

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## **Recommendation 203 (2006)<sup>1</sup> on the compliance of Norwegian legislation with Article 11 of the European Charter of Local Self- Government**

The Congress, further to a proposal from its Institutional Committee,

1. Having regard to:

- a.* its Charter and Statutory Resolution (2000) 1;
- b.* the European Charter of Local Self-Government (ETS No. 122);
- c.* the request for an opinion submitted by the Norwegian delegation to the Congress regarding Norway, asking it to consider the extent to which Norwegian law, as reflected in the case law of the domestic courts, complies with Article 11 of the European Charter of Local Self-Government;

2. Referring to the reasoned opinion of the Group of Independent Experts on the European Charter of Local Self-Government adopted on 5 October 2006 in Perugia (Italy) and endorsed by the Institutional Committee in Strasbourg on 16 October 2006;

3. Recommends that the Norwegian authorities bring their legislation and judicial practice into compliance with Article 11 of the European Charter of Local Self-Government by guaranteeing, in their domestic legal system, local authorities the right, and the full exercise of that right, to judicial remedies against decisions taken by the state administration in the situations covered in the appendix to the explanatory memorandum in order to ensure the free exercise of their powers and respect for such principles of local self-government as are enshrined in domestic legislation;

4. Invites the Committee of Ministers to transmit to the Norwegian authorities the present recommendation and the explanatory memorandum containing the reasoned opinion.

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1. Debated and approved by the Chamber of Local Authorities on 14 November 2006 and adopted by the Standing Committee of the Congress on 15 November 2006 (see Document CPL(13)7, draft recommendation presented by M. Barker (United Kingdom, L, SOC), rapporteur).