

**Monitoring Committee Meeting, 39th Session of the Congress of Local and Regional Authorities – Remote meeting, 17 September 2020**

## Speech by Andrew DISMORE (United Kingdom, SOC/G/PD)

*Check against delivery - Seul le prononcé fait foi*

### **Debate on “ Monitoring of the European Charter of Local Self-Government in Austria”**

Dear members,

I am very pleased to present you a draft report on implementation of the European Charter of Local Self-Government in Austria that we have prepared together with my co-rapporteur Marc Cools.

We visited Austria from 10 to 12 December last year and were assisted by an expert, Diana IANCU, member of the group of independent experts on the Charter.

Our visit is the second Congress monitoring visit to Austria since this country ratified the Charter in 1987. The previous monitoring report on local and regional democracy in Austria was adopted in 2011.

We arrived in Austria at a time when coalition talks between Chancellor Sebastian Kurz's conservative party - the Austrian People's Party (ÖVP) - and the Greens were still ongoing to form a new government, following the September 2019 parliamentary elections. The first Austrian "conservative-green" coalition government was sworn in a month after our visit, in January 2020.

During the visit, we were given a warm welcome by the Austrian national delegation to the Congress, the Association of Austrian Cities and the Association of Austrian Municipalities.

For the federal authorities, we met with the President of the Federal Council and senior officials from the Federal Chancellery, the Federal Ministry of the Interior and the Federal Ministry of Finance.

We also met mayors and councillors from the cities of Vienna and Graz and the municipality of Raaba-Grambach as well as regional representatives from Styria, one of the nine Austrian federal states (called Länder).

We had meetings with the President of the Austrian Court of Audit and the Secretary General of the Constitutional Court.

On behalf of our delegation, I would like to thank all the interlocutors we spoke to for their hospitality and the information they had provided to us during the whole monitoring procedure. This enabled us to draw up a detailed and comprehensive report.

To begin with, I can already tell you that our impression of local and regional self-government in Austria is globally positive.

We noted with satisfaction the legal recognition and substantial application of the principles of local self-government in Austria. Since 2011, this country has carried out a number of reforms to clarify the distribution of tasks and responsibilities between the Federation, the Länder and the municipalities.

One of the major achievements of these reforms is the establishment of the Länder administrative courts. By doing so, Austria has also fulfilled a Congress recommendation from 2011.

Austria is known for cooperative federalism which manifests itself in the culture of consultation, both formal and informal, between the federal state, the Länder and the municipalities on all proposed reforms and legislative changes.

The Federation, the Länder and the municipalities share their revenues based on the Intergovernmental Fiscal Relations Act. This act is periodically negotiated between the federal Minister of Finance, representatives of Länder and the local governments. In the event of an alleged breach of the Act, a matter can be taken to court.

The Federal Constitution also allows the Länder to conclude agreements among them or with the Federation on matters within their respective spheres of action.

On the other hand, Austrian federalism is also centralised since in practice the legislative powers of the Länder are much more limited than their executive powers.

Austria has a system of indirect federal administration according to which the Länder and the municipalities implement a large share of federal tasks on behalf of the Federation.

Mayors in Austria wear two hats. In addition to their own tasks and responsibilities as local elected representatives, they must follow the instructions of the federal or Länder authorities when they implement delegated tasks.

Marc Cools will continue with our recommendations.

Thank you for your attention.