respondents
Luxembourg – 2 respondents
San Marino – 1 respondent
Sweden – 1 respondent
Switzerland – 3 respondents
The Netherlands – 1 respondent
The United Kingdom – 2 respondents
Ukraine – 1 respondent

TOTAL – 23 respondents