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Strasbourg, 19 September 2025 GT-CS(2025)5

**STEERING COMMITTEE ON DEMOCRACY**

**(CDDEM)**

**CDDEM WORK ON**

**A COMMITTEE OF MINISTERS’ RECOMMENDATION**

**ON MULTILEVEL GOVERNANCE**

**POINTS FOR PRELIMINARY REFLECTION AND DISCUSSION**

Prepared by the

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**Background**

* **Procedure**: It has been proposed to extend the deadline for finalising the Recommendation until the end of 2027, in order to allow the CDDEM to continue developing standard-setting instruments within biennial cycles.
* **Working Group on multilevel governance (MLG)**: A proposal may be submitted to the CDDEM Bureau and Plenary to establish a dedicated working group tasked with elaborating the draft Recommendation.
* **Terms of reference**: To be prepared for the working group, addressing in particular:

the desired profile

* of members;
* the possible inclusion of independent experts;
* the working methods to be followed;
* the background documents to guide the drafting process.

**Some points for reflection**

**1. Interplay between the future recommendation on multilevel governance and the European Charter of Local Self-Government**

* **Avoiding duplication or conflict**: The Charter already enshrines key guarantees (constitutional/legal foundation, scope of self-government, adequate resources, consultation, supervision, freedom of association, judicial protection). A Recommendation should build on these obligations.
* **Complementarity**: The Charter is about local self-government; the Recommendation could potentially address the interplay between different levels (local – regional – national – supranational) and principles of coordination, co-operation, innovation, capacity building, and citizen participation across levels.
* **Updating context**: While the Charter remains highly relevant, the Recommendation could reflect new governance challenges ranging from digitalisation, cross-jurisdictional cooperation, climate governance, AI governance, disinformation, etc. It could provide relevant guidance for the new environment while remaining faithful to Charter principles.
* **Guardrails**: Nothing in the Recommendation should undermine the Charter’s guarantees (e.g., Article 4 on subsidiarity or Article 9 on financial autonomy). It should be stressed that effective MLG can contribute to effective implementation of the Charter.

**2. Synergies with OECD work**

* The Recommendation should be complementary, not competing with the OECD work and recommendations on MLG. If the OECD provides a more practical toolbox for MLG (fiscal arrangements, equalisation, performance monitoring, etc.), the Council of Europe Recommendation can be grounded in democratic principles and safeguards, the rule of law and human rights as its normative foundations. It will be important to show coherence with global good practices and cross-institutional alignment, to the extent possible.

**3. Possible framing of the future recommendation on MLG**

Following the invitation at the 3rd plenary of the CDDEM or delegations supportive of work on a Recommendation to submit additional ideas and proposals in writing, the UK delegation — which was closely involved in the drafting of the CDDG report on multilevel governance (MLG) — reiterated its view that a Recommendation on MLG would be a valuable instrument.

The UK delegation underlined that “strong local and regional democracy is one of the key considerations in strengthening democracy and preventing democratic backsliding. Therefore, we believe the opportunity this Recommendation presents to promote systems of MLG, support member States in adopting fully functional and effective systems of MLG, and operationalise key parts of the Reykjavík Principles will help to support the fundamental work of the CDDEM.”

The delegation further proposed that the guidelines of the future Recommendation be framed around the “Principles for MLG” identified in the CDDG report.

To stimulate discussion on the possible contours of the instrument, the Secretariat has expanded these principles with potential concrete issues that could be addressed in the future Recommendation.

**4. Draft expanded principles with potential issues to address**

**4.1. Compliance with the principles of good democratic governance**

* Anchoring the recommendation in CM/Rec(2023)5 (participation, transparency, responsiveness, accountability, efficiency, effectiveness, respect for human rights).
* Link MLG explicitly with protection of democracy, rule of law and human rights.
* Promoting resilience of institutions through checks and balances.
* Encouraging self-assessments and evaluations of democratic governance at all levels.

**4.2. Respect for each institution / institutional autonomy**

* Ensure autonomy of each level of government, preventing arbitrary interference from central governments.
* Promoting mutual trust and co-operation between different levels of government.
* Providing mechanisms for conflict resolution across levels (judicial review, mediation).
* Recognising diversity of institutional models (unitary, federal, asymmetric arrangements).

**4.3. Rationale**

* Clear allocation of competences and responsibilities in line with the principles of subsidiarity and proportionality.
* Avoiding duplication or “grey zones” that cause inefficiency or power struggles.
* Specifying shared competences and coordination requirements for them.
* Updating competences/responsibilities regularly to reflect evolving challenges (climate change, digitalisation).

**4.4. Legislative framework**

* Clear legal basis for MLG, embedded in constitutions or statutes where relevant.
* Importance of stable and predictable arrangements; changes only by as determined in the law.
* Integration of participatory rights and accountability in the legal framework.
* Provisions for asymmetry and flexibility in the framework.
* Availability of legal remedies where MLG principles are breached.

**4.5. Oversight, responsibilities and resources**

* Oversight to be proportionate, limited to ensuring legality and respect for rights.
* Avoiding political instrumentalisation of oversight.
* Matching responsibilities with commensurate resources (financial, human, technical).
* Enabling local/regional governments to raise their own resources, within national frameworks.
* Ensuring stability and predictability of funding.

**4.6. Accountability**

* Transparent reporting mechanisms at all levels of government.
* Independent audit and evaluation of subnational authorities.
* Accountability upwards (to central government) and downwards (to citizens).
* Sanctions/remedies available when misuse of competences occurs.

**4.7. Civil participation**

* Embedding civil participation as a standard practice in policymaking at all levels.
* Inclusion of minorities, vulnerable groups, youth, and women.
* Practicing participatory and deliberative democracy methods.
* Building trust by ensuring feedback (citizens see the impact of their input).
* Supporting civil society organisations with access to information and consultation.

**4.8. Transparency and openness**

* Ensuring decisions and processes are accessible to the public.
* Developing open government initiatives and digital transparency tools.
* Guaranteeing access to information, while balancing data protection.
* Promoting transparent budgets, spending, and funding flows at all levels.
* Supporting the capacity of citizens and media to use data effectively.

**4.9. Capacity building and innovation *(addition)***

* Training and technical assistance for local and regional authorities.
* Exchange of good practices across municipalities and regions.
* Support for experimentation, pilot projects and other innovations in governance methods.
* Strengthen digital capacity, especially in smaller or rural administrations.