

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 66 (1999)¹ on regional democracy in Finland

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

The Congress,

Bearing in mind the proposal of the Chamber of Regions ;

1. Bearing in mind its Resolution 31 (1996) on guiding principles for the action of the Congress when preparing reports on local and regional democracy in member states and applicant states ;²
2. Aware that Finland has a unique system of regional government based on intermunicipal co-operation geared to the country's specific requirements, particularly in relation to its geographical, economic and demographic features ;
3. Being particularly concerned with the process of regionalisation in Europe and wishing to encourage all the member states of the Council of Europe to accept its draft European charter of regional self-government ;
4. Convinced in this connection that :
 - a. the setting up of an intermediate tier of government, between central government and local authorities and comprising representatives elected by direct universal suffrage, enables citizens' interests to be served in a manner more in keeping with their needs ;
 - b. the region is an appropriate level of authority for the effective implementation of subsidiarity, which is seen as one of the basic principles to be observed with regard both to European integration and to the internal organisation of states ;
 - c. while the profound differences existing between the legal and institutional traditions of the various European countries must be taken into account, it is desirable and worthwhile to extend the process of regionalisation within European states on the basis of the principles set out in the draft European charter of regional self-government ;
5. Having regard to the report of the Working Group on regionalisation and democratic stability in Europe on Regional democracy in Finland prepared by the Rapporteur, Mr Josef Leinen (Germany) ;

1. Debated and approved by the Chamber of Regions on 15 June 1999 and adopted by the Standing Committee of the Congress on 17 June 1999 (see doc. CPR (6) 2, draft Recommendation presented by Mr J. Leinen, Rapporteur).

2. Paragraph 11 of this resolution recommends that "over a reasonable period of time all member states be the subject of a detailed report on local and regional democracy".

6. Welcoming the procedure adopted for the preparation of this report, which afforded a frank and constructive dialogue with the Finnish central, regional and local authorities concerned ;

7. Thanking the representatives of the Finnish government, parliament, regions and Association of Local and Regional Authorities for providing the rapporteur with the information needed to draw up the aforementioned report, in particular Mr Pekka Kilpi, General Director in the Ministry of the Interior, Mr Jussi Pekka Alanen, Managing Director of the Association of Local and Regional Authorities, and their staff ;

8. Considers it necessary to address the following comments and recommendations to the Finnish government and parliament :

8.1. Regarding local self-government, welcomes the fact that Finland :

- a. was among the first member states of the Council of Europe to ratify the European Charter of Local Self-Government and that the ratification of this treaty was not subject to any reservations and/or declarations restricting its field of application ;
- b. has been able to set up a system of local self-government which is based on highly democratic principles and has proved extremely effective in managing the interests of citizens at local level ;

8.2. Having regard to the legislative framework and the practical situation pertaining to the public authorities at regional level :

- a. Notes that Finland does not yet have a system of regional self-government in the sense of "(...) the right and the ability of the largest territorial authorities within each State, having elected bodies, being administratively placed between central government and local authorities and enjoying prerogatives either of self-organisation or of a type normally associated with the central authority, to manage, on their own responsibility and in the interests of their populations, a substantial share of public affairs, in accordance with the principle of subsidiarity" (Article 3, paragraph 1 of the draft European charter of regional self-government) ;
- b. Is convinced that the setting up of joint municipal boards, financed by central government and the local authorities to carry out tasks which are too extensive and too complex to be performed directly by the municipalities or the decentralised authorities of the state, represents both an economic and an efficient solution and a correct application of the principle of subsidiarity ;
- c. Recognises that the transformation of these boards into regional entities, having legal personality distinct from that of their constituent local authorities and with their own decision-making bodies, is an appropriate response to the fact that certain types of joint municipal boards cover the entire territory of the country and have major responsibilities in the fields of health, economic development – including employment policies and programmes to allocate European Community funds – and spatial planning ;

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d. Considers that in future, for various social, economic and political reasons, the territorial identity of these regional entities may be strengthened and the responsibilities of their decision-making bodies may grow, in which case the citizens should be able to choose their representatives directly, in accordance with Article 3, paragraph 2 of the European Charter of Local Self-Government ;

e. Considers moreover that Finland's regional entities, which at present constitute a complex form of intermunicipal co-operation, may also be regarded as an embryonic form of region corresponding to the definition given in paragraph a) above ;

8.3. Bearing in mind the foregoing, shares the opinion of the representatives of the Finnish government and Association of Local and Regional Authorities that, at present, Finland's system of public authorities at regional level seems to be functioning ;

8.4. Remains convinced that this system does not seem stable and sustainable and may in the long term lead to

confusion over the size of regional entities, their powers, responsibilities and financial resources, their relations with other tiers of government and the extent of their democratic accountability to the citizens ;

8.5. Asks the Finnish government and parliament in this connection :

a. to keep a close watch on changes in the regional entities which currently exist in the form of joint municipal boards, particularly with regard to the feeling of identity they engender among their population, the regional councils governing them, and the exercise of their powers ;

b. gradually to increase the role and the responsibilities of these regional councils ;

c. to be prepared to reinforce the democratic legitimacy of these councils so that they can be elected directly by the citizens, if the scale and importance of the responsibilities assigned to them by the law or the Constitution in the future so warrant.