



Status of local elected representatives in Europe

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Foreword

Under what conditions do local representatives exercise their mandate in different European countries? How are they elected? What are their terms of employment? How do they deal with conflicts of interest and legal accountability? These are the main issues which this study will attempt to address.

The status of local representatives in Europe is an essential element for the functioning of local democracy. And yet, no other comparative study has previously been carried out on this subject.

This study, while not exhaustive, will compare the status of local representatives of more than thirty countries, or more than 100,000 local authorities in Europe.

In order to carry out its study, the Council of European Municipalities and Regions (CEMR) drew partly upon its network of more than fifty associations in thirty-nine European countries, and partly on the legal texts outlining the duties of mayor and local and municipal councillor in the different countries considered.

The results reveal a large diversity of status depending on the country and, in certain countries, between different regions. The study also throws light on local governance. In most countries, mayors are at the head of an executive they have constituted themselves and which is accountable to the municipal council. In others, they are both head of the executive and president of the municipal council. Others represent the municipality in an honorary position.

However, the main aim of this study is to provide a comparative frame of reference to national associations representing local authorities, to press for an improvement of the overall status of local representatives and to endorse their demands for better recognition of the work they do.

In conclusion, it is important to note that carrying out the responsibilities of local government has become significantly more complex over the last few decades, yet studies show that citizens have great confidence in their local representatives. This confidence is based on the closeness of the local representative and their electorate. It is also the result of the work of the representatives themselves, of their commitment and a good mix of professionalism and a passion to serve the common good.

Frédéric Vallier

CEMR Secretary General

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Introduction

This study aims to provide an initial overview of the situation and summarise the conditions under which the local representatives across Europe exercise their mandate.

The percentages quoted in this study are not valid for all the European countries. They are based only on those who responded to the CEMR questionnaire.

The following associations responded to the survey: Albania (AAM), Austria (ÖGB/ÖSEB), Flanders (VVSG) and Wallonia (UVCW) in Belgium, the Republika Srpska (ALVRS) in Bosnia-Herzegovina, Cyprus (UCM), the Czech Republic (SMOCR), Denmark (LGDK), Estonia (ELL), Finland (AFLRA), France (AFCCRE), Germany (DStGB), Iceland (SAMBAND), Italy (AICCRE), Kosovo (AKM), Latvia (LPS), Lithuania (AL), Luxembourg (SYVICOL), the former Yugoslav Republic of Macedonia (ZELS), Montenegro (UMM), the Netherlands (VNG), Norway (KS), Poland (ZMP), Portugal (ANMP), Romania (AMR), Serbia (SKGO), Slovakia (ZMOS), Spain (FEMP), Sweden (SALAR), Switzerland (ASCCRE), Ukraine (AUC) England and Wales (LGA) and Scotland (COSLA) in the United Kingdom.



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Regulatory framework

While the European Charter of Local Self-Government provides an international standard, against which the national standards may be assessed, very few of its provisions are directly applicable to the status of local representatives, whether mayors or councillors. Most of the conditions under which local representatives obtain and carry out their mandates are governed by domestic law. The degree of autonomy enjoyed by local authorities in amending or adapting these provisions to local conditions is generally limited. While this may be perceived as resulting in equitable conditions in all local authorities in a given country or state, there is more of a tendency in countries with increased devolution and decentralisation for local authorities to enjoy a certain degree of autonomy in adapting the national regulatory framework to unique local conditions.

International regulatory framework

The European Charter of Local Self-Government, adopted by the Council of Europe, focuses more on democratic freedoms and processes, rather than actors in the strict sense of the word: it concerns mostly “local authorities” and – more concretely – “democratically constituted decision-making bodies” where it stipulates that they should be “composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage”.

This general democratic requirement for obtaining a local mandate is then supplemented by the clause stipulating that “The conditions of service of local government employees shall be such as to permit the recruitment of high-quality staff on the basis of merit and competence; to this end adequate training opportunities, remuneration and career prospects shall be provided” (Art. 6.2).

While only employees are explicitly mentioned, the principles set out in the Charter should apply to democratically elected

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local representatives, and mayors in particular, who spend the major part or even their entire period in office in the service of citizens and local communities.

The conditions under which responsibilities at local level are exercised are governed by Art. 7:

1. *"The conditions of office of local elected representatives shall provide for free exercise of their functions.*
2. *They shall allow for appropriate financial compensation for expenses incurred in the exercise of the office in question as well as, where appropriate, compensation for loss of earnings or remuneration for work done and corresponding social welfare protection.*
3. *Any functions and activities which are deemed incompatible with the holding of local elective office shall be determined by statute or fundamental legal principles."*

This is the main frame of reference on which working conditions may be assessed.

National regulatory frameworks

The status of local representatives in Europe is principally based on national legislation, which covers most of the conditions concerning their work: nomination (covered by law in 74% of responding countries), election of candidates (87%), duration of mandate (100%), conditions for obtaining (90%), for implementing (94%) and for terminating the mandate (94%), as well as dismissal and resignation (97%). Social provisions such as paid leave or parental leave are rarely covered by specific legislation; however, they may conform to general labour, employment or civil law or other national legislation not specific to local authorities.

Most of these legal conditions are universal in a given country and may not be adapted to local conditions by sub-national authorities; however the level of remuneration of local representatives and number of local councillors depend on the size

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(population) of the authority and in almost 40% of responding countries may be further amended at the local level.

The autonomy of the local authority in terms of amending or adapting the regulatory legislative framework to local conditions is thus generally limited. This creates, on one hand, stable and comparable legislative conditions among all local authorities in a given country, but on the other hand, might not be appropriate for all types and sizes of local authorities.

Yet, a general trend may be observed: in countries where a significant portion of public administration duties have been transferred to local and regional authorities (federal countries or regionalised countries) and in most of the Nordic countries where the local governments hold a relatively large amount of power, the local authorities have most autonomy in amending or adapting the regulatory framework to local conditions.



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Obtaining a mandate

Local administration in Europe follows two models already established in certain countries, and the mandate of the mayor depends on the model used. The two models differ in the division of local political and executive power. The mayor is either elected directly by citizens, or is chosen from among the council members. In a minority of cases, the government makes the official nomination. In most countries, the mayor is chief of the local administration at the same time. However, in some countries, a municipal manager performs these duties. Particular ways of obtaining a mandate and conditions of eligibility can vary greatly from country to country.

Mayor-council model

The mayor-council model involves an elected political representative (mayor) sharing political power with a political representative assembly (local council). The mayor is either elected directly by the citizen (48% of responding countries), or is elected from and by the council. The mayor has thus a dual role: he/she is both a politician and at the same time, a chief administrator responsible for the implementation of council decisions. This model is common in the newly established local democracies in Central and Eastern Europe, as well as in France or Germany, and frequently also involves direct election of the mayor by the citizens.

Alternatively, the executive power is vested in a group of elected politicians (executive committee, college) co-governing under the leadership of one of them, designated as a mayor. This is usual in countries of Southern Europe (Spain, Portugal, and Italy) or in Scandinavia.

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In a very few countries (notably Belgium-Flanders, Netherlands, Luxembourg) the mayor is appointed by the government or head of state, usually at the recommendation of the municipal council.

Council-manager model

A small number of countries use the council-manager model, where the political power is held within the collective council, which appoints a municipal manager who is a civil servant, not a mayor. However, even in countries using this type of local governance, a mayor may be elected directly by the citizens in certain cities (UK, Finland). The two models are not always clearly delineated, as there may be an overlap of different models – for example in Iceland the council may appoint a municipal manager or decide to appoint a politician in the role of chief executive.

Duration of mandate

In most countries, the local mandate is fixed for a period of four years, with a possibility of extending it up to 6 years. In certain *Länder* of Germany, it might extend to as much as nine years.

Conditions of eligibility

The most frequent legal requirements for being a candidate, apart from age and nationality (either of the state or of the EU if a member state), are permanent residence in the municipality (81% for councillors and 61% for mayors) and criminal record requirements (65% for councillors and 61% for mayors). Certain professions are excluded in 52% of countries questioned. In addition, conditions of eligibility may differ within the national jurisdiction. This is particularly the case in federal countries (Austria, Belgium, and Switzerland) where they are prescribed at regional level.

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In all countries, there is a **minimum age** for standing as candidate in local elections. This is 18 years of age, except in certain countries where the mayor is directly elected by the citizens, and in the United Kingdom (21 years). It is the case in Austria (19 years), Slovakia (21 years), Romania (23 years), and in Poland and Cyprus (25 years). This age restriction is the same for councillors and mayors, except when it is fixed at a higher age in Poland and Slovakia (18 years for councillors) or when it only concerns councillors, such as in Lithuania (20 years for councillors). It is very rare to find a maximum age limit for standing as a candidate: only the Netherlands (70 years) and certain German municipalities apply one.

Domiciliation (permanent residence) in the municipality is also a frequent requirement for standing as a candidate, although it may vary in countries such as France, Spain, Iceland, Austria, Switzerland, Portugal, Latvia and Denmark.

Consideration of a **criminal record** is a frequent requirement for standing as candidate in European municipalities, even though the practical details vary. In some countries, the police record must be clean of any conviction or prison sentence, while in others, the conviction can be accompanied by a period of disqualification as in France or Belgium, or otherwise the sentence must have been served within a time frame (5 years in Cyprus, 65 days in Lithuania) prior to the election. In most of Northern Europe (Lithuania, Finland, Sweden, Denmark, Norway, Iceland, and United Kingdom) and also in Luxembourg, Portugal, Macedonia and Montenegro, this element is not taken into consideration when standing as a candidate.

Political conditions for candidacy are rather frequent across Europe, usually requiring the candidates to be listed on a party list. For independent candidates to be able to stand in elections, they are required to collect a certain number of supporting signatures from the electorate. Candidates for mayor may not be independent in Austria, Belgium, Norway, Sweden, Latvia, Serbia and Montenegro.

To be eligible as a candidate, there is no requirement for a **minimum level of education or training**, apart from in Estonia. Post-electoral training is offered in 80% of the responding countries, most usually on a voluntary basis: either as formal education or simply in the form of brochures or handbooks. This training is usually provided by the national associations of local governments, though some training is organised by the municipalities themselves, generally in Scandinavian and Baltic countries, but also in others.

Another more common, yet more symbolic, requirement is the taking of an **oath**, which is compulsory in 32% of the countries questioned: Austria, Belgium, the Netherlands, for councillors in Scotland, for mayors in Estonia, Portugal, Poland, Slovakia, Romania and Montenegro. Written consent is considered sufficient in Flanders/Belgium.

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[Terms of employment]

The working hours of local representatives are not very regulated across Europe. Mayors in larger municipalities usually work full-time and in countries with smaller municipalities they may hold office on a part-time basis.

Working hours

Specific regulations relating to employment and work are in principle defined at the national level; or at the regional level in federal countries such as Austria or Switzerland. They usually vary according to the size (population) of the municipality.

The regulations also vary in relation to provisions governing the working hours of local representatives, or more specifically, their attendance at council meetings.

Attendance at council meetings is obligatory in the Netherlands, Iceland, Romania, Bosnia-Herzegovina and Cyprus. In several countries (Poland, Luxembourg, Belgium-Flanders, etc.), councillors work with 'tokens of presence', losing thus a part of their remuneration in case of absence.

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Income and social benefits

The income of mayors is usually set out in the national legislation. It is in many cases pegged to external factors or subject to limits. Local councils in some countries, however, enjoy the freedom to modify these rules according to local conditions, or according to work performance. Councillors, on the other hand, are remunerated according to their work or attendance at council meetings. The social benefits in place are basically the same as the national social welfare cover.

Remuneration

Remuneration of local representatives, regulated by basic legislation in 61% of the responding countries, depends largely on the level of financial autonomy of the municipality. In some states, such as Slovakia (which has progressed since 2005), Estonia, Latvia, Lithuania, Ukraine and Portugal, local authorities have little fiscal independence or indeed the financial means necessary for levying taxes and good management of revenue.

Often the local authority has significant margin of freedom to determine the remuneration of local representatives. This varies from one country to another; for example, there is a much greater degree of autonomy in Sweden, Finland and the United Kingdom.

The rules are often settled by law or by a government decree, with fixed ceilings, while the local council is responsible for setting the exact amount of remuneration. In a certain number of countries, especially in the Baltic states, councils have a

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certain leeway in setting remuneration levels. In Slovakia or Spain, remuneration of local councillors is not framed in the law and depends on the local authority budget alone.

Flexibility of remuneration

With small exceptions in Germany, Luxembourg, Serbia and Montenegro, the remuneration of mayors is regular, as is that of municipal councillors.

In Germany, according to the *Länder* and the size of the municipality, mayors and councillors receive either a fixed salary or are paid honorary fees. Finland, Lithuania, Portugal, Slovakia and Ukraine all make a distinction between the payment of councillors by fees and mayors who receive a salary.

The remuneration of local councillors is often on a gradual scale and is defined by law according to the number of inhabitants in the municipality and/or the number of municipal councillors. There are exceptions, such as in Estonia, Norway, Serbia, the United Kingdom, Switzerland, Montenegro,

Sweden and Finland, where each municipality operates its own pay scale.

Salaries can be index-linked to the average national rate of pay. It is an economical way of keeping in touch with the real average salary in the national economy, but also an ethical choice not to privilege the status of public representatives. While Sweden, Estonia, Slovakia and Ukraine take the average wage into account, in Latvia, this indexation is only applied to municipal councillors. In Poland, councillors' salaries are limited to twice the minimum national income. Salaries are indexed on the basis of a weighted cost of living index, calculated monthly in Luxembourg, and annually in Flanders (Belgium).

Some countries have more original ways of indexing pay: in Portugal it is linked to the salary of the President of the Republic; in Serbia it is linked to the Gross National Product; and in Norway it is linked to the salaries of members of the national parliament and administrative directors.

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Finally, the crisis has meant significant cuts in salary in those countries most affected, for instance Iceland and Latvia. In these countries, under short-term legislation, municipal councils have lost jurisdiction over setting salaries in favour of the national parliament.

Performance-related pay

In Europe as a whole, performance-related pay among local councillors is rare. Apart from Sweden, only Portugal, Ukraine, Slovakia and Estonia have considered linking pay to performance or results. In general, it is difficult to link salary levels to hours worked, as this is so variable. Only some countries have done this: Portugal and Latvia (the legal limit is 40 hours a week).

The remuneration of councillors varies throughout Europe and is less regulated than that of mayors. Nevertheless, it is clear that many countries have chosen to base the remuneration of councillors on the number of municipal meetings they must attend. The existence of this pay scale may also act as an incentive for a councillor to resign from another job in order to devote him/herself solely to public office, as is the case in Portugal and in the Czech Republic where the system is prevalent for mayors also. In Montenegro, it is the other way round: an allowance is paid at each meeting attended. In Cyprus, in the Walloon region of Belgium, Albania and Romania, the councillors' salary is tied to that of the mayor; the municipalities of these countries have significant personnel costs, which limit the amount of leeway in the budget. In Estonia, the municipal councils choose whether or not to allocate a provisional allowance for the municipal councillors.

In the situation where one elected member holds **several offices**, only Belgium, of the countries questioned, has made provision for an overall ceiling for remuneration. Councillors in the Czech Republic may be members of a public or private

organisation, but if this is the case, they cannot receive remuneration for their public office.

Social welfare cover and other advantages

The cover offered by the North-West European social welfare model is more protective than those of Southern Europe or Eastern Europe.

Local councillors are covered in all countries, apart from Bosnia Herzegovina where there is only one form of remuneration, with no pension. In half of the surveyed countries, the social status of the councillors is governed by the same kind of contract as on the labour market. This concerns in principle the Balkan states (Albania, Kosovo, Montenegro, Macedonia, Serbia and Romania), as well as those countries where the municipalities have moderate financial autonomy (Portugal since 2005, Slovakia, Poland, Estonia, Lithuania) and the Netherlands, France and Scotland (United Kingdom). In other countries, the main difference is essentially their own method of calculating contributions and pensions. This is the case in Flanders/Belgium, Ukraine and Italy.

In addition to the legal framework which defines social rights, mayors and municipal councillors can also claim allowances during their period in office regarding their pension and health insurance. It is generally Northern Europe (Austria, Belgium, France, Norway, Iceland, Sweden and the United Kingdom), with their unique social model, which provides these allowances; as opposed to the welfare state system of Southern Europe, or the Central and Eastern European Countries (CEEC) – except Ukraine, Kosovo, Montenegro, Cyprus and Spain. Moreover, Iceland, Austria and the United Kingdom are the only ones to provide these two types of allowance both for mayors and councillors.

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In more general terms, mayors and municipal councillors are not subject to the same social security regime. This is the case in Iceland, Germany, Latvia, Cyprus, France and Wallonia/Belgium. This is often because of the fact that councillors, who receive remuneration by fees, benefit from the social security cover of their main employment, which they carry out in conjunction with their political office. In Germany, even if the social security regime varies according to the *Länder*, social welfare cover is rare for municipal councillors and for the mayors of small municipalities, who are paid by fees. Conversely, the directors and the elected mayors, who receive a fixed salary, hold the post of civil servant, which gives them separate social rights and social security cover.

Finally, re-election can be a determining factor in the granting of social advantages: in certain Austrian *Länder*, mayors working full-time and who are not re-elected do not have a right to unemployment benefits, contrary to Cyprus, where mayors who are not re-elected have a free retirement pension.



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Legal and ethical responsibility

Apart from a few minor exceptions concerning professional liability protection, the legal accountability of locally elected councillors is not usually subject to a special regime. Professional ethics and conflict of interest are dealt with in most countries, with varied use of the range of available instruments: declarations of property ownership and sources of income, declaration of possible conflicts of interest, declaration of gifts and favours, and a code of conduct. Sometimes regulation of concurrent professional activity is added to these, limiting 'a priori' a possible conflict of interest of mayors or local councillors.

Civil and legal responsibility

Legal responsibility defines the limits of the autonomy of mayors and local authorities in general, in the conduct of public office. For our purposes, it is important to know in which countries mayors receive the most or least individual protection during the exercise of their mandate.

Essentially, this responsibility is based on legislation. There are also variations in the federal system if each region (federal entity) has its own legislation on the issue.

Legal immunity concerns only six of the countries questioned: Austria (in certain *Länder*), Switzerland, Ukraine, Macedonia and Montenegro. It is limited to declarations and opinions relating to work done by local institutions. For anything else, local councillors or the local associations they represent are responsible in the event of any breach or error resulting in damage.

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Mayors (61%) are the most affected by the implications of legal and civil responsibility, compared to 52% of councillors. Few countries have regulations which differ between the municipal councillors and the mayors – only Estonia, Italy and the Walloon Region of Belgium are affected.

Conflicts of interest

In general, the prevention of conflicts of interest is well framed in law, as testified by several measures set out below:

- In almost 2/3 of the countries, a **declaration of assets and a declaration of sources of income** are required.
- In more than half of the countries, a **Code of conduct** relating to conflict of interest and
- a **declaration of conflict of interest** are also required of local councillors or, in some cases, of candidates for the post.
- **gifts and donations** are much less regulated.

Countries where legislation concerning professional activity concurrent with the term of office is the least restrictive include

France, Belgium, Luxembourg, Switzerland under its *milice* (Lay) system, Germany, the United Kingdom, Iceland, Norway, Sweden, Lithuania, Latvia, the Czech Republic and Kosovo. In Germany, the regulations again vary between *Länder* and are different for municipal councillors and mayors. While German mayors cannot, in general, become owners of businesses or carry out an occupation concurrently, given that because they hold elected office they must work full-time, the system is more pragmatic and can make provision for an obligation to transfer profits from the business they belong to. In the case of Iceland, the only custom is abstention from taking decisions if there is a potential conflict of interest – even if a compulsory declaration has not been made beforehand. It is the same for Flanders in Belgium.

In Wallonia, on the other hand, the restriction is purely a functional one: it is forbidden to combine an administrative position with that of council or board member. In Latvia and Lithuania, the only restriction – which only affects municipal councillors in Lithuania – is that it is not possible to be head of a profit-making business which benefits from a

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public/private partnership or from local authority social services. In France and Luxembourg, the restrictions are more sectoral.

Among these countries, protection against conflicts of interest varies greatly from one country to another, thus correlation is not necessarily apparent, even if it can be said that only five states – Belgium (Wallonia), Germany, the United Kingdom, the Czech Republic and Lithuania – out of twelve make use of all the proposed measures, that is to say a code of conduct, a declaration of assets, a declaration of income, a declaration of conflict of interest and regulations concerning gifts and donations.

Conversely, some countries impose a more restrictive regime for regulating professional work undertaken concurrently with public office. These include Austria, where controls depend on the *Länder*, the size of the municipality and its status; Finland; Macedonia; Serbia; Albania; Poland; Portugal; and Slovakia. Some of these countries are the ones which impose the most controls over the remuneration of local representatives.

Regulation against conflicts of interest may also extend beyond the period of office. Indeed, Spain, the Czech Republic, Poland, Slovakia and Latvia have, in various ways, mentioned incompatibilities concerning the return of local representatives to employment. In the Czech Republic, the ban is extensive. The law forbids employment in a private company for three years following political office. In Poland, where it only concerns mayors who have been directly elected, in Latvia and Spain, the law prohibits representatives from taking up a post with a company which, during the term of political office, has been involved in a partnership or the subject of an administrative decision. In Slovakia, the continuing monitoring process obliges the local representative to submit, one year after the end of his mandate, a report detailing his recent employment and income to a special independent commission of the municipal council.

Albania, Montenegro, Kosovo, Italy, Serbia and Romania, as well as Luxembourg and Cyprus are among those countries that do not require declarations of conflict of interest.



Early termination of mandate

In addition to voluntary termination of mandate, which in some countries has to be with a declared reason, local representatives may lose their mandate through the intervention of the citizens, the local council or the regional or national government, or even the head of state. In general, political accountability is linked to legal accountability, in most cases the termination of the mandate being associated with a criminal conviction.

The basis for dismissal of local representatives

Termination of the period of office by dismissal or resignation is widely framed in law, as all the countries have provisions relating to it. In 90% of the countries questioned, the local mandate is ended by bringing the matter before the law.

In Denmark, Finland and Luxembourg, the resignation of local representatives is only accepted under certain conditions and must be justified.

The local representative is also considered to have resigned if he is not present to carry out his duties. This is often the case for municipal councillors, but also for mayors in Scotland (United Kingdom), Macedonia and Kosovo. In Montenegro, there is a type of "indirect" resignation in the case of a candidate who, obliged to be affiliated to a political party, decides to leave the party once elected.

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The means of dismissal

It is not always possible to draw a neat distinction between the political and legal accountability of local representatives when the latter are liable to be dismissed by political authorities.

There are various ways the local representatives can be held accountable: directly by the electorate, and/or indirectly before the municipal council or the national parliament and/or a regional or national executive authority.

Direct dismissal is relatively rare (29%) and only concerns federal states and certain CEEC. It takes the form of referenda decided by the municipal council or on the initiative of citizens. This form of dismissal is common in countries where the mayor is elected directly.

The **municipal council** can institute a dismissal in 23 countries. Accountability before the municipal council is settled by a vote of confidence or no-confidence in 13 countries (42%). There are different ways this procedure can operate (the motion of no-confidence can be partial, collective or individual, can apply at a precise moment of the period in office, etc.), giving a greater or lesser degree of autonomy to the municipal council. In France, the local executive is not accountable to the municipal council which elects it, except in Corsica, French Polynesia and New Caledonia.

In Lithuania, Latvia, Ukraine, Albania and Poland, **the national parliament** takes a lead in the dismissal process of a mayor and/or municipal councillor. The local executive is therefore accountable to the national legislative authority. In Poland and Lithuania, there is a legal incompatibility of mandate with the post of member of the national parliament.

In the United Kingdom, the Local Government Affairs ombudsman has the authority to bring about an early termination of a local mandate. In France, the *prefet* of the *département*,

representing the state, can terminate a mandate in the event of a criminal conviction sanctioned by the administrative Tribunal, and can also provisionally and collectively suspend the municipal council (for a month).

Regional government intervenes rarely and then only in federal states and Poland and the Czech Republic. In Austria, it only intervenes in Vienna, which holds the status both of *Länd* and of municipality. In Belgium, it intervenes at its discretion when disciplinary proceedings have been undertaken against the *bourgmestres* and *échevins* in the event of a breach or misconduct.

In 11 countries the **national government** intervenes to dismiss a mayor or municipal councillor (the Netherlands, Luxembourg, France, Italy, Spain, Denmark, Poland, Cyprus, Albania, Kosovo and Montenegro). In Cyprus and Kosovo, it is the only authority with the jurisdiction to dismiss a local representative. In Italy and Spain, elected local officials are accountable to the government for exceptional professional misconduct, that is to say when the matter touches on sensitive national issues. The chief of state can intervene in Luxembourg, Montenegro and Poland. It should be noted that there is only legal accountability before the national Court of Justice in the Serbian Republic of Bosnia-Herzegovina, where no politician has the authority to intervene.

Grounds for dismissal

The grounds covered by law in the countries questioned are most often criminal or civil conviction or change of residence to another municipality. The loss of civic rights is another common motive, especially in the CEEC.

In general, the CEEC are the countries which have the largest number of grounds for dismissal of a local representative inscribed in law, given that their legal foundations are more recent.

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The grounds most frequently invoked by political or administrative authorities are criminal convictions (65%). The states which are not affected by the grounds of criminal conviction are Belgium, Luxembourg, Spain, Portugal, Iceland, Norway, Sweden, Latvia, Estonia and Kosovo. These same countries have the least grounds for dismissal that can be held against elected local officials by these authorities. Macedonia and Poland are the two countries where local representatives face the greatest number of possible grounds for their dismissal by political or administrative institutions. In certain Austrian *Länder* and in Poland, political or administrative authorities can dismiss an official without providing legal grounds.



CEMR in a nutshell

The Council of European Municipalities and Regions (CEMR) is a non-profit association. It is the broadest association of local and regional government in Europe.

Its members are national associations of local and regional governments from over 39 European countries.

The main aim of CEMR is to promote a strong, united Europe based on local and regional self-government and democracy; a Europe in which decisions are taken as closely as possible to its citizens, in line with the principle of subsidiarity.

CEMR's activities cover a wide range of issues such as public services and procurement, governance, regional policy, twinning, the environment, equal opportunities... CEMR is also present on the international stage: it is the European section of the world organisation of towns and municipalities, United Cities and Local Governments (UCLG).

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