



"European standards of local selfgovernment and EU regional policy"/ «Європейські стандарти місцевого самоврядування та регіональна політика ЄС» Jean Monnet Module

## Lecture: European Standards of Local Self-Government



- 1) Legal regulation
- 2) Committee of Regions
- 3) Council of Europe



# Constitutional status of local self-government

The Lisbon Treaty, first time the right to local self--government was mentioned in one of the EU's treaties (Art. 4.2 TEU). The reference to local self---government indicates its increasing role in EU affairs, and manifests the constitutional recognition of a 'Europe of four levels'

### **Article 4 TEU**

#### 1...

2. The Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government. It shall respect their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State.



### **Article 4 TEU**

3. Pursuant to the principle of sincere cooperation, the Union and the Member States shall, in full mutual respect, assist each other in carrying out tasks which flow from the Treaties.

The Member States shall take any appropriate measure, general or particular, to ensure fulfilment of the obligations arising out of the Treaties or resulting from the acts of the institutions of the Union.

The Member States shall facilitate the achievement of the Union's tasks and refrain from any measure which could jeopardise the attainment of the Union's objectives.'

### Article 5 TEU

- 1. The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality.
- 2. Under the principle of conferral, the Union shall act only within the limits of the competences conferred upon it by the Member States in the Treaties to attain the objectives set out therein. Competences not conferred upon the Union in the Treaties remain with the Member States.

### Article 5 TEU

3. Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.

The institutions of the Union shall apply the principle of subsidiarity as laid down in the Protocol on the application of the principles of subsidiarity and proportionality. National Parliaments ensure compliance with the principle of subsidiarity in accordance with the procedure set out in that Protocol.

### Article 5 TEU

4. Under the principle of proportionality, the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties.

The institutions of the Union shall apply the principle of proportionality as laid down in the Protocol on the application of the principles of subsidiarity and

proportionality.



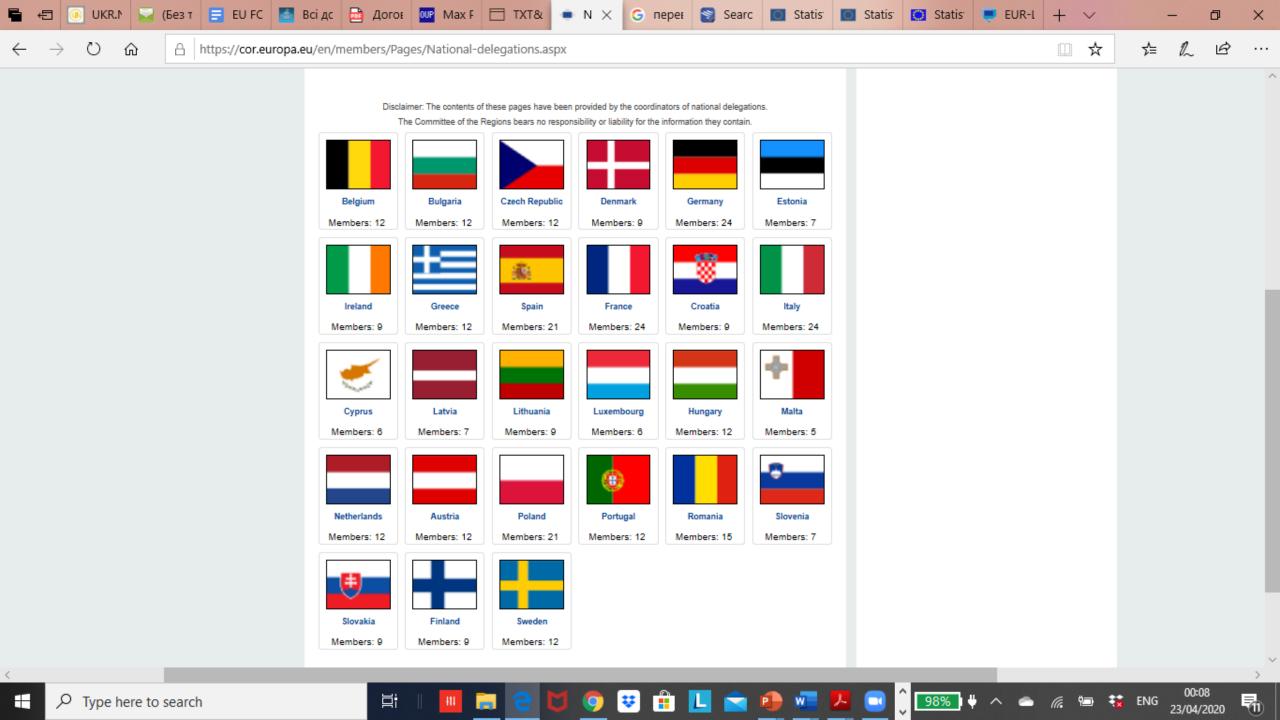
## European Committee of the Regions

### Composition:

329-members are appointed by the Council of the European Union upon proposal of the Member States.

Gathers in Brussels a few times a year (6 plenary sessions) to discuss political priorities and adopt opinions on EU legislation.





## European Committee of the Regions Functions:

Promoting dialogue and cross-border cooperation; Consultations to the EU institutes;

Monitoring, assessment of the EU legislation and its implementation;

Fostering horizontal territorial cooperation; Network coordination, best practices exchange both at the European level and beyond.



## European Committee of the Regions

CoR intervenes at several stages of the EU law-making process. CoR commissions draft opinions on EU legislative proposals and members gather in plenary to vote and adopt those opinions.

The CoR also works closely with national, regional and local authorities, making their voices heard and fostering political debate, not only in Brussels, but also in EU regions and cities, outside Europe and online.

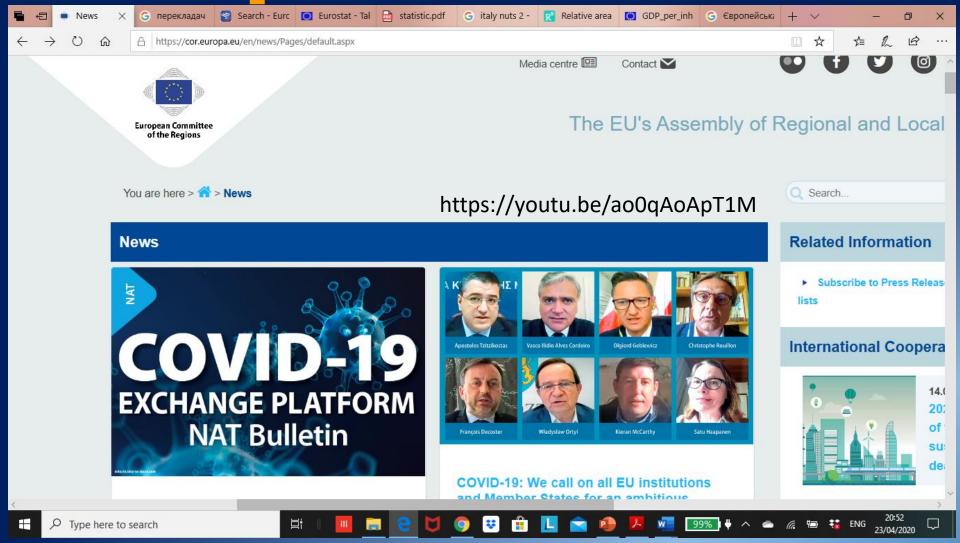
## President of the European Committee of the Regions



Apostolos Tzitzikostas



https://cor.europa.eu/en/news/Pages/de fault.aspx



## The Council of Europe

- COUNCIL OF EUROPE
- CoE is aimed to uphold human rights, consell de l'el de democracy and the rule of law in Europe
- Founded in 1949
- 47 member states, with a population of approximately 820 million
- Annual budget of approximately 500 million euros



### The Council of Europe

- ·Secretary General: Marija Pejčinović Burić
- · Official languages: English, French; Other working languages: German, Italian, Russian
- · Headquarters: Strasbourg, France
- President of the Committee of Ministers: David Zalkaliani
- President of the Parliamentary Assembly:
  Rik Daems
- Subsidiaries: European Court of Human Rights



### Congress of Local and Regional Authorities

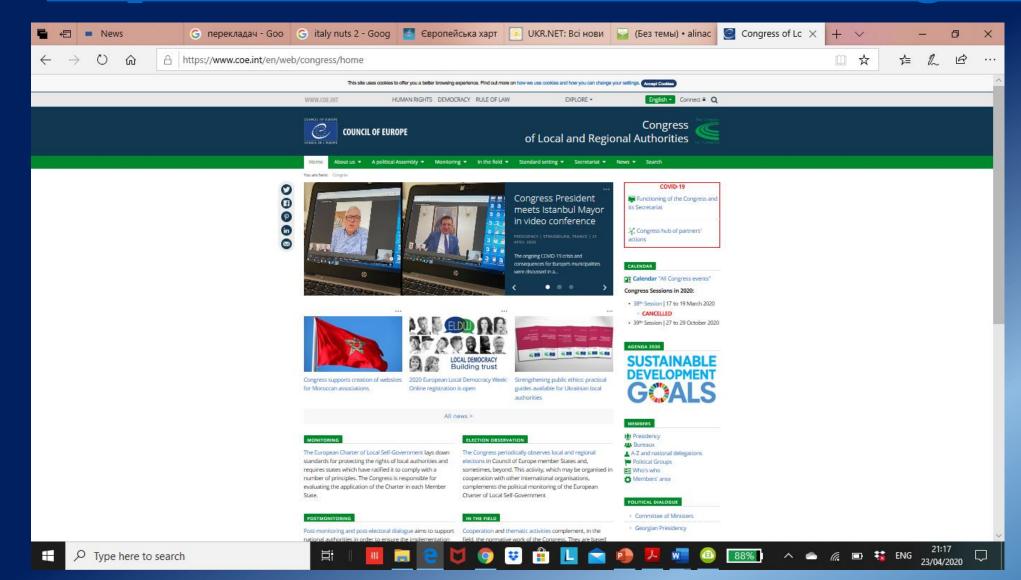
- National delegations to the Congress comprise representatives of local and regional authorities in the CE 47 member states.
- · directly elected and hold a general mandate in a local or regional authority or are politically answerable to a directly elected assembly.
- Representatives and Substitutes are appointed for a four-year term in accordance with each individual member state's own procedure. Within national delegations, members are divided between the Congress' two chambers, the Chamber of Local Authorities and the Chamber of Regions.

### Congress of Local and Regional Authorities Every delegation has to comply with the rules on fair representation:

- · Balanced geographical distribution
- Fair representation of the different categories of local and regional authority
- Fair representation of the different political tendencies represented on local and regional authority organs;
- · Fair representation of women and men.

## Congress of Local and Regional Authorities

https://www.coe.int/en/web/congress







## Thank you for your attention!