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HANDBOOK OF REGIONAL STRUCTURES FOR TERRITORIAL COOPERATION

PACINTERREG – INTERACT

**Tuscany Region
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FOREWORD

Over recent decades, political authority and powers in the EU Member States have become closer to the citizens. The decentralization and the increase of local and regional democracy mobilize resources and energies in order to better address issues concerning the social cohesion in Member States.

The principles of autonomy and decentralisation and subsidiarity are currently part of the set of values shaping the distribution of governance powers in countries throughout Europe. The decentralization trends in EU Member States have several different causes, such as the need to create territorial circumscriptions that are better adapted to handle public affairs, the recognition of territorial cultural plurality and other kinds of cultural diversities, and the reduction of intermediaries in public participation in democratic decision-making. It is generally accepted belief that autonomy and decentralisation constitute additional instruments to endow European democracies with a deeper and larger dimension.

While leading to difficulties for the public sector, the process of decentralization has also offered new opportunities by strengthening the democratic legitimacy of elected leaders at regional and local level and by enhancing the political/ administrative power at the intermediate level of administrations. Local governance is believed to enhance both the legitimacy of government (by strengthening participation and accountability in policy-making) and the efficiency of public service delivery (by improving information, input and oversight).

Regions face a number of difficulties when trying to co-operate with one another across national borders. These include differences in legal frameworks, administrative structures and financial arrangements. Such difficulties can lead to serious problems for regions that are trying to implement EU-funded programmes such as Interreg, as well as when pursuing bilateral links with one another. At the same time, the interregional cooperation offers to the regions great opportunities in order to address common challenges at a supraregional level and to work together on a wide range of issues of mutual interest, by exchanging and disseminating experiences, transferring instruments, developing new approaches etc. It provides a direct added value at the European level, bringing together neighbours and partners, increasing integration and helping to understand the challenges and the opportunities that the other regions face. The importance of the territorial cooperation is also highlighted by its raising to the status of "objective" in the new programming period of the Structural Funds.

The "Handbook of regional structures for territorial cooperation", drawn up within the Pacinterreg project, aims to overwhelm the limited knowledge of local and regional administrative organisations involved in the Interreg programmes regarding the decision making and the competencies of the regional and local authorities throughout the European Union. Although almost all the European regions participate in different projects of territorial cooperation working together on regular basis, the knowledge of the different organisation of institutional responsibilities concerning territorial cooperation in the EU Member States remains still inadequate. The handbook intends to provide the regional and local authorities of the project partners with an easy and up-to-date point of reference on issues relating to the different processes of decentralization in the considered countries.

The territorial scope of the handbook regards the EU Mediterranean Member States, that's to say France, Greece, Italy, Portugal and Spain and Morocco as project partner.

The handbook constitutes an important instrument in order to lead the regional and local authorities, participating to the Pacinterreg project, to have a clear view of the legal and administrative systems of neighbour countries. It intends to provide a valid support to the local authorities in the planning and the management of territorial cooperation projects. In this way, the document intends to offer to the project partners a comprehensive view of the process of decentralization in progress in the considered countries, a description of the tiers of local government in each country and the respective distribution of the competencies and responsibilities.

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FRANCE

1. The decentralization process



There have been significant changes in the traditionally centralist territorial organisation of France over the last 20 years. In 1982, the *Deferre* act launched the first phase of devolution (*décentralisation*), recognising regions as territorial authorities, and establishing that communes, departments and regions were run freely by elected councils. During the 1980s, packages of competences (*blocs de compétences*) and financial resources were transferred to the territorial authorities.

Legislative and administrative changes during the 1990s (with the Joxe, Pasqua, Voynet and Chevènement acts) laid the groundwork for the second phase of devolution, carried out by constitutional Law 2003-276 of 28 March 2003 on the devolved organisation of the Republic. Two organic laws implementing the revision were subsequently issued: on territorial authorities' right to derogate from provisions regarding their competences (Organic Law 2003-704) and on local referendums (Organic Law 2003-705). In October 2003, the Council of Ministers also submitted a proposal for an organic law on the financial autonomy of territorial authorities.

Further transfers of powers were planned by the bill on local responsibilities, submitted to the Senate in October 2003 and under discussion in the National Assembly since the end of January 2004. Some policies on regional planning and economic development, financial management of the Structural Funds, vocational training, education and public health (regional hospital administration and funding) will be transferred to the regions. The regions will also be responsible for large-scale, sub-national infrastructure (ports, airports, canals, etc.) and there may be further transfers to other territorial authorities.

Departments remain competent in the field of social aid, in particular managing the RMI (minimum income guarantee). Law 2003-1200 decentralised the RMI and established an RMA (minimum



employment income). Departments will also be made responsible for most of the road networks which are currently a national prerogative.

Communes will play a key role in local participation in political life, emphasising grassroots policies.

Transfers regarding the educational system, vocational training and the health sector include a transfer of staff (in particular technical, manual and service staff in the national education system) who will be counted under local budgets rather than that of the state. This transfer of powers and staff will be funded mostly by resources from taxes transferred to territorial authorities: approximately EUR 13 billion for more than 130,000 officials assigned to the territorial civil service. Departments should receive EUR 8 billion (5 billion for the RMI) and the regions 3 billion, following the principle which has always guided devolution: transfer powers and financial resources simultaneously.

The last twenty years have seen increasing autonomy in Corsica, culminating in the adoption of Law 2002-92, although this process was checked in July 2003 by the negative outcome of the local referendum on the administrative transformation of the island.

Negotiation has become an important feature in the relationship between national institutions and the processes of devolution, as shown by the drafting of *contrats de plan* between state and region. These contracts provide the framework for a relationship between state and region, while the latter is linked to the local authorities and the social and economic players which act at local level.

In France, the municipal level has always been ideal for piloting management and local administration policies, and this has produced a long and rich tradition of *local public services*, set up under the Third Republic accompanied by the increasing development of local mixed economy enterprises. Inter-communal cooperation has risen over the last decade, another field enabling experimentation with new forms of negotiation, management, regulation and administration. French territorial authorities now play a key role in the relationship between the introduction of new technologies (especially in the field of telecommunications) and their use by the public, even in the difficult field of service provision.

The outlook for the reform of devolution depends on the adoption of organic and ordinary laws implementing the reform, the transfer of powers and the necessary funding, and the possibility of breaking new ground as regards the relationship between the national institutions and the territorial authorities. It is no coincidence that France has preferred administrative devolution followed by legislative devolution (ordinary and then constitutional), rather than federalisation or autonomy.

All the fears and doubts expressed by a section of French public opinion, as well as the expectations vis-à-vis this strongly innovative institutional process, will have a key influence on national and local government in the coming years.

All the ordinary legislation in the field of territorial authorities has developed to form the general code for local authorities (*CGCT*, accompanied by the pre-existing municipal code): codification is a common feature of French law.

Regionalisation/devolution of the French institutional structure continued in the 1970s under the Chaban-Delmas government, with the adoption of Law 72-619 of 5 July 1972 (*Frey Act* on the creation and organisation of the Regions, current Laws 4151-1 and 4151-2 of the *CGCT*), which gave the regions the status of regional public institutions (*établissements publics régionaux*).

With Law 82-213 of 2 March 1982 (*Defferre Act*, after the Minister of the Interior and Mayor of Marseilles – significantly called *Rights and freedoms of communes, departments and regions*: in particular Articles

3141-1 and 3213-2 of the CGCT) the region obtained definitively the status of territorial authority (Article 59) and the constitutional principle of the free administration of territorial authorities was confirmed and made operational: the municipalites, departments and regions are run freely by their elected councillors (current Article 1 - Law 1111-1 - of the CGCT).

Further amendments and supplements have been made to this wave of ordinary legislation, starting with Laws 83-8 and 83-663 of 7 January and 22 July 1983, and followed by others in 1985 and 1986, which brought about a transfer of packages of competences (*blocs de compétences*), beginning the process of financial transfers by the State. Competences were divided according to this legislation: the region, becoming the main level of the strategic planning, is responsible for economic programmes, regional infrastructure and vocational training; the department for social aid and rural infrastructure; the municipality for urban transport, nursery and primary schools,

museums and town planning. This division of responsibilities for action at various local levels was later redefined after the organic laws implementing the 2003 revision of the Constitution.

The process of framing a *law on devolution (droit de la décentralisation)* continued into the 1990s with the Joxe Act, Law 92-125 of 6 February 1992, setting out “guidelines for the territorial administration of the Republic”, in the field of administrative devolution, local democracy and cooperation among territorial authorities. It contributed in particular to the organisation of the State’s territorial administration, authorised purely consultative municipal referendums and further strengthened the consultative role of the regional economic and social councils (RESC, previously *committees*). Finally, it encouraged inter-regional, inter-municipal and decentralised cooperation. The 1992 law confirms that the “territorial administration of the Republic is ensured by the territorial units and the decentralised services of the State” and appears to attribute a systematic principle of *local democracy* to this structure.

In the mid-1990s, the *Pasqua-Hoeffel Act*, Law 95-115 of 4 February 1995 was adopted, setting out guidelines for land use planning and land development. This represented further progress in the development of territorial division of policy management, with the creation of a new territorial tier, the *pays*. This process was taken up again by the national legislator at the end of the 1990s.

The *Voynet Act* (99-533 of 25 June 1999), setting guidelines for sustainable land use planning and land development (LOADDT), defines three levels of local government which are competent for territorial planning: regions, *pays* (which provide a balance in the relationship between countryside and towns), and agglomerations, which bring together urban communities united by economic and fiscal solidarity. This solidarity is also put into practice through common responsibilities in the field of land development. *Agglomeration contracts* are used in this area.

The *Chevènement Act* (99-586 of 12 July 1999) on the strengthening and simplification of inter-municipal cooperation, reformed the system of inter-municipal relations (*intercommunalité*). This reform was structured around three institutional bodies: urban communities (from 500,000 inhabitants), conurbations (from 50,000 inhabitants) and rural communities. This second phase of this devolution process was implemented at the start of this century.

The approximately 36,000 municipalities (over half of which have less than 500 inhabitants), 96 departments (plus four more overseas) and 22 regions (plus the four overseas regions) are territorial units freely administered by an *assembly* elected by local universal suffrage (municipal council, general council and regional council respectively). These bodies have decision-making powers and a local executive (the presidents of the respective councils) with set powers. The units have their own budgets which are only partially subsidised by the State (and for some regions by the EU Structural Funds) and

in some areas can participate in mixed companies with private capital and territorial unit funds. At regional level, there is also the *Regional Economic and Social Council*, a consultative assembly made up of representatives of the socio-occupational categories, the social partners, chambers of commerce, sectional experts, etc., which adopts opinions which are mandatory as regards the drafting and regional implementation of the national plan and the draft regional plan.

The law on devolution has been considerably amended over the last three years, starting with Law 2002-276 of 27 February 2002 on *grass-roots democracy (démocratie de proximité)* which was introduced by the Jospin government and has five priorities: instruments for participatory democracy, the status of elected politicians (*statut de l'élu*), transferring new powers (principally to the regions, in the fields of economic intervention, teaching and vocational training, environmental protection and culture), large-scale projects (requiring a broader definition of the principle of participation in and organisation of public debate) and provisions for Paris, Marseilles and Lyon.

Constitutional Law 2003-276 of 28 March 2003 on the devolved organisation of the Republic, urged by the new government headed by Mr Raffarin, was drafted quickly between October and December 2002 in consultation with the Conference on local freedoms (*Assises des libertés locales*). During this conference, the 26 French regions (including those four overseas) and Mr Raffarin's government discussed the reform of devolution, through a debate between the institutional representatives, political parties and the major economic and social players. This debate covered the evolution of territorial organisation in France. Having been president of the Poitou-Charentes region, Prime Minister Raffarin spoke in favour of developing devolution and strengthening the regional level, key priorities of the Raffarin government. Constitutional Law 2003-276 was finally adopted by Parliament on 17 March 2003. In the second phase of the revision of the Constitution (*ex Art. 89 Const.*), it was decided not to hold a referendum so as to avoid a low turnout, which would have been a symbolic blow to the reform. This revision, the 22nd in 45 years, amended 15 articles, and integrated and substituted others.

There is a significant addition to Article 1 of the Constitution: the Republic continues to be indivisible, but its organisation is *decentralised*, a radical innovation in the French republican tradition. It is also significant that the subsidiarity principle is enshrined in the new Article 72(2), which states that territorial units may take decisions in all matters that are within the powers that can best be exercised at their level.

Bills focusing on the organisation of territorial authorities must be examined firstly by the Senate and then by the National Assembly. In addition to the two principles of devolution and subsidiarity which were enshrined in the Constitution for the first time, the legislator introduced other significant innovations, making provision for *the power to make local regulations* (Art. 72(3) Const.) which never includes the *right of initiative*, and is therefore *derivative, residual and subordinate*. Territorial authorities may also exercise the right to experiment, or more accurately the right to request to experiment (72(4)). This is intended to enable territorial authorities to adapt laws to their specific circumstances, and is an important innovation since the article refers explicitly to forms of legislative experimentation to be carried out at local level, albeit within the limits imposed by the national legislator through organic law.

The right to experiment is in addition to the provision for a hybrid and partial power to make regulations. As regards tools for participatory democracy, Art. 72(1) introduces the right of *petition*, as well as the right to call local referendums which have the power to make decisions rather than being simply consultative, under the conditions established by organic law.

In the second half of 2003, steps were taken in these two fields to implement the revised Constitution, by adopting the two organic laws of 1 August 2003 on local authority experiments (Organic Law 2003-704) and on local referendums (Organic Law 2003-705).

Organic Law 2003-704 set the rules for the right to experiment (or the right to request to experiment): territorial authorities may waive the legal provisions governing the exercise of their powers if authorised by an enabling act (*loi d'habilitation*). The objective of the experiment (which must be of *general interest*) must be stated, together with its length, of no more than five years. At the conclusion of the experiment, a conclusion is drawn based on annual reports submitted by the government to the parliament and a new act gives the outcome of the experiment, which may be prolonged or amended for a maximum of three years, maintained or applied to the whole country, or abandoned with a consequent return to ordinary regulation.

Organic Law 2003-705 concerns the organisation of *local decision-making referendums* on the forms and instruments of direct democracy.

The new Article 72(2) enshrines in the Constitution a complex mechanism of *local finances*, contributing to the financial autonomy of territorial authorities. This provision must be implemented by organic law, to avoid what has been described as an “ambiguous constitutionalisation of local finances”. On 22 October 2003, the Council of Ministers submitted the draft organic law on the financial autonomy of territorial authorities, which suggests that local government, within the authorising legislation, may establish the tax base and set taxes, as well as receiving all or part of the revenue of all taxes (while keeping the proviso that financial transfers should be equal to the powers transferred).

One aspect of practical importance for the future implementation of this revision of the Constitution is the distribution of powers, implemented over the past 20 years by the transfer of *packages of competences*. This mechanism must adapt to the new constitutional provision for leading territorial authorities, introduced by the new Article 72(5), which stipulates that “where the exercise of a power requires the combined action of several territorial units, one of those units or one of their associations may be authorised by statute to organise their joint action”. This terse constitutional provision would seem to conceal one of the guiding principles for the practical (political and administrative) relationship between local and national government in France, and may be traced back to the idea of negotiation between administrative levels, previously with the *contrat de plan* between State and local authority and now between the various tiers of local government as well.

The organic laws explicitly requested by the new constitutional arrangements, together with others providing for further transfers of *packages of competences*, will have a decisive impact on the prospects for implementing the complex reform of the *law on devolution*.

The organic law of 13 August 2003, concerning the *local responsibilities* defined the competences which will be gradually devolved towards local and regional authorities between 2004 and 2005. Land-use planning and economic development policies will be transferred to the regions, including the experimentation until 2008 of the management of the Structural Funds¹, the projects for local economic development, the tourism (by the integration in the within of the Regional Councils of the regional agencies of tourism, old decentralised services of the State) and the management of the cultural heritage (the latter may be delegated to the departments), vocational training and education, as well as regional public health programmes (to be supplemented by national plans) and the possibility of investing in hospitals (being involved in the regional hospital administration and funding hospitals).

¹ the French State decided on April 2006 the prolongation of the experimentation allowing the French regions to be MA of transnational co-operation spaces and the Alsace region to be MA of Objective 2. Apart from this framework, the regions do not have the possibility of assuming more responsibilities on the European programmes.

The departments are still responsible for social assistance, specifically the management of the RMI (minimum income guarantee), regulated by Law 2003-1200 of 18 December 2003, which provides for devolution in the field of minimum income and establishes a minimum employment income (RMA), as from 1 January 2004.

The department plays a crucial role in these fields, with the departmental insertion council and the provision for a departmental insertion programme. This gives the departments responsibility for allocating the RMI, although the conditions for eligibility are set at national level. Departments will be responsible for the management of the social funds for the long-term unemployed, disadvantaged young people and the elderly, and for building council houses, managing these and the housing support scheme. Competency for some environmental protection policies may be transferred to the departments, in addition to the management of most of the road network which currently falls within the remit of the state (excepting major highways, etc.).

The municipalities will have a key role as regards local participation in political life, with the emphasis on *grass-roots policies*. The regions will therefore be responsible for large-scale, infra-national infrastructure (ports, airports, canals, etc.) and there may be further transfers to other territorial units.

The French bureaucratic and administrative system provides for significant transfers of power in the fields of the school system, vocational training and the health sector. All three tiers of local government have responsibility for staff (especially the technical, manual and service staff in the national education system) transferred from the national budget to local ones; this is the main impact of transfers of power on the national education system.

This administrative and financial change has already caused and will continue to cause friction between reform/transfer activity and the representatives of the social players (trade unions, associations, etc.). However, this transfer of competences and staff will be mostly funded by revenue from taxes transferred to the territorial authorities: a total of approximately EUR 13 billion for over 130,000 public employees transferred to the *territorial civil service*. The principle according to which the transfer of competences enter into force only after financial transfers have been implemented continues to apply. Therefore the financial law for 2005 has been of crucial importance and it left a bitter taste on many representatives of the Local Authorities, considering that this law did not permit to take into account the whole of the transfers of charges, from the State towards the Communities.

2. Tiers of Local Administration

In France there are three main tiers of local administration: the commune (municipality), department and region. These are both districts in which administrative decisions made at national level are carried out and local authorities with powers of their own. Legally speaking, a local authority is a public-law corporation with its own name, territory, budget, employees, etc. and specific powers and a certain degree of autonomy vis-à-vis central government. In addition, there are France's overseas territories and regional bodies (*collectivités territoriales*) with special status (Paris, Marseille, Lyon, Corsica, Mayotte and Saint-Pierre-et-Miquelon).

French law lays down the principle of equality between tiers of sub-national government, thus there is no hierarchy of municipalities, departments or regions. As a result, regions, unlike the national government, have no formal means of imposing choices or co-operation agreements on departments or municipalities within their areas. The principle of equality means that there is perceived to be little need for formal consultation between different tiers on the grant distribution system.

2.1 Commune (or municipality)

The commune, which dates from 1789, is the lowest tier of the French administrative hierarchy. There are nearly 37,000 communes, many more than are found in the other countries of the European Union, because in France the term commune is applied to all municipalities whatever their size - 80% of them have fewer than 1,000 residents. This situation has led the government to encourage smaller communes to merge to form urban communities (*communautés urbaines*) or group together in associations of several communes (*syndicats intercommunaux*). In addition, the law of 6 February 1992 suggested new forms of cooperation to rationalise municipal administration by taking common interests into consideration. In reality, the closer links often go no further than pooling a few services and mergers are extremely rare, as both residents and local councillors often retain a strong sense of identity with their communes.

The communes are the basic unit of local self-government in France and enjoy a power of general competence to undertake any activities that meet the needs of the inhabitants and are not otherwise provided for or excluded by law. Larger facilities that smaller communes have insufficient resources to fund, such as libraries, theatres and public transport, may be carried out by a group of communes working together or, increasingly, by private service companies.

Like the department and region, the commune has a deliberative or decision-making body (the municipal council) and an executive (the mayor), elected by the municipal council. The number of municipal councillors is proportional to the population. Elected for six years by direct universal suffrage, municipal councillors lay down guidelines for municipal policy, adopt the budget, manage municipal assets, notably primary school buildings and equipment, and decide how the municipal administration is to operate.

So the commune's own powers cover activities which affect its inhabitants' daily lives. Its economic and social brief, long limited to granting aid for job creation and helping needy families, has been broadened to enable it to play an important role in combating unemployment and social exclusion and engage actively in economic restructuring and development of new activities.

2.2 Department

There are 100 departments in France, 96 in metropolitan France and four overseas (Martinique, Guadeloupe, Réunion and French Guiana). Established in 1789, the department has developed from a

partially decentralised local authority to one with full powers of its own (since 1982). It has played a prominent role in the country's administrative and geographical organisation. The departments are responsible for a wide range of services. They have competences in health and social welfare, the construction and the maintenance of the colleges, school transport, the principal rural planning, the construction and maintenance of secondary roads. Beyond their legal competences, the departments can manage a cultural, regional planning and tourism policy, without transfer of charges from the State.

2.2 Prefect

For almost 200 years (1800 to 1982), the prefect held the executive power in the department, but the law of March 1982 modified his/her powers. Appointed by the government, the prefect is still the sole person empowered to act on the State's behalf in the department: he/she represents the Prime Minister and all the members of the government, has authority over the state's decentralised services in the department and ensures the administrative supervision of the department's local authorities. He is also responsible of the security forces and police.

However, the law of 2 March 1982 conferred executive authority for the department on the chairman of the general council. The general council is the department's decision-making organ. It is made up of general councillors elected for a six-year term in a two-ballot uninominal majority poll. Each department is divided into cantons (France has 3,500 cantons) which serve as the constituencies for the election. Elected by the councillors for a six-year term, the chairman prepares the council's debates and implements its decisions, including on budgetary matters. He/she represents the department at the legal level, heads the department's staff and services and, finally, as the person in charge of running the department, he/she exercises certain police powers in the areas of conservation and departmental highways (without prejudice to the powers of the mayors and prefect in these areas).

The state-appointed 'prefects', who are government civil servants, traditionally exercise strong central government control over sub-national governments with supervisory functions at regional (26 prefects) and departmental levels (100 prefects). All relationships between local governments and the national government are channelled through the prefects. They play an essential role in co-ordination and consultation by exercising a number of powers:

- ✓ They co-ordinate the devolved powers of the national government in their respective departments or regions.
- ✓ They have their own resources, especially funding, at their disposal for local development – in this respect, economic and financial directorates in prefectures play a particularly important role. Under a three-year State Reform Plan, prefects were given an increase in resources.
- ✓ They represent the national government in matters concerning local government and handle most contacts between local governments and the national government. At an informal level, prefects will, at times, act on behalf of local governments with central ministries.
- ✓ They exercise control in two important areas. Firstly the 'control of legality', by reviewing the actions of local governments and determining if these are legal. If the prefect is unsure about the legality of an action, he/she may refer the matter to the courts. Secondly, prefects exercise 'budgetary control' by scrutinising authorities' budgets to ensure that they balance as required by French law.

2.3 Region

France has 26 regions, 22 in metropolitan France and four overseas. The latter have a special status, being at the same time departments and regions. Created in 1955 to provide a regional framework to the town planning and planning Schemes of the territory, the region became a local authority in 1982. Its main spheres of competence are the strategic planning (town, economic, environmental, land, territorial and rural), the economic development, the vocational training and the building, the equipment and the maintenance of the *lycées*.

The decision-making organ is the regional council whose members are elected for six-years. They are assisted by an economic and social committee, which is a consultative assembly made up of representatives of businesses, the professions, trade unions and other employees' organisations, regional voluntary organisations, etc.. This committee must be consulted on the preparation and implementation of national plans, the establishment of the regional development plan and the major guidelines for the regional budget. The committee is also free to comment on any regional matter or, at the initiative of the regional council's chairman, any economic, social or cultural proposal. The regional council chairman, elected by the councillors, is the region's executive authority. His/her responsibilities are identical to those of the general council chairman in the areas within the region's sphere of competence.

Permanency and Change in French Local Authority Administration Article 72 of the Constitution stipulates that the republic's local authorities ("territorial units") "... shall be self-governing through elected councils", and the 1982 reforms did not change this. The principles of independent administration by local authorities and the election of the members of their decision-making bodies remain the fundamentals of French local government.

So while basic principles and structures have not changed and there is a clear distinction between the spheres of competence of the different tiers, the decentralisation legislation did bring in some innovations, especially regarding supervision. Some degree of ex post facto monitoring of local government action is necessary in order to reconcile the fact that the authorities are self-governing with the need for coordinated action within a unitary state and ensure that the principle of equality of all citizens does not override the general interests of the nation as a whole.

The II act of the decentralisation of March 2003 has also introduced several changes concerning financing. Any transfer of state competence to a local authority must be accompanied by a transfer of resources (chiefly fiscal). In practice, local taxes have tended to rise. The reform also extended the responsibilities of the communal, departmental and regional accountants, giving them the status of chief accountant directly responsible to the Treasury. Lastly, it assigned to a new court, the regional audit chamber, responsibility for a posteriori auditing of local authority accounts.

The process of decentralisation has profoundly altered local government in France. The new system is indisputably more costly than the old for the public purse and has led to some fragmentation of tasks and objectives, as local authorities act primarily in their own rather than the national interest. However, decentralisation is helping to ensure that tasks are carried out at the most appropriate level of responsibility in all sectors of public life, so bringing greater democracy to the country's administration and management.

2.4 The publicly-owned establishments of inter-commune co-operation (EPCI)

The inter-commune groupings are assuming an increasing place in the local public action and will cover soon almost all the territory. Appeared by the end of the XIXth century, the inter-commune co-operation developed considerably as from the years 1990, in particular under the effect of the law of February 6, 1992. In ten years, the intercommunality settled discreetly but firmly in the local "landscape", reinforced by the law Chevènement of July 12, 1999. The competences exerted by the inter-commune groupings, in the dead of the local life, are many and various. They constitute indeed a response to the great crumbling of the French communes and the resulting difficulties of management. Publicly-owned establishments of inter-commune co-operation (EPCI) of various categories can thus be created. Today, the groupings with its own taxation seem to be established as the tools of a deepening of the intercommunality.

The EPCIs with its own taxation are publicly-owned establishments which gather communes in order to carry out on a space of solidarity a joint project of development. This integrated form of intercommunality is characterized by the fact that these publicly-owned establishments perceive independent resources of the communal contributions. The EPCIs with its own taxation include the communities of communes, the communities of agglomeration and the urban communities. The EPCIs with its own taxation exert certain competences on a purely obligatory basis, others on a purely optional basis and the others on a purely optional basis. The competences of the EPCIs are governed by the principles of speciality and exclusiveness. Pursuant to the principle of speciality which governs all the publicly-owned establishments, an EPCI can intervene only in the field of competences which were transferred to him (principle of functional speciality) and inside its perimeter (principle of territorial speciality). Under the terms of this principle, an EPCI can thus intervene, neither operationally nor financially, in the field of competences that the communes preserved.

Pursuant to the principle of exclusiveness, the EPCIs are in addition the only ones being able to act in the fields which are connected to the competences transferred to them. However, this principle does not prohibit to them to entrust the exercise of some their competences to a mixed trade union provided that the perimeter of the trade union entirely includes the Community perimeter after creation of the trade union or adhesion of the community.

The Community of communes

The community of communes is an EPCI gathering several communes in principle without division and enclave. No condition of population is required. It has the aim of associating communes within a space of solidarity for the development of a joint project of development and for space planning. The community of communes is formed either without fixing of term, or for a duration determined in the institutive decision. The decree of creation determines the seat of the community. The community of communes exerts obligatorily certain competences, it can in addition obtain additional optional competences.

Obligatory competences

The communities of communes exert obligatorily competences, in the two following blocks, but it is up to the communes to specify the extent at the time of the creation of the community:

- space planning,
- actions of economic development interesting the whole of the community.

However, the law transfers to the communities of communes choosing the tax system of the single professional tax (TPU), the planning, the management and the maintenance of the zones of industrial, commercial, tertiary, artisan, tourist, harbour or airport activity which are of Community interest.

Optional competences

The community of communes must exert competences concerned with at least one of the four following blocks:

- protection and development of the environment, if necessary within the framework of departmental framework,
- housing policy and environment,
- creation, planning and maintenance of the roadway system,
- construction, maintenance and functioning of cultural and sports equipment and equipment of teaching prelementary and elementary.

The Community of agglomeration

The community of agglomeration is an EPCI gathering several common forming, at the date of its creation, a whole of more than 50 000 inhabitants without division and enclave around one or more common centres of more than 15 000 inhabitants. The demographic threshold of 15 000 inhabitants does not apply when the community of agglomeration includes the chief town of the department or the commune which, without being the capital of the department is its most important commune. These communes join within a space of solidarity in order to work out and lead together a joint project of urban development and planning of their territory. The community of agglomeration is created without limit of time.

Obligatory competences

Economic development	<ul style="list-style-type: none"> • Creation, planning and maintenance of zones of industrial, commercial, tertiary, artisan, tourist, harbour or airport activity of Community interest • Actions of economic development of Community interest
Community spatial planning	<ul style="list-style-type: none"> • Scheme of territorial and sectional coherence; creation and realization of ZAC (Zone d'Aménagement Concerté) of Community interest; urban transports
Social equilibrium of the habitat on the community territory	<ul style="list-style-type: none"> • Local programme of habitat, lodging policy of Community interest (including the social lodging), financial actions and aid for the social lodging of Community interest, land reserve for the realization of the community policy of social equilibrium of the habitat, actions through Community interest operations for the lodging of disadvantaged people; improvement of the real estate of Community interest
Town policy	<ul style="list-style-type: none"> • Contractual systems (urban, local development and economic and social insertion) of Community interest • Local systems of Community interest of crime prevention

Optional competences

The choice established by the decisions of the Municipal Councils of the interested communes under the conditions of majority necessary for the creation of The Community of agglomeration, must relate to at least three of five following competences:

1. Creation or planning and maintenance of the roadway system of community interest, creation or planning and management of parkings of Community interest,
2. Land reclamation,
3. Water,

4. As regards protection and development of the environment: fight against air and noise pollution, elimination and exploitation of waste of the households and comparable,
5. Construction, planning, maintenance, management of cultural and sports equipment of community interest,

Beyond the blocks of competences chosen on a purely optional basis by the community of agglomeration, it can exert, if the communes agree, other enumerated blocks of competence. The community of agglomeration must then exert, in the place of the communes, at least four competences out of six.

Urban community

The urban community is an EPCI gathering several communes without division and enclave which forms, by the date of its creation, a whole of more than 500 000 inhabitants. These communes join within a space of solidarity in order to work out and lead together a joint project of urban development and planning of their territory. The urban community is created without time limit.

Obligatory competences

The urban community automatically exerts, in the place of the communes, the competences fixed by the law in seven blocks of competences, namely:

Economic, social and cultural development and planning of the community space	<ul style="list-style-type: none"> • Creation, planning, maintenance and management of zones of industrial, commercial, tertiary, artisan, tourist, harbour or airport activity • Actions of economic development • Construction or planning, maintenance, management and animation of equipments or of networks of equipments (culture, sport...) of community interest
Community spatial planning	<ul style="list-style-type: none"> • Scheme of territorial coherence, PLU (Plan Local d'Urbanisme) or similar document, creation and realization of ZAC (Zone d'Aménagement Concerté) of community interest and, after opinion of the municipal councils, constitution of the land reserve for the realization of the community policy • Urban transports, creation or planning and maintenance of roadway system, sign system, parking
Social equilibrium of the habitat on the community territory	<ul style="list-style-type: none"> • Local programme of habitat • Lodging policy of community, financial aid and actions for the social lodging of community interest, actions for the lodging of disadvantaged people through Community interest operations; • Planned operations for the improvement of the habitat and actions of rehabilitation and of reabsorption of the unhealthy habitat of community interest.
Town policy	<ul style="list-style-type: none"> • Contractual systems (urban, local development and economic and social insertion) of community interest • Local systems of crime prevention
Management of services of general interest	<ul style="list-style-type: none"> • Land reclamation and water • Fire services and rescue under the conditions established by the law.
Protection and exploitation of the environment and environment policy	<ul style="list-style-type: none"> • Elimination and exploitation of the waste of the households and comparable • Fight against air pollution

- Fight against noise pollution

Other EPCIs

Other EPCIs are constituted by the inter-communal trade unions. Some of them pursue only one purpose and are thus defined as inter-communal trade union with single vocation; on the contrary of the inter-communal trade unions with multiple vocation. These EPCIs are not based on a project of common development but their aim is the realization of services of common utility for the members.

The “pays”: a new instrument for the local development

The concept of “pays” was reaffirmed in 1995 in the Law of Orientation for the planning and the development of the territory then supplemented in its definition, and its vocation, by the Law of Orientation for the planning and the durable development of the territory in 1999, said also Law Voynet. The current definition poses the “pays” as a regrouping of communes, which in particular by the will of their elected officials and of the local actors try to take in hand their future. These actors define together objectives of development for the next 10 or 15 years. A diagnosis showing the characteristics of this territory, its strong points, its weak points, the challenges with which it is confronted is carried out in order to not allow that these objectives simply turn out in a dream.

The current stake of the “pays” is on the one hand to give more place to the local initiatives and a taking in hand by the local actors of the future of their territory, and on the other hand for the State to find an area of action more relevant than the current administrative cuttings to deal with certain problems like the economic development, the management of the transports, the organization of certain public services, the space management... These are not obligatory missions that the “pays” must fulfil, but simply indications of the questions to be seized.

A “pays” is defined above all as a space of project. The local actors gather by their own initiative and try to define shared objectives for the development of their territory. This step relies on a diagnosis showing the diversity of this territory but also its forces and its weaknesses. The whole is organized within a project, whose formalized document is a Charter. This means that the “pays” is above all a place of consistency, of federation of various local projects in a perspective of comprehensive development. The “pays” does not have thus vocation to carry out actions directly, but rather to accompany by the carriers of project, to cause and encourage actions.

Differently from a local authority, the “pays” do not have competences which deprive the State (they cannot collect taxes and have various legal statutes (associations, GIP...)).

The second important component of a “pays” must be the presence of a city, pole of activities and services of the territory. The “pays” must support the relations, the complementarities between the city-centre and their rural environment. The structures carrying the projects of “pays” can negotiate with the State, the Region and the EU through Contracts of Plan State-Region.

3. Distribution of competences among the tiers of Local Administration

LEVEL OF LOCAL GOVERNMENT	POLITICAL ORGANIZATION	COMPETENCES
<p style="text-align: center;">REGION</p>	<p>In France there are 22 regions (made up of several "départements"), including 21 metropolitan regions, 1 "special status" region (Corsica) with executive body responsible to the territorial assembly and 4 overseas regions, that have each have a different status laid down by an organic law.</p> <p>Regional Councils Members are elected for six years by direct universal suffrage under a two-round mixed system. The President of the regional council, elected by the council members from among their number, has executive power in the region and is head of the regional administration.</p> <p>The French government appoints the Regional prefects, which are the representative of the state in the region. The regional prefect merely monitors the legality of local authority actions and he manages the statecraft at regional level. He is also the prefect of the department where the regional capital is situated. He relies on the prefects of the other departments constituting the Region, as well as on a General Secretariat for Regional Matters (<i>Secrétariat Général aux Affaires Régionales</i>) that depends from the Interministerial Delegation on the Planning and Competitiveness of Territories (<i>Délégation Interministérielle à l'Aménagement et à la Compétitivité des Territoires</i>). Finally, he coordinates the State decentralised services which are organized in 8 poles:</p> <ol style="list-style-type: none"> 1. Training and education 2. Public management of the economic development 3. Transports, lodging, planning and sea 4. Public health and social cohesion 5. Agricultural economy and rural areas 6. Environment and sustainable development 7. Employment development and professional insertion 8. Culture 	<p>Responsibilities of the regions under ordinary law (2003)</p> <p><i>Further vocational training and apprenticeships:</i></p> <ul style="list-style-type: none"> • regional vocational training development plan; • implementation of initial and further training schemes for young people and adults; • apprenticeships <p><i>Education:</i></p> <ul style="list-style-type: none"> • creation, construction, maintenance and operation of high schools and establishments for specialist education <p><i>Planning, regional planning:</i></p> <ul style="list-style-type: none"> • preparation of the regional development and land use plan; • state-region planning contract • contract with territories of projects (pays, Agglomerations) • creation of public regional institutions <p><i>School transport:</i></p> <ul style="list-style-type: none"> • regional plan; • general interest links <p><i>Rail transport:</i></p> <ul style="list-style-type: none"> • regional passenger transport <p><i>Economic aid:</i></p> <ul style="list-style-type: none"> • direct aid (in accordance with EU rules); • indirect aid for companies; • stakeholding in regional development and regional financing companies • Regional Scheme of Economic Development (experimentation on demand) <p><i>Town planning:</i></p> <ul style="list-style-type: none"> • regional nature reserves

		<p><i>Environment:</i></p> <ul style="list-style-type: none"> • environmental protection; • heritage and sites board; • listing of historical monuments; • regional air quality plan; • classification of regional nature reserves • creation of public regional institutions (Regional Agency of the environment(<p><i>Cultural affairs:</i></p> <ul style="list-style-type: none"> • regional archives, regional museums; • protection of heritage and listing of monuments and artistic riches • direct aides <p><i>Tourism</i></p> <ul style="list-style-type: none"> • Regional Delegation of Tourism • Regional Committee of Tourism • Regional Scheme of Tourist Development <p><i>Management of Big Equipments</i></p> <ul style="list-style-type: none"> • ports • airports • navigable waterways
<p>DÉPARTEMENT</p>	<p>In France there are 96 “départements” and 4 overseas “départements”, which are both regions and “départements”</p> <p>General councils members are elected for six years by direct universal suffrage. Every three years, half have to stand for re-election. A two-round majority vote system is used. The general council is headed by a President, elected by the members of the council from among their number.</p> <p>Executive power in the "département" is vested in the president, who is its administrative head</p> <p>The Prefect is the representative of the state at “département” level; there is one prefect per “département”, appointed by the government</p>	<p><i>Responsibilities of the "départements" under ordinary law (2003)</i></p> <p><i>Social action and health:</i></p> <ul style="list-style-type: none"> • aid for children; • social aid for families; • accommodation for people with disabilities and elderly people; • supervision of social establishments in the "département" • creation of public departmental institutions <p><i>Education:</i></p> <ul style="list-style-type: none"> • creation, construction, maintenance of ordinary secondary schools and colleges <p><i>Planning, regional planning:</i></p> <ul style="list-style-type: none"> • rural equipment aid programme; • rural roads • national roads • associated in state-region planning contracts

		<p><i>School transport:</i></p> <ul style="list-style-type: none"> • financing and organisation of transport outside the towns <p><i>Passenger transport between towns:</i></p> <ul style="list-style-type: none"> • departmental transport plan; • passenger transport between towns <p><i>Civil protection</i></p> <ul style="list-style-type: none"> • equipment of departmental services of fire and rescue <p><i>Economic aid:</i></p> <ul style="list-style-type: none"> • direct aid complementary to that of the region (by agreement); • indirect aid for companies (including loan and other guarantees) <p><i>Town planning:</i></p> <ul style="list-style-type: none"> • definition of walking routes <p><i>Environment:</i></p> <ul style="list-style-type: none"> • departmental waste disposal plan • supply with drinking water and land reclamation <p><i>Cultural affairs:</i></p> <ul style="list-style-type: none"> • departmental archives; • departmental museums; • central lending library.
<p>MUNICIPALITÉ</p>	<p>In France there are 36,763 municipalities.</p> <p>Municipal councils members are elected for six years by direct universal suffrage. In municipalities with less than 3,500 inhabitants councils are elected by a majority vote. In those with more than 3,500 inhabitants, a hybrid system applies; half of the seats are filled by a majority vote, whilst the other half are filled under proportional representation with a bonus for the list with the most votes.</p> <p>The municipal administration is headed by the council secretary-general, a local authority officer.</p> <p>Municipal councils are headed by mayors, elected by the members of the council from among their number. The mayor holds executive power and is the head of the</p>	<p><i>Responsibilities of the municipalities under ordinary law (2003)</i></p> <p><i>Social action and health:</i></p> <ul style="list-style-type: none"> • optional services (e.g. day care centres, shelters for the homeless); • municipal hygiene offices • Communal Centre of Social Action <p><i>Education:</i></p> <ul style="list-style-type: none"> • creation, construction, maintenance and operation of primary schools and pre-school classes <p><i>Planning, regional planning:</i></p> <ul style="list-style-type: none"> • joint municipal development charters;

	<p>municipal administration and representative of the state when implementing laws.</p>	<ul style="list-style-type: none">• joint municipal boundary initiatives <p><i>School transport:</i></p> <ul style="list-style-type: none">• financing and organisation within the municipal boundaries <p><i>Economic aid:</i></p> <ul style="list-style-type: none">• direct aid complementary to that of the region (by agreement);• indirect aid for companies (including loan and other guarantees) <p><i>Town planning:</i></p> <ul style="list-style-type: none">• preparation of territorial consistency schemes (SCOTs);• local town planning;• displacement town planning;• urban sustainable development plan;• issue of building permits and other authorisations concerning occupation of the land <p><i>Environment:</i></p> <ul style="list-style-type: none">• drainage;• distribution of drinking water;• collection and processing of household waste <p><i>Cultural affairs:</i></p> <ul style="list-style-type: none">• artistic teaching schools;• municipal archives;• municipal museums;• music academies
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G R E E C E

1. The decentralization process



The European Union has played a key role in promoting regional reform and modernisation in Greece. Following trends in the majority of the European Member States, Greece has moved away from centralised State organisation towards a more decentralised model. An important aspect of this process was the recognition of the significance of local factors as a driving force in local development and the recognition of the importance of the region as a key player in the regional policy process.

The evolution of the dynamics of regionalisation in Greece was connected with the introduction of new institutional structures and modernisation of the existing legal framework.



From the beginning of the 1950s, the Greek State underwent a significant process of decentralisation and reorganisation of public administration, while the process of regionalisation was being reinforced.

Decentralised State administration at regional level has been established and Greece has been divided into 13 administrative regions: Eastern Macedonia & Thrace, Central Macedonia, Western Macedonia, Epirus, Thessaly, Ionian Islands, Western Greece, Central Greece, Attica, Peloponnese, North Aegean, South Aegean and Crete.

Greece has been divided in prefectural quarters as a second level of local administration by the Law 3200/1955.

The regions have been entrusted with a wide range of State responsibilities and powers and have become the driving force for the implementation of European Union cohesion policy. Nevertheless regions are not a level of local government in Greece but a form of decentralised units of State administration.

Local governance is divided into two levels. The first level of local authorities is that of the communities and municipalities and the second is that of the 51 prefectures of the country. In the general framework of State decentralisation, the first tier of local government, communities and municipalities, was reorganised under the “Kapodistrias” reform in 1997. The two tiers of local governance have administrative autonomy.

The restructuring of the whole system of local administration was attempted with the introduction of successive legislative frameworks and regional policies. The constitutional revision of 2001 set the legal requirements concerning the new, enhanced tasks and wider responsibilities of the first tier (municipalities and communities) and second tier (prefectures) local authorities as well as their relationship with central government.

At the same time regional administration has become increasingly important for the planning, programming and implementation of State policy. Within the framework of ongoing regionalisation and decentralisation, the role of the Greek metropolitan cities is increasing in importance. Serious proposals have been made by various organisations for the creation of a new form of metropolitan governance in the areas of Athens and Thessalonica, at first, a structure, which will create a new power pole in the existing political system.

One result of all the reforms implemented is growing administrative interaction between central government and regional/local authorities, as well as growing cooperation among local authorities in order to attain common targets. In fact, the various forms of associations, syndicates and other organisations are, together with local administration the conveyors of political change and key elements in the process of regionalisation and the strengthening of democracy at local level. At the same time, steps have been taken to strengthen communication, dialogue and deliberation between the various social partners, especially at regional and local level, as the most important practices of contemporary democracy, and driving forces for economic growth and social reform.

The constitution of 1975/1986 introduced a series of articles concerning the public administration. Article 101, section VI of the Constitution stipulates, that “the administration of the State shall be organised in accordance with the system of Decentralisation”. Thus, according to Article 102, “The administration and management of local matters shall belong to the local authorities, the lower level whereof shall be the municipalities and the village communities. The other levels shall be determined by law”.

Moreover, “The State shall be concerned with the provision of adequate means for the attainment of the aims of the local authority bodies.

The last decades there were several reforms in government structure and economic issues. As a general overview, municipalities were granted the power to promote local economic and social development and were allowed to create profit-making enterprises.

The management of water and sewage was handed over to specially created enterprises called Municipal Enterprises of Water and Sewage. Several functions, such as urban transportation, nurseries, and maintenance of schools, were transferred from central State to local governments. New institutions for intermunicipal cooperation were introduced, and the discretionary power of municipalities was enlarged through the abolition of prefectural and other State controls. Nevertheless, the revenues of the municipalities remained inadequate for their tasks, so that they still depended on grants from the State.

In 1986, Law 1622/866 was voted concerning “local governance, regional development and democratic planning”. Greece was divided into 13 regions, as mentioned above. The regions were served as parts of central Government of a decentralised basis and a part of the modernisation of public administration process.

The Law 2503/1997 for the “Organisation and management of the regions”, reorganised regional administration and reinforced regional development. This law set the legal framework of the region and

established the regions as “decentralised administrative unit of the State”. At the same time many of the State responsibilities and powers are being transferred from the ministries to the regions.

For the purpose of administrative decentralisation and with a view to making the local authorities more efficient, the Greek Parliament adopted a comprehensive reform for the reorganisation of the primary level of local government, according to which a unification of the local authorities in Greece took place and local authorities were reduced from about 6,000 to the present figure of around 1,000.

The newly-established authorities have a representative structure closer to the citizen. Therefore, they act more efficiently and effectively in the general framework of State decentralisation. Law 2539/1997 organised the reform, specifying how the mergers were to be carried out at decentralised level. The new municipal councils were elected in 1998. The reorganised scheme of communities and municipalities was also the basis for the local elections held in October 1998 and October 2002.

The above mentioned plan reflects the general political framework for the renewal of the primary level of local government. It provides the legal and operational framework for the reorganisation of the first tier authorities, aiming at a deeper reform as a part of the overall plan for the reorganisation of the Greek State. The second important aspect of the reform was the strengthening of the municipal authorities. This covered the recruitment of new specialised staff and the launching of training programmes.

The 2001 revision of the constitution brings several changes for the local authorities concerning their tasks and responsibilities as well as their relationship with central government. The revised Articles 101 and especially 102 of the Constitution enhance the position of first- and second-tier local government and determine the constitutional provision for the competence of local authorities on local matters. At the same time, regions are becoming important units for the planning, programming and implementation of development policy, while powers are being transferred to them from the central government.

Summing up, there are two tiers of local government and regional administration in Greece. The first tier of local government consists of the municipalities (*dimoi*) and communities (*koinoities*). Municipalities and communities are administered by a council (*simvoulia*) elected for a four-year term by direct universal suffrage. First-tier local authorities are public-law corporate bodies and are responsible for local affairs. The prefectures (*nomoi*) are the second tier of local self-government. There are 54 prefectural authorities. These are also public-law corporate bodies and their main concern is the socio-economic and cultural development of their geographical area.

Prefectures are financially and administratively autonomous and have the following elected bodies: a prefect (*nomarchis*), a prefectural council (*nomarchiako simvoulia*), and prefectural committees (*nomarchiakes epitropes*). The municipalities, communities and prefectural authorities are decentralised authorities.

Besides the aforementioned two tiers of local government, the country is divided into 13 regions, which form devolved units of State administration. Regions have their own budget, and civil service, and are run by a general secretary (*genikos grammateas*), who is the head of all the region’s services and can be considered the executive body of the regional administration as well as the representative of central government in the region.

The Greek system of local government has changed profoundly in the last six years, moving slowly towards harmonisation within the European context. Local government is gaining a growing share of functions, resources and power. Issues like the intensification of cooperation between the private and

the public sector, the necessary financial reform for the regulation of the finances of the local and the proposed new municipal code are aiming to improve the application of local/regional democracy in Greece by further strengthening the position of the local authorities thus making them more efficient in managing and promoting the local/regional social, financial, economic and cultural interests of their citizens.

2.1 Tiers of Local Administration

There are two tiers of local government and a regional administration in Greece:

- ✓ 13 regions (*peripheries*)
- ✓ 51 prefectural authorities and 3 extended prefectural authorities: Athens - Pireaus, Kavala - Xanti - Drama, Rodopi – Evros (*nomoi*).
- ✓ 1031 municipalities (901 urban municipalities (*dimi*) and 130 rural communities (*kinotites*))

The municipalities and communities that disappeared in the reform by being subsumed into large municipalities are recognised as geographical and administrative subdivisions of the new municipality or municipal districts, each of which has an elected local council.

The reform also provided for a uniform metropolitan administrative system for the cities of Athens - Pireaus, Thessaloniki and Attica.

Greece also has one autonomous community (*Kinotita*), the Community of the Mount Athos Monasteries (*Agion Oros*): European Union legislation applies here only in part.

2.2 Municipalities and communities

The first level local government consists of municipalities and communities. According to the article 102 of the Constitution, municipalities and communities are responsible for the administration of local matters. Municipalities and communities have overall responsibility for the administration of local matters and care for the promotion of social, financial, cultural and spiritual interests of their citizens. Local affairs, as far as municipalities and communities are concerned, are all the affairs the range of which does not exceed the municipal and communal territory.

Law 2539/1997 on the «Creation of first level Local Authorities» establishes new municipalities and communities by means of a compulsory merging of the existing ones. The unified territorial area of the new municipalities and communities created through this merging is subdivided into the so-called «municipal or communal quarters». Each of these quarters consists of the territorial area of the relevant abolished local authority or a settlement attached to the new local authority.

2.3 Prefectural Self-Administrations

They constitute the second level or tier of local government and are self-governed public law legal persons. They are responsible for the administration of the local matters at prefectural level. The second level local authorities have the responsibility of the financial, social and cultural development of their district. The second tier of local government exercises responsibilities only to the extent that a particular subject is not restricted to a municipality or a community e.g. provincial road building, intermunicipal works etc. This also may happen whenever a municipality or community cannot fulfil some responsibilities because of the lack of the necessary infrastructure or resources. Some

responsibilities of public administration which suit better the character, the nature and the mission of second level local authorities may be transferred to them.

They do not supervise the first level local authorities and they do not interfere with their competencies. There is no hierarchy between the two levels of local authorities.

The district of each second level local authority coincides with the administrative district of the prefecture, with the exception of three expanded ones which are responsible for more than one prefectures (Athens-Pireus, Rodopi-Evros, Drama-Kavala-Xanthi). Each prefecture of these three agencies forms a prefectural quarter having as its seat that of the respective prefecture. In some cases

and within the framework of the second level local authorities, the law makes provision for the creation of administrative subdivisions called «*eparchiom*» mainly in the insular regions and the isolated areas of the prefectures.

2.4 Regional Administration

The country is divided into 13 regions, which constitute the decentralised administrative units of the State according to law 2503/97 concerning the decentralised organisational structure of the State administration and its adaptation to new developments. The role of the Regions assumes special importance. They have their budget, their own staff and the management of funds provided for regional development. These funds derive either from national sources or from European Union programmes.

Every region, as a decentralised administrative unit, has some responsibilities that its services (directorates, sections etc.) exercise on all its territory, including the services of the region in the prefecture as well as the responsibilities that belong to the Secretary General of the region. The regional state organs have overall and decisive responsibility that consists of exercising the state responsibilities at regional level. The regions are responsible for the supervision of local authorities as well as for the necessary measures to be taken for their proper function and the implementation of the decentralised administrative system.

Role of the region: its objective is to plan, programme and implement policies for its economic, social and cultural development within its territory and within the wider national framework for development. This is to be achieved through development plans as stated in law 1622/86. The development plans are drawn at regional level and distinguished into short term and annual regional development plans. There is an extra category of short term and annual regional development plans for the region of Attiki as it contains the city of Athens. The short-term regional development plan is drawn by the regional council after proposals and consultation with the second degree of local governance and has to be approved by the Ministry of National Economy. The annual regional development plan is again drawn by the regional council and does not need to be approved by any other body unless one third of the Regional council makes an appeal. In this instance the Ministry of National Economy decides.

3. Distribution of competences among the tiers of Local Administration

LEVEL OF LOCAL GOVERNMENT	POLITICAL ORGANIZATION	COMPETENCES
PERIPHERIA	<p>In Greece there are 13 regions (<i>Peripheria</i>)</p> <p>The region is administered by the General Secretary of the Region and the Regional Council.</p> <p>The General Secretary of the region (<i>Genikos Grammateas</i>) is appointed by the central government. The Secretary-General is a decentralised State agent with supervisory powers over the acts of the prefects. It is a representative of the central government and responsible for the implementation of government policies related to the region.</p> <p>The Regional council (<i>Peripheriako Simvoulío</i>) is a collective body that implements policy in the regional territory. It comprises the prefects of each prefecture, a representative of the local unions of municipalities and communes, representatives of professional organisations or chambers and is chaired by the Secretary-general of the region.</p>	<p>Regional responsibilities</p> <p>The 13 regions are simple subdivisions of the State: their responsibilities are chiefly regional development and vertical co-ordination of economic policy.</p> <p>The region is the only level of decentralised State administration; it participates in national planning and draws up, plans and implements economic, social and cultural development policies.</p> <p><u>In general terms the region:</u></p> <ul style="list-style-type: none"> - implements national and European policies which concern the financial, social and cultural development of the geographical region; - supports central state services and the government for the elaboration of regional development policies; - defines and applies governmental policy at a regional level, develops a leading role in relation to the directions, co-ordinates and controls particular state policies; - brings state administration close to the citizens and their problems. - takes part in decision making regarding Water treatment, Sewage & waste management, Environmental Fire and Civil protection - it also influences the prefectures in spatial and town planning - the region decides for the manufacture of highways and big ports when these public works involve more than one prefecture - and last, controls agriculture and fishing economy.
NOMOI	<p>In Greece there are 51 department-prefectures (<i>Nomoi</i>) The department of Attica is divided into four prefectures.</p> <p>The Prefect (<i>Nomarchis</i>) is elected the candidate heading the winning list. He executes the decisions of the prefectural</p>	<p>Responsibilities of the prefectural self-government institutions</p> <p>Law 2218/94 established second-level prefectural self-government institutions in every prefecture. These are public-law corporate bodies, responsible for the</p>

	<p>council and committee. Head of services and of personnel, the prefect represents the prefecture legally and externally.</p> <p>The Prefectural Council (<i>Nomarchiako Simvoulío</i>) is made up of 21 to 37 members, elected for four years by direct universal suffrage (three-fifths of the elected representatives are drawn from the majority list; two-fifths of the following lists are distributed by proportional representation). It exercises executive and regulatory powers. The Prefectural Council is the basic organ of the second level local authority. It is responsible for all matters of prefectural interest except for those that belong to the responsibility of the prefect or the prefectural committee.</p> <p>The Prefectural Committee (<i>Nomarchiakes Epitropes</i>) is made up of five to seven members appointed for two years, chaired by the prefect or the deputy prefect (appointed by the prefect). All the members are elected by and from the council.</p>	<p>economic, social and cultural development of the area.</p> <p>They manage prefectural affairs and exercise all the powers conferred on them by law. Their responsibilities do not include cover the spheres managed by the ministries for defence, foreign affairs, economy and justice, or the national statistical office, and they do not supervise the municipalities and communes.</p> <p><i>Education:</i></p> <ul style="list-style-type: none"> • Primary and secondary education • Vocational and technical education <p><i>Health</i></p> <p><i>Town Planning</i></p> <p><i>Environmental protection</i></p> <ul style="list-style-type: none"> • Waste Water Treatment Plans • Solid Waste Management Plans • Environmental protection <p><i>Traffic and transport</i></p> <ul style="list-style-type: none"> • Highways • Urban road transport • Urban transport, railways • Ports <p><i>Economic services</i></p> <ul style="list-style-type: none"> • Water (irrigation) • Farming, Fishing • Commerce • Tourism • Licenses for services, enterprises and sanitation
<p style="text-align: center;">LAU 2 (DIMOI / KINOTITES)</p>	<p>In Greece there are 900 municipalities (<i>Dimoi</i>) and 133 communes (<i>Kinotites</i>)</p> <p>The Mayor (<i>Dimarchos</i>) is elected the candidate heading the winning list. He is required to attend council meetings but without voting rights and implements the decisions of the council and committee.</p> <p>The Municipal Council (<i>Dimotiko Simvoulío</i>) is the decision-making body. It is made up of 11 to 41 members elected for four years by direct universal suffrage (three-fifths of the elected representatives</p>	<p>Responsibilities of the local self-government agencies</p> <p>They are public-law corporate bodies and are responsible for local affairs. Their primary task is to promote the social and economic progress of their inhabitants and protect their cultural and spiritual interests.</p> <p>According to the constitutional provision for local authorities' competence on local matters, the Municipal and Communal Code (art. 24) stipulates that municipalities</p>

are from the majority list; two-fifths of the following lists are distributed by proportional representation).

The **Municipal Committee** (*Dimarchiaki Epitropi*) is chaired by the mayor or his/her appointed deputy and comprises two to six members. It

draws up the budget, audits the end of year accounts, manages and adjudicates in all public sales and decides on when to lodge appeals with the administrative authorities.

The **Chairman of the Community Council** (*Proedros Kinotitas*) is elected from the council and is the decision-making body of the commune. It represents the community, implements the council's decisions and is head of the services.

The **Community Council** (*Simvoulio*) is made up of seven to 11 members elected for four-year term by direct universal suffrage (same procedure as for municipalities).

and communities have overall responsibility for the administration of local matters and care for the promotion of social, financial, cultural and spiritual interests of their citizens.

Local affairs, as far as municipalities and communities are concerned, are all the affairs the range of which does not exceed the municipal and communal territory.

General administration

- Fire fighting
- Civil protection

Education:

- Primary and secondary education
- Vocational and technical education

Health

Town Planning

Environment and public health:

- Water treatment
- Household sewage and waste
- Slaughter houses
- Environmental protection

Traffic and transport

- Urban road transport
- Ports

Economic services

- Water (irrigation)
- Farming, Fishing
- Commerce
- Tourism

4. Competences not belonging neither to the Local Government nor to the Region

- ✚ The region decides, controls and funds public works such as the national highways that connect prefectures, and big harbours that are considered as works of national and not local interest. There are also big public works such as the port of Igoumenitsa, Patra and Pireaus and Egnatia Odos that have international value and are directly planned, controlled and funded by the ministry of public works and environment.
- ✚ **The Regional Offices of Education** are controlled directly from the Ministry of Education and concerns first level, second level and technical education. The regional office decides the context of all the three levels of education in a regional level and distributes the context in the prefectural offices that are also divided in first, second and technical level education. The prefectures also finance the construction and maintenance of school buildings while the municipalities cover the functional expenses. The region decides for the context and finances vocational training seminars.
- ✚ **Health issues** are administered in a regional level by the Region Health Administration (DIPE) office which belongs to the Ministry of Health and Welfare. Also, Family welfare services belong to the prefectures, but municipalities manage the programme “Home Assistance” for elderly people (*Voitbia sto spiti*), which is aiming as well in women’s rise in employment. .
- ✚ **The function of Museums** and their context are controlled by the Ministry of Culture. The Ministry of Culture has organised regional and prefectural offices called “*efories*” for every big historical period: a) Classical and Prehistoric Antiquities, b) Byzantine Antiquities, c) Modern monuments. These “*efories*” – offices are responsible for the cultural heritage of the region. The regional office is responsible for large scale projects and decides for the intervention of both public and private works in protected cultural zones and monuments.
The prefectures and municipalities have the power by law to construct museums but the authority and the control of the museums as well as the decision of the exhibits lays upon the regional offices (“*efories*”).
- ✚ **Regional offices of Greek National Tourism** Organisation are controlled by the Ministry of Tourism and are responsible to decide upon the structure of new hotels, pensions, hostels, etc, grand operation licences for hotels, pensions, hostels, rooms to let, etc and grade the quality of the existing units.. The regional offices also control the renting prices in the region.
The prefecture and municipality offices are solely responsible to advertise and promote their local tourism. The region contributes to the promotion and advertisement of the region as a tourist target and finances works that can be regarded as of an economical – tourist importance.
- ✚ **Tax and revenue issues** are dealt by the local Revenue office (DOY) which belong to the Ministry of Economy and Finance.
- ✚ Finally, the **general issues** of the above table belong to the jurisdiction of the Central State and therefore are dealt by the relevant Ministries (Ministry of Rural Development and Food, Ministry of Development, Ministry of Transport and Communications) however a special national and developing role have the Ministry of Macedonia & Thrace and Ministry of Aegean and Islandic Policy

ITALY

1. The decentralization process

Since 1999, and in accordance with constitutional laws 1/99, 2/01 and 3/01, the entire Italian institutional framework has undergone a substantial overhaul. Under constitutional law 1/99, regional presidents are to be elected by direct suffrage and regions are granted statutory autonomy. Law 2/01, in turn, grants special statute regions the right to self-government, parallel to the amending legislation provided under Law 1/99 for ordinary regions. Finally, under Law 3/01, the republic has been defined as a unit composed of municipalities, provinces, regions and the state.



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The legislative powers of regions have been considerably extended, while government restrictions on regional legislation have been curtailed. A new legal framework for governance has thereby been created, and new criteria for the distribution of administrative duties amongst the state, regions, municipalities, provinces and metropolitan cities have been established, whilst external controls have been lifted.

New provisions governing the financial autonomy of regional and local authorities have been laid down. Finally, regional powers over relations within the European Union and at international level have been redefined. The cooperative nature of the federal model chosen in the 2001 constitutional legislation is apparent in the revised text of Article 118(1) and (3) of the constitution, upholding the principle of subsidiarity. However, the revised Title V has not given sufficient attention to the principle of loyal cooperation between the state and the regional authorities.

The only permanent bodies that provide for coordination between the state and regions on the one hand, and between the state, regions and the local authorities, on the other, remain respectively the State-Regions Conference and the Joint State-Regions-Cities-Local Authorities Conference, which were most recently regulated by legislative decree in 1997. Regarding coordination within regions, under the terms of constitutional law 3/01, the newly established regional statutes are to regulate the Council of Local Authorities, which is the body entrusted with coordination between the region and the local authorities.

In recent years, *Lega Nord* (the Northern League) is beyond doubt the political movement that has made federalisation its top political priority. Nevertheless, the above-mentioned reforms towards federalisation in Italy took place during the XIII Legislature, when *Lega Nord* was not a member of the ruling (centre-left) coalition. However, the centre-right coalition that won the national elections in 2001, and which passed Act 131/03, is responsible for drafting implementing legislation for revised Title V. Federalism is therefore an ongoing process in Italy. In 2003, further bills amending Title V were submitted to parliament.

In 1999 and 2001, two important constitutional laws were adopted that radically amended Title V of part II of the constitution, governing regions, provinces, and municipalities. The laws in question are constitutional law 1 of 22 November 1999 and constitutional law 3 of 18 October 2001. Furthermore, constitutional law 2 of 31 January 2001 grants special statute regions administrative powers relating to self-government that run parallel to reforms under constitutional law 1/99, regulating the form of government and statutory autonomy of ordinary regions.

Constitutional law 1/99 regulates procedures for the approval of statutes for ordinary regions, and the contents thereof. The most significant reform regarding approval procedures is that these statutes are no longer subject to approval by an Act of Parliament, as stipulated in the previous constitution, but through strengthened regional procedures. Revised Article 123(2) of the constitution thus stipulates that statutes are to be approved twice by an absolute majority of the regional council at two separate sittings that are separated by a period not inferior to two months. The statute should be published following the second approval. If one fiftieth of the regional electorate or one fifth of the regional council so request, a referendum on the statute may be held within three months of publication. The statute will not be adopted unless it is approved by a majority of valid votes. Furthermore, the referendum for the adoption of the statute is not subject to a turn-out quorum.

The government may challenge the constitutionality of a regional statute by bringing it in the Constitutional Court within 30 days of its publication.

With regard to the content of the new statutes, revised Article 123 identifies certain essential aspects that must “comply” with the constitution. The concept of “compliance” has recently been defined by the Constitutional Court, which ruled that statutes “must comply with the precepts and principles that derive from the constitution”.

Article 123 identifies six specific areas which are to be governed by the regional statutes: the form of government, the fundamental principles underlying organisation and administration, the right of initiative, referendums, the publication of laws and regulations, and the composition and organisation of the regional council (regional parliament).

Furthermore, in constitutional case 313/03, the Constitutional Court ruled that, since the regional statute regulated relations between the regions’ constitutional bodies, it was the instrument best suited to designate the competent authority for approving regional regulations. Needless to say, this does not exclude the possibility that several institutions might share such regulatory powers. In such cases, this would enable regional law to “regulate and administer such powers according to the matter to be regulated and within the discretionary scope that the law conferred upon the regulatory authority”.

Other areas to be governed by the statutes, in accordance with the increased legislative powers devolved upon the regions under constitutional law 3/01, might include “programmatically” provisions and provisions of principle, or the identification of principles for regional organisation and regulations; under law 3/01, these matters now fall within the exclusive legislative remit of regional authorities. The

statutes could also be used to further develop principles mentioned in revised Title V, such as the “removal of obstacles that prevent men and women from participating in social, cultural and economic life on equal terms” and the “promotion of equal access to elected office for men and women” (Article 117(7) and Constitutional Court ruling 49/03) and the principles of vertical and horizontal subsidiarity (Article 118).

Constitutional law 1/99 also defined a non-mandatory model for regional government which overturned the previous model centring on a parliamentary assembly, and made provision for regional presidents to be elected directly by the regional electorate. Although the president’s authority has been reinforced, the form of regional government remains parliamentary in character. According to the terms of new Article 126(3), a vote of no confidence is not the only means whereby a regional council may be dissolved. Article 126 provides that certain events affecting the directly elected president of the regional cabinet (or *giunta*) could lead to the dissolution of the regional council and the resignation of the *giunta*, namely the dismissal, permanent incapacitation, death or voluntary resignation of the *giunta* president.

The revised text of the last paragraph of Article 126, however, prevents such action from being taken in cases where the regional statute has provided for a form of government other than the one proposed in the constitution and based on the election of the *giunta* president by direct universal suffrage.

In fact, whilst constitutional law 1/99 provides a model form of regional government based on the election of the *giunta* president by direct universal suffrage, it nevertheless grants the regional statutes the right to opt for a different form of regional government, albeit within certain limits. According to the terms of the final paragraph of revised Article 122, the regional *giunta* president is to be elected by direct universal suffrage “unless the regional statute provides otherwise. The elected president shall appoint and dismiss the members of the *giunta*”.

Hence, the regional statute is the source of law that governs the region’s form of government and the fundamental principles underpinning its organisation and administration. Such statutes must comply with the constitution, as specified in revised Article 123(1) and confirmed by recent constitutional case law.

Should regions opt for a form of government other than the one defined in the constitution, they nevertheless remain bound by other constitutional provisions, in particular Article 126(2) entitling the council to initiate a motion of no confidence against the *giunta* president. Furthermore, Article 126(3)11 specifies in its final sentence that the voluntary resignation of a majority of the council’s members entails the dissolution of the council and the resignation of the *giunta*.

In the recent Constitutional Court ruling 2/04, concerning the constitutionality of the Calabrian regional statute, the Court went further in defining the limitations placed upon the regional statute’s authority to decide the region’s form of government. In particular, making reference to its own case law on compliance with the constitution, it ruled that once a region opts for the model proposed by the constitution, (i.e. that the regional president be elected by direct suffrage), the region can no longer alter those constitutional provisions.

Finally, given that the fiduciary bond is an inalienable aspect of regional government, it follows that a regional statute may not adopt a presidential or “directorial” form of government. A semi-presidential model is also excluded since the two-headed nature of its executive is its defining characteristic. Such a situation would be inadmissible at regional level since the *giunta* president is also the regional president.

Other competences entrusted to the regions by constitutional law 1/99 concern the regulation of the electoral system, and the ineligibility or incompatibilities of the *giunta* president and the regional councillors, with due respect for the fundamental principles of the constitution. Under Article 122(1), the establishment of fundamental principles lies solely with the state, as do the elected bodies' terms of office.

Article 122(2) states that a regional councillor may not at the same time be a member of the national or European Parliament or of another regional council or *giunta*. Constitutional Court ruling 196/03 recently defined the limitations of regional legislative powers in electoral matters. A subsequent ruling, 2/04, on regional legislative authority over electoral matters, specified that "statutory provisions that directly regulate, at least in part, aspects of the electoral system which should be governed by national law are inadmissible ... as are those that fall within the region's jurisdiction but are contrary, in spirit or fact, to the fundamental principles laid down in Article 122 of the constitution".

Parliament is currently examining draft legislation governing the underlying principles. Nevertheless, regions are permitted to legislate on related matters before the promulgation of the relevant regulatory principles (Constitutional Court rulings 304/02 and 383/02).

In November 2005 the Parliament has approved the constitutional bill that modifies many dispositions of the constitution in force, among which also some of those introduced or modified by the constitutional law n.1 of 2001. It is a "reform of a reform" of Title V, part II of the Constitution that will be subordinate to the popular confirmative referendum in the next spring.

It concerns norms that would mainly affect the arrangement of the competences, but that they would not meaningfully modify the new polycentric system of the relationships among State, Regions and local autonomies (multilevel governance).

The Parliament put the law to a popular referendum, which rejected the reform.

2. Tiers of Local Administration

In Italy there are three main tiers of local administration: the commune, province and region. The commune is the lowest tier of the Italian administrative hierarchy. The Province is a public administrative body placed between the Commune and the Region.

The respective executive organs of the Communes and Provinces are the Communal *Giunta* and Mayor, and the Provincial *Giunta* and President. All these officers are elected for a five-year period by their fellow Councillors on the basis of their proposed programmes and can be voted out of office. While the Council (communal or provincial) deal mainly with administration (budgets, plans, programmes, large contracts, regulations, staffing levels and general policies), the *Giunta* have powers of proposal and execution and the Mayors and Provincial Presidents represent the entities legally, supervise overall action and maintain unity of direction.

Each Region has a statute governing its organs, their relations and means of functioning within the Region itself, while the general electoral system remains under State law. The statutes of the Regions with special autonomy are approved with constitutional laws, while those of the Regions with ordinary autonomy are resolved by the individual Regional Councils and approved with parliamentary laws.

The Regions have three necessary organs: the Regional Council, Regional Government (*Giunta*) and President. The Regional Council is a collective organ, elected by proportional representation of the citizens every five years. Its function is to legislate, control and plan, as well as to elect the executive organs. In essence, the Council decides on everything concerning the regional political direction. The Regional Government is a collective organ, composed by the President and Councillors and, to which is entrusted, on an agreed basis, policy initiatives, financial proposals, principal acts of planning and ordinary administrative activity. Finally, the President directs the work of the Regional Government, puts into effect its political programme and represents the Region externally.

2.1 Commune

The commune is the local body that represents its own community, cares for its interests and promotes its development. The communes and the provinces have statutory autonomy and financial autonomy within the ambit of the laws and the coordination of the public finances. The communes and the provinces are the holders of functions of their own. They also exercise functions attributed or delegated to them by the State and by the region according to state and regional laws.

Communes and provinces share in the determination of the objectives contained in the plans and programmes of the State and of the regions and within their competence provide for their specification and actuation.

To the commune belong all the administrative functions that may concern the communal population and territory mainly in the organic sectors of social services organisation and utilisation of the territory and economic development. except when expressly attributed to other subjects by state or regional law.

The commune actuates forms of decentralisation and cooperation with other communes and with the province for the exercise of functions in adequate areas of territory.

The commune administers electoral and statistical services, civil registries and the military levy. The relative functions are exercised by the mayor as official of the Government. Other administrative functions for state services may be entrusted to the communes by the law that regulates the relative financial relations assuring the necessary resources.

2.2 Province

The Province is a local administrative authority. It is a public administrative body placed between the Commune and the Region, and its work involves looking after the interests and encouraging the development of the local community. The Province has its own statute and its powers and functions are provided for by article 114 of the Constitution. The areas for which it is responsible are governed by article 19 of the Consolidation Act for local Authorities (Legislative Decree 267/2000).

In the last few years, various important new responsibilities, have been transferred to the Province from the Central Government and the Region. In addition to its previous areas of responsibility, the Province now deals with employment services, public transport, professional training, and also agriculture. These new functions have increased the Province's role as an Authority which provides services directly to the public.

The Province is involved in a large number of different sectors: the environment, the territory, energy, schools, professional training, tourism, culture, civil defence, social services, employment policy, economic activity, transport and roads. The Province is responsible for planning in various different sectors: education, social services, transport, economic development, employment policy, the environment and culture. The Province implements the District Plan for Co-ordination within the Province in order to provide both public and private organisations in the economic, social and cultural fields with a rational overview of territorial development.

The Province is also involved in the protection and improvement of the environment, in the prevention of disaster situations, and in the protection and improvement of energy and water resources. It is also responsible for soil protection, for the organisation of refuse disposal, for the control of dumping and of air and noise pollution, for the protection of flora and fauna, and for parks and nature reserves. In the area of operative employment policy, the Province now has various important responsibilities which have recently been transferred from Central Government. In particular, the Province is involved in the administrative areas of temporary and permanent job placement, dealing with registration, renewals, authorisations, and certification.

2.3 Region

The matters entrusted to the care of the Regions are constitutionally defined. Those for the five special Regions being contained in their respective statutes and for the rest in Article 117 of the Constitution. While the areas of action for the Regions with special autonomy vary from case to case and are particularly wide, those for the Regions with ordinary statutes are the following:

- ✓ Administrative organization: ordering of the offices and dependent corporation; communal districts, local police.
- ✓ Public services: social assistance; health; craft and vocational training; local museums and libraries; transport of regional importance; internal navigation.

- ✓ Economic development: tourism and the hotel industry; road maintenance and construction; public works of regional importance; quarries, peat-bogs, agriculture; crafts; mineral waters and spas.
- ✓ Environment: urban planning; protection of fauna, hunting and fishing, forests and flora; defence of the soil; measures against pollution.

The Region's legislative competence are however restricted by the need of the State to maintain overall unity. Regions with special autonomy are empowered for primary, secondary and effective legislation, while those with ordinary autonomy only for secondary and effective legislation. The three types of legislative competence are distinguished by their limitations. Very generally it can be said that: primary competence is only subject to constitutional restrictions; secondary competence also to the fundamental principles contained in the State laws applying to the particular matter; and effective competence is limited by the specific State laws that the Region is required to apply, organize and integrate at a local level.

3. Distribution of competences among the tiers of Local Administration

LEVEL OF LOCAL GOVERNMENT	POLITICAL ORGANIZATION	COMPETENCES
<p>NUTS 2 (REGIONE)</p>	<p>In Italy there are 15 “ordinary” Regions (<i>Regioni</i>), 5 “special statute” regions and 2 self-governing provinces: Bolzano and Trento.</p> <p>The Regional Council (<i>Consiglio Regionale</i>), has legislative and supervisory powers. The 80% of its members are elected by universal direct suffrage under the proportional system from provincial lists, the 20% are elected by direct universal suffrage under the majority electoral system from regional lists (Art. 1 Law 43/1995). The President of the Council, elected by the Council members from among their number, steers its work.</p> <p>The President of the Region is elected by universal direct suffrage. He represents the Region, promulgates laws and regional regulations;</p> <p>The Regional government (<i>Giunta regionale</i>) is appointed and may be dismissed by the President of the Region, who may appoint members outside of the Regional Council.</p>	<p>Regional responsibilities</p> <p>Under Art. 117 of the Constitution the Regions shall have (exclusive) legislative power with respect to any matters not expressly the preserve of State law and not included in concurrent legislation. Art. 117 lists a series of matters of concurrent legislation (in which the State shall only set fundamental principles). They are:</p> <ul style="list-style-type: none"> • Regional international relations and relations with the European Union; Foreign trade; • Job protection and industrial safety; • Education, except the vocational education and training; • Scientific research; • Health protection; • Food; • Sport; • Civil protection; • Town planning; • Civil ports and airports; • Development of cultural and environmental resources; • Large-scale transport and navigation networks; • Energy; • Complementary social security, etc. <p>The power to issue regulations shall be vested in the Regions in respect of all matters not subject to exclusive State competence (Art. 117(6) of the Constitution).</p> <p>The Regions, as well as the self-governing Provinces of Trento and Bolzano, also have “horizontal” powers, which they can exercise in the matters within their remit, while respecting the procedural standards set by the State, which has the power of substitution:</p> <ul style="list-style-type: none"> • participation in decisions to

		<p>establish Community instruments</p> <ul style="list-style-type: none"> • implementation of international agreements and European Union instruments <p>At the request of Regions or self-governing Provinces, and with their remit, the government can appeal to the Court of Justice against Community instruments. It is obliged to do so if the State-Regions Conference demands it with an absolute majority of the Regions and self-governing Provinces (Art. 5 Law 131/2003).</p>
<p>NUTS 3 (PROVINCIA)</p>	<p>In Italy there are 100 Provinces (<i>Province</i>)</p> <p>The Provincial Council (<i>Consiglio provinciale</i>) is elected by universal direct suffrage. It is the decision-making body of the province, provides general policy guidance, approves budget estimates and disbursement</p> <p>Executive Committee (<i>Giunta provinciale</i>) has wide-ranging powers to implement guidelines set by the Council.</p> <p>President of the Province is elected by universal direct suffrage.</p>	<p>Provincial responsibilities</p> <p>The Provinces may adopt their own statute (Art. 6 Legislative Decree 267/2000). The Provinces are mainly responsible for decentralised implementation of state responsibilities, but also see to local administration needs for supra-municipal issues.</p> <p>The Province has jurisdiction in the following areas:</p> <ul style="list-style-type: none"> • spatial planning • environmental protection • civil protection • protection of water and energy resources • protection of cultural heritage • highways and transport • protection of flora and fauna • nature reserves and parks • fresh-water hunting and fishing • labour market • school education • compiling public data • technical and administrative assistance for municipalities • local economic development • social and territorial planning
<p>LAU 2 (COMUNE)</p>	<p>In Italy there are 8,103 local authorities (<i>Comuni</i>)</p> <p>The Municipal Council is elected by universal direct suffrage, majority system for areas with a population of less than 15,000 otherwise proportional system. It is the decision-making body, has general powers and approves budgets;</p>	<p>The Municipalities may adopt their own statute (Art. 6 Legislative Decree 267/2000). Administrative functions are now delegated to the municipalities under the principle of subsidiarity (Art. 118 of the Constitution), unless they are delegated to the provinces, metropolitan cities, Regions and the State to ensure harmonisation. Under Art. 13 of Legislative Decree 267/2000, municipalities have the following</p>

The **Executive Committee** (*Giunta comunale*) is appointed by the mayor, who delegates some powers to it, acts in accordance with the Council's guidelines.

The **Mayor** (*Sindaco*) is elected under the majority system by universal direct suffrage in municipalities with populations of 15,000 or under.

In municipalities with populations of over 15,000, the Mayor is elected by universal direct suffrage with an absolute majority of valid votes.

functions:

1. Duties related to personal services: (for information)
 - personal and community assistance
 - school-related services (canteens, school buses, assistance for the disabled)
 - pre-school child care, nursery schools
 - culture (museums, exhibition halls, cultural activities, theatre)
2. Municipal administration duties: (for information)
 - town planning, upkeep of local roads
 - running of local transport
 - housing
 - drafting of plans for trade.
 - births, marriages and deaths register
 - environment and waste management
 - administrative police
 - land registry
3. Support of economic development and productive activities: (for information)
 - planning, programming and regulation of commercial activities
 - establishment and management of industrial and trade zones
 - management of local public services

MOROCCO

1. The decentralization process



In the framework of the consolidation of the local democracy, concretization of public freedoms and, in order to involve the citizens in the management of the local businesses, the Kingdom of Morocco chose, as of the first years of Independence, the system of decentralization of the country. It is thus, which a remarkable evolution, in terms of legal device and financial and human resources, was recorded during more than forty years, in several stages, tending to reinforce the autonomy of the elected authorities, in order to make decentralization a genuine lever of development.

The decentralization, which represents an irreversible choice and a priority site, was object of several reforms. Their objective is to allow the citizens to have an administration of proximity, effective, efficient and, close to their expectations and aspirations. The communal charter of June 23, 1960 constitutes the first text, having general range, in this direction; it was preceded by two texts regulating the election of the communal councils and fixing the territorial limits of the communes.

The authorities instituted at the beginning of the Sixties a bicephalous communal system in which, on the one hand, the president of the communal council had of very limited attributions and in the other hand, a representative of authority enjoyed broad prerogatives, of which in particular, the capacity to carry out the deliberations of the communal council. The legal framework of the commune of 1960 was characterized by a heavy supervision, the controls *a priori* and *a posteriori* on the decisions of the president and the Council limited the initiative of the local councillors. The authority of the State increased at the detriment of the exercise of the local responsibilities.

The *Dahir* of September 12, 1963 created a second level of decentralization at the level of the prefecture and provincial Assemblies.

The decentralization at the communal level knew a fundamental reform in 1976, by the adoption of a new legal framework which equipped the communes with broad responsibilities for the management of the local businesses. It also transferred the power of execution of the Councils of State representatives deliberations to the President of the communal Council which is an elected authority.

Thus the year 1971 saw the installation of the *Dahir* of June 16, 1971 that marks consequently the legal consecration of the region as a framework of devolution and authority of consultation. Five years later, the reorganization of the communal framework, confirmed the choices of 1971 by conferring on the communal institution a major role as regards regionalization.

Parallel to the installation of the regional device designed by the law of 1971, new provisions defining the economic framework of intervention in order to stimulate the communal action were adopted. Thus the *Dahir* of 30 September 1976, relating to the communal organization, conferred on the communal council the right “to define the plan of economic and social development of the commune in accordance with the orientations and objectives retained by the national plan...”.

This “communal charter” allotted to the communes of broad prerogatives in the management of the local businesses. It thus brought great changes in the field of the distribution of the capacities and the prerogatives. The commune was seen allocate a general responsibility as regards management of the local businesses. In addition to its economic competences, it is in charge of the whole of the aspects having a relationship within the framework of life of the populations. In this direction, the commune ensures the production of the equipment and the basic infrastructures in order to promote the local life and to initiate the bases of the development of its territory.

In the same way, the process of decentralization was reinforced, in 1992, by the creation of the Region, as a local community of full exercise, which constitutes a favourable framework for the promotion and the development of new mechanisms and new methods susceptible to allow a better valorisation of human, natural and ecological resources of the region.

It constitutes also a spatial framework integrating economic, social and cultural dimensions, whose basis are the consolidation of the foundations of the local democracy, the inter and intra-regional solidarity and the coordination among the various actors composing the region, in order to carry out an integrated and diversified regional development.

Thus, the *Dahir* of April 2, 1997 sets the organization of the Region in the direction of the reinforcement of the democratic practices, while allowing the various economic, social, political actors and other components of the civil society, to invest the Region like a new reflector space of dialogue and action. The will of Its Majesty the King Mohammed VI to adapt the local decentralization, in general, and the local institutions, in particular, to the changes that Morocco knows, led the authorities, in 2002, to revise the legal status governing the communes and the prefecture and provincial communities.

This revival of decentralization is in a general context marked primarily by:

- the consolidation of the democracy, in particular through the constitutional revision of 1996, which affirms the attachment of the Kingdom of Morocco to the Humans Rights, such as they are universally recognized;
- reinforcement of the Rule of law;
- the emergence of the New Concept of the Authority;
- the organization of electoral operations having led to the renewal, the rejuvenation and the improvement of the educational level of the local councillors.

The new legal framework governing the local communities is articulated around the following axes:

- Institution of a statute of the elected official, with a clarification of the obligations and rights, for the first time in the history of Moroccan decentralization;
- Extension of the field of local autonomy by a new design of the grid of local competences, founded on the principle of subsidiarity, in order to entrust at the local levels the conferred competences as regards economic, social, cultural and environmental development;
- Fixing of the legal framework of further transfers of competences which the State could be led to concede to the local communities;
- Reinforcement of the mechanisms of control and moralisation of the exercise of the elective mandate, in order to protect the general interest and the public finances;
- Reinforcement of external controls, in particular by the creation of financial jurisdictions, namely the Regional Courts of Auditors;
- Alleviation of the device of supervision by the reduction of the number of acts subjected to approval, by the reduction of the times of approval, as by the delegation to walis and governors of the power of approval;

- Establishment of a new mode for the urban districts of more than 500 000 inhabitants, by the creation of a communal council charged to manage the businesses of the commune, and by councils of districts deprived of the legal personality but enjoying an administrative and financial autonomy and charged with managing the businesses of proximity.

The laws of decentralization either at the communal, prefecture, provincial or at the regional level were accompanied by several measures of accompaniment whose objective is to allow the elected authorities to achieve their missions under perfect conditions of effectiveness and efficiency. The tax resources of the local communities constitute a guarantee of autonomy with respect to the State. These entities have a local taxation and they are in the same time qualified to determine the taxable methods, the collection and fixing of the rates of certain duties and taxes.

The current system of the local taxation instituted by the *Dahir* of November 21, 1989, indeed consolidated the financial autonomy of the local communities by the widening of the sphere of the own resources. This system was reinforced by the transfer to the local communities a portion equal to 30 % at least of the product of the value-added tax (VAT), in addition to three taxes recovered by the Services of the State and assigned to the decentralized communities (the licence, the tax of municipal administration and the urban tax), as well as the forest resources from which the rural communes profit since 1977.

Today, and after the reforms of the laws governing the organization of the communes, prefectures and provinces, it appears necessary to adapt the legal and regulation framework to the new context of decentralization. To this aim, a programme of consolidation of the decentralization has been set up. It implies the reform of the texts relating to the local taxation, the financial organization and the accountancy of the local communities. This device aims at the simplification and the improvement of the output of the local taxation, the levelling of the local tax authorities and the harmonization between the local taxation and the national taxation.

Lastly, within the framework of the support of the local communities, efforts are deployed for the success of the policy of decentralization, in particular by the legal assistance at the profit of the local communities, the support of the programmes of economic and social development at the local level, as well as the reinforcement of the management capacities and techniques of these entities.

2. Tiers of Local Administration

The emergence of a decentralised regional system has been accompanied by a process of administrative devolution in the form of an increase in the number of territorial bodies and the presence of representatives of the central administration within those bodies. At present, the system of local government consists of regions, prefectures, provinces and communes with a legal personality and financial autonomy. In Morocco there are 16 regions, 71 prefectures and provinces and 1547 communes.

In the last decade, there has been a movement away from direct ministerial control through the creation of more intermediate territorial entities at a regional level. The strengthening of the elected communes is thus being preceded by the strengthening of wilayas and regions. Sixteen regions were created in 1997 in an attempt to counterbalance the central state in Rabat and be in charge of gradually transferring responsibilities to local collectivities. Regional assemblies have also been put in place, which are indirectly elected through the communal councils. There are now 39 provinces and 8 urban prefectures, with considerable power vested in the hands of the governors, who are appointed by the King through the Ministry of the Interior.

2.1 Commune

The Communes are local authorities of public law, equipped with the legal status and financial autonomy. They are divided into urban communes and rural communes. The organs of the Commune are the Communal Council and its President.

The Communal Council is elected according to the terms and the conditions fixed by the provisions of the law forming the electoral code. The Council regulates by its deliberations the affairs of the commune. It exerts in particular its own competences and competences which are transferred to him by the State. The Communal Council elects, among its members, a President and vice-presidents who form the Office of the council.

The President of the Communal Council is the executive authority of the commune. The President carries out the deliberations of the council, executes the necessary measures to this effect and ensures the controls.

The Commune exerts in particular its own competences and competences which are transferred by the State.

2.2 Province

The Prefectures and the Provinces are local communities, equipped with the legal status and financial autonomy. They are responsible for rural investment, the provision of some social services, and administration delegated by the central government. The affairs of the prefecture or provincial community are managed by an elected Council. The Prefecture Council or Provincial Council is composed by elected members and members representing the professional categories.

The Prefecture or Provincial Council elects among its members, resulting from the two colleges, a President and several vice-president, which form the Office of the Council. The Wali or the Governor

of the Prefecture or the Governor of the Province ensures the execution of the deliberations of the Prefecture or Provincial Council.

2.3 Region

The Regions, instituted by the art.100 of the Constitution, are local communities equipped with the legal status and financial autonomy. The affairs of the region are managed by a Regional Council democratically elected for a six years term.

The Regional Council regulates by its deliberations the businesses which are transferred by the State to the region. The Regional Council is composed by representatives elected of the local communities, professional categories and employees. The Regional Council exerts its own competences and competences which are transferred by the State. The Regional Council can, moreover, make proposals and suggestions and give opinions on the actions of general interest, interesting the region, coming under the responsibility of the State or any other legal entity of public law.

3. Distribution of competences among the tiers of Local Administration

LEVEL OF LOCAL GOVERNMENT	POLITICAL ORGANIZATION	COMPETENCES
<p>NUTS 2 (RÉGION)</p>	<p>The Regions, instituted by the art.100 of the Constitution, are local communities equipped with the legal status and financial autonomy. The affairs of the region are managed by a Regional Council democratically elected for a six years term. The Regional Council regulates by its deliberations the businesses which are transferred by the State to the region. The Regional Council is composed by representatives elected of the local communities, professional categories and employees. The Regional Council exerts its own competences and competences which are transferred by the State. The Regional Council can, moreover, make proposals and suggestions and give opinions on the actions of general interest, interesting the region, coming under the responsibility of the State or any other legal entity of public law.</p> <p>The Governor of the chief town of the region ensures the execution of the deliberations of the Regional Council.</p>	<p>Regional responsibilities</p> <p>Own competences:</p> <ul style="list-style-type: none"> ▪ economic and social development ▪ regional planning ▪ promotion of the investments ▪ promotion of the employment ▪ vocational training ▪ protection of the environment ▪ management of the hydraulic resources at regional level ▪ promotion of social and cultural activities ▪ promotion et support to the actions of social solidarity ▪ promotion of the architectural specificities <p>Transferred competences:</p> <ul style="list-style-type: none"> ▪ realization and maintenance of the hospitals, schools and academic establishments and attribution of grants ▪ training of the agents and cadres of the local communities ▪ equipment of regional interest
<p>NUTS 3 (PREFECTURE PROVINCE)</p>	<p>The Prefectures and the Provinces are local communities, equipped with the legal status and financial autonomy. The affairs of the prefecture or provincial community are managed by an elected Council.</p> <p>The Prefecture Council or Provincial Council is composed by elected members and members representing the professional categories. The Prefecture or Provincial Council elects among its members, resulting from the two colleges, a President and several vice-president, which form the Office of the Council.</p> <p>The Wali or the Governor of the Prefecture or the Governor of the</p>	<p>Provincial responsibilities</p> <p>Own competences:</p> <ul style="list-style-type: none"> ▪ economic and social development ▪ development rural ▪ promotion of the investments ▪ promotion of the employment ▪ provincial and prefecture public services ▪ provincial and prefecture roads ▪ public services of intercommunal transport ▪ programmes of habitat or reorganization of town planning and the precarious habitat in the urban and rural environments ▪ preservation and valorisation of the historical, cultural and artistic

	<p>Province ensures the execution of the deliberations of the Prefecture or Provincial Council.</p>	<ul style="list-style-type: none"> heritage ▪ protection of the environment ▪ promotion of sport, culture and social action ▪ social solidarity ▪ twinning and decentralized co-operation <p>Transferred competences:</p> <ul style="list-style-type: none"> ▪ secondary and technical education ▪ health ▪ vocational training ▪ training of the local communities staff and councillors
<p>LAU 2 (COMMUNE)</p>	<p>The Communes are local authorities of public law, equipped with the legal status and financial autonomy. They are divided into urban communes and rural communes.</p> <p>The Communal Council is elected according to the terms and the conditions fixed by the provisions of the law forming the electoral code. The Council regulates by its deliberations the affairs of the commune. It exerts in particular its own competences and competences which are transferred to him by the State. The Communal Council elects, among its members, a President and vice-presidents who form the Office of the council.</p> <p>The President of the Communal Council is the executive authority of the commune. The President carries out the deliberations of the council, executes the necessary measures to this effect and ensures the controls.</p>	<p>Communal responsibilities</p> <p>Own competences:</p> <ul style="list-style-type: none"> ▪ economic and social development ▪ communal finances, taxation and goods ▪ town planning and regional planning ▪ local public services ▪ hygiene, healthiness and environment ▪ promotion of social, cultural and sports activities ▪ preservation and promotion of the specificities of the local cultural heritage <p>Transferred competences:</p> <ul style="list-style-type: none"> ▪ protection and rehabilitation of the historic monuments, the cultural heritage and safeguarding of the natural sites ▪ realization and maintenance of the vocational training and training colleges

PORTUGAL

1. The decentralisation process



During the period of the totalitarian regime led by António de Oliveira Salazar, the structure of local and regional authorities (parishes and municipalities within districts) remained unaltered within a system of authoritarian government. Under the new 1936 Administrative Code, the districts were reorganised into a new provincial structure and two new provinces were set up in the island regions (the Archipelago of the Azores and Madeira). In this period, the self-government powers of the parishes and municipalities were greatly reduced as local authorities were mere executors of decisions taken by central government.

Since the return to democracy with the 1974 revolution, the regions became an important factor. On the one hand, the regionalisation answered to the need to reduce and to rationalize the central bureaucracy of the totalitarian period and, on the other, it appeared fundamental in order to reduce the significant economic and social gap between the Atlantic coast area, which included the densely inhabited cities of Lisbon and Oporto, and the internal rural areas and island regions where development was limited and slow.

The basic principles supporting the 1976 constitution embrace the principle of the unitary state (Art. 6(1)), under which Portugal is an indivisible republic with a single constitution and, therefore, sovereign institutions which are the same for the whole country. As such, however, the nature of the Portuguese republic is fully compatible with the acknowledgment of regional self-government and territorial devolution. Devolution is achieved through the recognition of autonomous regions (the Archipelago of the Azores and the island of Madeira) and local authorities (municipalities and parishes) and through the planned administrative regions.

The constitution distinguishes two different forms of regional organisation:

- the autonomous regions – the islands – (Articles 225-234) and



- the administrative regions in mainland Portugal, which are governed by the provisions laid down in the section on local authorities (Section VIII).

The political autonomy of the island regions does not affect the unitary nature and integrity of the sovereign power of the state. The regions autonomy have been increased by the 1997 revision of the constitution, which mentions the autonomy of the autonomous regions as one of the key issues to be respected in any constitutional revision.

The autonomous regions have the right of initiative as regards revision of their statutes, which have to be approved by the national parliament. This cannot amend or reject a draft without obtaining firstly the opinion of the regional assembly. Once that opinion has been received, the national parliament debates and takes a final decision on the text of the statute. Therefore, the acts approving the statutes of the autonomous regions take the form of an ordinary state law.

The island regions have legislative autonomy under which their regional assemblies adopt *regional legislative decrees*. The legislative power of these assemblies, which relates to the *implementation* of fundamental state laws on matters that are not within the exclusive powers of the national parliament, is *primary* or *general* and it is *authorised* or *delegated* within the boundaries laid down by the national authorising body. The constitution explicitly list the matters of “specific interest to the region” in which regional authorities have legislative power (Article 228). The autonomous regions have autonomous legislative power on nature protection, land use and spatial planning, transport, agricultural, commercial and industrial development, sport, tourism, crafts, the organisation of regional administration and all other issues related to the specific needs arising from their island status. Regional laws must comply with the constitution and are subject to the constraints of international law. Moreover, they cannot invade the areas in which the state (the national parliament and the government) has exclusive legislative power.

The regional laws adopted within the framework of delegated powers have to be acquiescent with the limits set by the state law delegating these powers, just as regional laws supplementing fundamental state laws are subject to the specific restriction of respect for the principles laid down by the state legislator.

The regulatory powers of the regions are shared between the regional assembly and the regional government. The regional assembly adopts, by regional regulatory decree, provisions implementing the general laws of the republic, while the regional government is responsible for implementing the region’s legislative acts (by decree or another equivalent provision).

The autonomous regions benefit also of administrative autonomy. The constitution grants them executive powers. Thus the regional executive is the centre of political authority and also the head of the region’s administration.

The organisation of powers in the autonomous regions is based on a system of parliamentary government. The regional government is politically accountable to the regional legislative assembly, which passes votes of confidence on the programme or other issues of interest to the region and can propose motions of censure on the execution of the government’s programme or on other important matters (Articles 49-52 of the statute of the Azores). The president of the regional government is appointed by the Minister of the Republic, with due regard for the results obtained by the political groupings in the elections for the regional assembly.

Unlike the autonomous island regions, the administrative regions (Articles 255-262 of the Constitution) do not have political autonomy. They are envisaged as organisational bodies with administrative and financial autonomy responsible for directing public services and coordinating and supporting the activities of municipalities, while respecting municipal autonomy. The general law on the establishment of the administrative regions was adopted in 1991 (Law 56 of 13 August 1991), under Article 255 of the Constitution.

Subsequently, with Law 19/1998, Parliament subdivided the territory into eight regions (Entre Douro e Minho; Trás-os-Montes e Alto Douro; Beira Interior; Beira Litoral; Estremadura e Ribatejo; Alentejo; Algarve; Lisboa e Setúbal) and put the matter to a popular referendum, as required by Article 256 of the Constitution, which rejected the establishment of the administrative regions. The rejection of the Law 19 of 1998 interrupted the long and complex process laid down in the constitution for establishing these new bodies in mainland Portugal.

The administrative regions are responsible for coordination between national and regional planning. This function continues to be achieved by the Regional Coordinating Commissions (CCR). These are decentralised bodies of the Ministry of Public Works, Planning and Regional Administration with administrative and financial autonomy, which help to draw up the Regional Development Plan and set up the main lines of regional development policy. Over the years, the CCR have become quite high-profile administrative agencies, although officially they remain decentralised units of the Ministry and are not elected bodies or representative of the public in any other way. There has thus been substantial pressure for their reform, particularly in view of the fact that they are responsible for the coordination of large amounts of funds coming from the EU Structural Funds.

As the administrative regions have not been set up, the administrative tier above the municipality is the district (*distrito*). Legally speaking, these are not local authorities but administrative districts, with a deliberative assembly made up of representatives of the municipalities and an advisory council which assists the Civil Governor. The Civil Governor represents the state and is responsible for monitoring the districts' proceedings.

Actually, the speeding up of the EU integration process coincided with a general wish to move away from this centralised, tortuous model of regional coordination. This is the background to the procedure which led to the adoption in 1991 of the framework law on the creation of the administrative regions and to the subsequent consultative referendum in 1998. After the "no" vote in the 1998 referendum on the establishment of the administrative regions, radical reform of the CCR was relaunched and the 2003 reform law turned them into the present Regional Coordination and Development Commissions (Comissões de Coordenação e Desenvolvimento Regional – CCDR). The present five commissions – the Commission for the North (CCDR Norte) based in Oporto, the Commission for the Centre (CCDR Centro) based in Coimbra, the Commission for Lisbon and the Tagus valley (CCDR LVT) based in Lisbon, the Commission for the Alentejo (CCDR Alentejo) based in Evora and the Commission for the Algarve (CCDR Algarve) based in Faro – are responsible for the implementation of the regional operational programmes provided for by the Community Support Framework for Portugal and play a key role in supporting and monitoring regional economic development.

With the 2003 reform, the regional council participates in the appointment of CCDR chairmen. The regional council is an internal CCDR body whose members include mayors of municipalities and representatives of parishes in the region concerned. Despite these new mechanisms for ensuring local-authority representation on CCDR executive bodies, the CCDR are still closely tied to the government and the relevant ministry.

In giving effect to the constitutional principle of subsidiarity, Law 159 of 1999 laid down procedures for the administrative devolution of responsibilities to the local level. This principle requires that responsibilities have to be exercised by the tier of government which is in the best position to do so effectively, rationally and in a way which best provides to the interests of the citizens. The responsibilities of the municipalities include infrastructure and energy-resource management (transport and communications, energy, town and country planning), health and security (health, civil protection, municipal police services and external cooperation), education and culture (education, leisure facilities, science and culture), economic development and environmental protection (promotion of development, the environment and consumer protection).

Actually, the division of administrative responsibilities between the state and the municipalities is tempered by the provision for negotiations over the exercise of specific responsibilities. The provision is made for a negotiated transition of a series of responsibilities to the local authorities by 2004. It consists on a kind of "dynamic" devolution in which, each year, the state budget stipulates the funds to be allocated to local authorities for the exercise of new, additional responsibilities assigned to them. Because of the considerable differences between Portuguese municipalities, the 1999 law introduced a system of differentiated devolution whereby the new responsibilities would be assigned to those municipalities which, under special agreements with the state, meet the practical conditions for exercising them.

The arrangement which had been planned for the administrative regions follows the twin model that is characteristic of local government: the regional assembly is the deliberative body and it is composed by a combination of directly elected members and a smaller number of members elected by proportional representation by members of the municipal assemblies (Articles 259-60 of the CRP, Articles 3 and 22 of Law 56/1991). The regional board is the executive body, elected by secret ballot by the regional assembly from among its members.

2. Tiers of Local Administration

The Constitution establishes three levels of local government in mainland Portugal: administrative regions, municipalities and parishes.

The administrative regions have not yet been set up, with the result that the eighteen districts set up in 1835 still exist. In practice, today the districts are simple units of decentralised public administration. In Continental Portugal, each of the 18 administrative districts is still administered by a representative of the State, but this territorial unit will vanish with the establishment of administrative regions which, unlike the districts, will have a statute of local autonomy and will have powers to manage public services and to co-ordinate and support the work of the municipalities.

The constitutional provisions on local authorities preserve fundamental principles which cannot be altered even by constitutional revision, as central government bodies depend on the existence and constitutional organisation of these authorities. The implementation of the constitutional principles relating to local authorities is governed by Decree-Law 161 of 18 September 1999, as amended by Law 5-A of 11 January 2002 which repealed the legislation in force on the organisation of local authorities and regulates local-authority bodies.

The relationship between the state and regional and local authorities is based on the principle of subsidiarity, which was enshrined in Article 6(1) of the constitution in 1997. Under this principle, the higher or larger tiers of authority take on responsibilities which the lower or smaller tiers are unable to discharge or would discharge less effectively. It also helps to secure democratic decentralisation, ensuring that regional and local authorities are accorded specific competences for governing their communities.

The constitution provides for a relationship of active cooperation and allegiance between state bodies and regional government bodies, which are to help ensure the economic and social development of the autonomous regions with a view to correcting inequalities arising from their island status. In the autonomous regions, the state is represented by a Minister of the Republic, appointed by the President of the Republic on a government proposal and after consultation of the Council of State and the regional legislative assembly. As part of his scrutiny activities, the Minister of the Republic may ask the constitutional court to examine the constitutionality of regional regulations or legislative decrees. If the court rules these to be unconstitutional, the minister issues an implementing ban and refers them back to the body which adopted them so that they can be repealed.

The system of distribution of powers between the various categories of local and regional authorities, established by the Law 159/99 is very straightforward. It is based on the principles of decentralisation and self-government, which lead to much greater flexibility in implementing, at local level, the framework of the transfer of central-government responsibilities to the local authority organs. The statutory framework for the local authorities' own powers was laid down by the Laws 169/99 and 5-A/2002. In practice, the new system centres on the principle of general jurisdiction, whereby local authorities may deal with all matters affecting the interests of residents within their area. The only limits to this general responsibility relates to the principle of state unity and to the rules on sharing of responsibility for public investment between central and local government.

Local authorities are responsible for matters specifically concerning them and the interests of their inhabitants, for which they have general authority. These include the administration of their assets, local development and service infrastructure, public health, education, care of children and the elderly,

cultural and sporting facilities, environmental protection and quality of life, and public safety. The role of the parishes is essentially one of neighbourhood administration. In practice their range of functions is very narrow; the financial resources at their disposal are generally insignificant; and (except in the main urban areas) their technical and administrative capacity is very limited.

Since 1976, following constitutional and local reforms, there has been no differentiation between compulsory and optional responsibilities. Equally there are no differences between municipalities concerning how tasks are carried out. In accordance with present legislation the State may take part jointly in investments, within the framework of regional and local development, through contract programmes carried out between the central administration and municipalities, their associations or concessionary companies. The specified areas in which these contracts may be drawn up include the following: basic sanitation, environment and natural resources, transport and communications infrastructure, culture and sport, education and vocational training, public safety, social housing, promotion of economic development, health, and social security.

2.1 Municipalities

Each municipality has a municipal assembly (*assembleia municipal*) and a municipal chamber (*câmara municipal*). The municipal assembly is the deliberative organ and is directly elected by the people. Its members also include the chairmen of the parish boards. The municipal chamber is the executive body of the municipality. It is led by a president, who is the head of the list which receives the most votes in the elections for the municipal assembly. The number of other members is laid down by law.

The municipalities have their own exclusive administrative responsibilities and powers shared with the parishes. The exclusive responsibilities of the municipalities cover the administration of assets, rural and urban facilities, the establishment of the public energy, transport and communication network, the education and the culture, while the powers shared with the parishes cover the local development and environmental protection, the public network, the health and the sanitation, the protection of children and elderly, the education, the culture and the sport.

2.2 Parishes (*freguesias*)

The present parishes have their origin in the old religious parishes of the Middle Ages. The responsibilities and powers of the parish are restricted almost exclusively to day-to-day administration and the construction and maintenance of certain infrastructures. However, some municipalities have delegated wider powers to the parishes. Their lack of institutional structure and shortage of staff and financial resources leave them with little say in local government matters and they work to a large extent in cooperation with the municipalities.

Each parish has a parish assembly (*assembleia de freguesia*) and a parish board (*junta de freguesia*). The parish assembly is the deliberative body and it is elected by direct universal suffrage (secret ballot of all resident citizens, using a system of proportional representation). The number of members of the parish assembly varies according to the number of resident voters. In parishes with fewer than 150 registered voters, a plenary meeting takes the place of the parish assembly, and its decisions are valid only when at least 10% of the voters resident in the parish are present.

The parish assembly elects the members of the parish board by secret ballot. The parish board is the executive body, and it is composed of a chairman and elected members. In parishes with over 150 voters, the chairman of the parish board is the head of the list which receives most votes in the elections for the parish assembly, while in smaller parishes (fewer than 150 voters), the chairman of the parish board is elected by the plenary meeting.

The parishes have their own exclusive responsibilities and powers shared with the municipalities. The exclusive responsibilities of the parishes cover the administration of parish property, the electoral register, the public works and the upkeep of public highways, while the powers shared with the municipalities cover the local development and environmental protection, the public network, the health and the sanitation, the protection of children and elderly, the education, the culture and the sport.

2.3 The evolution of the metropolitan government model: the role of the metropolitan cities

The Portuguese Constitution allows the establishment of other forms of local government in large urban areas and on the islands (Article 236(3)). Under this principle, the metropolitan areas of Lisbon and O'Porto were established in 1991 (Law 41/1991 of 2 August). Metropolitan areas are public authorities which aim to promote the interests of the municipalities within their boundaries. The majority of the area's population, represented by two-thirds of the municipal assemblies must first vote in favour of their establishment. Metropolitan areas have their own funding and financial autonomy, and their goal is optimum management of interests and services throughout the area, particularly public transport and communications, provision of health and environmental protection infrastructure, and civil protection.

The metropolitan areas carry out their tasks through bodies which, differently from those of other local authorities, are not representative of the citizens. The metropolitan assembly, which is the decision-making body, is thus composed by members elected by the municipal assemblies, whereas the metropolitan committee, which is the executive body is composed by the chairmen of the municipal executive bodies.

The advisory body responsible for coordination between the different tiers of administration in the metropolitan area is the metropolitan council, which composed by the chairman of the Regional Coordination and Development Commission (CCDR), the members of the metropolitan committee, and representatives of public services and bodies whose activities fall within the sphere of activity of the metropolitan area.

The metropolitan area of Lisbon (AML) covers 18 municipalities. It was constituted in 2004 as a public collective person of associative nature and of territorial scope that aims to reach common public interests of the involved municipalities. It is responsible for coordinating investment and services of supra-municipal interest, particularly as regards city and suburban public transport and communications, and for coordinating state and municipal decisions in matters of infrastructure, environmental protection and civil protection.

The metropolitan areas' legal system has recently been reformed. In May 2003, a law provided for the establishment of two types of metropolitan area:

- a) large metropolitan areas (GAM), comprising a minimum of nine municipalities and at least 350,000 inhabitants;

- b) urban communities (ComUrb), comprising a minimum of three municipalities and at least 150,000 inhabitants.

At October 2004, 15 metropolitan areas had been set up in addition to the already existing metropolitan areas of Lisbon and Oporto, together with an intermunicipal community governed by public law. Their legal status is that of a “special association of municipalities”. The procedure for setting up a metropolitan area requires a majority vote in favour by the municipal assemblies concerned.

3. Distribution of competences among the tiers of Local Administration

LEVEL OF LOCAL GOVERNMENT ²	POLITICAL ORGANIZATION	COMPETENCIES ³
<p><i>ADMINISTRATIVE REGION</i></p>	<p>In Portugal there are 8 administrative regions.</p> <p>Although it is provided for by the Constitution, this administrative level has not been yet established. On November 1998 a popular referendum rejected the establishment of the administrative regions.</p> <p>The Regional Assembly will be the deliberative body. It will consist of fifteen to twenty representatives of municipal assemblies and members directly elected by the regional electorate. It will have thirty-one members if the region has less than 1.5 million voters and forty-one if it has 1.5 million voters or more.</p> <p>The regional assembly is responsible for monitoring and supervising the activities of the regional committee, approving action plans, budget, progress reports and the accounts and for authorising the committee to take certain measures.</p> <p>The Regional Committee consists of a Chair plus six other members in regions with over 1.5 million voters and four other members in all other regions, elected from among the members of the regional assembly.</p>	
<p><i>MUNICIPALITY</i></p>	<p>In Portugal there are 308 municipalities (278 in mainland Portugal and 30 in the autonomous regions).</p> <p>The Municipal Assembly is the deliberative organ and is directly elected by the people. Its members also include the</p>	<p>According to the Law 159/99 of 14 September and secondary legislation, municipalities are responsible in the following areas:</p> <p><i>Facilities in rural and urban areas:</i></p> <ul style="list-style-type: none"> • open spaces

² The NUTS (three at level 1, seven at level 2 and thirty at level 3), which are used as a reference for a hierarchical subdivision of the countries of the European Union, do not correspond to the national administrative divisions. In the NUTS hierarchy, the first-order subdivisions of Portugal are mainland Portugal and the two autonomous regions. The second-order division is the five planning regions and the two autonomous regions. The third-order division is into groups of municipalities. The fourth-order division is the municipalities, and the fifth-order, the parishes. The groups of municipalities overlap with the districts.

³ The relevant column on the competences of the administrative regions has not been completed because regions have not yet been established.

chairmen of the parish boards.

The main functions of the municipal assembly are:

- monitoring and supervising the activities of the municipal chamber;
- keeping informed and issuing opinions on subjects of concern to the local community;
- approving the annual plan, the accounts, the plans and municipal planning rules, etc.

The **Municipal Chamber** is the executive body of the municipality. It is made up of members elected by direct suffrage. The municipal chamber is the permanent executive organ and has fairly broad powers with regard to the organisation and operation of services, town planning, public works and relations with other local authority bodies.

Inter alia, the municipal chamber must:

- carry out decisions taken by the municipal assembly;
- draw up the provisions of the plan, the budget and the accounts;
- execute public works.

The Municipal Chamber is led by a **President**, who is the head of the list which receives the most votes in the elections for the municipal assembly. The number of other members is laid down by law.

- roads
- facilities for municipal public
- services
- municipal markets

Energy supply

Transport and communications:

- municipal road works
- urban transport
- non urban transport exclusively within the territory of the municipality
- structures relating to the road transport
- municipal airports and heliports

Education

- pre-schools
- primary and secondary schools
- school transport
- school welfare

Heritage, culture and science

- cultural and scientific centres
- municipal libraries, theatres and museums
- cultural, environmental and urban heritage
- cultural facilities

Health

- municipal medical facilities
- health centres
- municipal spa facilities

Social welfare

- crèches, nursery schools, homes or day-care centres for elderly people and centres for the disabled
- municipal social welfare programmes and projects

Housing

- low-cost housing and urban renovation
- social housing stock

Civil defence

- municipal fire brigade
- municipal civil defence installations and centres
- infrastructure for the prevention

		<p>of, and support for fighting, forest fires</p> <ul style="list-style-type: none"> • scrub-clearance and maintenance programmes for forests and maquis <p><i>Environment and basic sanitation</i></p> <ul style="list-style-type: none"> • municipal water supply systems • municipal drainage and urban waste-water systems • municipal cleaning and urban refuse collection and treatment systems • local air quality monitoring networks • protected areas of local interest • hydrographic network within the urban area • water resources • upkeep of beaches and seaside resorts • supervision of, and research into, water wells and extraction of inert materials <p><i>Consumer protection</i></p> <p><i>Promotion of development</i></p> <ul style="list-style-type: none"> • municipal sub-programmes appended to regional development programmes • local employment initiatives and vocational training • participation in drawing up tourism policies concerning the municipality • development of craft activities and organisation of ethnographic events of local interest • construction of rural lanes and tracks • municipal forest intervention plan • business location <p><i>Regional and town planning</i></p> <ul style="list-style-type: none"> • master plans for municipal development • areas of urban development and priority construction • urban defence and control • plans for remedial work on degraded areas and rehabilitation of the historic centres
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		<p><i>External cooperation</i></p> <ul style="list-style-type: none"> • projects and measures of decentralised cooperation, especially in the context of the EU and the Community of Portuguese-Speaking Countries
<p>PARISH</p>	<p>In Portugal there are 4251 parishes (4047 in mainland Portugal and 204 in the islands).</p> <p>The Parish Assembly is the deliberative body and it is elected by direct universal suffrage (secret ballot of all resident citizens, using a system of proportional representation).</p> <p>In parishes with 150 voters or less, a plenary meeting of voters resident in the parish takes the place of the parish assembly.</p> <p>The main functions of the parish assembly are:</p> <ul style="list-style-type: none"> • fixing of taxes and organisation of services; • approve rules and regulations; • agree to carry out functions delegated by the municipality • deliberate on matters of concern to the parish <p>The parish assembly elects the members of the Parish Committee by secret ballot. The Parish Committee is the executive body, and it is composed of a Chairman and elected members, whose number varies according to the size of the parish electorate.</p> <p>It is empowered, in particular to:</p> <ul style="list-style-type: none"> • carry out public works and local improvements • implement measures on behalf of the municipality • cooperate with other public bodies on development, education, health, culture, etc. 	<p><i>Exclusive responsibilities</i></p> <ul style="list-style-type: none"> • administration of parish property, • electoral register, • public works and upkeep of public highways. <p><i>Powers shared with the municipalities</i></p> <ul style="list-style-type: none"> • local development and environmental protection, • public network, health and sanitation, protection of children and elderly, • education, culture and sport.

SPAIN

1. The decentralization process



Although Spain is undoubtedly one of the most decentralised states in democratic Europe, devolution remains a key issue in Spanish politics. This is borne out by recent political and institutional events which are calling into question the solidity of the present devolution system and with it the overall future of the autonomic state. The government has seen a host of requests from governing parties in various regions for different forms of autonomy, ranging from the declared sovereignty of Basque nationalism to the incisive declarations of autonomy from the Catalan left.



The Catalonia regional elections of 16 November 2003 marked the end of a historic stage in Catalan politics, dominated by the figure of Jordi Pujol, leader of the moderate Catalan nationalists. Mr. Pujol had led the *Catalan Generalitat* without interruption since 1980 and had shown a strong commitment to dialogue and negotiation with central government. The new coalition government headed by the Catalan Socialist Party (PSC) leader, Pasqual Maragall, has announced important changes in social, fiscal and economic policy which it plans to fully implement during the current legislature, and proposes wide-ranging reform of the statute of autonomy, with the aim of significantly extending the region's autonomy within both the autonomic state and the European Union.

In the Basque Country, the Basque prime minister Ibarretxe has announced that a consultative referendum will be held at the end of 2005 on the new draft political statute (the *Estatuto político de Euskadi*). The draft was approved by the Basque government on 25 October 2003 and is now being discussed at the parliament in Vitoria. The draft calls for the territorial authorities that historically make up the Basque region to be granted the right to self-determination, and voices the intention to set up an autonomous legal entity known as the Community of Euskadi; this community should be able to associate freely with the Spanish state and establish a new system of political and legal relations with it, enabling it to carry out its duties with full autonomy. To this end, the new statute significantly extends the competences of the Community of Euskadi, not only as regards cultural and language matters but also in the economic and fiscal field, leaving the Spanish state a limited number of competences in a small number of fields.

The draft statute also provides for the establishment of an autonomous judicial authority and a special division of the constitutional court, known as the *Tribunal Euskadi-Estado*, to be responsible for settling any disputes of competences between the Spanish state and the institutions and authorities of the Community of Euskadi. On 13 November 2003 the Madrid government responded to the challenge

posed by the Basque nationalists by formally contesting the draft statute at the constitutional court; shortly afterwards, it tabled a proposal in parliament to reform the penal code, with the clear aim of sanctioning the actions announced by the Basque government to secure approval of its statute.

Although the recent demands for autonomy by the nationalist parties in the Basque Country and those of the left in Catalonia differ significantly in their aims and content, their main effect has been to focus political/constitutional debate in Spain on the question of how the country is governed. These demands were not promoted solely by the nationalist parties' scant loyalty to the constitution; they are also the result of original structural dysfunctions within the autonomic state that remain unresolved. A particular shortcoming is the lack of active multilateral cooperation between the state, the autonomous communities and the local authorities, and the absence of a chamber that is truly representative of the sub-national authorities.

As regards the type of State, the territorial organisation system enshrined in the 1978 Spanish constitution does not conform to classical federalist or regionalist models. In the context of the indissoluble unity of the Spanish nation, the constitution recognises the right to autonomy as a general principle of state organisation. This principle lies behind the division of the national territory into municipalities, provinces and autonomous communities, which are to "enjoy self-government for the management of their respective interests" (Article 137).

The constitution also guarantees implementation of the principle of solidarity (Article 138), and a "just and adequate economic balance between the different areas of Spanish territory" (Article 139). Building on these premises, the constitution guarantees the autonomy of the 8,104 municipalities and 50 provinces which make up the Spanish state, stipulating the democratic and representative nature of their governmental bodies (Articles 140 and 141) and the provision of sufficient funds to perform the tasks assigned to them by law.

The constitution does not provide *a priori* for the existence of autonomous communities, but guarantees the right to autonomy of nationalities and regions under an implementing principle which offers autonomy as a right which can only be exercised by following one of the procedures for establishing self-government laid down in Title VIII of the constitution. Title VIII provides several paths for this and two separate levels of competences that may be attained.

However, the solution adopted in the constitution does not divide the Spanish state into two levels of autonomy, but offers any sub-state authority the possibility of choosing its own path for establishing an autonomous community, in accordance with its particular aspirations; the initial (but not final) level of competences will depend on the path chosen. This is because, although the system adopted in the constitution for distributing competences between the state and the autonomous communities (Articles 148 and 149) is based on two lists of respective competences and a residual clause, it gives the autonomous communities the possibility of extending their competences after five years have elapsed, through reform of the statutes of autonomy (Article 148(2)).

The provision within the constitution for an equal distribution of competences across the autonomous communities is not incompatible with its recognition of certain local linguistic, cultural, legal and economic features, known as "hechos diferenciales" (differentiating factors): this asymmetry is inevitable in the autonomic state. In recognising these factors, the constitution introduces criteria for differentiating between the autonomous communities with the result that some of them demand different treatment, generally aspiring to a higher level of competences and self-government.

The provision of different forms of access to self-government and of two initial levels of competences enabled the disparate regions that made up post-Franco Spain in 1978 to set up autonomous communities in just a few years. The 17 autonomous communities that today form the Spanish state concluded their autonomy process at the end of 1982 with the approval of their respective statutes of autonomy.

The initial activation of a different level of competences, combined with the recognition of the differentiating factors, led to the establishment of an asymmetric form of regionalism which over the years has seen a partial standardisation of institutions and competences. This process was made possible by the political and legislative reforms adopted in the last 30 years, which extend the regulatory framework for Spanish regionalism and are the hallmark of its steady development.

The first steps towards remedying the initial asymmetry were made with the 1981 and 1992 autonomy pacts, concluded respectively between the Democratic Centre Union (UCD) and the PSOE, and between the PSOE and the PP. These pacts should be seen as part of a wider reform programme conducted by the main national political groupings with the aim of steering the autonomy process towards a cooperative form of regionalism.

The pacts made it possible to establish an identical institutional architecture for all the autonomous communities, devise a procedure for remedying the asymmetrical distribution of competences (Article 148(2)) and strengthen cooperation. They were implemented by the organic law harmonising the autonomy process (LOAPA), Organic Law 9/1992 on the transfer of powers to the autonomous communities under Article 143, the organic laws of March 1994 reforming the statutes of autonomy, and Law 30/1992 on the statutory framework for public authorities and on common administrative procedures.

With the 1994 reform of the statutes of autonomy and the transfer of education and health competences to all the autonomous communities, the process of levelling out the competences of the autonomous communities was broadly concluded (December 2001). However, this has not produced complete uniformity. Differences remain as a result of the differentiating factors, which enjoy constitutional recognition in some autonomous communities and prevent total standardisation of the competence system. At present there is one set of competences broadly enjoyed by all autonomous communities, and a second set of specific competences enjoyed by certain communities as a result of their differentiating factors.

The institutional standardisation process has been concluded with the further statutory reforms approved since 1996 by virtually all the autonomous communities, which have significantly changed the form of regional government and strengthened the parliamentary system.

Among the reforms designed to strengthen cooperation within the autonomic state, mention should be made of the reform of the regulation of the senate, of 11 January 1994. This established a new legislative commission, the *Comisión General de las Comunidades autónomas*, which enables the autonomous communities to participate more widely in the work of Spain's second chamber.

However, the standardisation process has been hampered by trends in the other direction which have slowed down the supposed completion of the federal/cooperative side of the autonomy process. In 1996 the Aznar government concluded "governability" pacts with the Catalan, Basque and Canary nationalist parties which, in exchange for political support, granted special concessions to the autonomous communities represented by these parties. The main political result of these pacts was the reform of the autonomous financing system, adopted for the five-year period 1997-2001, which gives

the autonomous communities greater financial autonomy. It is clear that, as well as facilitating bilateral relations between the government and the autonomous communities, these pacts aggravate the asymmetric nature of the autonomic state by constitutionally acceding to the most insistent demands for autonomy.

Finally and most recently, the autonomy system risks being destabilised by the renewal of ETA's terrorism campaign, the outlawing of the *Batasuna* radical Basque political party and the demands for sovereignty on the part of the "democratic nationalist" Basques. All this could heighten the climate of uncertainty. The application of the new organic law on political parties (No. 6/2002, approved by parliament on 28 June 2002) led the supreme court to ban the *Batasuna* party on the grounds that it gave political support to terrorism by offering institutional cover to ETA (supreme court ruling of 28 March 2003).

This exacerbated the tension between central government and the nationalist parties in the Basque government which, as well as being extremely reluctant to implement the ruling, began to step up their demands for self-determination. The conflict came to a head on 25 October 2003 with the adoption by the Basque government of a new draft political statute setting up a new autonomous legal entity, the Community of Euskadi, which may associate freely with the Spanish state. The Basque government also threatened to hold a regional referendum on the proposed statute with a view to pushing it through if the national parliament refuses to approve it.

The scale of the autonomists' recent demands has thus raised the autonomy issue so acutely that it is causing an inter-institutional and inter-party conflict which is without precedent in democratic Spain under the present constitution. This highlights the genuine need to reach agreement on a definitive model of territorial organisation, with a view to adopting the legal and political measures needed to complete the autonomy process.

It is not therefore surprising that the decentralization process was designed with some asymmetries that are well established in the Constitution. The most important asymmetry enacts two completely different systems of decentralization, the Foral and the Common regimes. The Foral regime is instituted for only the Basque Country and Navarra, while the Common regime is applied to the other fifteen regions. The primary difference between the two regimes is that regions in the Foral regime have authority to raise taxes locally, whereas regions in the Common regime have limited local taxing authority, although it has increased over the years. In terms of spending responsibilities, the regions of the Foral regime have had similar responsibilities to the five regions under the Common regime with high responsibility level.

2. Tiers of Local Administration

The new constitution of 1978 began the process of the transfer of power and greater autonomy at the regional level to the autonomous communities. These autonomous communities exercise both exclusive powers and powers shared with central government. In the case of conflict or where there is a legal vacuum, national law prevails.

The legal status and functional remit of provinces and municipalities is still developing as regions exercise their autonomous rights to regulate the tiers of local government beneath them. Many key functions (primary and secondary education, health care, social services, transport, leisure, culture) are shared between tiers, with different aspects of functions (policy co-ordination, infrastructure, delivery) being allocated to different tiers.

2.1 Municipalities

Government at the municipal level is administered by a Municipal Council, the members of which are directly elected by universal suffrage and according to proportional representation. The number of council members is determined by the population of the municipality; a minimum of five is required by law. The council is elected every four years, and it cannot be dissolved. Each Municipal Council is headed by a Mayor, who is elected following local elections, from among the council members, and who, in most instances, serves as the leader of the majority party in the council. In addition to being chairman of the council, directing municipal administration, heading the municipal police force, and exercising extensive powers of appointment, the mayor plays a major public relations role and enjoys a great deal of prestige.

The responsibilities of municipalities vary in proportion to the size of their populations. Municipal governments share responsibility with the regional government in matters of health and education. Both the central and the regional governments may delegate additional powers to municipalities. Because of the degree of authority that has been devolved to the autonomous communities from the central government, local institutions are politically dependent on these communities; however, they remain to a large extent financially dependent on Madrid.

Mandatory services for municipalities include street lighting, cemeteries, refuse collection, road cleaning, water supply and public health standards. Other services (parks, libraries, sports facilities, public transport) may be obligatory depending on the size of the municipality.

2.2 Provinces

Each region is divided into a number of provinces. Each province has its own administration which is responsible for a range of services, including health, public works, sports facilities and social clubs. There is a civil governor appointed by Madrid. (and a military governor) There is also a provincial government (*Diputación Provincial*) lead by the politician from the party with the most votes from the municipal elections. The governing body of the province is the provincial assembly made up of local councillors who are elected by their peers from among the councillors of municipalities. They in turn choose a president from among themselves.

Provinces bring together all the municipalities within their boundaries, but their action concentrates on smaller municipalities, since their role is basically to assist and complement local communities. In addition to providing general assistance to municipalities in their area (especially the smaller ones) by integrating activities into provincial plans, the provincial administration concentrates on a limited number of services such as hospitals and provincial roads.

2.3 Autonomous Regions

Spain has 17 autonomous regions, each with its own parliament, president, government, administration and Supreme Court (plus its own flag and capital city). The regions are funded by the central government and the regions of the Basque Lands, Catalonia, Galicia and Andalusia are responsible for matters such as economic development, education, health, environment, police, public works, tourism, culture, local language and social security. The other regions have less autonomy and fewer responsibilities.

The main powers of the autonomous communities cover the internal organisation of community institutions, regional development, agriculture, railways, roads and water supply systems, social assistance and health. There are two types of regional government or autonomous communities:

- ✓ One group, which gained autonomy through article 151 of the constitution and which demonstrated particularly strong political movements for independence and autonomy, has a wide range of competencies on the expenditure side, including the areas of health and education. This group consists of the three 'historical nationalities' (the Basque Country, Catalonia and Galicia) and Andalusia.
- ✓ The second group has a more restricted range of competencies. These communities can, however, opt for inclusion in the first group and there is an assumed gradual process of transition to this stage. At present, the revenue responsibilities of autonomous communities in this group are also more limited.

All the autonomous communities have responsibility for 'primary functions'. These include planning, public works, agriculture, and tourism. Health and education are considered primary, but there are variations between 'high' and 'low' level regions, and therefore some of the autonomous communities share responsibilities for these areas with the central state. The central state and the autonomous communities share responsibility for other areas. These include local government, transport policy, and environmental protection.

In addition, Catalonia and the Basque Country have their own police forces, which have largely taken over from the state force. The Constitutional Court has frequently been used as an arbiter in disputes between the federal and regional governments because of the ambiguity of Spain's constitution. The fact that the state can formulate legislation in many areas without any regional involvement is a cause of continued controversy. Conflicts arise less regularly now than they did in the 1980s, largely because of further transfers of powers, but the Court has tended to uphold regional autonomy.

3. Distribution of competences among the tiers of Local Administration

LEVEL OF LOCAL GOVERNMENT	POLITICAL ORGANIZATION	COMPETENCIES
<p>COMUNIDADES AUTÓNOMAS</p>	<p>In Spain there are 17 Autonomous Communities (<i>Comunidades autónomas</i>) and two Autonomous towns: Ceuta and Melilla. Seven of the 17 Autonomous Communities cover one province and replace and exercise the powers of the <i>Diputaciones</i>.</p> <p>The Legislative assembly is elected by direct universal suffrage and proportional representation. It exercises devolved legislative power and has general authority within the Autonomous Community.</p> <p>The Regional Government Council is composed by members appointed by the Premier. They are responsible to the Regional Assembly and hold Ministerial portfolios.</p> <p>The President of the Autonomous Community is elected by the legislative assembly, appointed by the King and answerable to the regional assembly; He is also President and Head of the Regional Government.</p>	<p>Those matters which are not expressly vested in the State by the Constitution can be devolved to the Autonomous Communities.</p> <p>The Autonomous Communities exercise legislative power via their assemblies but strictly within the limits of their devolved powers.</p> <p>The powers of the Autonomous Communities are enshrined in Article 148 of the Constitution (the list is not exhaustive).</p> <ul style="list-style-type: none"> • Organization of the institutions of autonomous government • Spatial planning, town planning and housing • Public works, railways and roads throughout the Autonomous Community • Agriculture, waterways and forestry, fisheries • Expansion of economic activity, culture and research • Museums, libraries and public monuments • Tourism, sport and leisure activities throughout the Autonomous Community • Social welfare, health and safety <p>The powers vary from one Community to another.</p>
<p>PROVINCIAS / DIPUTACIONES</p>	<p>In Spain there are 50 Provinces (<i>Provincias/Diputaciones</i>)</p> <p>The Provincial Council (<i>Pleno</i>) is made up of 25 to 51 deputies from the provinces, elected by indirect universal suffrage by and from the ranks of the municipal councillors. It adopts legislation and supervises the organization and the defence of the devolved authority's interest.</p> <p>The Provincial Government Council</p>	<p>Autonomous management of the specific respective interests of local communities.</p> <ol style="list-style-type: none"> 1. Participate in the coordination of local administration with the Autonomous Community and the State. 2. Provinces' own powers: <ul style="list-style-type: none"> • coordination of municipal services in order to guarantee the provision of services coming under the municipal authorities • assistance, legal, economic and

	<p><i>(Comisión de gobierno)</i> comprises a President and deputies, assists the President in exercising his powers, carries out the duties delegated by the Provincial Council and the President Provincial Administration.</p> <p>The President is elected by the Provincial Council, heads up the government and the administration, appoints the vice-presidents from the members of the Provincial Council and is responsible for staff.</p> <p>Canaries and Balearics archipelagos have similar arrangements to the provinces. The Island Assembly is the government body, administration and representation for each island.</p>	<p>technical cooperation with the local authorities</p> <ul style="list-style-type: none"> • provision of supra-municipal services • development and administration of the specific interests of the province
<p>MUNICIPIOS</p>	<p>In Spain there are 8089 Municipalities (<i>Municipios</i>)</p> <p>The Municipal Council (<i>Pleno</i>) members are elected by direct universal suffrage under proportional representation. The Council has the power to appoint and dismiss the Mayor; supervises the municipal bodies and legislates at municipal level.</p> <p>The Local Government Council (<i>Comisión de gobierno</i>) is composed by the Mayor and councillors appointed by the Mayor. It assists the Mayor in the exercise of his duties and carries out the duties delegated by the Mayor and the Municipal Council.</p> <p>The Mayor is elected by the Municipal Council. He chairs and heads the Municipal Council and the Local Government Council</p>	<p>Own powers:</p> <ul style="list-style-type: none"> • public safety • planning and cooperation on education • traffic control • civil defence, fire services (mandatory for any municipality with over 20,000 inhabitants) • town planning • historical and artistic heritage • environmental protection (mandatory for any municipality with over 50,000 inhabitants) • public health • consumer protection • social promotion and integration (mandatory for any municipality with more than 20,000 inhabitants) • water supply and public lighting • cleaning and waste disposal (for any municipality with more than 5,000 inhabitants) • public transport (for any municipality with more than 50,000 inhabitants)

Annex 1 – Regional arrangements (synthesis)

The regional level in the national systems:

UNITARY STATES	DECENTRALISED UNITARY STATES	REGIONALISED UNITARY STATES	FEDERAL STATES
<i>Only local level infra national hierarchy. Regional levels may exist for administrative reasons but are subordinate to the central state.</i>	<i>States which have undertaken a process of reform to establish elected regional authorities above the local level.</i>	<i>Characterised by the existence of elected regional governments with constitutional status, legislative powers and a high degree of autonomy.</i>	<i>Power-sharing guaranteed by the constitution.</i>
Greece Portugal Morocco	France	Italy Spain	

The tables below summarize the regional arrangements in the considered countries:

FRANCE	
Tiers of government	Three main tiers of local government: 26 regions; 100 departments and almost 37,000 communes.
Historical formation	Since 1956, France has been divided into 22 administrative regions for state planning and statistical purposes. Decentralisation laws passed in 1982 imposed <i>conseils régionaux</i> (regional councils), which are directly elected, although the first elections were not held until 1986. Regional boundaries have been purposely designed in an artificial manner so as not to reflect traditional identities.
Democratic form	French regions each have their own <i>conseil régional</i> and executive. Members are directly elected every six years by party list PR (based on <i>département</i> jurisdictions). The president of the region is chosen by the assembly and s/he appoints an executive. Under a system of accumulated mandates a regional councillor can also simultaneously hold posts at local, national or European level.
Autonomy	The autonomy of the <i>conseils régionaux</i> is limited. They have few services of their own and rely upon <i>départements</i> , communes and central government to put policies into practice. However, regions have no power over the <i>départements</i> and communes. Sub-national government is arranged on the basis of clear lines of responsibilities and functions (<i>blocs de compétences</i>). Regions do not have legislative powers. Each region has a <i>Préfet</i> , who is the direct representative of the Prime Minister within the region. The post is taken by the <i>Préfet</i> of the <i>département</i> which contains the regional capital, and their role is to co-ordinate activity between tiers and ensure the co-operation of local and regional authorities in meeting national aims. They can play a highly influential role.
Functions	Symmetrical across regions and limited primarily to strategic functions including regional economic development and planning, transport planning, tourism, environment conservation, housing strategy, building of lycées, agriculture, rail transport, possibilities to manage big infrastructures (ports, airports) and vocational training. Regions have a power of general competence.

GREECE	
Tiers of government	Two tiers of local government: 51 prefectural authorities and 1031 municipalities. The country is divided into thirteen regions, which constitute the decentralised administrative units of the state according to Law 2503/1997 concerning the decentralised organisational structure of the state administration.
Historical formation	Since January 1995, the country has undergone a transitional period of regionalisation with some delegation of responsibility from central government to the regional tier. A region includes several prefectures and a Regional Development Fund (RDF), which operates in each region as a legal entity. The new administrative regions are legally part of the national government rather than separate legal identities, in contrast to the prefectures, municipalities and communities that are legal bodies under public law.
Democratic form	The region is administered by the General Secretary of the Region and the Regional Council. The General Secretary of the region (<i>Genikos Grammateas</i>) is appointed by the central government. The Secretary-General is a decentralised State agent with supervisory powers over the acts of the prefects. The Regional council (<i>Peripheriako Simvoulío</i>) is a collective body that implements policy in the regional territory.
Autonomy	As noted, regions are purely decentralised administrative units.
Functions	Planning, programming and implementing policies for economic, social and cultural development within region territory and within the wider national framework for development.

ITALY	
Tiers of government	Three main tiers of local government: 20 regions, 100 provinces and 8103 communes.
Historical formation	Five ‘special statute regions’ were decreed in 1948 reflecting (in part) demands for separatism following the centralist era and the existence of linguistic minorities. A further 15 ‘ordinary statute’ regions were established in 1970. There are moves towards a form of federalism in Italy, following the 1998 Bassanini laws which introduced wide ranging reforms and a devolution of tasks from the central state to the regions and local authorities. The reforms were implemented in 2000 and have required regions, provinces and communes to regulate and manage the following: economic development; territory; environment and infrastructures; services to people and community and regional and local policing. The current allocations of expenditure to sub-national government are being assessed in relation to these additional responsibilities.
Democratic form	The functions of regions are set down within the national Constitution and, in the case of special regions, are enshrined within specific legislation. The assembly (‘regional council’) is directly elected every five years by a list system, based on provinces. The executive body (<i>Giunta regionale</i>) is elected by members of the regional council.
Autonomy	The Italian regions have nominal power to legislate in their (limited) areas of competence, though this is often circumscribed by detailed central legislation. Regions do not have tax-raising powers, although the more powerful special regions receive a share of central government’s VAT and income tax revenues. The relationship between central state and sub-national government in Italy is expressed through a ‘star’ system. Theoretically the state is central with regions, provinces and communes linked on an equal and reciprocal basis; however, there is a shift occurring whereby provinces and communes are subordinate to regions, especially so within the special regions.
Functions	The most important function is the health sector; others include social welfare, training, vocational education, town planning, public housing, economic development, tourism and cultural activities, agriculture, forestry, mining, regional public transport, public works, environment, and implementation of European Union regulations and policies. Special regions have a broader range of functions which are enshrined in specific legislation with constitutional guarantees.

PORTUGAL	
Tiers of government	Portugal does not have regional government on the mainland. It is a unitary state with two levels of local government: a regional level comprising two autonomous regions and eighteen administrative districts and the local level comprising municipalities and parishes.
Historical formation	Two different forms: two autonomous regions of Azores and Madeira, and 18 administrative (regional) districts, the latter being decentralised arms of central government. The 1998 referendum for self-governing regions was rejected by the Portuguese population. In 1999 regional development agencies were created; although these are not directly elected they form more than just a level of decentralised regional administration, as they have been developed from the grass roots up and involve many local partnerships.
Democratic form	The two autonomous regions have political self-determination and are directly elected, with legislative and executive powers on regional issues within the limit of the constitution.
Autonomy	As noted, mainland regions are purely decentralised administrative units. The regions of the Azores and Madeira have a high level of autonomy.
Functions	The autonomous regions have legislative powers and structure the services which are of concern to the regions.

SPAIN	
Tiers of government	Regionalised unitary state (quasi federal) with three levels of local government: 17 regions (autonomous communities), provinces and municipalities.
Historical formation	The 1978 constitution, principally in response to pressure from historic regions, allowed for three routes to regional autonomy, which distinguished 'fast track' and 'slow track' regions. Originally intended mainly for the historic regions of Catalonia and the Basque Country, it led to the creation of 17 elected autonomous regions, partly as a result of 'autonomy fever'. Some regions can claim a long-standing historical identity (such as Catalonia).
Democratic form	The regions are highly asymmetrical. Each region has its own state of autonomy with its own regional institutions: president, executive, parliament, public service and high court of justice. The regional assemblies are directly elected by regional list PR and vary in size from 33 to 135 members. The president is elected by the regional assembly.
Autonomy	The level of autonomy differs between the 'historic' regions and others, although there has been a degree of convergence in recent years. The historic regions (notably the Basque Country and Navarra) have almost complete financial autonomy, their own police service, health and education systems. Other regions have more modest degrees of autonomy. The constitution allows for variable competencies both across different regions and within the same region over time. Competencies are established through bilateral negotiation with the centre.
Functions	Functions differ between the historic regions and others. All regions have exclusive responsibility for education, health, urban planning, public works, agriculture, culture, and social services. Shared powers include supervision of local government, transport policy, and environmental protection. A number of the historic regions have their own police forces, civil law provision in some fields (such as inheritance), and special tax systems which amount to almost complete financial autonomy (as above).

Annex 2 - Distribution of competencies among the tiers of local government

Concerning the distribution of tasks and responsibilities, the general pattern is that the central government preserves responsibility for national defence and international relations, macroeconomic policies and state finances, and determines the general policies aimed at ensuring national cohesion. Regional governments are usually responsible for social services (basically education and health care), whereas local governments are responsible or co-responsible for urban planning and some other social services. These are only the main features, as differences from one state to another may be substantial.

Some competences are devolved to lower tiers of local government almost throughout Europe, such as:

- *Physical Planning and Development Control:* In all cases the municipal level of government is responsible for making local land use plans and deciding applications for permits for new constructions, conversions, changes in use etc. In most countries local plans are supposed to comply with broader regional plans setting out strategies for location of major industrial development, transport routes, trunk infrastructure development and reservation of land for nature reserves, recreation etc. These are usually the responsibility of a higher tier of self-government.
- *Public Health Control:* Basic preventative services such as food inspection and pest control are municipal responsibilities in most EU countries, though not in CEE states where epidemiological control is usually exercised by the State.
- *Waste Disposal:* Local government duties also include waste collection and disposal. Waste disposal may well be managed, or at least regulated by higher tiers of local government, both to economize on investment in landfill sites, incinerators etc and to ensure provision of sites.
- *Recreational Facilities:* Local government generally provides sports facilities, libraries, museums and other cultural activities, but these are not exclusive functions of any level of government, national, regional or municipal.
- *Public Transport:* This is invariably a local government responsibility, but its nature and distribution between levels varies. Typically local government subsidizes public transport services (either generally or in the case of special groups like schoolchildren and pensioners, or of congested or remote rural routes), controls traffic and organizes school transport. Companies operating bus, tram and metro services may be municipally owned in large towns, but are increasingly privatized.
- *Social Services (excluding financial benefits):* Local government is invariably responsible for such services as residential or domiciliary services to elderly people, child protection, and aid to the physically handicapped. These services may be managed directly or, increasingly, by cooperation with the private and voluntary sectors.

FRANCE				
Function	Competent authority			
	State	Region	Department	Municipality
Education				
Pre-school education	x			x
Primary education	x			x
Secondary education	x	x	x	
Vocational and technical		x		
Higher education	x			
Public Health				
Hospitals	x			
Health protection	x		x	x
Social welfare				
Kindergarten and nursery				x
Family welfare services			x	
Welfare homes			x	
Social security	x			
Housing and town planning				
Housing	x			x
Town planning				x
Regional/spatial planning		x		x
Environment, public sanitation				
Water & sewage			x	
Refuse collection & disposal			x	x
Environmental protection	x	x		x
Consumer protection	x			
Culture, leisure & sports				
Theatres	x			x
Museums & libraries	x		x	x
Parks & open spaces				x
Sports & leisure	x			x
Traffic, transports				
Roads	x		x	x
Transports	x	x	x	x
Urban road transports			x	
Urban rail transports		x		
Ports	x	x	x	x
Airports	x	x		
Economic services				
Gas	x			
District heating				x
Water supply			x	x
Electricity	x			
Economic promotion	x	x		x
Trade & industry	x	x		
Tourism		x	x	x

GREECE				
Function	Competent authority			
	State	Region	Prefecture	Municipality
Education				
Pre-school education	x		x	
Primary education	x		x	x
Secondary education	x		x	x
Vocational and technical	x	x	x	
Higher education	x			
Public Health				
Hospitals	x	x	x	x
Health protection	x	x	x	x
Social welfare				
Kindergarten and nursery				x
Family welfare services	x			x
Welfare homes	x			x
Social security	x			
Housing and town planning				
Housing	x	x	x	x
Town planning	x	x	x	x
Regional/spatial planning	x	x	x	x
Environment, public sanitation				
Water treatment	x	x		x
Household sewage and waste	x	x		x
Slaughterhouses				x
Environmental protection	x	x	x	x
Consumer protection	x			
Culture, leisure & sports				
Theatres	x		x	x
Museums & libraries	x		x	x
Parks & open spaces	x		x	x
Sports & leisure	x			x
Traffic, transports				
Highways	x	x	x	
Urban road transports	x		x	x
Urban transports, railways	x		x	
Ports	x	x	x	x
Economic services				
Gas	x			x
District heating				x
Water supply			x	x
Agriculture, forest, fishing	x	x	x	x
Electricity	x			
Economic promotion	x		x	x
Trade & industry	x		x	x
Tourism	x		x	x

ITALY				
Function	Competent authority			
	State	Region	Province	Municipality
Education				
Pre-school education				x
Primary education		x		x
Secondary education		x	x	
Vocational and technical		x	x	
Higher education				
Public Health				
Hospitals		x		
Health protection		x	x	
Social welfare				
Kindergarten and nursery				x
Family welfare services				x
Welfare homes				x
Social security				x
Housing and town planning				
Housing				x
Town planning		x		
Regional/spatial planning		x		
Environment, public sanitation				
Water & sewage			x	x
Refuse collection & disposal			x	x
Environmental protection		x	x	x
Consumer protection		x	x	x
Culture, leisure & sports				
Theatres				x
Museums & libraries		x		x
Parks & open spaces		x	x	x
Sports & leisure		x		x
Traffic, transports				
Roads		x	x	
Transports		x	x	
Urban road transports				x
Urban rail transports				x
Ports		x		
Airports		x		
Economic services				
Gas				x
District heating				x
Water supply				x
Agriculture, forest, fishing		x		
Electricity				x
Economic promotion		x	x	x
Trade & industry		x	x	x
Tourism		x	x	x

PORTUGAL				
Function	Competent authority			
	State	Region	Province	Municipality
Education				
Pre-school education	x			x
Primary education	x			x
Secondary education	x			
Vocational and technical	x			
Higher education	x			
Public Health				
Hospitals	x			
Health protection	x			
Social welfare				
Kindergarten and nursery	x			x
Family welfare services	x			x
Welfare homes	x			
Social security	x			
Housing and town planning				
Housing	x			x
Town planning	x			x
Regional/spatial planning	x			x
Environment, public sanitation				
Water & sewage	x			x
Refuse collection & disposal	x			x
Slaughterhouses	x			x
Environmental protection	x			x
Consumer protection	x			x
Culture, leisure & sports				
Theatres	x			x
Museums & libraries	x			x
Parks & open spaces	x			x
Sports & leisure	x			x
Traffic, transports				
Roads	x			x
Transports	x			x
Urban road transports	x			x
Urban rail transports	x			x
Ports	x			
Airports	x			x
Economic services				
Gas	x			
Water supply	x			x
Agriculture, forest, fishing	x			x
Electricity	x			x
Economic promotion	x			x
Trade & industry	x			x
Tourism	x			x

SPAIN				
Function	Competent authority			
	State	Region	Province	Municipality
Education				
Pre-school education	x	x		x
Primary education	x	x		x
Secondary education	x	x		x
Vocational and technical	x	x		x
Higher education	x	x		x
Public Health				
Hospitals	x	x	x	x
Health protection	x	x		x
Social welfare				
Kindergarten and nursery		x	x	x
Family welfare services		x	x	x
Welfare homes	x	x	x	x
Social security	x	x		
Housing and town planning				
Housing		x	x	x
Town planning		x	x	x
Regional/spatial planning	x	x		x
Environment, public sanitation				
Water & sewage				x
Refuse collection & disposal				x
Slaughterhouses				x
Environmental protection	x	x		x
Consumer protection	x	x		x
Culture, leisure & sports				
Theatres	x	x	x	x
Museums & libraries	x	x	x	x
Parks & open spaces		x		x
Sports & leisure		x	x	x
Traffic, transports				
Roads	x	x	x	x
Transports	x	x		
Urban road transports				x
Urban rail transports				x
Ports	x	x		
Economic services				
Gas				x
Water supply	x	x		x
Agriculture, forest, fishing	x	x		
Electricity	x	x		x
Economic promotion	x	x	x	x
Trade & industry	x	x		x
Tourism	x	x		x

Annex 3 – European Territorial Cooperation: Managing Authorities

FRANCE

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III A - Saarland-Moselle/Lorraine-Western Palatinate</i>	<p>Priority 1: Development of an active strategy towards the border.</p> <p>Priority 2: Stimulation of an attractive position in the centre of Europe.</p> <p>Priority 3: Creation of synergy by cross-border spatial planning.</p> <p>Priority 4: Promotion of the common natural and cultural heritage.</p> <p>Priority 5: European competence.</p> <p>Priority 6: Deepening of institutional co-operation.</p> <p>Priority 7: Promotion of “people to people” projects.</p> <p>Priority 8: Technical assistance.</p>	<p>About 2 million inhabitants live in the programme area, covering about 9,100 km². Its economic situation is determined by structural changes in traditional industries. Cross-border commuting figures are among the highest in Europe and the region has a common history and areas of outstanding natural beauty, including the impressive cross-border "Vogesen/Vosges" natural park.</p>	<p>CCI No. : 2000RG160PC011 No. of decision : C(2005)3134 Final approval date : 2005-08-05</p> <p>Total cost: 52.435.086 € EU Contribution: 26.217.543 €</p>	<p>Autorité d'INTERREG III Saarland Moselle Westpfalz Préfecture de la Région Lorraine Mme Dempt, Brigitte BP 71014 F-57036 Metz CEDEX Tel.: +33 (0) 387348962 Fax.: +33 (0) 387348411 E-mail: brigitte.dempt@lorraine.pref.gouv.fr</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III A Oberrhein-Mitte-Süd</i>	<p>Priority 1: Cross-border cooperation for people and institutions.</p> <p>Priority 2: Balanced and sustainable spatial development.</p> <p>Priority 3: Economic integration and human resources.</p> <p>Priority 4: Promotion of tourism and culture.</p> <p>Priority 5: Technical assistance.</p>	<p>The total area of the south central Upper Rhine is 15 611 km². This region, which is home to some 4.1 million people, is bordered on the west by the Vosges, on the east by the Black Forest and on the south by the Jura. The main cities are Strasbourg, Karlsruhe, Basle and Fribourg. The area has a clear geographical and cultural identity and a long tradition of cross-border relations.</p>	<p>CCI No. : 2001CB160PC006 No. of decision : C(2004)5743 Final approval date : 2004-12-27</p> <p>Total cost: 64.136.732 € EU Contribution: 32.068.366 €</p>	<p>Conseil Regional d'Alsace Direction de la Coopération et des Relations Internationales Ms Rouessard, Anne 35, avenue de la Paix F-67070 STRASBOURG Cedex Tel.: + 33 (0)3.88.15.68.47 Fax.: + 33 (0)3.88.15.68.49 E-mail.: anne.rouessard@region-alsace.fr Web: Conseil Regional d'Alsace</p>
<i>INTERREG III A - Spain-France</i>	<p>Priority 1: Developing and strengthening the cross-border areas.</p> <p>Priority 2: Developing activity and employment.</p> <p>Priority 3: Promoting open societies based on solidarity.</p> <p>Priority 4: Technical Assistance</p>	<p>The region along the borders of Spain and France covers over 70 000 km² and has a total population in excess of 4.7 million. The eligible area includes the following areas of the border between France and Spain:</p> <ul style="list-style-type: none"> * The departments of Ariège, Haute-Garonne, Hautes-Pyrénées, Pyrénées Atlantiques, Pyrénées-Orientales in France; * The provinces of Girona, Guipúzcoa, Huesca, Lleida, Navarra in Spain. 	<p>CCI No. : 2000RG160PC013 No. of decision : C(2004)4128 Final approval date : 2004-10-18</p> <p>Total cost: 172.347.762 € EU Contribution: 86.173.881€</p>	<p>Conseil Regional d'Aquitaine Délégation régionale aux Affaires Européennes et Internationales et à la Coopération Interrégionale 14 rue François de Sourdis F - 33 077 Bordeaux cedex</p> <p>Jean-Marie BLANC - Directeur jean-marie.blanc@aquitaine.fr Tel. : 0033 5 57 57 86 16 Fax : 0033 5 57 57 86 32</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - PAMINA</i></p>	<p>Priority 1: Enhancing regional competitiveness.</p> <p>Priority 2: Establishment of a cross-border employment market.</p> <p>Priority 3: Protection and use of natural resources, enhancement of sustainability.</p> <p>Priority 4: Socio-cultural integration.</p> <p>Priority 5: Technical assistance</p>	<p>This cross-border programme between France and Germany covers the area of "Südpfalz - Mittlerer Oberrhein Nord Alsace", also known as the PAMINA-region. It covers an area of 5,914 km² in the regions of Südpfalz and Alsace, which have populations of about 0.3 million each, and Mittlerer Oberrhein, which has a population of about one million. The shared borderline amounts to 109 km either coinciding with or running parallel to the river Rhine in the south and then departing from the river heading towards the west as a land border.</p>	<p>CCI No. : 2001RG160PC012 No. of decision : C(2004)5404 Final approval date : 2004-12-17</p> <p>Total cost: 28.210.663 € EU Contribution: 14.105.329 €</p>	<p>Groupement Local Regio PAMINA Directeur Général M. Harster, Patrice Plate-forme douanière F-67630 Scheibenhard Tel.: +49 3 88 05 08 20 Fax.: +49 3 88 05 08 28 E-mail: patrice.harster@cg67.fr Web: REGIO PAMINA</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - France / Switzerland</i></p>	<p>Priority 1: To encourage the concerted and coordinated management of the cross-border space.</p> <p>Priority 2: To reinforce the attractive of the cooperation space, by improving the natural, cultural, tourist and patrimony resources.</p> <p>Priority 3 : To foster the exchanges in matter of employment and training and to improve the economic environment</p> <p>Priority 4 : Technical assistance</p>	<p>The territories directly concerned by the programme cover a space which gathers 5 French departments and 6 cantons Swiss:</p> <p>In France: the departments of Territoire de Belfort, du Doubs, du Jura, de l'Ain et de la Haute-Savoie,</p> <p>In Switzerland: the cantons of Jura, Neuchâtel, Bern, Vaud, Genève and Valais.</p>	<p>CCI No. : 2000CB160PC018 No. of decision : C(2004)4905 Final approval date : 2004-12-08</p> <p>Total cost: € EU Contribution: €</p>	<p>Préfecture de la Région de Franche-Comté Préfet de région Gehin, Alain 8 bis rue Charles-Nodier F-25035 Besançon cedex Tel.: +33.3.81251000 Fax.: +33.3.81832182 E-mail.: prefet@franche-comte.pref.gouv.fr Web: Préfecture de la région Franche-Comté</p> <p>Interreg III A - France/Switzerland (F/CH)</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - France / United Kingdom</i></p>	<p>Priority 1: Strengthening cross-border co-operation in the service of the citizen.</p> <p>Priority 2: Promoting balanced spatial development.</p> <p>Priority 3: Promoting an attractive and welcoming region.</p> <p>Priority 4: Technical assistance.</p>	<p>The area of cooperation includes, on the British side, the counties of East Sussex and Kent, the authorities of Brighton and Hove and the Medway Towns and, on the French side, the Departments of Pas-de-Calais, Nord, Somme and Seine-Maritime. The population living in the area amounts to 8.1 million people, of which 5.7 million live in the French regions and 2.4 in the British areas. The economy of the French regions is dominated by the industrial sector (restructuring industries, food industry, motor and chemical industries, port-related economy). On the British side, the financial and business services sector is growing whereas some parts of the area have been designated as Rural Development Areas.</p>	<p>CCI No. : 2001RG160PC007 No. of decision : C(2004)5412 Final approval date : 2004-12-17</p> <p>Total cost: 245.136.789 € EU Contribution: 110.083.085€</p>	<p>Région Haute Normandie</p> <p>25 Boulevard Gambetta BP 1129 F-76174 Rouen CEDEX 1 Tel.: +33.2.35 52 21 15 Fax.: +33.2.35 52 22 15</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III B - Atlantic Rim</i></p>	<p>Priority 1: Polycentric spatial structuring and developing centres of expertise.</p> <p>Priority 2: Developing transport systems providing sustainable mobility and improving access to the information society.</p> <p>Priority 3: Environment, sustainable economic management and natural resources.</p> <p>Priority 4: Strengthening and promoting the Atlantic identity in the context of globalisation. Priority 5: Technical assistance.</p>	<p>The "Atlantic Rim" co-operation area takes in all of Portugal and Ireland, Galicia, Asturias, Cantabria, Navarre, the Basque Country, Rioja, Castile-Leon, the Canaries and the provinces of Huelva, Cádiz and Sevilla (in Andalusia) in Spain, Aquitaine, Poitou-Charentes, the Loire Region, Upper and Lower Normandy, Limousin, Centre, and Midi-Pyrénées in France, and in the United Kingdom Cumbria, Lancashire, Greater Manchester, Cheshire, Merseyside, Worcestershire and Warwickshire, Avon, Gloucestershire and Wiltshire, Dorset and Somerset, Cornwall and Devon, Staffordshire, Herefordshire, Shropshire, West Midlands, the 22 Welsh unitary authorities, Northern Ireland, the Highlands and Islands and South West Scotland.</p> <p>The Atlantic Rim covers an area of 856 420 km² and has a total population of 76.1 million. It extends from Scotland to Southern Portugal and Andalusia.</p>	<p>CCI No. : 2001RG160PC006 No. of decision : C(2004)5490 Final approval date : 2004-12-21</p> <p>Total cost: 205.717.187 € EU Contribution: 119.991.130 €</p>	<p>The Managing Authority is the Poitou-Charentes Region in France</p> <p>Préfecture de la Région de Poitou-Charentes Secrétariat Général pour les Affaires Régionales Secrétaire Général Le Guen, Franck 7 place Aristide Briand F-86021 Poitiers cedex Tel.: +33.5.49888129 Fax.: +33.5.49888149 E-mail: sgar.poitou@interpc.fr Web: Préfecture de région - Poitou-Charentes - Vienne</p> <p>Préfecture de la Région de Poitou-Charentes Préfet Richer, Jean-Pierre 7 place Aristide-Briand F-86021 Poitiers cedex Tel.: +33.5.49557000 Fax.: +33.5.49882534 E-mail: cab.pref86@wanadoo.fr Web: Préfecture de région - Poitou-Charentes - Vienne</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III B - North West Europe</i></p>	<p>Priority 1: An attractive and coherent system of cities, towns and regions.</p> <p>Priority 2: External and internal accessibility.</p> <p>Priority 3: Sustainable management of water resources and prevention of flood damage.</p> <p>Priority 4: Sustainable development, prudent management and protection of other natural resources and of cultural heritage.</p> <p>Priority 5: Promoting the maritime potential of North West Europe and its territorial integration across the seas.</p> <p>Priority 6: Technical assistance</p>	<p>The North West Europe region covers about 787,400 km², which amounts to a quarter of the total surface area of the EU. However, approximately 171 million citizens, or 45% of the total EU population, live within its boundaries - making the average population density almost twice as high as the EU average. Three quarters of the population live in urbanised areas with more than 500 inhabitants per km². The area is not a homogenous entity, with clearly identifiable differences between central areas and more peripheral ones. While the former face economic, ecological and social challenges linked to an increase of population and land use, peripheral areas face a strong population decline with the resulting loss of economic attractiveness.</p>	<p>CCI No. : 2001CB160PC007 No. of decision : C(2004)5486 Final approval date : 2004-12-21</p> <p>Total cost: 655.688.562 € EU Contribution: 330.578.096 €</p>	<p>The Managing Authority for the programme is the Conseil Régional Nord-Pas de Calais in France.</p> <p>Conseil Régional Nord Pas de Calais 5, rue Rihour F-59555 Lille Cédex</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III B - Indian Ocean / Réunion Island</i></p>	<p>Priority 1: To increase environmental coordination and exchanges among the countries in the area with a view to better management of natural resources.</p> <p>Priority 2: To broaden experience and develop educational and training contact with a view to greater knowledge and understanding of people and their culture.</p> <p>Priority 3: To set up economic monitoring networks.</p> <p>Priority 4: To promote exchanges and knowledge of neighbouring countries economies with a view to integrated and supportive economic development.</p> <p>Priority 5: To set up regional skill centres with a view to promoting local development.</p> <p>Priority 6: Technical assistance</p>	<p>Réunion has a number of features in common with all the EU's remotest regions: geographical isolation; economic, social and cultural development considerably below the overall Community level; weak political and economic integration into the surrounding geographical region; economic dependence on state control and on seasonal and cyclical activity (tourism), etc. There are also considerable economic and social disparities with neighbouring countries and regions.</p>	<p>CCI No. : 2001CB160PC011 No. of decision : C(2004)5704 Final approval date : 2004-12-24</p> <p>Total cost: 5.986.815 € EU Contribution: 5.088.792 €</p>	<p>Conseil Régional de la Réunion Mr Amode Avenue René Cassin Moufia PO box 402 F-97494 Sainte-Clotilde CEDEX Tel.: +0262 487 000 Fax.: +0262 487 071 E-mail: region.reunion@cr-reunion.fr</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III B - Caribbean Area</i>	<p>Priority 1: Balanced and sustainable development of the cooperation area.</p> <p>Priority 2: Disseminating information and know-how and strengthening innovative ability.</p> <p>Priority 3: Building up the cooperation area's image and consolidating its strengths.</p> <p>Priority 4: Technical assistance</p>	<p>Comprising the two island departments of Guadeloupe and Martinique and the mainland department of French Guiana, the cooperation area extends over 92 804 km² with a total population of 918 601. The two islands' population densities are 248 and 338 inhabitants/km² respectively, while French Guiana's is only 2 inhabitants/km².</p>	<p>CCI No. : 2001CB160PC009 No. of decision : C(2004)5487 Final approval date : 2004-12-21</p> <p>Total cost: 24.353.101 € EU Contribution: 12.213.100€</p>	<p>Guadeloupe Regional Council Mrs Raqui, Rose-Lee Avenue Paul Lacavé F-97100 Basse-Terre Tel.: +590.80 40 50 Fax.: +590.80 41 68 E-mail: rl.raqui@cr-guadeloupe.fr</p>
<i>INTERREG III C - West Zone</i>	<p>Priority 1: Operations</p> <p>Priority 2: Technical Assistance</p> <p>Priority 3: Strand C co-operation actions – (point 53 of the INTERREG – Guidelines)</p>	<p>This programme operates in the West Zone, which includes Belgium, France, Germany, Ireland, Luxembourg, the Netherlands and the United Kingdom. However, as with all four strands of INTERREG III C, it can also include partners located elsewhere in the European territory.</p>	<p>CCI No. : 2001RG160PC018 No. of decision : C(2004)4291 Final approval date : 2004-10-27</p> <p>Total cost: 146.505.998 € EU Contribution: 96.153.370 €</p>	<p>INTERREG IIIC West Managing Authority Conseil Régional Nord-Pas de Calais</p> <p>Pascale Siauve Centre Rihour 59555 Lille Cedex, France Phone +33 3 28 82 65 74 Fax +33 3 28 82 65 55 email p.siauve@cr-npdc.fr URL http://www.nordpasdecalais.fr INTERREG IIIC</p>

GREECE

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III A - Greece - Turkey</i>	<p>Priority 1: Cross-border Infrastructure</p> <p>Priority 2: Economic Development and Employment</p> <p>Priority 3: Quality of life / Environment / Culture</p> <p>Priority 4: Technical Assistance</p>	<p>The eligible region covers the entire land and maritime neighbouring areas of Greece and Turkey, an area of 81.215 km². It has a population of 8.100.753.</p> <p>The region is characterized by mountainous areas, long coastal line and a great number of islands, rich water resources and sensitive ecosystems requiring specialised management. The island complexes consist of a multiplicity of small and large islands.</p>	<p>CCI No. : 2003CB160PC003 No. of decision : C(2003)5325 Final approval date : 2003-12-22</p> <p>Total cost: 46.664.004 € EU Contribution: 34.998.000 €</p>	<p>Managing Authority for the Greek INTERREG programmes (Ministry of Economy and Finance)</p> <p>Mitropoleos 3 GR-10180 Athina Tel.: +30 210 3726000 Fax.: +30 210 3726017 E-mail.: interreg@m nec.gr</p>
<i>INTERREG III A - Italy/ Greece</i>	<p>Priority 1: Transport-Communications-Security.</p> <p>Priority 2: Enterprise culture.</p> <p>Priority 3: Environment and cultural heritage.</p> <p>Priority 4: Technical Assistance</p>	<p>The programme covers the Greek regions of Epirus, the Ionian Islands and Western Greece, and the Italian region of Puglia. These regions have a common geographical characteristic: they are all connected by the Adriatic Sea. The programme concerns a population of approximately 4 million people.</p>	<p>CCI No. : 2001RG160PC016 No. of decision : C(2003)108 Final approval date : 2003-03-11</p> <p>Total cost: 157.940.670 € EU Contribution: 84.477.035 €</p>	<p>Ministry of Economy and Finance</p> <p>Mitropoleos 3 GR-10180 Athina Tel.: +30 210 3726007 Fax.: +30 210 3726017 E-mail.: miranta@m nec.gr</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG IIIA – Greece/Bulgaria</i>	<p>Priority 1: Cross-border infrastructure.</p> <p>Priority 2: Economic development and employment.</p> <p>Priority 3: Quality of life/environment/culture.</p> <p>Priority 4: Special Support for regions bordering candidate countries.</p> <p>Priority 5: Technical Assistance.</p>	<p>The programme covers an area of 40,202 km² (16.6% of the whole territory of Bulgaria and 16.5% of the territory of Greece). It covers the regions of Eastern Macedonia, Thrace and Western Macedonia in Greece and South-West and South-Central Bulgaria. The total population amounts to 2.8 million people, of which 1.8 million live in Greece and 1 million in Bulgaria. The mountainous area of Rhodopi constitutes the natural border between the two countries.</p>	<p>CCI No. : 2000CB160PC013 No. of decision : C(2004)5658 Final approval date : 2004-12-23</p> <p>Total cost: 268.655.496 € EU Contribution: 186.095.123€</p>	<p>Ministry of Economy and Finances Directorate General of Regional Policy and investments</p> <p>Plateia Syntagmatos GR-10180 Athens Tel.: +30 210 333 29 82 Fax.: +30 210 333 29 85 E-mail.: papadodimas@mneec.gr</p>
<i>INTERREG IIIA – Greece/Cyprus</i>	<p>Priority 1: Border's security.</p> <p>Priority 2: Economic development and employment.</p> <p>Priority 3: Quality of life, environment and culture.</p> <p>Priority 4: Special support for border regions.</p> <p>Priority 5: Technical assistance.</p>	<p>The maritime cross-border co-operation programme covers the Greek regions of Crete, North Aegean and South Aegean. The total population living in the area amounts to 1.7 million people, of which 1 million live in the Greek regions and 0.7 in Cyprus. The economy of the Greek area is geared towards services and agriculture (54% of the workforce employed in the service sector, 30% employed in agriculture). The Cypriot economy is more service-oriented with about 65% of its population employed in that sector, particularly tourism.</p>	<p>CCI No. : 2000CB160PC015 No. of decision : C(2004)5451 Final approval date : 2004-12-20</p> <p>Total cost: 78.043.878 € EU Contribution: 51.939.605€</p>	<p>Ministry of Economy and Finances of Greece Managing Authority of CIP Interreg Mr. Alexandridis 65 Georgikis Scholis av. GR-57001 Thessalonica Tel.: +(30)(2310)469600 Fax.: +(30)(2310)469666 E-mail.: talexandridis@mou.gr</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III A – Greece / Albania</i>	<p>Priority 1: Cross-border infrastructure.</p> <p>Priority 2: Economic development and employment.</p> <p>Priority 3: Technical assistance</p>	<p>Some 1.4 million people live in the eligible area: 900 000 in the Greek regions and 500 000 in the Albanian regions. The two sides of the Greek-Albanian border region are quite different in terms of economic development and structure. The Thesprotia and Florina prefectures are among the poorest prefectures in Greece. The border region in Albania is characterised by very high dependency on the agriculture sector, a great lack of infrastructure networks and high unemployment.</p>	<p>CCI No. : 2000CB160PC016 No. of decision : C(2005)503 Final approval date : 2005-02-24</p> <p>Total cost: 123.500.000 € EU Contribution: 90.000.000€</p>	<p>The Ministry of Economy and Finances</p> <p>Plateia Syntagmatos GR-10180 Athens Tel.: +30 210 333 29 82 Fax.: +30 210 333.29 85 E-mail.: papadodimas@m nec.gr</p>
<i>INTERREG III B ARCHI-MED</i>	<p>Priority 1: Strategy for the spatial development of urban systems.</p> <p>Priority 2: Transport systems and telecommunications/ information society networks.</p> <p>Priority 3: Integrated and sustainable management of cultural resources; exploitation of cultural heritage and sustainable development.</p> <p>Priority 4: Technical Assistance</p>	<p>The programme covers a wide geographical area in south eastern Europe and the Mediterranean basin. The programme area, which has a total population of 38.5 million, can be subdivided in two sub-regions, as follows:</p> <ul style="list-style-type: none"> * The Central Mediterranean, where the eligible areas are the five regions of southern Italy (Sicily, Calabria, Basilicata, Puglia, Campania) and all of Greece, Cyprus and Malta. * The Southeast Mediterranean, which includes the following countries: Turkey, Lebanon, Syria, the Palestinian Authority, Israel, Jordan, Egypt and Libya. These countries, except for Libya, have concluded agreements with the EU within the framework of the Euro-Mediterranean cooperation and IPA (<i>Instrument for Pre-accession</i>) for Turkey. 	<p>CCI No. : 2001RG160PC015 No. of decision : C(2004)5056 Final approval date : 2004-12-13</p> <p>Total cost: 119.578.164 € EU Contribution: 79.536.208€</p>	<p>Ministère Hellénique de l'Economie Nationale Managing Authority of CIP INTERREG Mr ALEXANDRIDIS, Anastasios 65, Georgikis Scholis Avenue GR-57001 THESSALONIKI Tel.: +30 2310 469600 Fax.: +30 2310 469666 E-mail.: skaraki@m nec.gr</p>

ITALY

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>Interreg III A - Italy/Slovenia</i>	<ol style="list-style-type: none"> 1. Sustainable development of the cross-border region. 2. Economic co-operation. 3. Human resources, co-operation and systems harmonisation. 4. Technical assistance. 	The programme covers the Italian / Slovenian land and maritime borders. The Italian / Slovenian land border includes 24 municipalities on the Italian side and 13 on the Slovenian side. It stretches for about 200 km along the important East-West communication axes. The maritime border between Italy and Slovenia lies at the Upper Adriatic in the gulf, which includes Venice, Trieste and Koper. The Interreg III Italy-Slovenia programme covers a total area of 11,400 km ² and a population of 1.943 million people.	<p>CCI No.: 2000CB160PC012 No. of decision : C(2004)4157 Final approval date : 2004-10-19</p> <p>Total cost: 101.010.372 € EU Contribution: 48.684.681€</p>	<p>The Managing Authority is located at Trieste, in the region of Friuli-Venezia Giulia.</p> <p>Autonomous Service for International Relations (Servizio autonomo per i rapporti internazionali) Director Dott. Ambrosi Eugenio Piazza Unità d'Italia, 1 I-34121 Trieste E-mail: eugenio.ambrosi@regione.fvg.it Web: Interreg III A - Italy/Slovenia (I/SI)</p>
<i>Interreg III A - Italy/French Islands</i>	<p>Priority 1: Easier access and better communications.</p> <p>Priority 2: Environment, tourism and sustainable development.</p> <p>Priority 3: Cross-border exchanges.</p> <p>Priority 4: Technical assistance.</p>	The programme area has a population of around 1.1 million, 25% living in Corsica and 75% in Italy. Structural economic difficulties affect the three areas, with particular problems in some sectors and zones. The unemployment rate is above the national and Community averages, though there are signs of improvement, particularly in Corsica. Sardinia and the province of Livorno are affected by heavy industrialisation.	<p>CCI No. : 2000RG160PC015 No. of decision : C(2004)5745 Final approval date : 2004-12-27</p> <p>Total cost: 115.688.099 € EU Contribution: 53.928.379 €</p>	<p>The Managing Authority is located at Cagliari, in the region of Sardinia.</p> <p>Centro Regionale di Programmazione Regione Autonoma Sardegna Via Mameli, 88 I-I-09123 Cagliari Tel.: + 39 070 6064684/3 E-mail: CRP@regione.sardegna.it</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A Programme Italy - Malta</i></p>	<p>Priority 1 - Crossborder cohesion policy.</p> <p>Priority 2 - Sustainable development policy of the crossborder territories.</p> <p>Priority 3: Technical assistance.</p>	<p>The distance that separates Malta from Sicily, only 93 km, is such that these two islands have a shared history, culture and art, but at the same time have had to face administrative, economic and social difficulties.</p>	<p>CCI No. : 2004RG160PC003 No. of decision : C(2004)4912 Final approval date : 2004-12-08</p> <p>Total cost: 6.832.874 € EU Contribution: 5.124.654 €</p>	<p>The Managing Authority is located at Palermo, in the Sicily Region.</p> <p>Presidenza della Regione Siciliana Dipartimento Regionale della Programmazione Piazza D. Luigi Sturzo 36 I-90138 Palermo Tel.: +39 091 6960013 Fax.: +39 091 6960273 E-mail: direzione.programmazione@regione.sicilia.it</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - Italy / Austria</i></p>	<p>Priority 1: Protection and sustainable development of the territory, cross-border networks, structures and infrastructures.</p> <p>Priority 2: Economic Co-operation.</p> <p>Priority 3: Human resources, co-operation in the sectors of: the labour market, culture, research and health, harmonisation of systems.</p> <p>Priority 4: Support for co-operation.</p>	<p>The Interreg III-A programme to support cross-border collaboration between Italy and Austria concerns the border areas of the regions of Friuli Venezia-Giulia, Veneto and the Province of Bolzano (Bozen) in Italy and the Länder of Carinthia, Salzburg and Tyrol in Austria. The programme covers a combined area of 37,900 sq. km with a population of about 2.4 million, 46% of whom live in Austria and 54% in Italy. The average population density is 63 inhabitants per sq. km, which is well below other European regions. The main cities of the programme region are Innsbruck, Bolzano (Bozen), Udine, Klagenfurt, Villach, Belluno e Merano (Meran).</p>	<p>CCI No. : 2000RG160PC016 No. of decision : C(2001)3537 Final approval date : 2001-11-23</p> <p>Total cost: 70.421.370 € EU Contribution: 33.627.000 €</p>	<p>The Managing Authority is located at Bolzano (Bozen), in the Autonomous Province of Bolzano (Bozen).</p> <p>Provincia Autonoma di Bolzano - Autonomen Provinz Bozen Servizio Affari Comunitari Vice direttore di ripartizione Bauer, Wolfgang Via Piave 2 I-39100 Bolzano Tel.: +39.0471.413160 Fax.: +39.0471.413189 E-mail: wolfgang.bauer@provinz.bz.it Web: Provincia Autonoma di Bolzano</p> <p>Interreg III A - Italy/Austria (I/A) (Friuli-Venezia Giulia) Interreg III A - Italy/Austria (I/A) (Veneto)</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - Italy/Balkan</i></p>	<p>Priority 1: Environmental protection and exploitation, culture and infrastructure of the cross-border territory.</p> <p>Priority 2: Economic integration of the cross-border productive systems.</p> <p>Priority 3: Actions to strengthen co-operation.</p> <p>Priority 4: Technical Assistance.</p>	<p>The population living in the Adriatic region amounts to more than 41 million people: 60% live in the four Balkan countries and 40% in the Italian Adriatic regions. Trade between Italy and the four Balkans countries is very dynamic, with Italian exports to the area amounting to approximately Euro 6.5 billion (in 1999), which presents 16.6% of the imports to these countries. On the other hand, the region is characterised by huge disparities in economic development. Migration, the preservation of the Adriatic Sea and the management of natural resources are issues, which demand cross-border border solutions.</p>	<p>CCI No. : 2002CB160PC001 No. of decision : C(2004)5554 Final approval date : 2004-12-22</p> <p>Total cost: 101.015.930 € EU Contribution: 50.507.965 €</p>	<p>The Managing Authority is located at l'Aquila in the Abruzzo Region Direzione Affari della Presidenza e Politiche Legislative Servizio Attività Internazionali</p> <p>P.zza S. Silvestro Pal. Branconi I-67100 l'Aquila</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - Italy / France (ALCOTRA)</i></p>	<p>Priority 1: Territory</p> <p>Priority 2: Identity</p> <p>Priority 3: Competitiveness</p> <p>Priority 4: Technical Assistance.</p>	<p>The program covers all the alpine border between the two countries. More precisely, three Italian areas (Valley of Aoste, Piedmont, Liguria) and two French areas (the Rhone-Alps, Provence-Alp-Coast of Azure) are concerned. The zones concerned are:</p> <ul style="list-style-type: none"> * the Autonomous Region Valley of Aoste; * the Provinces of Turin and Cuneo (for Piedmont); * the Province of Imperia (for Liguria); * the Departments of Savoy and Haute-Savoie (for the Rhone-Alps); * the Departments of Hautes-Alpes, the Alps of High-Provence and the Alps-Maritimes (pour Provence-Alp-Coast of Azure). 	<p>CCI No. : 2000RG160PC014 No. of decision : C(2004)4680 Final approval date : 2004-11-30</p> <p>Total cost: 160.768.709 € EU Contribution: 65.444.385 €</p>	<p>The Managing Authority is located at Turin in the Piedmont Region</p> <p>Regione Piemonte Direzione Regionale Economia Montana e Foreste Director Berger, Nino Corso Stati Uniti, 21 I-10128 Torino Tel.: +39/011.4321485 Fax.: +39/011.4322941 E-mail: Direzione14@regione.piemonte.it Web: Regione Piemonte</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III A - Italy / Switzerland</i></p>	<p>Priority 1: To foster a balanced and sustainable development of the cross-border areas economy</p> <p>Priority 2: To develop actions of cooperation for the management of the territory and the safeguard of the environmental and cultural heritage</p> <p>Priority 3: To strengthen the cooperation in the cultural, social and institutional contexts</p> <p>Priority 4: Technical Assistance.</p>	<p>The program covers the entire border between the two countries, with an extension of 706 km in which lives more than 4 million persons. The eligible area includes the following areas of the border between Italy and Switzerland:</p> <ul style="list-style-type: none"> * the Autonomous Region Valley of Aoste; * the provinces of Biella, Novara, Verban-Cusio-Ossola and Vercelli (Piedmont region); * the provinces of Como, Lecco, Sondrio and Varese (Lombardy region); * the autonomous province of Bolzano; * and the Swiss cantons of Vallese, Ticino and Grigioni. 	<p>CCI No. : 2000CB160PC017 No. of decision : C(2001) 2126 Final approval date : 2001-09-12</p> <p>Total cost: 74.442.644 € EU Contribution: 25.560.000 €</p>	<p>The Managing Authority is located at Milan in the Lombardy Region.</p> <p>Regione Lombardia Direzione Generale Industria, PMI, Cooperazione e Turismo Raffaele Verdelli Via T. Taramelli 20 I-20151 Milano Tel. 0039 02 67 65.61 80 Fax 0039 02 67 65.63 37 raffaele.verdelli@regione.lombardia.it www.regione.lombardia.it</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>Interreg III B - CADSES</i></p>	<p>Priority 1: Promoting spatial development approaches and actions for social and economic cohesion.</p> <p>Priority 2: Efficient and sustainable transport systems and access to the information society.</p> <p>Priority 3: Promotion and management of landscape and natural and cultural heritage.</p> <p>Priority 4: Environment protection, resource management and risk prevention.</p> <p>Priority 5: Technical Assistance.</p>	<p>The programme covers an area from the Baltic Sea (Germany and Poland) to the Mediterranean, through Austria, the Adriatic, Italy and the Balkans, down to Greece, touching three candidate countries and six non-member states.</p> <p>At least six development areas can be distinguished; the Central European Interaction Area, the Danubian Co-operation zone, the Black Sea Co-operation Area, the Adriatic-Ionian Sea Region, the area of the Stability Pact (Croatia, Bosnia and Herzegovina, Serbia and Montenegro, FYROM and Albania) and the Carpathian Development Region.</p>	<p>CCI No. : 2001RG160PC008 No. of decision : C(2004)5411 Final approval date : 2004-12-17</p> <p>Total cost: 279.032.036 € EU Contribution: 161.239.712 €</p>	<p>Italy assumes the functions of the Single Managing and Paying Authority and is assisted by a Joint Technical Secretariat (JTS) in Dresden (Germany):</p> <p>Italian Ministry of Infrastructure and Transport Croccolo, Fabio Via Nomentana 2 I-00161 Roma Tel.: +39 06 44105408 Fax.: +39 06 4412 3300 E-mail.: Fabio.Croccolo@mail.lpp.it</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>Interreg III B - Western Mediterranean</i></p>	<p>Priority 1: Mediterranean basin.</p> <p>Priority 2: Strategy for spatial development and urban systems.</p> <p>Priority 3: Transport systems and information society.</p> <p>Priority 4: Development of assets and sustainable development.</p> <p>Priority 5: Technical Assistance.</p>	<p>The programme area has striking economic and social contrasts, with some very prosperous regions, such as the Po Valley in Italy, the large Rhône delta in France and Catalonia in Spain, and other regions where the level of development is much lower. As regards the sectoral breakdown, a number of groups can be clearly identified. These include the industrial centres such as Lombardy and Piedmont, areas devoted to services such as Lazio and Provence-Alpes-Côte d'Azur, regions such as Murcia and Valencia where agriculture is very important and mixed areas such as Tuscany and Rhône-Alpes with both industry and services. Tourism offers development potential over the whole programme area and can facilitate sustainable development, with contributions from those active at local level.</p>	<p>CCI No. : 2000RG160PC018 No. of decision : C(2004)4911 Final approval date : 2004-12-08</p> <p>Total cost: 214.939.595 € EU Contribution: 119.346.457 €</p>	<p>The Managing Authority is located at Rome in the Italian Ministry of Infrastructure and Transport.</p> <p>Italian Ministry of Infrastructure and Transport Directorate-General for territorial coordination (DI.CO.TER)</p> <p>Via Nomentana, 4 I-00198 Rome Tel.: +39 06 44125200 Fax.: +39 06 44123300 Web: INTERREG III B - Méditerranée Occidentale (MEDOCC)</p>

SPAIN

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III A - Spain-Portugal</i>	<p>Priority 1: Infrastructure, planning and rural development of cross-border areas.</p> <p>Priority 2: Development, promotion and conservation of the environment and of the heritage and natural resources.</p> <p>Priority 3: Socio-economic development and the promotion of employment.</p> <p>Priority 4: Promotion of cooperation and of social and institutional integration.</p> <p>Priority 5: Technical assistance</p>	The frontier area between Spain and Portugal totals more than 130,000 km ² and has a population exceeding 5.4 million people.	<p>CCI No. : 2000RG160PC005 No. of decision : C(2004)5671 Final approval date : 2004-12-23</p> <p>Total cost: 1.098.671.689 € EU Contribution: 823.910.103€</p>	<p>Dirección General de Fondos Comunitarios y Financiación Territorial</p> <p>Paseo de la Castellana 162 3a 22 E-28071 Madrid Tel.: + 34 91 5835490 Fax.: +34 91 5837317</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<i>INTERREG III A - Spain / Morocco</i>			<p>CCI No. : 2000CB160PC007 No. of decision : C(2004)4265 Final approval date : 2004-10-25</p> <p>Total cost: 225.800.000 € EU Contribution 169.400.000 €</p>	<p>Ministerio de Hacienda - Secretaría de Estado de Presupuestos y Gastos Dirección General de Fondos Comunitarios y Financiación Territorial</p> <p>Paseo de la Castellana 162 E-28071 Madrid Tel.: +34.91.5835223 Fax.: +34.91.5835272 E-mail.: jandrade@sepg.minhac.es Web: Secretaría de Estado de Presupuestos y Gastos</p> <p>Ciudad Autónoma de Ceuta</p>
<i>INTERREG III B - South West Europe</i>	<p>Priorité 1: Polycentric structuring of space and reinforcement of poles of competence.</p> <p>Priorité 2: Management of the cultural and natural inheritance and promotion of the environment.</p> <p>Priorité 3: Development of an effective and sustainable communication system</p>	<p>The SUDOE transnational space is constituted by regions which belong to four States</p> <p>Spain : Galice, Asturias, Cantabrie, Pays basque, Navarre, Aragon, Catalogne, Castille et Léon, La Rioja, Madrid, Extramadure, Castille-la Mancha, Valence, Murcie, Andalousie, Canaries, Baléares, Ceuta et Melilla.</p> <p>France : Aquitaine, Auvergne, Languedoc-Roussillon, Limousin, Midi-Pyrénées, Poitou-Charentes.</p> <p>Portugal : Nord, Centre, Lisbonne et vallée du Tage, Alentejo, Algarve, Açores, Madère.</p> <p>United Kingdom : Gibraltar</p>	<p>CCI No. : 2000RG160PC006 No. of decision : C(2004)4127 Final approval date : 2004-10-18</p> <p>Total cost: 109.846.000 € EU Contribution: 66.135.000 €</p>	<p>Gobierno de Cantabria Consejería de Economía y Hacienda, Dirección de Economía y Comercio Directora Mazas Pérez-Oleaga, Cristina C/ Hernán Cortés 9 - 6º E-39003 Santander Tel.: +34.942.207907 Fax.: +34.942.207529 Web: Gobierno de Cantabria</p> <p>Interreg III B - SUDOE (Languedoc-Roussillon) Interreg III B - Sudoeste Europeu (P)</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III B - Azores- Madeira-Canary Islands</i></p>	<p>Priority 1: Spatial planning and urban and rural development.</p> <p>Priority 2: Developing transport and communications, information society and R&D.</p> <p>Priority 3: Fostering economic and institutional cooperation.</p> <p>Priority 4: Exploiting and sustainable development of natural and cultural resources.</p> <p>Priority 4: Technical assistance</p>	<p>The Azores-Madeira-Canary Islands area extends over nearly 10 000 km² and has a total population in excess of 2 million.</p>	<p>CCI No. : 2001RG160PC003 No. of decision : C(2004)4130 Final approval date : 2004-10-18</p> <p>Total cost: 171.015.724 € EU Contribution: 145.363.358 €</p>	<p>Comunidad Autónoma de Canarias Viceconsejería de Economía y Comercio Consejería de Economía y Hacienda</p> <p>Calle Tomás Miller, 38 4a. planta E-35007 Las Palmas de Gran Canaria Tel.: +34 928303004 Fax.: +34 928303069</p>

Programme	Priorities	Description of the eligible areas	Financial and Technical Information	Contacts
<p><i>INTERREG III C - South Zone</i></p>	<p>Priority 1: Operations</p> <p>Priority 2: Technical Assistance linked to Priority 1</p> <p>Priority 3: Operations in border regions with candidate countries – point 53 of the INTERREG –Guidelines</p> <p>Priority 4 - Technical assistance linked to Priority 3</p>	<p>This programme operates in the South Zone, which includes France, Greece, Italy, Portugal, Spain, Malta, Cyprus and the United Kingdom (Gibraltar) . However, as with all of the four C-strand INTERREG programmes, it can also include partners located elsewhere in the European territory.</p>	<p>CCI No. : 2002RG160PC001 No. of decision : C(2004)4455 Final approval date : 2004-11-15</p> <p>Total cost: 205.175.817 € EU Contribution: 139.173.541€</p>	<p>Generalitat Valenciana Conselleria de Economía, Hacienda y Empleo Dirección General de Economía. Servicio de Cooperación Interregional</p> <p>Maria Vicenta Gil C/ Cronista Carreres 11, 4-A 46003 Valencia, España Téléphone +34 96 315 33 49 Fax +34 96 315 33 47 email gil_vicvil@gva.es</p>

CLOSING REMARKS

The heterogeneity of the regional administrative structures of the Mediterranean countries, as clearly evidenced in this handbook, is undoubtedly a serious obstacle to the territorial cooperation in the area. The European integration process, beyond stimulating the political decentralization, constitutes a boost towards a greater convergence of the systems of local government in Europe, which should favour a more effective cooperation, in particular among the Euro-Mediterranean regions.

More than that the common challenges of competitiveness, environmental protection, urban development and accessibility, just to mention the most outstanding ones, make it even more necessary to elaborate and develop common policies of co-development and joint governance methods.

In this context the potential of cooperation and coordinated management among the Mediterranean regions should be found in the significant experiences originated both from the Community programmes of the Mediterranean space (with particular reference to the programs concerning cross border and transnational cooperation) and from the most advanced experiences of Community cooperation such as:

- The Euroregions
- The cooperation in the northern European areas, in particular in the Baltic area
- The best practices developed by other Interreg and Interact projects and the coordination of the results among them.

Euroregions have given a decisive contribution to the overcoming of the European borders, stimulating the process of European integration, encouraging the crossborder cooperation among the local and regional authorities, and therefore, inspiring good neighbouring relationships, approaching different populations and eliminating prejudices. Generally, crossborder activities carried out by the Euroregions extend not only to socio-economic development and cultural co-operation, but also to other areas of general interest to border populations, such as social affairs, health care, education and training, waste management, nature conservation and landscape management, tourism and leisure, co-operation in the case of natural disasters and transport.

Euroregions usually are not equivalent to any legislative or governmental institution, as they are cross-border association of local and regional authorities operating on each side of the national borders. They are represented by a parliamentary assembly, a permanent secretariat and a technical and administrative team with own resources. Euroregions can be of private law nature, based on non-profit-making associations or foundations, or of public law nature, based on inter-state agreements. Their competences are limited to those of the local and regional authorities constituting them and they do not benefit of any political power. The Euroregions objective is to promote common interests across the borders and cooperate for the common good of the border populations.

The Mediterranean basin is a fundamental area for the development of the entire Europe and it is the centre of problematic phenomena which involve also the future of the other European zones. Therefore, it would be wise the institution of Euroregions also in the Mediterranean basin in order to continue the action undertaken for the progressive and constant strengthening of political, economic, social and cultural links among the Mediterranean people. The territorial cooperation in the area should be extended to all the

marine borders with the aim to boost the virtuous circuit and the synergies of the networks related to Euroregions.

In order to reach this objective, the collaboration at the regional and local level, which is the closest to the populations and their requirements, needs to be strengthened and to be recognized without reservations by the European Union, in application of the subsidiary principle and in the common interest of the success of the cohesion, neighbourhood and partnerships policies.

Baltic Sea cooperation has already proved to be a success story, as the Baltic Sea region has developed into one of the most dynamic regions in Europe. The Baltic Euroregion is already a reality since various years, and therefore, it constitutes an important point of reference and a role model for successful cooperation in the Mediterranean area. The cooperation in the Baltic Sea should be considered as a best practice to be transferred in and followed by the Mediterranean countries.

This model of participation and cooperation seems to be particularly valid for the Mediterranean area because it works progressively, by means of administrative and procedural integration through conventions, attracting progressively new partners in the network. The conventions, then, if diffused can be adopted as international conventions by several regional and local authorities of the Mediterranean countries, constituting, in this way, common rules. Moreover, the Baltic experience has deepened the potentialities of stable transnational networks for the management of a strategy and a partnership in order to realize a progressive homogeneity of the procedures for the regional and local authorities and the stakeholders.

The fundamental stages in order to provide new impulse to the process of Barcelona also through the cohesion policies conjugated with the valorisation of the cultural diversities, of the local environmental and institutional specificities, should be as following:

- the establishment of a Mediterranean Euroregion;
- the establishment of an organism of regional and local representation within the Institutional Mediterranean framework, able to synthesize the proposals of the Regions, to value their contribution and to monitor the advancement and the implementation of its purposes and objectives;
- the rapid establishment of some effective and essential institutional instruments, such as a Mediterranean Development Bank, to be localized in one of the Mediterranean countries;
- the establishment of a religion Observatory, to be placed close by the already under way foundation for the intercultural dialogue;
- the institution of a Polytechnic of the Mediterranean;
- the establishment of modern material and immaterial infrastructure network, related to the management of transports, communications and energy, education and training and technological research and innovation
- The creation of common offices that they can progressively put in common administrative processes concerning common goods and resources;
- The creation through conventions concerning procedures of simplifications that could render easier for the various countries and regions to refer to the others for one determined matter;
- The creation of interface centres that allow, as an office of customer orientation, to address the regional administrations or organizations towards the competent offices of an other state, by simple and rapid procedures.