

# **Reform for Better Governance**

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# Reforms of territorial governance

- Common problems:
  - Finances and budget cuts
  - EU membership:  
cohesion policies and stability pact
- Declared aim: improving efficiency!
- Differentiation:
  - Categories of States
  - Regional and local levels
- Balance: guarantees - change

# Recent CLRAE reports

- Congress of Local and Regional Authorities in Europe, Recommendation 385(2016): ***Autonomy and borders in an evolving Europe. Principles, frameworks and procedures for protecting and modifying status, competences and borders of sub-national entities within domestic law***, 24 March 2016 (Rapporteur: K.-H. Lambertz)
  - Merloni, Francesco (ed.), ***Regionalisation Trends in European Countries 2007-2015***. A study by members of the Group of Independent Experts of the ECLSG, March 2016 (Basis for Resolution 390(2015) 2 of CLRAE)
- + Venice Commission

# Areas of intervention: Regional level

- **Status:**  
protection through entrenchment  
and/or bilateral relations
- **Competencies (and finances):**  
guarantees and flexibility
- **Boundaries:**  
entrenched procedures
- **Participation and  
relations between levels of government:**
  - institutions and procedures
  - Courts

# Change 2007-2015? Regional level

- **Little change:** Albania, Bosnia, Croatia, Denmark, Finland, Georgia, the Netherlands, Norway, Portugal (mainland), Romania, Slovakia, Sweden
- **Recentralisation:** Hungary, Serbia, Ukraine
- **Experimentation:** Greece, Ireland, France, Sweden, Russia
- **Minor change in strong regions:** Austria, Germany, Italy, Portugal (Azores, Madeira), Spain, Switzerland
- **Substantial change:** Belgium, UK
- **Non-regionalized countries**

# Areas of intervention: local authorities

- Major local government reforms in a number of countries
- Constitutional or legal entrenchment of LSG
- “Rationalization” affects status, boundaries or competencies:
  - a) amalgamation, merger (Denmark, Ireland, Albania, Greece)
  - b) intermunicipal cooperation by association (Spain, France, Italy)
- Other issues:
  - Adequacy between powers and financial resources
  - Right to property
  - ...

# Conclusive remarks

- Trends:
  - More differentiation between weak and strong Regions
  - Pressure on intermediate tier
  - Rationalisation at municipal level
- But: different models – different recipes!
- Recommendations for reform procedure:
  1. *Legal certainty and transparency:*  
legal or constitutional entrenchment
  2. *Inclusive reform?*  
Consultation and participation!