

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 109 (2002)¹ on local and regional democracy in Greece

The Congress,

1. Recalling:

a. Article 2, paragraph 3 of the Committee of Ministers' Statutory Resolution (2000) 1, which stipulates that the Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member states and in states which have applied to join the Council of Europe, and shall ensure, in particular, that the principles of the European Charter of Local Self-Government are implemented;

b. CLRAE Resolutions 31 (1996), 58 (1997) and 106 (2000) defining the broad principles for the preparation of such reports;

c. the request from the Greek Union of Prefectures (ENAE) that the Institutional Committee of the Chamber of Regions prepare a report on the situation of local democracy in Greece, following various measures taken by the Greek Government which, according to the ENAE complaint, removed fundamental powers and responsibilities from the prefectures (territorial authorities) and transferred them to state administrative authorities, in particular the regional state officers;

d. the decision of the Institutional Committee to prepare a report on the situation of local and regional democracy in Greece, based on the initial findings of the official visit to Athens on 10 and 11 April 2001;

e. the information report on the situation of local and regional democracy in Greece prepared by rapporteurs Mr Guido Rhodio (Italy, L) and Mr Lambert Van Nistelrooij (Netherlands, R) following two official visits to Athens, on 10 and 11 April and from 28 to 30 October 2001;

2. Thanking:

a. the Greek Government and Parliament for their co-operation and their constructive attitude during the preparation of the report;

b. the associations of municipalities (Union of Greek Cities and Municipalities, KEDKE) and prefectures (the Greek National Union of Prefectures, ENAE) for the information they provided and for their welcome and hospitality;

c. CLRAE consultant Professor Gérard Marcou and the secretariat for assisting the rapporteurs with the preparation of their report;

3. Considering that:

a. the administrative structure of Greece at present comprises two levels of local authority with elected bodies, the *Demoi* (1 033 municipalities and communes) and the *Nomoi* (50 prefectures), plus the *Periferia* (13 regional branches of central government, headed by a secretary general for each region, appointed by the governor.

b. the constitutional reform of April 2001, amending Article 102, stipulates that there are two tiers of local authority but does not indicate what the two levels are, and also that the law may delegate central government powers to the local authorities provided that the corresponding resources are also transferred;

c. the elections to renew the elected councils of the *Demoi* and *Nomoi* for a four-year term ending in 2006 are to be held on 13 October 2002;

d. the European Union's Community Support Framework (CSF) for 2001-2006, which is an important source of funding for the local authorities and prefectures in Greece, the funds being distributed through the regional state officers, will also come to an end in 2006, and that the CSF will have to be reviewed in preparation for the admission of a number of central and east European countries to the European Union;

4. Convinced that in the coming months the Greek Government and Parliament will examine the various options for reforming the administrative framework and prepare, examine and pass new laws to implement Article 102 of the Greek Constitution, and in particular to define and institute the two levels of local authority,

5. Recommends that:

a. the Greek Government, Parliament and other authorities take into account the following recommendations, suggestions and considerations when reorganising the local authorities:

i. reorganisation of the administrative authorities should be carried out in conformity with the principles enshrined in the European Charter of Local Self-Government, which Greece ratified on 6 September 1989, and in the draft European charter of regional self-government adopted by the Congress in 1997;

ii. the local authorities and associations of local authorities (ENAE and KEDKE) concerned in the administrative reorganisation must be consulted before any final decision is made, in accordance with Article 4 paragraph 6 of the European Charter of Local Self-Government, and should be invited, whenever possible, to participate in the work of the parliamentary or expert committees responsible for preparing the new organisation of administrative responsibilities;

iii. between central and local government, an intermediate level of government composed of representatives elected by direct universal suffrage should be provided for, as such a level helps to cater more effectively for the needs and

interests of the citizen and reconciles political representativeness with administrative efficiency;

iv. administrative decentralisation should be matched by genuine financial decentralisation;

b. the Committee of Ministers of the Council of Europe instruct the Steering Committee on Local and Regional Democracy (CDLR) to provide any legislative and technical assistance the Greek authorities may request, through the expertise available in the CDLR's different member institutions or through the Secretariat of Directorate General I – Directorate of Co-operation for Local and Regional Democracy;

c. the KEDKE and ENAE associations and all the elected authorities at local and prefecture level in Greece, and in

particular the members of the Greek delegation to the CLRAE:

i. monitor the reform process underway in Greece, especially before and after the October 2002 elections, and ask to be consulted on the different stages of the reform, in accordance with Article 4 paragraph 6 of the European Charter of Local Self-Government;

ii. regularly inform the Congress of progress on this reform, the consultation process and any problems encountered, and let it know immediately should expert advice on a specific topic be required.

1. Debated and adopted by the Congress on 5 June 2002, 2nd Sitting (see Doc. CG (9) 5, draft recommendation, presented by Mr G. Rhodio and Mr L. Van Nistelrooij, rapporteurs).