

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 351 (2012)¹ Second-tier local authorities – intermediate governance in Europe

1. Many member States in the Council of Europe have a long tradition of a local government structure organised in several tiers. Each country, according to its own traditions and history, shapes its own institutional architecture, with a view to achieving better-targeted service provision, a good level of political representation with transparency and accountability, and an effective allocation of competences between different levels of government.

2. Furthermore, in most Council of Europe member States a number of important functions are entrusted to intermediate local authorities, such as those relating to the environment, economic development, transport and education. For these functions those authorities have resources of their own. In compliance with the principle of fiscal autonomy, those intermediate authorities benefit from fiscal resources.

3. The current financial crisis has prompted a number of national authorities to propose radical overhauls of their local government structures, with a view to simplifying these structures, reducing the number of tiers, even cutting out levels. Those authorities most at threat from such proposals are predominantly the second-tier local authorities.

4. The Congress of Local and Regional Authorities of the Council of Europe welcomes the efforts of the European associations of local and regional authorities, such as the CEMR (Council of European Municipalities and Regions), the AER (Assembly of European Regions) and the CEPLI (European Confederation of Local Intermediate Authorities), which represent the different levels of territorial authority and help to champion and defend the importance of local democracy and the application of the subsidiarity principle.

5. The Congress is particularly appreciative of the efforts of the CEPLI, to defend the intermediate level of governance in countries where it is, or has been, called into question.

6. The Congress has in particular taken note of the Salerno Manifesto adopted by the General Assembly of the Latin Arch (Ravello-Salerno, 16 March 2012) in which its members called for a renewed role for intermediate local governments in Europe and expressed the wish that any process of reforming or renewing the institutional architecture should guarantee the role of intermediate local authorities as key players in good local governance.

7. The Congress is concerned that local government re-organisation proposals are being introduced hastily and reminds all actors that the spirit of the European Charter of Local Self-Government (ETS No. 122) and the principles of multilevel governance, where responsibility is shared between different tiers of government which co-ordinate their work in a manner to best represent citizens, should be respected so that local democracy is not eroded.

8. The Congress, reaffirming the principle of subsidiarity, whereby central authorities should carry out only those tasks which cannot be performed effectively at a more intermediate or local level, is convinced that the number of tiers of decentralised authorities in a member State should be proportionate to its geographic size.

9. In this connection, the Congress is particularly concerned by the reorganisation plans, including in Italy, that indicate that these authorities will no longer be directly elected, which would weaken local democracy at this level of governance.

10. The Congress therefore, referring to the European Charter of Local Self-Government and the Council of Europe Reference Framework for Regional Democracy:

a. calls on national associations of local authorities to:

i. lobby their governments to carry out any territorial re-organisation in a careful and managed way, with proper planning and due respect for the European Charter of Local Self-Government;

ii. ask that the direct election of councillors be maintained in order to preserve local democracy at this level of governance;

iii. ensure that they are properly consulted before any reforms are introduced;

b. resolves to continue to support structures and procedures that aim at safeguarding and further developing citizens' rights, keeping their access as close as possible to political decision makers, and to co-operate with the CEMR and the CEPLI in representing the interests and developing the work and capacity of second-tier local authorities;

c. would like to see an organic reform of local intermediate authorities which, while revising territorial boundaries, reiterates, in the spirit of the European Charter of Local Self-Government, the democratic nature of these authorities and maintains the direct election of the governing organs by citizens;

d. asks its Governance Committee to keep this issue under review.

1. Debated and adopted by the Congress on 18 October 2012, 3rd Sitting (see Document [CG\(23\)13](#), explanatory memorandum), rapporteur: E. Verrengia, Italy (L, EPP/CD).