



Japan Local Government Centre, London

Monthly Report December 2009 (Germany/Europe) - Lisbon Treaty includes more recognition for local government

On December 1st 2009, after years of uncertainty the EU Lisbon Treaty finally came into force. It has been celebrated by local authorities across Europe as including an overdue recognition of the role and importance of local government within Europe, as it includes a phrase emphasising the importance of local and regional self-government in the member states. Furthermore, it calls for a better inclusion of local and regional interests in the early stages of policy initiatives, before they are formally presented.

Also, it allows local government more leeway in the provision of daily services. In the past, mainly through court decisions the tendency has been to favour private provision over public provision, but now the right of local government to decide freely on its preferred methods of service provision and if and when to work together has been affirmed.

The role of the Committee of the Regions, the formal EU body representing regional and local government, has also been given the right to take local governments complaints to the European Court directly, without having to go through national governments. This strengthens the role of the CoR as well as local government's rights within Europe.

In addition to the Lisbon Treaty, a new additional protocol for the European Charter of Local Self-Government specifies the right of residents to participate in the affairs of local authorities. In many European countries, there are already legal rights to petition local authorities and to initiate referenda, while in others these rights are not as clear. Recent legislation by the UK government to give local government a duty to take up petitions made by residents (Local Democracy, Economic Development and Construction Act 2009) are in part also influenced by this development, as the UK is a signatory to the Charter.

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