



Political Conference 2019, Toulouse
"Territorial reforms in Europe: in the public service of the citizen?"
Report

On November 14, CEPLI organised its annual policy conference on the future of Intermediate Authorities in Europe at the premises of the department of Haute Garonne in Toulouse.

Mr. Meric, President of the Departmental Council of Haute Garonne, opened the conference. "A new and ambitious stage is being opened in Europe by re-engaging citizens in the reconstruction process. This requires respect for local authorities. It is essential, he said, to find a balance between rural and urban areas in order to ensure social cohesion.

The question of coexistence at the European level is our business. This means reducing inequalities, sharing, putting the human being at the heart of the project. The European project must be relaunched, and the intermediate level has a key role to play.

Mr Viola, President of CEPLI, recalled that this conference was being held just over ten years after the creation of the network, whose initial aim was to make the voice of our local and regional authorities heard at the European level.

European legislation has a direct impact on these communities, and intermediate local authorities implement it in our territories. Local authorities manage European funds, which legitimises this level of administration.

The European level has not yet recognised the importance of local intermediate authorities as a safety net for citizens.

This level of administration has been weakened in many countries since 2008 and the subsequent economic and financial crisis. This conference will provide an opportunity to examine the situation.

Benoît Cathala, head of the European mission of the CNFPT, briefly presents the barometer of institutional reforms in Europe. This barometer highlights a paradigm shift since 2008 towards greater centralisation, especially in the management of public finances.

This is reflected in a very clear observation: a decrease in the number of local authorities in Europe. At the same time, there has been an increase in the power of intermunicipalities/greater metropolitan areas and/or a strengthening of the Regions.

Finally, the initial objective to explain this decrease in the number of local intermediate authorities is to achieve economies of scale. However, this hypothesis does not seem to be confirmed in practice.

To consult this barometer: <https://barometre-reformes.eu/>

Madame Isabelle Boudineau, President of the COTER Commission of the Committee of the Regions

Isabelle Boudineau pointed out that, at a time when the European project is weakened, it is important to refocus on citizens and territories. Solidarity and cohesion must once again be essential pillars. The Committee of the Regions is therefore trying to fight to strengthen cohesion policy.

At present, two thirds of European legislation are implemented at a sub-regional level; the Committee must therefore ensure that these levels are well represented at the European level, based on the experience of local elected representatives.

National associations have a key role to play, acting as intermediaries between the communities and the Committee.

He cited the "Cohesion Alliance" initiative, which had brought together more than 12,000 signatories for a collective appeal for strong cohesion after 2020. This policy must remain open to all, despite the reduction in the budget.

The Committee believes that the European project should be based more on proximity, solidarity and cohesion. Citizens must be helped to perceive the positive effects of European policies on their territory. This requires better communication of Europe on a daily basis in our communities. The Structural Funds represent the face of Europe in our territories.

It is essential to strengthen citizen participation, the principle of subsidiarity and the principle of multi-level governance. Centralisation is not a method for the future, as Europe needs differentiated solutions based on local ecosystems. Territories are Europe's future.

The future of local authorities in Europe, Monsieur Emile Turc

Emile Turc, Professor at the Institute of Public Management and Territorial Governance of Aix-en-Provence, presents the results of the COST study on the future of local administrations in Europe. This paper identifies the impacts of the various public sector reforms in Europe and the mechanisms by which these reforms are implemented.

However, it points out that comparative research in Europe is delicate because institutional systems differ from state to state, from region to region.

These different waves of reform have been applied in a differentiated and disconnected manner. Some reforms have reinforced one another and others have been cancelled.

The work focused on three principles: local autonomy, local public service provision and participatory instruments.

It points out, in particular, the detrimental effects of austerity on local autonomy. Autonomy and well-accepted financial distribution increase citizen satisfaction. It is therefore essential to enable communities to organise their administration according to their situation and needs.

The study is available on the CEPLI website: www.cepli.eu

ESPON Programme : overview of territorial forecasting - scenarios on the evolution of territories, Monsieur Erik Gloersen

Erik Gloersen, ESPON Space Forecast, analyses the perspectives set out in the ESPON European Territorial Reference Framework.

Between 2010 and 2019 many changes have been observed: tourism as a factor of global change, stagnation of globalisation, generalisation of the Internet, climate change, Eurosceptic movements...

This implies a fragmentation and disintegration of social ties, increasingly strong interdependencies between territories.

It is therefore necessary to adapt the framework of public policies to these two realities. This requires new forms of dialogue, a true multi-level governance.

By 2030, a new cooperation between territories will have to be established. By 2050, new forms of relationship with territories with more flexible cooperation.

A new type of discourse is currently emerging: taking into account Europe's diversity, promoting territorial cohesion, empowerment and autonomy of local actors. However, Europe is still mostly absent in the territories.

The territorial agenda must allow a better balance for Europe with a better quality environment, the promotion of a circular economy, sustainable connections....

Round table: Intermediate Local Authorities in Europe, and now Where are we?

European elected representatives take stock of the situation in their respective countries.

Marc Bastin, Provincial Deputy of Walloon Brabant and representative of APW (association of Walloon Provinces), highlights the particularly complex institutional contours of Belgium.

In the most recent history of our country, the creation of Regions and Communities has plunged provincial institutions into an identity crisis from which they have not yet re-emerged. Today, these 10 Provinces exercise two types of competences:

- on the one hand, as "autonomous communities", competent in all matters of provincial interest by virtue of their autonomy and aimed at seeking, insofar as it is possible, a management that is close to the citizens. A provincial interest that remains a concept not defined by law, because it is up to each province to determine its content according to the specific needs of its own territory and especially of its inhabitants;

- on the other hand, as "subordinate" or "decentralized" competences, competent for the application and execution of certain policies delegated by the other levels of power (State, Regions, Communities just mentioned).

This provincial level still offers many advantages for the citizen:

represents an intermediate level of proximity between municipalities and other levels of power, endowed with fiscal autonomy that enables it to generate its own financial capacity on the scale of its territory.

The election of their representatives is direct, which guarantees, de facto, a true democratic legitimacy as well as an important representation of their municipalities, knowing that almost 50% of the provincial elected officials also carry out a mandate at the municipal level guarantees solidarity between the different zones, whether rural or urban.

In reality, it is a real driving force of the supracommunity (concrete aid to our municipalities), which allows the concerted execution of projects that go beyond the framework of a municipal entity.

The provinces have undergone numerous reforms in the previous legislatures; reforms that affect both their functioning and their finances, as well as the reduction in the number of provincial councillors and deputies or the limitation of the operating expenses of the bodies...

The reforms have also consisted in the transfer of competences to the region in sectors such as road maintenance, housing or energy. The recent Declaration of Regional Policy focuses, this time, on the reflection on the supracommunity and the quality/price ratio of the provincial services provided.

He concluded by pointing out two essential elements:

1) identification of the "just territory": a territory that is close enough to the needs and problems to identify them, but that must be large enough to be able to meet them;

2) competences: the definition of a "fair territory" will then make it possible to work, consult and coordinate specific actions defined on the basis of a long-term diagnosis of the evolution of the territory.

Gaetano Palombelli, representative of the Union of Italian Provinces, focused his intervention on the complicated context in Italy with a failed project of reform of the local authorities.

It should be noted that the financial and organisational autonomy of the Provinces is recognised by the Constitution. But the last legislature foresaw the abolition of the Provinces and the transfer of powers to the Region. However, this project was rejected in the 2016 referendum.

However, Parliament passed a law in 2014 that gradually emptied the provinces of their content, without abolishing them. This has led to the transformation of the provinces into second-tier entities, governed by municipal administrators to the detriment of directly elected provincial officials.

The law confirmed essential functions for the provinces (sport, road management, school networks, assistance to municipalities, etc.).

The provinces currently manage 130,000 kilometres of roads and many schools, but the 2014 law necessarily limits the financial resources of the provinces. This is part of the general tendency to limit the resources of all Italian local authorities. Staff are also affected.

At present, the Italian provinces manage only 1% of Italian expenditure. This is very little compared to other European provinces. On the other hand, the Council of Europe has been concerned about the weakness and lack of capacity of the Italian provinces.

The UIP asked that the draft laws guarantee the continuity of services in the territories, that the full financial autonomy of the provinces be restored and that they be allowed to recruit new staff.

In this way, they hope to be able to give a new perspective to the Italian Provinces.

Jan Maciej Czajkowski, representative of the Polish Association of Poviats, presented the Polish case and the solutions found, although they may seem atypical in Western Europe.

In Poland, the voivodships (16) and powiat (314, to which must be added the 66 powiat cities), created in 1998, must coexist with the local communities.

In municipalities, mayors are elected by direct vote. On the other hand, indirect suffrage is used at other levels of power, which weakens the democratic legitimacy of these communities.

There is, therefore, an additional level: large cities and metropolises (powiat cities), which perform the tasks of municipalities and powiat at the same time, through a hybrid system.

In order to allow faster decision-making, the structure of the "Central Joint Committee" has been created. This Commission brings together representatives of local and central governments and allows for permanent dialogue and stability.

The Central Government seeks the backing of this Commission for any initiative it takes at the local level. The Commission is responsible for drawing up an opinion which it then forwards to Parliament.

This cooperation has therefore taken a form that has been institutionalised. The Provinces are not limited in their resources. However, they have more and more missions to fulfil without increasing their funding. This can lead to financial instability in several local authorities.

Discussions are currently taking place on the streamlining of administrative structures: mention is made in particular of strengthening the financial and administrative potential of certain local authorities and the transfer of certain competences to powiat.

José Manuel Baltar Blanco, President of Partenalia and Vice-President of CEPLI points out that the only party that wished to put an end to the activities of the Provinces failed in the last elections.

He insists on the implementation of the numerous projects carried out by the Provinces thanks to the European Funds.

Greater cooperation is needed between local authorities and Europe, in particular through the Partenalia network or CEPLI.

Partenalia is, as such, a permanent forum for debate between local authorities. Intermediate local authorities contribute to strengthening cohesion at the European level. Partenalia offers technical assistance through thematic groups, as well as an observatory of European projects that helps to establish a link between the Provinces and Europe. Today, there is a desire to expand the network.

A summit was recently held in Ourense. This led to the signing of a declaration containing several demands: direct elections and the strengthening of the role of the middle powers in particular.

André Viola, President of the Aude Department and President of CEPLI, reflects on the ongoing debate on territorial multifunctionality in France. In 2010, the Departments have suffered some attacks from all the political parties. This has led to the current model being questioned by the last three Presidents.

Nicolas Sarkozy had imagined a merger between regional and departmental elected officials. The reform was voted, but was later abolished by François Hollande, who implemented a reform of the method of electing departmental elected officials.

Emmanuel Macron had announced that he would not alter the institutional system. However, he envisages a merger between the departments and the main French cities whenever possible, and on a voluntary basis. Finally, only two mergers should take place.

In general, there has been a reduction in the autonomy of communities and especially departments.

The new decentralisation law should give rise to new powers for the departments, but there are still many concerns about their financial autonomy.

The state limits the departments' financial autonomy (both spending power and revenue power) while they will have to assume new responsibilities. This encourages departments to focus on certain core competencies.

Today, they guarantee human solidarity in the territory.

The Conference ends with an academic look at the construction of intermediate local authorities in the 21st century.

The Development of Intermediate Local Authorities in Belgium, Professor Herwig Reynaert

Herwig Reynaert, professor at the University of Ghent, analyses the case of intermediate authorities in Belgium.

He points to the different levels of administration in Belgium: the municipal level, the provincial level, the regional level and the federal level. In addition, there is the European level. In his opinion, it is important to adapt this complex institutional organisation.

He points out that the population is suspicious of politics. Today, local and regional authorities feel bound by the decisions of the State or Europe.

At the Flemish level, a reform has been launched to strengthen local administration, with consequences at provincial level.

The agreement of the Flemish Government 2014-2019 provided for the prohibition of the exercise of customisable powers. Provinces are invited to limit themselves to the exercise of territorial competences. Transfers of competences have been made, either to the Region or to the Municipalities.

This has led to a decrease in financial resources and a reduction in personnel.

To compensate for the weakness of the local authorities, the municipalities were invited to merge, through financial and administrative incentives.

He insists on the lack of visibility of the provincial level: the citizen wonders about the role of the provincial administration. There is therefore a need for better communication about the initiatives of the Province.

There is real democratic legitimacy through the direct election of provincial representatives. However, there has already been a reduction in the number of Provincial Councillors.

The Province must demonstrate that this level exists for the citizen and thanks to the citizen. In Flanders, some consider that there will be no more provincial elections in 2024. The absence of these elections could strengthen the radical movements.

Provinces need strong political leadership.

The Future of Local Government and the Role of Local Governments, Professor Tomas Font

Finally, according to Tomas Font, professor at the University of Barcelona, the development of the local level in Europe has been asymmetrical, which makes analysis very difficult.

For example, no major territorial reforms have taken place recently in Spain, unlike in other countries. In Spain, the Province does not exist in all of Spain. The intermediate level has disappeared in some autonomous communities.

Another example of diversity is that in the Basque Country, the provinces have a system of direct elections, which is not the case in other regions.

In Spain, some local authorities have created supra-municipal organisations different from the provinces.

In addition to the institutional and electoral systems, there is a great diversity of functions and competences in the intermediate governments of Europe.

What is the future for intermediate communities? This depends on decisions that are beyond the control of these communities and states. Europe has the key.

The different dynamics are, therefore, different according to the States: groupings of Municipalities, weakening of the Province (Italy), strengthening of the Provinces (Spain). In any case, attention must be paid to the process of weakening local democracy.

At the level of the European institutions, it can be observed that the Commission challenges horizontal forms of cooperation through its directives. The Council of Europe promotes municipalism.

In general, we can only observe a distance from decision-making.

Tomas Font identifies some perspectives: territories on a human scale to strengthen local democracy or the participation of local governments in social policies.

The urban phenomenon is gaining importance and is becoming a constitutional subject, in particular through the metropolis, which assume competences exercised by the State and replace the exercise of the State.

Intermediate local authorities must therefore act in areas that are not part of the city: this is a major challenge to ensure territorial cohesion and solidarity.

To this end, it is essential to identify the right territory on the basis of democratic and sustainability criteria.

Finally, it is essential to generalize direct elections for the intermediate level.

The Conference ends with the presentation of the Political Declaration, which calls for greater consideration of intermediate local authorities at the European level, which will be transmitted to the various European institutions.