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Monitoring of the application of the European Charter of Local Self-Government in Greece

Committee on the Monitoring of the implementation of the European Charter of Local Self-Government and on the respect of Human Rights and the Rule of Law at local and regional levels (Monitoring Committee)

Rapporteurs:¹ Tanja JOONA, Finland (L, ILDG)
Katrien PARTYKA, Belgium (R, EPP/CCE)

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Summary

This report follows the fourth monitoring visit to Greece since it ratified the European Charter of Local Self-Government in 1989.

The rapporteurs note with satisfaction the extension of the Charter's application to the regions, in line with previous Congress recommendations, and the progress in modernising the local government system. They also welcome the national government's intention to implement legal reforms despite facing economic difficulties. Inter-institutional dialogue between central and subnational authorities has improved, and appropriate legal mechanisms have been applied to ensure the protection of the Charter's principles.

However, the report raises several concerns regarding the limited powers of local self-governments, highlighting their lack of authority to adopt binding local regulations, and the unclear distribution of competences. Additionally, the rapporteurs express concern about the understaffing and insufficient financial resources of local and regional authorities, the weak fiscal autonomy of local authorities, and the national criminal legislation that hinders the free exercise of mayoral functions.

The national authorities of Greece are therefore invited to finalise the ongoing reform proposals to deepen decentralisation, clarify the allocation of competences between central and subnational authorities, grant local authorities the general power to adopt local regulations, ensure that local and regional revenues correspond to responsibilities, enhance local taxation powers to increase fiscal autonomy, and revise the current criminal legislation concerning the liability of mayors. The rapporteurs also recommend that Greece ratify the non-ratified articles of the Charter, as well as sign and ratify the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS No. 207).

1. L: Chamber of Local Authorities / R: Chamber of Regions.
EPP/CCE: European People's Party Group in the Congress.
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
ILDG: Independent Liberal and Democratic Group.
ECR: European Conservatives and Reformists Group.
NR: Members not belonging to a political group of the Congress.

RECOMMENDATION 539 (2025)²

1. The Congress of Local and Regional Authorities of the Council of Europe ("Congress") refers to:

- a. Article 2, paragraph 1.b, of the Charter of the Congress of Local and Regional Authorities appended to Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that one of the aims of the Congress is "to submit proposals to the Committee of Ministers in order to promote local and regional democracy";
- b. Article 1, paragraph 3, of the above-mentioned Statutory Resolution CM/Res(2020)1 relating to the Congress, stipulating that "The Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government";
- c. Chapter XVIII of the Rules and Procedures of the Congress on the organisation of monitoring procedures;
- d. the contemporary commentary by the Congress on the explanatory report to the European Charter of Local Self-Government adopted by the Statutory Forum on 7 December 2020.
- e. the Sustainable Development Goals (SDG) of the United Nations 2030 Agenda for Sustainable Development, in particular Goals 11 on sustainable cities and communities and 16 on peace, justice and strong institutions;
- f. the Guidelines for civil participation in political decision making, adopted by the Committee of Ministers on 27 September 2017;
- g. Recommendation CM/Rec(2018)4 of the Committee of Ministers to member States on the participation of citizens in local public life, adopted on 21 March 2018;
- h. Recommendation CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities' activities, adopted on 4 April 2019;
- i. Congress [Recommendation 372 \(2015\)](#) "Monitoring of the European Charter of Local Self-Government in Greece";
- j. the Explanatory memorandum on the monitoring of the European Charter of Local Self-Government in Greece.

2. The Congress points out that:

- a. Greece joined the Council of Europe on 9 August 1949. It signed the European Charter of Local Self-Government (ETS No. 122, "the Charter") on 15 October 1985 and ratified it on 6 September 1989. Pursuant to Article 12.2 of the Charter, Greece declared itself not to be bound by Article 5, Article 7.2, Article 8.2, and Article 10.2 of the Charter;
- b. the Committee on the Monitoring of the implementation of the European Charter of Local Self-Government and on the respect of Human Rights and the Rule of Law at local and regional levels ("the Monitoring Committee") decided to examine the situation of local and regional democracy in Greece in the light of the Charter. It instructed Tanja Joona, Finland (L, ILDG) and David Eray, Switzerland (R, EPP/CCE) with the task of preparing and submitting to the Congress a report on the implementation of the Charter in Greece. Following the resignation of Mr Eray from his position as rapporteur on regional democracy, the Chair appointed Katrien Partyka, Belgium (R, EPP/CCE) to replace him;

² Debated and adopted by the Congress during the 49th Session on 30 October 2025, (see document CG(2025)49-17, explanatory memorandum), rapporteurs: Tanja JOONA, Finland (L, ILDG) and Katrien PARTYKA, Belgium (R, EPP/CCE)

c. the monitoring visit was conducted in two parts, given the country's specific context, including its many islands, in order to address the situation in both insular and mountainous municipalities. The first part of the visit took place from 26 to 28 November 2024. The second part took place from 7 to 9 April 2025. During the visit, the Congress delegation met the representatives of various institutions at all levels of government. The detailed programmes of the two parts of the visit are appended to the explanatory memorandum;

d. the rapporteurs wish to thank the Permanent Representation of Greece to the Council of Europe and all those whom they met during the visits.

3. The Congress notes with satisfaction that in Greece:

a. the application of the Charter was extended to the regions by a 2018 Act, in line with the previous Congress recommendations;

b. the system of local governments has made clear progress in terms of modernisation, and in advancing the values of transparency, accountability and objectivity at local level;

c. the national Government intends to carry out legal reform of the current system, in the direction of the principles of the Charter, despite facing a difficult economic situation and a long-term programme of austerity;

d. inter-institutional dialogue between the central government and the local and regional authorities has improved;

e. the principles of the Charter are protected by appropriate legal mechanisms, which have produced relevant case-law of the Greek Council of State on this matter.

4. The Congress expresses its concerns with respect to the following issues:

a. Greece continues to be a centralised country while local self-government is in many cases limited or conditioned by the need for central approval and opinions for many local measures, actions or initiatives;

b. local authorities lack the power to approve binding local regulations, except in limited cases, which reduces their ability to regulate and manage a substantial share of public affairs under their own responsibility;

c. there is a lack of clarity in the distribution of competences among the municipalities, the regions, the "delegated" State administrations and the State central administration;

d. most local and regional authorities face significant under-staffing, which reduces their operational capacity to effectively perform their functions;

e. the financial resources of local and regional authorities are not commensurate with the tasks and services that they must deliver and their "own source" revenues are limited as they are mainly funded from State grants and transfers;

f. the fiscal autonomy of local authorities is very weak due to limited local tax-raising powers, including in tourism;

g. the free exercise of mayoral functions is negatively affected by national criminal legislation making it very easy to make criminal accusations against mayors for any sort of malfunction of the municipal administration; the growing frequency of such proceedings and the length of consequent suspensions from office hinder mayors' ability to effectively fulfil their local mandates;

h. the regional level of government remains weak and lacks the necessary autonomy and political visibility.

5. In the light of the foregoing, the Congress requests that the Committee of Ministers invite the authorities of Greece to:

- a. complete the on-going drafting of the reform of the legal scheme governing municipalities and regions so as to deepen decentralisation in line with the subsidiarity principle;
- b. grant local authorities the general power to adopt local regulations in order to strengthen their capacity to regulate local affairs;
- c. clarify the allocation of competences among the municipalities, the regions, the “delegated” State administrations and the State central administration, especially in sectors such as civil protection, urban planning and construction;
- d. enhance the capacity of local and regional governments to hire highly qualified staff in sufficient numbers;
- e. ensure that the revenues of local and regional authorities match the expenses they incur when fulfilling their responsibilities, so as to strengthen local financial autonomy;
- f. enhance local taxation powers to enlarge fiscal autonomy and modify the existing legal scheme, so that local authorities can keep a significant share of the collection of the State taxes and fees that are applied to tourism and related activities with a local dimension;
- g. revise the current criminal legislation concerning the criminal liability of mayors so that its application does not undermine the status of local elected representatives by disproportionately affecting their ability to perform their duties;
- h. increase the autonomy of regional governance in accordance with the Charter;
- i. ratify the non-ratified Articles 5, 7.2 and 10.2 of the Charter, since they are applied;
- j. sign and ratify the Additional Protocol to the Charter on the right to participate in the affairs of a local authority (CETS No. 207).

6. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation on the monitoring of the European Charter of Local Self-Government in Greece and the accompanying explanatory memorandum in their activities relating to this member State.

EXPLANATORY MEMORANDUM

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1. INTRODUCTION: AIM AND SCOPE OF THE VISIT, TERMS OF REFERENCE

1. Pursuant to Article 1 paragraph 3, of Committee of Ministers Statutory Resolution CM/Res (2020)1 relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto, “[t]he Congress shall prepare on a regular basis country-by-country reports on the situation of local and regional democracy in all member States and in States which have applied to join the Council of Europe, and shall ensure the effective implementation of the principles of the European Charter of Local Self-Government

2. The Hellenic Republic is a Party to the European Charter of Local Self-Government (ETS No. 122, “the Charter”). It signed the Charter on 15 October 1985 and ratified it on 6 September 1989. The Charter entered into force for Greece on 1 January 1990. Pursuant to Article 12.2 of the Charter, Greece declared itself not to be bound by Article 5, Article 7.2, Article 8.2, and Article 10.2 of the Charter (see below, point 2.3).

3. However, Greece has neither signed nor ratified the Additional Protocol to the Charter, on the right to participate in the affairs of a local authority (CETS No. 207), done in Utrecht on 16 November 2009.

4. In the field of local and regional democracy, Greece has neither signed nor ratified a number of Council of Europe international instruments, namely:

- (a) the European Outline Convention on Trans frontier Co-operation between Territorial Communities or Authorities (ETS no. 106).
- (b) the Additional protocol to the European Outline Convention on Trans frontier Co-operation between Territorial Communities or Authorities, of 9 November 1995 (ETS No. 159).
- (c) Protocol No. 2 to the European Outline Convention on Trans frontier Co-operation between Territorial Communities or Authorities concerning inter-territorial co-operation, of 5 May 1998 (ETS No. 169).
- (d) Protocol No. 3 to the European Outline Convention on Trans frontier Co-operation between Territorial Communities or Authorities concerning Euro-regional Co-operation Groupings, of 16 November 2009 (CETS No. 206).

5. The Monitoring Committee of the Congress instructed Ms Tanja JOONA, Rapporteur on Local Democracy (ILDG³, Finland) and Mr David ERAY, Rapporteur on Regional Democracy (EPP/CCE⁴, Switzerland) with the task of preparing and submitting to the Congress a report on the application of the Charter in Greece. Following the resignation of Mr. Eray from his position as a rapporteur, the Chair appointed Mrs Katrien Partyka (EEP/CCE) as rapporteur for regional democracy in his place.

6. The delegation was assisted by Prof. Angel M. MORENO, Chair of the Group of Independent Experts on the Charter (as consultant) and Ms Stéphanie POIREL (Head of the Department Protecting Local democracy and Executive Secretary of the Chamber of Local Authorities as member of the Secretariat. The rapporteurs wish to express their thanks to the expert for his assistance in the preparation of this report.

7. The monitoring process consisted of two parts of the visit to Greece. The first one was carried out by the Congress delegation on 26-28 November 2024. It took place in Athens and Livadia. It included meetings with high representatives of the key institutions and agencies of the State (Ministries, the Parliament, the Council of State, the Court of Auditors, etc.) and with representatives of a number of regional and local authorities (Greek Delegation to the Congress, representative associations of local authorities, mayors, etc).

8. The second part took place on 7-9 April 2025. This visit focused on local and regional authorities, including the insular authorities, and the delegation paid a second visit to the Minister of the Interior.

³ ILDG: Independent Liberal and Democratic Group.

⁴ EPP/CCE: European People's Party Group in the Congress.

9. The delegation would like to thank the Permanent Representation of the Hellenic Republic to the Council of Europe, as well as all their interlocutors for the information they provided during the two visits. The detailed programme of the visits is attached to this report.

10. In accordance with Rule 89.3 of the Congress Rules and Procedures, the preliminary draft report was sent in June 2025 to all interlocutors met during the visit for comments and possible adjustments or corrections ("the consultation procedure").

2. INTERNAL AND INTERNATIONAL NORMATIVE FRAMEWORK

2.1 Local government system (constitutional and legislative framework, reforms)

Constitutional and legislative framework

11. The Greek constitution refers to "local authorities" or "local government" more than 50 times, but the key provisions are arts. 101 and 102, which are examined below.

12. The most important pieces of legislation are listed below in chronological order:

- The Municipal Code (Act 3463/2006, as amended) this normative text encodes in a single text the legislation in force on the functioning of municipalities and communities.
- The Code of municipal employees (Act 3584/2007, as amended).
- The Law on Municipal Police (Law 5003/2022).
- The "Kallikratis" Law (Act 3852/2010). This piece of legislation embodies the so-called "Kallikratis reform" (see below).
- The law on transparency (Act 3861/2010, as amended), which is also applicable to local authorities.
- Act 4325/2015 (OG⁵ 47 A'), entitled "Democratisation of Administration – Bureaucracy fighting and E-Government. Restitution of injustices and other provisions". It regulates (inter alia) the position of the Head/Coordinator of the Decentralised Administration.
- Act 4555/2018 (OG 133 A') approving the so-called "*Kleisthenis*" Programme (see below).
- Act 4674/2020 (OG 53 A') "Strategic development perspective of Local Government Organisations, provisions of Ministry of Interior over own competence issues and other provisions". This piece of legislation introduced changes in development planning at local and regional level.
- Act 4804/2021 (OG 90 A') "Election of Municipal and Regional Authorities and other provisions". This law modified the electoral system of local and regional government, in view of the October 2023 elections.
- Act 5056/2023 (OG 163 A'). This act reformed several aspects of the governance system of the first and second level (abolition of municipal legal entities of public law, monitoring of local government performance, financial and administrative management of local government organisations, etc.).
- Act 5079/2023 (A'215), "Organisational and procedural provisions for development, interventions to strengthen the just development transition and other urgent provisions" with supplementary provisions for deputy mayors, deputy regional governors and the establishment of unpaid deputy regional governors.

⁵ "OG" is the acronym of "Government Gazette", the legal newspaper where all laws, regulations and other normative texts must be published.

- Act 5143/2024 (A'161), "Regulations for land border stations, the strengthening of Local Government Organisations and other provisions". This act introduces several regulations for the reform of the institutional framework of local government and establishes the Committee for the drafting of the Unified Code of Local Government and also amends the provision for the organisation of the Metropolitan Region of Attica. The Committee is set up under Decision 73105/29-10-2024 of the Minister of the Interior.

13. Apart from the above pieces of legislation, a number of presidential and governmental decrees apply to local authorities.

The territorial structure of the Hellenic Republic

14. Since its independence in modern times, the Greek State has traditionally been a rather centralised nation. Throughout its history, Greece has been an unitarian and centralized country. That is its constitutional tradition. This essential principle has been however compatible with a mild local decentralisation.

15. In the origins of modern Greece, centralism was incepted as a master principle, in order to convey unity and uniformity in a country that, during the Ottoman rule, was characterised by a fragmented society and numerous centres of power. As Greek scholars explain, the newly incepted Bavarian dynasty was capable "to abolish thousands of historical communes (*koinotites*) and unify them in some 450 municipalities (*demoi*)...the territory of the newborn State was divided, following the French model, in 10 prefectures (*nomoi*)".⁶

16. At present, the Hellenic Republic is articulated in two territorial levels of government: the State level and the local level (municipalities and regions).

The State level

17. The State is competent for all issues of national interest, such as domestic legislation in all matters (included that of local and regional government), international affairs, defence, taxation and finances, judicial system, external commerce, institutional reforms, etc.

18. At national level, the political branches of the Hellenic Republic are structured around the principle of separation of powers (art. 26 of the Greek Constitution, hereinafter, "GC"). The most important political institutions are the President of the Republic, the Government, the Parliament and the Judicial Power.

19. Starting with the Executive branch: the Head of State is the President of the Republic. Currently, this position is discharged since March 2025 by Mr Konstantinos Tasoulas (former Chair of the Hellenic Parliament). The president of the Republic is elected by the Hellenic Parliament (art. 32, GC). Although this position is not a merely honorary one, the Greek political system in no way can be characterised as a presidential system, either. The GC devotes 20 articles to the President of the Republic (arts. 30-50) and art. 35 enumerates his powers.

20. The Government of the Hellenic Republic (art. 81 and ff. of the GC) discharges the executive powers and competences of the State, implements the legislation, etc. The Government is composed of the "Cabinet" or Ministerial Council, which is composed of the prime minister, a variable number of ministers and deputy ministers. Since May 2019, Mr. Kyriakos Mitsotakis, leader of the "New Democracy" party, is the prime minister. The Second Cabinet of Mr. Mitsotakis was sworn in on 27 June 2023, following the legislative elections held in June 2023.

21. The State Public Administration may be sorted in "central" administration and "deconcentrated" Administration. In this respect, art. 101.3 of the GC provides that "Regional administrations of the State shall have general decisive authority on matters of their district. The central administrations of the State,

⁶ See Hlepas N.K., "Local government in Greece", in MORENO A.M. (ed), *Local government in the member States of the European Union*, INAP, Madrid, 2012, p. 257.

in addition to special powers, shall have the general guidance, coordination and review of the legality of the acts of regional administrations, as specified by law”.

22. The central public administration of the State is composed of ministries, national agencies, and other Public-law establishments. For the purpose of this report, it is worthwhile to point out that the Ministry of the Interior is the key agency in the domain of local and regional authorities. The Ministry of the Interior has different directorates and services concerning local and regional authorities.

23. The “deconcentrated” Public Administration of the State has experienced a notable evolution throughout History. In the first time, 10 prefectures (nomoi) were created, inspired by the French model. Today, the key bodies are the “Decentralised Administrations” of the State (in Greek: “*apokentroménes dioikíseis*”). These structures have evolved and changed through history.

24. In their current shape, they were created in January 2011 as part of a far-reaching reform of the country’s administrative structure accomplished by the “*Kallikratis* reform”. These bodies (there are seven, currently) implement the State competences “on the spot”, in fields such as urban planning, environmental protection or migration. Apart from that, they are called to supervise the first and second tier of local authorities, for a transition period, until the Independent Authorities for the Supervision of local authorities will be set up. They are run by a “Secretary” and by a “Coordinator”. A “Secretary” is a political appointee and concentrates the most important decision power in his/her hands, while the “Coordinator” is a civil servant, and his/her role has been considerably restricted since 2022 (when the «Secretaries» were introduced as political appointees by Art. 63 of the Law 4954/2022).

25. Concerning the legislative power, the Hellenic Parliament is composed of one single chamber. The Parliament has 300 members, elected by direct universal suffrage for a term of four years. The last legislative elections were held on 23 June 2023 and resulted in a clear victory of the party “New Democracy”, which obtained 158 seats, an ample majority that made possible a single-colour cabinet.

26. The national Parliament discusses and approves the different types of laws, statutes and parliamentary resolutions pertaining to local and regional authorities, the territorial structure of the country, the decentralisation reforms, etc.

27. For the sake of a better comprehension of the Greek territorial system, it is important to underline that in Greece the matter of local and regional authorities does belong to the national government and Parliament. Regions do not have any normative or executive competences in this field. As a consequence, the legal scheme and operational framework for local/regional government is homogeneous across the nation.

28. The judicial power follows the French tradition and is structured around the ordinary or “judicial” jurisdiction and the “administrative jurisdiction”. The former one includes the civil, criminal commercial and labour courts, and its top is the Supreme Court (*Areios Pagos*), except for administrative proceedings. The administrative jurisdictions include first-level administrative courts and the Council of State (*Symvoulío tis Epikrateias*) at the top, which is the apex of the administrative jurisdiction. In Greece there is no constitutional court.

The local level

29. The local level of public administration involves basically two types of entities having a territorial basis: the municipalities (“*dimoí*” in Greek) form the first-tier level of local authorities, while the regions (“*periphéreies*”) form the second- tier of local authorities. Special constitutional and statutory rules apply to the region or community of the Mount Athos (*Aghion Oros*).⁷

30. Apart from those territorial entities, other local entities (of an associative nature) may be created by national legislation.

⁷ See Art. 105 of the Greek Constitution (GC).

(1) The municipalities

31. Municipalities are the first-tier level of local administration. After several reforms and amalgamation processes (namely, the “*Kallikratis*” programme) currently there are 332 municipalities in Greece. The number of municipalities has been significantly reduced through compulsory amalgamations (before that reform, there were 914 municipalities and 120 communities).

32. Under different types of statutory criteria (for instance, their population or their special geomorphological characteristics) municipalities are divided into the following categories:

- (a) Municipalities of Metropolitan Centres.
- (b) Large Mainland Municipalities and Capital Prefecture Municipalities.
- (c) Middle Mainland Municipalities.
- (d) Small Continental and Small Mountain Municipalities
- (e) Large and Medium Island Municipalities.
- (f) Small Island Municipalities.

33. The above categories are taken into account for several purposes. For instance, for defining the responsibilities of the municipalities, or for the allocation of financing programmes.

34. Municipalities have full administrative powers for the handling and management of “local affairs” (for a discussion of this construct, see part 3 of this report) and they have an important set of competences to deal with all matters which are of local interest. These areas are presented in detail below (see part 3 of this report). Internally, geographically large or complex municipalities may be formed or may embrace one or more “communities”, small human settlements that have some representative and managerial organs, but which are not considered as full “local authorities”.

35. The geography of Greece is exceptional in the sense that it comprises many mountain areas, and an extremely high number of islands. In the mountain areas, there are human settlements (some of them, really small) that are sometimes far away from each other and may be hard to reach.

36. The number of islands under Greek sovereignty (estimated to be roughly 6,000) is amazing. In Greece, the islands are not considered as local government authorities. One likely explanation is that their extremely high number would produce an unmanageable inflation of the amount of local authorities.

37. The “*Kallikratis*” reform set the paramount principle “one island-one municipality”. Therefore, in most islands the existing municipalities were merged (like in the island of Kos), producing a larger municipality whose territorial boundaries coincide with the island. Some exception to this rule applies, for instance in the island of Crete, which is too large to host only one municipality, or in the islands of Evvoia, Kerkyra/Corfu, Kefallonia, Lesbos and Samos. The result is that there are very small island-municipalities (island of Gavdos, 158 inhabitants – the smallest municipality in Greece) and very large ones (like the island of Rhodes, which is the most populated island-municipality in Greece with 157,635 inhabitants).

(2) The regions

38. Before 1986, regions were mere territorial subdivisions of the national territory (geographical-historical regions) created to foster economic development or for other State administrative and managerial State. Nevertheless, in July 1986 the law 1622/1986 provided the establishment of Regions, which were officially created (*περιφέρειες*, *periféreies*; sing. *περιφέρεια*, *periféreia*) by means of a presidential decree (Decree 51/1987). In 1994, the secondary local government (prefectural administration) was established. In 1997, the 13 regions that were state-controlled and evolved into decentralised state structures with Law 2502/1997. The newly established regions did not follow exactly the demarcations of the traditional or historical regions.

39. As a leading Greek scholar has pointed out, “Greece is characterized by strong geographical fragmentation (many islands, mountainous areas, an extremely long and fragmented seaside) as well as by extremely unequal division of population: the two major metropolitan centres of the country, Attica and Thessaloniki, comprise more than half of the total population. Therefore, it is no surprise that Greek

regions are extremely unequal in terms of population size and number of municipalities included in each region".⁸

40. As part of a decentralisation process inspired by the Government of the day, the Regions have been upgraded as entities of deconcentrated state administration by the law 2503/1997 and especially through the law 2647/1998 which transferred several responsibilities that used to belong to the formerly deconcentrated state prefectures (this transfer was made also in response to a series of court decisions demanding the transfer of responsibilities for affairs of „state interest “ to the Regions instead of the prefectural self-governments).

41. Thanks to these successive reforms, regions were granted a growing political role and more competences, and different functions and services.

42. Although there are “regions” in Greece it is hard to assimilate these entities to true “regions” in the sense of the Council of Europe documents⁹. Greek regions are different from the entities that may be found (with that name) in other European countries such as France, Italy or Belgium. In reality, the Greek *regions* are rather considered as entities belonging to the local level (second-tier ones), but having a broader geographical scope than municipalities. Regions have no legislative or regulatory powers whatsoever.

43. Currently, there are 13 regions in Greece, while the mount Athos, as noted supra, may be considered as a special sort of region, too. These are the names of the regions, and its extension.

Region	Size (sq. km)	Capital City
Anatoliki Makedonia Thraki (Eastern Macedonia Thrace)	14,157	Komotini
Kentriki Makedonia (Central Macedonia)	18,811	Thessaloniki
Dytiki Makedonia (Western Macedonia)	9,451	Kozani
Ipeiros	9,203	Ioannina
Thessalia	14,037	Larisa
Ionia Nisia (Islands of Ionian Sea)	2,307	Corfu
Dytiki Ellada (Western Greece)	11,350	Patras
Stereia Ellada (Mainland Greece)	15,549	Lamia
Attiki (Attica)	3,808	Athens
Peloponnisos (Peloponnesus)	15,490	Tripoli
Voreio Aigaio (Northern Aegean Sea)	3,836	Mytilini
Notio Aigaio (Southern Aegean Sea)	5,286	Emoupoli
Kriti (Crete)	8,336	Heraklion
Agion Oros (Mount Athos)	336	

44. The legal scheme is quite even and homogeneous for all regions. The internal organisation and competences of regional governments are presented in detail below, in part 3 of this report.

Reforms

45. Reforms have been a constant feature of the historical evolution of local government in Greece, and they cannot be presented in detail for reasons of concision and limited space¹⁰. For what concerns the most modern reforms, they may be described summarily as follows:

⁸ Hlepas N.K.: “Local government and regional administration”, in Featherstone K. and Sotiropoulos D.A (eds), The Oxford Handbook of Modern Greek Politics, Oxford University Press, 2021, p. 195

⁹ See, for instance, the Council of Europe Reference Framework for Regional Democracy, presented to the Ministers for Local and Regional Authorities, Utrecht, 16-17 November 2019.

¹⁰ For a presentation of local reforms in the XIX and first half of the XXth century, see: Hlepas N. K. (2012), *op. cit.*, pp. 257-258.

46. Regions were inceptioned in 1986, substituting the old geographical-historical regions (see, above). The region was run by a General Secretary (γενικός γραμματέας), appointed by the central government.

47. As part of a decentralisation process inspired by the Government of the day, regions were given additional responsibilities by the law 2647/1998, reform of local and regional government.

48. In 2010, regions were transformed into fully separate entities by the *Kallikratis* plan or programme. This reform was embodied in the Act 3852/2010, ("New architecture of Decentralised Administration and Self-government – the *Kallikratis* Programme"), which entered into effect on 1 January 2011. This law carried out a massive restructuring of the administrative organisation of the country for the first and second level of local government (municipalities and regions). By this reform, the former general secretary was replaced with a popularly elected regional "Head" or Governor (περιφερειάρχης) and a regional council (περιφερειακό συμβούλιο), each one with five-year terms. Many powers of the prefectures, which were also abolished or reformed into regional units, were transferred to the region level.

49. On the other hand, the *Kallikratis* programme reformed profoundly the decentralised State administration. Thus, the existing regional organs of State administration were replaced by seven "decentralised administration authorities" as single units for the decentralised State administration. These bodies embrace from one to three regions, and they are managed by a General Secretary, appointed by the central Government.

50. The so-called "*Kleisthenis*" Programme was approved by Act 4555/2018 (OG 133 A'), named "Reform of the institutional framework of Local Government, Deepening Democracy and Strengthening Participation". This law provided for changes in the electoral system of local government (introduction of the proportional representation), amended the responsibilities of elected officials and bodies, and introduced new and deeper institutions of consultation and citizens' participation in local affairs.

51. At the time of the monitoring visits, the Minister of the Interior (Mr Livanios) announced that his department was drafting a set of reforms. For instance, mayors and regional governors would be elected in the first round, and electronic voting would be possible. Another key element of the reform would be a new "Local Government Code", that would replace, streamline and update hundreds of legal rules on local and regional authorities.¹¹ Many other rules would be clarified, or abrogated.¹²

52. The appointment of an "Administrative Secretary" in municipalities over 200,000 inhabitants is also envisaged, with the aim of strengthening governance in larger municipalities. Finally, the reform plans to reallocate governmental responsibilities among municipalities, regions, decentralised administrations and the Central Government. The possibility to introduce local referendums is also envisaged. To assist the process, the Ministry of the Interior had established a special Unit for drafting and implementing the local government code. Dozens of experts are apparently participating in the drafting of the new "code".

2.2. The status of the capital city

53. Athens, with a recorded history of more than 3,500 years, was the leading city of Ancient Greece and one of the cradles of Western civilisation. Today, it is not only the capital of Greece, but also the largest and most important city in the republic, and the main centre of the national economic, cultural and political life. Moreover, it is the seat of the top national political and judicial institutions, foreign embassies, etc. Athens is also the capital of the Attica region.

54. One should not confuse the municipality of Athens, *stricto sensu* speaking, and the metropolitan area bearing the same name. The municipality as such has roughly 670,000 inhabitants (2023 data), while the Athens metropolitan area (also known as "Greater Athens") embraces its urban periphery-agglomeration. It is a larger extension and comprises a population of more than 3,155,000 inhabitants (2023 data)¹³ and occupies an area of 2,928.717 km².

¹¹ There is a specific committee of experts working on this, together with 4 sub-committees,

¹² It is not unusual to find legal provisions that have been enacted and published, but whose application has been "suspended" by a subsequent Act; or legal provisions that have been enacted, but which are not applied in practice because a governmental decree is needed to activate its application, etc.

¹³ <https://www.macrotrends.net/global-metrics/cities/21113/athens/population>

55. "Greater Athens" includes some 40 municipalities, while the entire "Attica region" includes roughly 60 municipalities. Despite its size, the area of "Greater Athens" is not covered or regulated by specific legislation covering this urban settlement. The city of Athens works with the nearby municipalities on the basis of agreements and covenants.

56. Despite its importance and the interconnection between Athens and its "metropolitan area", Athens does not enjoy any special status as a "capital city" or a structural derogation from the general rules applying to local authorities. A special statute for Athens has been demanded for a long time.

57. Already in 2015, Congress Recommendation 372 (2015) on Local and regional democracy in Greece (see below, point 2.4) noted with dissatisfaction that "there is no special status for the municipality of Athens as capital city in addition to an absence of legislation for the metropolitan municipalities of Athens and Thessaloniki" (point 5.i) and recommended that the Greek authorities "confer a special status on the municipality of Athens as capital city and introduce special provisions for the metropolitan municipalities of Athens and Thessaloniki and implement them in practice" (point 6.j). However, little progress -if any- has been achieved on this point, and the situation largely remains the same.

58. As most capital cities of the world, the city of Athens is also confronted with specific problems, which were highlighted by the local politicians on the occasion of monitoring visit. Namely, the Congress delegation met the mayor of Athens, Mr Haris Doukas, who assumed office on 1 January 2024. Thus, the City of Athens representatives reported the following basic complaints to the delegation.

59. First, the city of Athens faces the same structural problems as other municipalities, among which that of underfunding. Moreover, Athens has extra burdens to cover (official buildings do not pay taxes), but the city does not receive any extra compensation for that.

60. In addition, the problem number one is understaffing: in the case of Athens, the city at least 45% less staff than the number of employees that would be necessary. The situation has worsened and currently the city (as any other municipality) cannot hire new full and stable civil servants since there is a strong national moratorium on new recruits in the public sector. The city (like other municipalities) can only hire temporary contractual workers, following a cumbersome procedure and needs to obtain the permission of a State body (see, below).

2.3 The legal status of the European Charter of Local Self-Government

61. To ascertain the legal status of the Charter in the Hellenic Republic it is important, on a preliminary basis, to identify the role and legal force of international conventions and treaties in the Greek legal system.

62. The key provision of the Constitution is art. 28.1, according to which "the generally recognised rules of international law, as well as international conventions as of the time they are ratified by statute and become operative according to their respective conditions, shall be an integral part of domestic Greek law and shall prevail over any contrary provision of the law".

63. From this provision it may be understood that in Greece international treaties must be "ratified" (in the sense of "introduced in the internal legal system") by means of an Act of Parliament (dualist tradition). This improper, internal "ratification" has nothing to do with the genuine "ratification" of a Treaty under International Law, and precisely in the case of the Charter the ratification takes place when a member State deposits the instrument of ratification in the Council of Europe with the corresponding formalities.

64. In the case of the Charter, the Act 1850/1989 (OG A 114), bears the title of "Ratification of the European Charter of Local Self-Government" and under this law, the European Charter was "ratified" and obtained the force of law in the Greek legal system. For this reason, this is one of the key legislative texts on Local Government in that country. As an appendix to this Act, the full text of the Charter was published in English, French and Greek in the Official Gazette of 10 May 1989.

65. Apart from introducing or "internalising" the Charter in Greek law, this statute performed two important operations. On the one hand, it introduced (as allowed by the Charter, art. 12.2) several

reservations, since the Hellenic Republic declared¹⁴ that it was not bound by art. 5 (protection of territorial structures), art. 7.2 (sufficient allowances for local elected representatives), art. 8.2 (supervision) and art. 10.2 (local government associations).¹⁵

66. The second key operation performed by the Act, namely at art. 2, was to decide that the Charter would only apply to the first tier of local government; that is, to the municipalities. During the first years after the ratification of the Charter, Greece had a single-tier system of local governments. Regions were deconcentrated state organisations at that time. It was only in 1995 that a second tier of local government started to operate in Greece, according to Laws 2218 and 2240 of 1994. The prefectural self-governments existed from 1995 to 2010. Then they were abolished and replaced by the Regions which began to operate on 1 January 2011 as second-tier territorial self-governments.

67. Consequently, Greece excluded in a first time the application of the Charter for the second tier of local government, something that was anyway possible under the Charter.¹⁶

68. However, this situation changed significantly in 2018 by means of an Act of Parliament (Act 4555/2018), and the scope of application of the Charter was extended to the regions, too. In doing so, the Greek legislature made an explicit reference to the Congress recommendations.¹⁷

69. On the other hand, it is important to know how the Charter is applied or “implemented” by the Greek courts, and especially by those jurisdictions and courts that may carry out a control of conformity of the internal laws and regulations with the wording and the spirit of the Charter. This information is presented in part 3 of this report.

2.4 Previous Congress reports and recommendations

70. The situation of local and regional democracy in Greece has been monitored several times by the Congress. The first monitoring visit took place in 2001. It resulted in the adoption of Recommendation 109 (2002) and Resolution 131 (2002). A second monitoring exercise on regional democracy in Greece took place in 2007 and 2008, resulting in Recommendation 247 (2008).

71. A third monitoring visit took place in 2014. That year, a Congress delegation carried out two monitoring visits to Greece: one from 16 to 17 September 2014 (in Athens) and another one from 18 to 20 November 2014 (in Paros, Naxos, Lagadas, Thessaloniki and Athens). This monitoring visit resulted in Recommendation 372(2015) on local and regional democracy in Greece.¹⁸

72. In that Recommendation, the Congress regretted the limitation of the scope of the Charter to the first-tier local authorities and expressed concern over (inter alia): (a) the fact that local authorities did not have the ability to “regulate” local affairs, as they lack statutory powers; (b) that institutionalised co-ordination and consultation processes among the State, regions and municipalities are lacking; (c) there were no adequate concomitant financial resources for the transfer of competences to local authorities, which depended mostly on State transfers; (d) that fiscal autonomy of local authorities was weak; and e) that there was no effective implementation in practice of the new system of supervision of legality.

14 Declaration contained in the instrument of ratification, deposited on 6 September 1989.

15 It is important to note that the number of “reservations” has not been reduced since 1989, despite the repeated recommendations of the Congress in this respect.

16 See: art. 16.1 of the Charter: “Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Charter shall apply”.

17 The last Congress recommendations of local and regional democracy in Greece suggested the Greek authorities to lift this territorial restriction.

18 Debated and adopted by the Congress on 25 March 2015, 2nd Sitting.

3. HONOURING OF OBLIGATIONS AND COMMITMENTS: ANALYSIS OF THE SITUATION OF LOCAL DEMOCRACY ON THE BASIS OF THE CHARTER (ARTICLE BY ARTICLE)

3.1. Article 2 – Constitutional and legal foundation for local self-government

Article 2 – Constitutional and legal foundation for local self-government

The principle of local self-government shall be recognised in domestic legislation, and where practicable in the constitution.

73. The GC refers to local government in several provisions. The most important ones are art. 101 and 102, while art. 105 lays down specific provision for the area of Mount Athos, which is defined as “a self-governed part of the Greek State”. It is important to note that the GC only refers to “local government agencies”, while it does not make any explicit reference to the regions as self-government entities.

74. Thus, art. 101.1 is a key provision, since it proclaims that “the administration of the State shall be organised according to the principle of decentralisation”. The decentralisation (understood as a process of transfer of power from the central State administration to the local one) is proclaimed as the paramount principle for the organisation of the State territory. For its part, art. 101.2 declares that “the administrative division of the Country shall be based on geoeconomic, social and transportation conditions”. This provision, though, has little connection with the Charter since it has mainly a “technocratic” dimension.

75. The 3rd indent of art. 101 is devoted to the “deconcentrated” State administration, and to the central State administration (ministries, agencies) something that is not relevant at this point, either.

76. Art. 101. 4 makes a specific reference to the insular and mountainous areas, whose special features must be considered by “the legislator and the Public Administration”. The specific features of these areas have been referred to, above.

77. For its part, art. 102 of the GC proclaims in its first indent that “the administration of local affairs shall be exercised by local government agencies¹⁹ of first and second level” and that “for the administration of local affairs, there is a presumption of competence in favour of local government agencies”.

78. The second indent of art. 102 clearly enshrines the principle of local self-government: “Local government agencies shall enjoy administrative and financial independence”; moreover, it proclaims the democratic underpinning of local government: “their authorities shall be elected by universal and secret ballot, as specified by law”.

79. The 3rd indent provides for the associations “of local government agencies to execute works or render services or exercise competences” belonging to them. The 4th indent enshrines the principle of State supervision over local authorities (see below).

80. Finally, the 5th indent provides that the State shall adopt “the legislative, regulatory and fiscal measures required for ensuring the financial independence and the funds necessary to the fulfilment of the mission and exercise of the competences” of local authorities”.

81. Precisely on this constitutional basis, the legal scheme of local and regional government is exclusively regulated by the central institutions (the Parliament and the Government).

82. The analysis of the compliance of the Greek legal system with art. 2 of the Charter still faces the problem (noted in precedent Congress monitoring reports) that, although the Constitution proclaims the principle of self-government, it does not refer explicitly to regions. However, since regions are considered to be 2nd-tier local authorities, there is no problem to admit that regions are also included in the constitutional wording of “local government agencies” or in the wording of “local authorities of second level” (art. 102.1).

¹⁹ For the preparation of this document, an “official” translation of the Greek Constitution into English has been used, prepared in 2022 by the Greek Parliament (ISBN: 978-960-560-221-5). This version uses the word “agencies”, although in this report we use the standard terminology of “authorities”.

83. Apart from that, the legislation of local and regional authorities also proclaims the principle of self-government for both types of entities.

84. In the light of the foregoing, the rapporteurs conclude that Greece complies with the requirements of Art. 2 of the Charter.

3.2. Article 3 – Concept of local self-government

Article 3 – Concept of local self-government

1. Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.
2. This right shall be exercised by councils or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them. This provision shall in no way affect recourse to assemblies of citizens, referendums or any other form of direct citizen participation where it is permitted by statute.

3.2.1. Article 3.1

85. This key provision of the Charter defines local self-government as “the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population”.

86. In its current wording, and following the 2001 constitutional revision, art. 102 of the GC provides at par. 1 that: “1. The administration of local affairs shall be exercised by local authorities of first and second level. For the administration of local affairs, there is a presumption of competence in favour of local authorities. The range and categories of local affairs, as well as their allocation to each level, shall be specified by law. The Law may assign to local authorities the exercise of competences constituting mission of the State”.

87. In light of this provision, we need to examine the content of art. 3.1 of the Charter, which involves several issues: (1) first, the “right” of local authorities to manage a substantial share of public affairs. (2) second, the “ability” (that is, the factual capacity) of the said authorities to manage those affairs; and (3) the right to “regulate” local affairs.

88. To begin with, let us consider the “right” of local authorities to manage a substantial share of public affairs. This approach raises the issue of the local competences. The system of local competences is discussed in more detail below, in connection with art. 4.1 of the Charter. If the competences of the municipalities and the competences of the regions are joined and they are assessed as a unitary group of powers, the assessment is that the share of public affairs that are managed by the two tiers of local authorities may be considered as “substantial”, “significant” or “meaningful”, especially if one considers the centralistic tradition of the country and the successive (and mild) processes of decentralisation that have taken place so far.

89. The second aspect triggered by art. 3.1 of the Charter is the “ability” (that is, the factual capacity) of the local authorities to manage those affairs. On this question, the Delegation heard several complaints of the local representatives in the sense that many local authorities lack the real power to manage in an effective way the local affairs that, according to the law, lay in their realm of competences. Three main factors explain this inability:

90. First, the fact that many local authorities face serious financial problems and are under-financed. Second, many municipalities are understaffed (see a deeper analysis of this question at point 3.3.2, below). Consequently, they lack the human resources (especially, expert and technical staff) prevents them to discharge effectively their competences. In this sense, the interlocutors met during the visit pointed out repeatedly that they lack the necessary engineers and architects to discharge effectively their competences in planning permits, verification of requirements, control of buildings, etc. This complaint was made, for instance, by the mayor of Athens.

91. Finally, another issue prevents, in the day-to-day activities, to manage effectively the “local affairs” for which they are competent: the fact that the State has also competences in most domains where the local authorities act. The State agencies and ministries still have to authorise or issue positive reports or opinions for many decisions or initiatives taken by the municipalities. This is presented below (see point 3.2.4).

92. The third and final topic involved in art. 3.1 is the right of local and regional authorities to “regulate” the local affairs. This provision is commonly interpreted in the sense that local authorities must have the power to approve rules (local regulations) by which they “regulate” different aspects of the local life, and by they can frame policies of their own.

93. In Greece, municipalities do not have the general power to adopt binding local regulations, as it happens in many countries across Europe. The reason for that is of constitutional nature: Greece is mainly a centralised country, and the sources of the Law are monopolised by the State normative institutions: the Parliament (legislation) and the central government and ministers (regulations).

94. Local authorities do not have a general regulatory power, and they can only pass local regulation when the sectoral laws (a specific statute) authorise them to do so (for instance, traffic and circulation of vehicles).

95. This fact largely prevents them to frame and to implement their own policies for handling most local issues.

96. The situation of the regions is more or less the same: they lack legislative powers (they do not have parliaments) and they do not have the power to enact “regional” regulations of binding nature, either.

97. In light of the foregoing, the rapporteurs consider that Greece partially complies with the requirements of the Article 3.1 of the Charter.

3.2.2. Article 3.2

98. This provision of the Charter raises two different issues: on the one hand, what are the key ruling bodies of the local authorities, their democratic roots and their mutual relations. And on the other hand, the involvement and the participation of the local citizens in the decision and handling of local affairs. These two issues are considered separately.

99. Art. 102.2 of the GC proclaims the democratic underpinning of local government when it states that the authorities (governing bodies) of the local authorities “shall be elected by universal and secret ballot, as specified by law”.²⁰ There are two types of local authorities (municipalities and regions), which require to present them separately.

(A) Municipalities

100. In Greece, the top bodies of the municipalities are the mayor, the municipal council and the municipal committee. As in many countries, the mayor is the executive body and the local council is the deliberative body, which adopts the key decisions of the municipality (such as the local budget).

101. The local council has a number of members that depends on the number of inhabitants. Thus, for a municipal population of up to 2,000 inhabitants, the local council has 13 members, and this figure grows proportionally. For instance, if the municipality has over 150,001 inhabitants, the council has 43 local councillors.

102. The Municipal Committee consists of the mayor (or the Deputy Mayor appointed by the Mayor) as the president, and a number of members that depends on the number of local councillors. For instance, if the municipal council has up to nineteen members, the Municipal committee has four members.

²⁰ The most recent regional and municipal elections were held over two rounds on 8 and 15 October 2023. Local elections were held simultaneously in 13 regions and 332 municipalities.

103. The Municipal Committee is responsible, among other tasks, for monitoring and implementing municipal decisions and for the financial control and the regular monitoring of the implementation of the municipality's budget.

104. In the Greek model, the mayor is strong, and the most prominent political figure of the municipality. Apart from its Chair, the Municipal Committee is elected by the Council among its members and has its own responsibilities, especially for economic affairs, for municipal personnel, for contracting and municipal procurement, tenders etc.

105. Apart from those key, essential bodies, in the municipalities there may be different multi-member bodies (committees), which may be set up by the local council and have an advisory function, such as the "Council on immigrant integration", or the "Municipal committee for gender-equality". Apart from that, there might be an Ombudsman-type of official, who is discussed below (see 4.1).

106. The mayor and the municipal council are elected separately, on the same day but using different ballot boxes. They are elected every five years by means of free, universal and secret vote. The system, though, has not remained stable: all the contrary, there have been several successive reforms in this domain.

107. The delegation was informed that there has been a constant change in legislation concerning the electoral process and the democratic designation of the key political local bodies. Since 2015, there have been different legislative amendments or reforms on local government. For instance, the electoral system was amended in 2019 and in 2021.

108. The 2019 reform was due to the fact that, the existing local electoral system was not conducive to the formation of local governments. The interlocutors reported that, in the period 2014-2019, after the local elections it was impossible to form a governing coalition in municipal council and committees in roughly 60% of the municipalities. During that period, the election of the mayor was organised in two rounds, but the system allowed the existence of mayors with a weak or very weak majority in the local council. Many mayors had not enough councillors to form a workable majority and an operational government. It was very common that the mayor was in minority in the council. For instance, in the city of Thessaloniki the mayor had only 9 local councillors (out of a total of 47).

109. As a consequence, the mayors could not pass any relevant measure (for instance, the local budget). Consequently, the system was leading to institutional deadlock and paralysis in municipal action.

110. In the summer of 2019, and following the victory of the "New Democracy" party and of Mr Mitsotakis in the general elections, the new government promoted a change in the local electoral system, and a new legislation was passed that year.

111. In 2019, the electoral system used proportional representation to select the members of local and regional councils based on 1st round results, while mayors and regional presidents were elected only after securing 50% of the vote plus one.

112. The new system allowed the transfer of powers and competences (after the elections) from the local council to the municipal committee, where the mayor had automatically the majority.

113. However, the new system was challenged in court, precisely in the Council of State, and the top judicial body issued a ruling in 2022 declaring that the new system was illegal and unconstitutional because it did not respect the original will of the voters expressed in the ballots (see below, at point 3.8).

114. This judicial ruling was a sort of cataclysm and there was a nine-month period of interregnum. The situation triggered the need to approve a new legislation. The new system was enacted in 2022 and implemented during the local elections that were held in 2023 (the last elections, so far).

115. In the current electoral system (enacted in 2022), the head of the winning electoral formation (in the first or in the second round) is elected as mayor. The distribution of seat in the municipal council is as follows:

(1st rule) If the percentage of the winning electoral formation during the first electoral round ranges from 43% to 60%, or if the formation is declared winner during the second round, that formation obtains automatically 3/5 of the number of seats in the municipal council.

(2nd rule) If the percentage of the winning formation during the first round is greater than 60% of all valid ballots, then the seats of each formation are distributed proportionally.

116. Thus, in the new law the regional and local leaders need to secure at least 43% of the vote to be elected in the first round, with the winning list being guaranteed a majority of 3/5 of seats in the local or regional council. The law also introduced a 3% threshold that any list has to surpass in order to obtain seats. The reform was meant to strengthen the influence of regional and local leaders and ensure 'governability'.²¹

117. Concerning electoral participation in local elections, in Greece voting is compulsory, but the obligation is not actually enforced. In general, the turnout has declined since 2012, and the 2023 regional and municipal elections saw one of the lowest turnouts in history.²²

118. As noted above, during the monitoring visit the Delegation was briefed that the Ministry of the Interior was preparing an important local reform that touches among other topics, the local elections.

(B) Regions

119. The political organisation of the regions largely mirrors that of the municipalities. Thus, in the regions the top political bodies are the Head of the Region, the regional council and the regional committee. *Mutatis mutandis*, they discharge the same powers as the mayor, the municipal council and the municipal committee, respectively.

120. Apart from that in the regions there are different multi-member bodies (committees), which may be set up by the regional council: up to two sectoral committees (for decision-making in specific areas of the regional policies) or advisory committees ("ad hoc" committees).

121. The head of the region (usually called "Governor") and the members of the regional council are also elected by the voters, the same day as the election for municipalities. Concerning the method of election, the head of the winning electoral formation is elected as Head of the region.

122. The number of seats that every electoral formation obtains after the regional election is determined according to a complex formula that takes into consideration different alternatives.

123. The regional council has a number of members that depends on the number of inhabitants. Thus, for a regional population of up to 300.000 inhabitants, the regional council has 35 members, and this figure grows proportionally. For instance, if the region has over 800.001 inhabitants, the council has 61 members, and the region of Attica has a special rule, as it has 85 members local councillors.

124. The Regional Committee consists of the Head of the region (or the Deputy Head appointed by the Head) as its president, and a number of members elected by the regional council that depends on the number of inhabitants. For instance, if the region has up to 300.000 inhabitants, then the number of members of the regional committee is six.

125. The Regional Committee is responsible for carrying out the audit and monitoring implementation of the regional budget and monitoring the implementation of the regional policies in the realm of the region's competences, and the implementation of the regional development plan.

21 See: Hlepas N.K. & Chadjiapadelis T., "Mayors in the foreground, parties behind the scenes", in: Gendzwil A., Kjaer U. & Steyvers K. (eds.): *The Routledge Handbook of Local Elections and Voting in Europe*, Routledge, 2022, pp. 222-232.

22 In the first round, turnout in the regional elections was 52.53%, (compared to 58.28% in the 2019 election). In the second round, turnout dropped to 35.16% (compared to 41.88% in the 2019 election). For the municipal elections the picture was similar, with 52.50% in the first round and 40.71% in the second round, in both cases lower than in the 2019 elections. See: TSAKATIKA M.: Regional and local elections in Greece, October 2023, Groupe d'études géopolitiques. Elections in Europe Bulletin, Issue 4.

126. Like in municipalities, the Head is the top and most visible figure of the region and has all the representation and executive powers.

Citizen's participation: assemblies, local referendums

127. The Greek system of local and regional authorities includes many avenues and possibilities for the participation of citizens in the local affairs, especially after the *Kleisthenis* reform, such as town meetings, assemblies or neighbourhood councils.

128. To begin with, in the local communities (those included in the territory of a municipality) there is a specific meeting for the residents, called "Municipal Community Residents Assembly", which are convened by the President or by the Council of the community. The residents are called to meet and to discuss any issue concerning the local community and propose similar actions to the relevant bodies of the Municipality.

129. In the municipalities the municipal council may also set up a "Council on Immigrant Integration". This is an advisory municipal body aimed at strengthening the integration of immigrants into the local society. Municipal councillors, representatives of migrant associations, or representatives appointed by the immigrant community who are legally resident in the local Municipality as well as social actors are allowed to participate.

130. Another interesting feature, (lacking in many European countries) is the so-called "Report on Municipal Activities". This is an annual public meeting, held by the municipal council, where all the municipal activities in terms of administration, implementation of the annual action plan and the Municipality's financial situation are assessed. In this meeting, the inhabitants are entitled to give their views.

131. The attraction of the young people into the handling of local affairs is getting a growing importance, in view of the scepticism and lack of interest that young people tend to show in politics in general and in local politics in particular. In this sense, the Law provides that the local council may set up "municipal youth councils", which should attract the young local residents in the discussion and decision of local affairs. This is good practice and the result of the dedicated efforts of university students, particularly from Northern Greece, who advocate for a structured youth participation at the local level. Unfortunately, to date only 20 out of 332 municipalities have set up this youth councils.

132. At regional level, there is also a special public meeting, convened every year by the regional council, where residents, the mayors of the municipalities of the region and representatives of political parties are invited. At the meeting, which is called by 31st January of the following year, the actions of the regional authority in terms of the implementation of the annual action plan, the financial situation and the administration of the region are assessed.

133. Apart from that, the law provides that the meetings of all multi-member local bodies must be public. The transparency and publicity of all local decisions is further ensured through the mandatory posting of all municipal and regional decisions and actions on the internet. The Council sessions are public (and in many municipalities, they are broadcasted through streaming on the web).

134. Local citizens are allowed to take part in the meetings. The local residents (and even the unregistered municipal residents) may, either individually or collectively, present reports or submit questions on municipal decisions. The Municipal Council must respond to the questions raised by the local residents or their associations within thirty (30) days. Meeting participants are obliged to discuss these proposals if they are submitted by at least twenty-five people, and the mayor must inform all interested parties on the decision adopted.

135. A final question regards the local referendums, a topic that is expressly mentioned by the Charter in this provision.

136. Traditionally, Greece had no specific provision for the holding of referendums within individual local authorities.²³ This is still the case for the specific case of the local referendums held to revoke the mandate of the mayor or the members of the local councils (recall referendums).²⁴

137. However, the *Kleisthenis* reform changed significantly the situation. Currently, local Referenda are allowed in Greece. Law 4555/2018 (the so-called "*Kleisthenes* Law") included a new relevant legal framework²⁵ that allows, in principle, the organisation of these referendums at municipal and (also) at regional level. Those provisions regulate the requirements and the procedure for calling the referendums, the necessary debates, norms and principles concerning fund raising, expenses and media coverage during the election period, the rules on voting, etc.

138. It should be noted, however, that the implementation of these provisions was "frozen" for 4 years (2019-2023): Article 11 par. 1 of Law 4674/20, stipulated that: "1. The validity of articles 133 to 151 of Law 4555/2018 (A' 133) is suspended throughout the current municipal and regional period".²⁶ This means that after the last municipal and regional elections of October 2023, referenda can be held according to this law. However, no referendum has taken place yet in recent years, according to our interlocutors.

139. Apart from local referendums (*stricto sensu*), informal consultations of the local citizens by the mayor are held frequently.

140. Another point that must be considered here is the fact that Greece has not signed the Additional Protocol to the Charter, on the right to participate in the decision of the local affairs.

141. It may seem that the main obstacle could be the fact that the Additional Protocol mentions local referendums (2.2.a), while the Greek system does not allow for them (see *supra*). However, the wording of the Protocol is not strict in terms of obligations, since it uses the verb "may".²⁷

142. On the other hand, and according to the local leaders met by the delegation, Greece is already complying *de facto* with the requirements stemming from the mentioned Protocol. Therefore, at first sight it could seem reasonable to recommend to the Greek authorities that they sign and ratify (or at least that they sign) the Additional Protocol to the Charter.

143. In the written reply to the delegation, the Minister of the Interior pointed out that : "Regarding the signature of the Additional Protocol, we note that, in accordance with our consistent position, the reason for not signing is due to our reservation²⁸ to paragraph 4.1 of Article 1 of the said Protocol, from which it follows that the right to vote in elections for local authorities is granted to citizens who reside in the territory of the local authority concerned²⁹. This may mean that the Protocol speaks of "occasional" residence, disconnected from the concept of popularity which in our legislation is linked to fixed criteria of residence and, moreover, is recognised by Greek law as a condition for the granting of the relevant right".

144. Therefore, the only real problem with the Protocol seems to be the notion of "municipal citizenship", which may pose technical and operational problems. The fact is that a high number of Greek citizens are still registered as municipal citizens in their places of origin (mostly villages), although they have been residents of big cities for years.

23 In this respect a 1993 special report of the CDLR of the Council of Europe stated that "It seems that only a minority of member States have no legal provision for the holding of referendums within individual local authorities. This is the case in Belgium, Denmark, Greece and the Netherlands". Moreover, "only in Greece, where the institution of the referendum exists at national level, is there no recourse to it at the level of the local authorities.". See: Local referendums Report prepared by the Steering Committee on Local and Regional Authorities (CDLR) for the 10th Conference of European Ministers responsible for Local Government, The Hague, 15-16 September 1993 (page 7).

24 According to prominent scholars, "there are no legal provisions for recall referenda, neither for the council nor for the members of the executive." See: Hlepas N.K. & Chadjiapadelis T., *Op cit*, p. 224.

25 See Articles 133-151.

26 Government Gazette-53 A/11-3-20

27 "...procedures for involving people which may include consultative processes, local referendums and petitions ..."

28 The word "reservation" is not used here in the strict sense of Public International Law, but as a synonym of "disagreement", or "dissatisfaction".

29 "Each Party shall recognize by law the right of nationals of the Party to participate, as voters or candidates, in the election of members of the council or assembly of the local authority in which they reside".

145. In view of these statements, it is not foreseeable that Greece signs or ratifies the Additional Protocol in the near future. In theory, Greece could do it, just by formulating a reservation (in the strict sense of the word) to par. 4.1 of art. 1 of the Additional Protocol. However, the Additional Protocol does not allow for any reservation to its different provisions.

146. In the light of the foregoing, the rapporteurs consider that Greece complies with the requirements of Article 3.2 of the Charter.

3.3 Article 4 – Scope of local self-government

Article 4 – Scope of local self-government

1. The basic powers and responsibilities of local authorities shall be prescribed by the constitution or by statute. However, this provision shall not prevent the attribution to local authorities of powers and responsibilities for specific purposes in accordance with the law.
2. Local authorities shall, within the limits of the law, have full discretion to exercise their initiative with regard to any matter which is not excluded from their competence nor assigned to any other authority.
3. Public responsibilities shall generally be exercised, in preference, by those authorities who are closest to the citizen. Allocation of responsibility to another authority should weigh up the extent and nature of the task and requirements of efficiency and economy.
4. Powers given to local authorities shall normally be full and exclusive. They may not be undermined or limited by another, central or regional, authority except as provided for by the law.
5. Where powers are delegated to them by a central or regional authority, local authorities shall, insofar as possible, be allowed discretion in adapting their exercise to local conditions.
6. Local authorities shall be consulted, insofar as possible, in due time and in an appropriate way in the planning and decision-making processes for all matters which concern them directly.

3.3.1. Article 4.1

147. Art 4.1 of the Charter prescribes that the “basic powers and responsibilities” of the local authorities shall be prescribed by the constitution or by statute. However, this fact shall not prevent the attribution to local authorities of powers and responsibilities for specific purposes in accordance with the law”.

148. In Greece, the competences of the municipalities and the regions are not prescribed or enumerated in the Constitution, but in regular legislation. In reality, this is common practice in most European countries.

149. The Greek Constitution proclaims several presumptions or principles in this domain: (a) first, that “for the administration of local affairs, there is a presumption of competence in favour of local government agencies”; (b) second, the notion of local affairs is not defined by the Constitution and it is a matter of legislation or of judicial interpretation: “the range and categories of local affairs... shall be specified by law”; (c) third, that these bunch of categories ... shall be specified by law; and (d) fourth, that “The Law may assign to local government agencies the exercise of competences constituting mission of the State”, a wording that is very similar to the last indent of Article 4.1 of the Charter.

150. Consequently, the competences of municipalities and regions are enumerated in the legislation. This legislation maybe of two sorts: (a) general legislation on local authorities (see, above, point 2.1 (A)); and (b) sectoral legislation on the different areas of governmental action (urban planning, transportation, environment, etc.).

151. From the outset, it is important to underline that, during the visits to Greece, the Delegation received many expressions from their interlocutors in the sense that the allocation of powers between the different administrative levels of the country (central State Administration, State deconcentrated administration, municipalities and regions) is far from being clear. In too many cases this allocation is confusing and sometimes it is hard to know “who does what” in a given sector of governmental action.

152. The local representatives met by the Delegation provided different examples of areas where the allocation of competences is incomprehensible, or the competences overlap. For instance, regional representatives pointed out that the field of civil protection is very confusing, and the allocation of

competences is very unclear, with a constant conflict of powers between the regions and the State. This is critical because the matter is very connected to “natural disasters”, a reality that unfortunately is well-known in Greece (forest fires, floods, etc.). Apparently, this unclear allocation of powers is also present in the matter of “roads”, and “infrastructures”.

153. The responsibilities of the two levels are divided as follows:

Competences of the Municipalities

154. The competences of the municipalities are systematized and divided into eight sectors, according to Article 75 of the Code of Municipalities and Communities (Law 3463/2006). Under that provision, the responsibilities of the municipalities include eight specific areas of activity, comprising the fields of:

- Development
- Environment
- Quality of life and proper functioning of cities and settlements
- Employment
- Social protection and solidarity
- Education, culture and sports
- Civil Protection
- Rural development - Livestock – Fisheries

155. In each of these fields or areas, municipalities have more detailed competences, which are prescribed by State legislation. For instance, in the domain of environmental protection, municipalities draw up programmes for the protection of the natural, architectural and cultural environment; they protect and manage the water resources; they combat pollution; they protect the soil and they protect the inland waters from fishing; they collect and manage solid waste. The detailed responsibilities are listed in Article 94, par. I of Law 3852/2010.

156. Apart from these general “fields” of competences, insular municipalities exercise additional powers in the areas of:

- Agriculture, livestock and fishery
- Natural resources, energy and industry
- Employment, trade and tourism
- Transport and communications
- Works, urban and spatial planning and environment

157. Finally, the mountain municipalities exercise powers in the “core” fields enumerated above and, in addition, in the additional fields of:

- Energy
- Waters
- Forestry
- Agriculture and livestock
- Support of local community and economy

Competences of the regions

158. The main competences of the regions include the design, the planning and the implementation of regional policies in different sectors, in accordance with the principles of transparency, effectiveness and efficiency. Those sectors of activity are systematised in the provisions of Article 186 of Law 3852/2010, and they include:

- Planning, development
- Agriculture, livestock, fishery
- Natural resources, energy-industry (water management, energy, industry and manufacturing)
- Employment, trade, tourism
- Transports, communications
- Works, spatial planning, environment

- Health
- Education, culture, sports
- Civil protection and administrative support

159. In each of these fields or areas, the regions have more detailed competences, which are prescribed by State legislation. For instance, in the domain of environmental protection, regions do frame environmental policies; they deliver a series of permits and authorisations; they are also responsible for urban and industrial wastewater disposal, etc. The detailed responsibilities related to the protection of the natural and man-made environment are listed in all sections in Article 186 of Law 3852/2010.

160. Special provisions apply to the metropolitan areas of Athens and Thessaloniki, and to the island's regions, which can only be mentioned here for the sake of concision.

161. The system of competences for local and regional authorities is enshrined in the Law, and the Constitution includes a presumption or general principle that local authorities have the power to administer local affairs.

162. Even if the system lacks the necessary clarity, the requirements of the Charter are met. Moreover, and as noted supra, at the time of the visits the Ministry of the Interior was working on a massive re-codification of the current legal scheme on local and regional authorities, that would include, as one of its key goals, the clarification of the allocation of competences among the different governmental tiers of the country.

163. In the light of the foregoing, the rapporteurs consider that Greece complies with Article 4.1 of the Charter.

3.3.2 Article 4.2

164. As noted supra, the GC proclaims several principles that are connected with this provision of the Charter. On the one hand, art. 101.1 provides that “the administration of the State shall be organised according to the principle of decentralization”. On the other hand, art. 102.1 sets the general principle that “the administration of local affairs shall be exercised by local government agencies of first and second level. For the administration of local affairs, there is a presumption of competence in favour of local government agencies”.

165. At first sight there is no express proclamation of the “general competence clause” that some European countries (such as France) recognise in favour of the municipalities (*Clause de compétence Générale*).

166. However, the above constitutional provisions could be also interpreted in the sense that, in Greece local authorities have “discretion” (as a constituent part of its “independence” ex art. 102.2) to take initiatives in connection with any local matter (since there is a kind of “reserve of action” in favour of the local authorities for “any” subject or issue that can be characterised as a “local affair”).

167. Moreover, art. 102.1. in fine of the GK proclaims that “there is a presumption of competence in favour of local government agencies”. This constitutional “presumption” could be interpreted in the sense that there is an “inherent” or “natural” capacity of the local authorities to act in local affairs.

168. The fact that this “initiative” must be implemented with due respect to the competences of the State (in the sense that the State is the one that identifies the local competences, see previous point) is just a necessary and local corollary of the system of allocation of competences to the local level in Greece. Not to forget that according to art. 4.2 of the Charter this ability of the local authorities must be exercised “within the limits of the law”.

169. A different issue is whether “de facto” and in reality, the Greek municipalities have the effective capacity to adopt these innovative initiatives, considering their general unsatisfactory circumstances (underfunding, under-staffing, etc). Naturally, this will depend on the local authority concerned, and its peculiar circumstances.

170. In the light of the foregoing, the rapporteurs consider that Greece complies with Article 4.2 of the Charter.

3.3.3 Article 4.3

171. Art. 4.3 of the Charter provides, first, that “Public responsibilities shall generally be exercised, in preference, by those authorities who are closest to the citizen” and second, that the “allocation of responsibility to another authority should weigh up the extent and nature of the task and requirements of efficiency and economy”. This provision is commonly understood to embody the “subsidiarity principle”.

172. The GC has a similar provision. First, it provides at art. 101.1 that “The administration of the State shall be organised according to the principle of decentralization”. Decentralisation and subsidiarity are intimately connected, and it can be said their content are complementary. Second, the GC states that “Regional administrations of the State shall have general decisive authority on matters of their district” (art. 101.3).

173. From this constitutional provision one may derive clearly that the local affairs are entrusted (as a rule) to municipalities and that affairs having a larger territorial dimension are entrusted to the regional administrations of the State.

174. A negative aspect in this domain is that the so-called ‘third wave of decentralisation reform’ provided by the *Kallikratis* law in 2010 has been postponed because of the crisis but it is still pending even though the crisis formally finished in 2018.

175. According to the replies to this question provided by the Ministry of the Interior, the principle of subsidiarity is substantiated by the way in which competences are distributed according to the level of governance (local, regional, supra-local, national) and by the delegation of competences according to the specificities described (mountain and island municipalities, island regions and metropolitan governance). The Minister stated textually: “the legislative provisions for the transfer of competences both from the decentralised state administration to the local authorities and the second-tier local authorities to the municipalities are based on the principles of subsidiarity and proximity”. During the consultation procedure, the National Delegation mentioned concerns about weak local governance, especially regarding fragmented responsibilities and limited strategic autonomy.

176. In the light of the foregoing, the rapporteurs conclude that Greece complies with art. 4.3 of the Charter, although there is clearly a large room for improvement and for deepening decentralisation.

3.3.4 Article 4.4

177. The enumeration of the areas of responsibility for local and regional authorities that has been presented above in connection with art. 4.1 (point 3.2.1) is just a first approach to the actual competences of municipalities and regions, because it includes a legal enumeration of “fields” or “matters”. However, in order to find out which are the actual or detailed competences of the three levels of government (State, regions and municipalities) it is necessary to perform a deeper analysis of the legislation. The result of such analysis can be found in the above mentioned report submitted by the Ministry of the Interior³⁰, which includes a complex set of tables (four pages), describing “who does what” in each matter. For instance:

- In the case of police, there is a “shared” competence between the State (national police) and the municipalities (municipal police)
- In the case of registry office, there is also a shared competence between the State and the municipalities
- Highways: shared competences between the State and the regions
- Waste collection: competences are shared between the regions and the municipalities, etc.

30 Ministry of the Interior: Structure and operation of local and regional democracy. Greece. Situation in 2024.

178. The analysis of those detailed tables reveals that, in the majority of the fields enumerated by the legislation, there are shared competences, either (a) between the State and the regions (example: highways), (b) between the State and the municipalities (example: electoral lists); or (c) between the regions and the municipalities (example: irrigation).

179. In reality, the fields where all the competences belong to the municipalities are very reduced: for instance, cemeteries and slaughterhouses. In the case of the regions, there is not one area where the regions have all the competences. In all the areas where regions act, they do that jointly with the State or with the municipalities.

180. In addition, in the vast majority of the fields and subfields, the State has also (concurring) competences and powers. Instances of overlapping responsibilities between State and local authorities persist, particularly in environmental management.

181. This triggers another major issue, that has been mentioned above: the State agencies and ministries still have to authorise or issue positive reports or opinions for many decisions or initiatives taken by the municipalities. Decentralized administrations, which are state appointed, often interfere in areas where local authorities should have exclusive jurisdiction, thereby undermining local autonomy.

182. Apparently, the amount of permits, approvals and positive reports that local authorities must obtain from the different State ministries seem to be high. For many actions, initiatives, or for the fulfilment of their competences, the State happens to have, too, concurring competences, under which the local authorities (especially, the municipalities) need to ask for permission to a different ministry. Local leaders complained repeatedly of excessive “red tape”.

183. In addition, the procedures for obtaining the approval or positive reports from the State ministries and agencies usually take too long, with the effect of “paralysing” de facto the local initiative or project.

184. For instance, the mayor of Athens reported that a historical fountain located in the city centre needed to be cleaned and refurbished. To this end, the municipality needed to obtain a favourable opinion from the Ministry of Culture. They waited for it since April 2024, and it had not been released yet in November 2024.

185. The same applies when a municipality wants to refurbish a local street. For instance, the mayor of Livadia also reported that the refurbishment of a local public square has needed 5 years. The examples were multiple.

186. Local authorities often lack the discretion to take in initiative independently due to a) centralised control mechanisms; b) limited fiscal autonomy, c) administrative dependence on national guidelines and approvals.

187. During the consultation procedure, the Ministry of Interior stressed that in 2023 the National System of Multilevel Governance was established by law, with the aim of functionally classifying public policies and establishing a methodology for the allocation, reallocation, or transfer of responsibilities between levels of administration. The Ministry also highlights that the implementation of the National Multilevel Governance System, along with the implementation of the relevant Multi-Level Governance Information System, will further contribute to a more complete understanding of the legislative framework by administrative bodies and the identification of any overlaps or legislative gaps in order to remedy them.

188. In conclusion the powers of municipalities and regions may not be considered as “full and exclusive”, but mainly “shared”, and deeply intervened or “conditioned” by the competences of the State.

189. In the light of the foregoing, the rapporteurs conclude that Article 4.4 of the Charter is not complied with in Greece.

3.3.5 Article 4.5

190. This provision of the Charter states that “where powers are delegated to them by a central or regional authority, local authorities shall, insofar as possible, be allowed discretion in adapting their exercise to local conditions”.

191. The GC foresees explicitly the question of the powers that are delegated to the municipalities by the State at 102.1: “...*The Law may assign to local government agencies the exercise of competences constituting mission of the State*”

192. The phenomenon of delegation of powers from the State to the municipalities is well-known in Greece. Conversely, in Greece it is not common, and it is not foreseen, that the Regions delegate missions or powers to the municipalities.

193. The voice and the opinion of the local authority that receives the delegated power and competence must be taken into consideration, whenever any such transfer is to be decided by the State, in this sense, it is important to underline that, under par.12 of art. 283 of the Act N° 3852/2010, the respective national association of local-regional authorities (KEDE and ENPE) are allowed to provide their opinion, in case of transfer of competences to (respectively) municipalities and regions.

194. Another question is whether, when the municipalities receive this delegation of powers, they are “allowed discretion in adapting their exercise to local conditions”.

195. It does not seem that this is the case, in view of the structural deficiencies that local authorities have. However, the wording of the Charter is not strict (“insofar as possible”). Therefore, it is hard to conclude that there is an open violation of this provision of the Charter.

196. In the light of the foregoing, the rapporteurs believe that there is partial compliance with Article 4.5 of the Charter.

3.3.6. Article 4.6

197. This provision of the Charter provides that “Local authorities shall be consulted, insofar as possible, in due time and in an appropriate way in the planning and decision-making processes for all matters which concern them directly”.

198. This is an essential provision of the Charter and a fundamental principle in every system of local authorities. Consequently, it must be carefully analysed.

199. In the previous Recommendation of the Congress on Greece (2015), the monitoring report acknowledged that there was a good “de facto” pattern of interinstitutional communication and dialogue between the ministry of the Interior and the national associations of local and regional authorities

200. Despite this finding, the Congress expressed its concern that “institutionalised co-ordination and consultation processes among the State, regions and municipalities are lacking”. Consequently, the Congress invited the Greek authorities “to improve the consultation processes among the State, regions and municipalities for all matters which concern them directly”.

201. It should be recalled, as the monitoring report did already in 2015, that the case-law of the Council of State has established that for every transfer of powers from central or regional authorities to local authorities and for the allocation of the local affairs to the different levels of decentralisation, it is necessary to obtain the opinion of the local authority in question, before the transfer of powers.³¹

202. During this monitoring visit, the Congress delegation could note that the situation is more or less the same for what concern the “institutionalisation” of the inter-governmental consultation: no specific body has been set up to this end.

31 Council of State, Decision 506/2010 and 2599/2011: Legal remedy against a regulatory act of transfer of powers a) of execution of urban planning and b) of maintenance of national road networks to local authorities.

203. However, the Delegation could notice that there is a good pattern of communication and consultation between the current Minister of the Interior (Mr Livanios) and the local leaders. All the local interlocutors of the Delegation conceded that the climate of communication and dialogue is good, frank and open. This is facilitated by the personal attitude of the Minister, that is very positive and proactive for dialogue. The Minister usually attends the major meetings of the two main associations of local and regional authorities. Minister Livanios announced the reform of the system of local authorities that has been mentioned above (see point 2.1) at the annual conference of the Central Union of Greek Municipalities, held in Rhodes in November 2024.

204. According to the statements of the Ministry of the Interior, this State administration is in constant communication and consultation with local and regional authorities on various matters concerning institutions and procedures. Regarding the municipalities, and apart from the continuous cooperation between the political leadership of the Ministries, the Ministry of Interior and the Central Union of Municipalities of Greece (KEDE, representing the 332 municipalities of the country) entertain constant negotiations and talks.

205. The importance of personal, one-to-one relations in the Greek culture should be noted. The Minister declared that he meets personally with several mayors every day. And several mayors met by the Delegation acknowledged that they knew personally the Minister and that they had met him in person more than once.

206. According to the relevant legislation, during the processing and certainly before the final adoption of important regulatory decisions concerning the municipalities of the country, KEDE expresses a relevant opinion.³²

207. Also, the participation of KEDE's representatives in the formulation of opinions on matters related to local self - government takes place at all stages of consultation in the parliamentary procedure, in accordance with the Rules of the Parliament.

208. At the Parliament, local and regional authorities are invited alongside many other stakeholders during the procedure in committees (prior to the debates in the Plenum of the Parliament). Municipalities and regions also take part in online deliberations of draft laws just as any citizen can.

209. Concerning the regions, similar practices are implemented with them on an individual basis and with their association, the Union of Regions (ENPE). In particular, special provisions of the Act N° 3852/2010 require the consultation of ENPE before the adoption of regulatory decisions concerning the regions.³³

210. Apart from that, art. 188 of the said Act foresees the advice of the association of regions when the State administration intends to issue any regulatory act related to a number of fields, such as: (a) sustainable development; (b) land-use or spatial or town- planning plans and decisions; (c) the location of facilities.

211. Furthermore, a similar provision is found in Section II of Article 210 of the said Act, for additional metropolitan functions.

212. Finally, Art. 186 of the said statute lays down specific provisions allowing the regions to formulate opinions and proposals. For instance, regions may submit proposals to the central authorities for projects and policy measures of national importance that concern the region and form part of a medium-term national programme. They can also propose to the competent Ministry policies and measures for the development of small and medium-sized enterprises.

213. They can also submit proposals to the relevant ministry, aiming at boosting the business activity in the region. And they can issue an opinion addressed to the Ministry of Energy, in view of the approval of an Integrated Urban Interventions Plan. Finally, they can submit recommendations on major projects and projects of special civil protection status.³⁴

³² Examples of such decisions are allegedly those of Articles. 3, 67 par. 11, 79 par. 5, 80 par. 2, 94 par. 3A of Law no. 3852/2010 (A' 87).

³³ For instance, para.6 of Art. 167, the health competences (section G., paragraph 1.b) of Art. 186, par. 20 of section H (Education-Culture-Sports) of the same article and Article 187

³⁴ This was added recently (addition of Article 186A by Article 20 of Law 5143/2024).

214. Equally, the participation of ENPE and its representatives in the formulation of opinions on matters related to local self-government is also possible in all stages of consultation as mentioned in the parliamentary procedure, according to the Rules of the Parliament.

215. Against this ministerial vision, the delegation received a different view from the local leaders. Although they conceded that the situation has improved in general, they made several complaints. First, they pointed out that the Government does not take seriously the opinion of the concerned local authority when it authorises a windfarm³⁵ or a five-star hotel³⁶. These competences belong to the State, not to the local authorities, and when the Government decides to authorise such projects, it does not follow usually the opinion (frequently, contrary to the project) of the local authority where the project is going to be implemented.

216. The same, apparently, happens in the matter of urban planning, which is a competence of the State. Although municipalities have the right to initiate the planning process, State agencies decide on spatial planning, and in most cases, they disregard the opinion of the local authorities concerned by the plan. The intervention of the municipalities in the planning process is very reduced, in comparison with usual practices in other countries. During the consultation procedure, ENPE and KEDE highlighted that creation of a permanent and formal consultation body would ensure more structured, timely and effective participation in national decision making.

217. In the light of the foregoing, the rapporteurs consider that Greece complies with Article 4.6 of the Charter.

3.4 Article 5 – Protection of local authority boundaries

Article 5 – Protection of local authority boundaries

Changes in local authority boundaries shall not be made without prior consultation of the local communities concerned, possibly by means of a referendum where this is permitted by statute.

218. The analysis of the application of this provision of the Charter, according to which “changes in local authority boundaries shall not be made without prior consultation of the local communities concerned, possibly by means of a referendum where this is permitted by statute” cannot forget the fundamental point that Greece is not bound by this article (see, above).

219. As noted by the 2015 monitoring report, “the process of mergers of municipalities has been a prominent feature in the Greek territorial landscape in the last decades, especially in the “*Kapodistrias*” and “*Kallikratis*” reforms (par. 152).

220. These reforms included massive amalgamation of many local authorities, accomplished in an executive manner and without negotiation, or even consultation of the concerned local authorities.

221. At present, the changes to the administrative boundaries of a municipality may take place under certain conditions provided for in articles 2-5 and 10-13 of the Law 3463/2006 (“Code of Municipalities and Communities”) and article 5 (“Redefinition of boundaries of municipal communities within municipalities of over 100 000 inhabitants, transfer of a local community to a neighbouring municipality”), as well as article 6 of the Law 3852/2010 (“the *Kallikratis* reform”) (“Establishment of a local community from a settlement which is defined in the census as independent”).

222. Apparently, the opinion of the local authorities involved is requested. During the consultation procedure, the National Delegation stressed that a more inclusive, bottom-up approach will ensure smoother and better alignment with local realities. Moreover, the holding of local referendums is enshrined in article 216 of the Law 3463/2006, but this provision has been replaced by the provisions of articles 133-151 of Law 4555/2018 which were much more systematic. These provisions have been “frozen” by Art. 11 of the law 4674/2020 till the end of the term of office of the bodies that had been elected in the municipal elections of 2019. This was due to the fact that due to the proportionality system no governing coalitions could be formed in nearly 60% of the municipalities and direct participation,

³⁵ Windfarms usually meet the popular opposition in the municipalities where the project is to be constructed because they destroy the historical and archaeological heritage, and the landscape.

³⁶ A local leader from Mikonos reported that in his island, the State has approved by a special law seven big investment projects, and the municipality allegedly was not even consulted.

local referenda etc. were expected to make the political situation even more complex in these municipalities. Following the municipal election of 2023, these provisions about citizens participation and local referenda (art. 133-151 law 4555/2018) are again valid and can be activated by the municipal authorities. However, there is not a single case of a local referendum up to this day.

223. In the light of the foregoing, it appears to the rapporteurs that the current legal system meets the requirements of the Charter. They recommend that the national authorities ratify this provision.

3.5 Article 6 – Appropriate administrative structures and resources

Article 6 – Appropriate administrative structures and resources for the tasks of local authorities

1. Without prejudice to more general statutory provisions, local authorities shall be able to determine their own internal administrative structures in order to adapt them to local needs and ensure effective management.
2. 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.

3.5.1 Article 6.1

224. Article 6.1 of the Charter provides that local authorities shall be able to determine their own internal administrative structures, “without prejudice to more general statutory provisions”.

225. The internal organisation of the local and regional authorities is not regulated by the Constitution. The specific legislation on the matter (Code of local authorities and others) set the mandatory organs that must exist in every municipality or region (as presented supra). The State laws regulate in detail the municipal organisation.

226. However, this “mandatory” organisational chart is not exhaustive and Greek municipalities enjoy a mild and limited degree of autonomy in establishing their internal bodies and organs, with due respect to the “basic” or essential organisation defined by State legislation. Since local authorities lack regulatory powers, they may set up these bodies by means of internal by-laws and “ad hoc” decisions, usually in the plenary session of the local council.

227. Consequently, the current legal scheme allows the municipalities to set up specific instances, some of which are mentioned at different places of this report (Council on Immigrant integration, municipal “ombudsman”, municipal committee for gender equality, Municipal Youth Councils, etc.).

228. In the light of the foregoing, the rapporteurs conclude that Greece complies with Article 6.1 of the Charter.

3.5.2 Article 6.2

229. According to art. 6.2 of the Charter, the conditions of service of local government employees should allow the local and regional authorities to recruit high-quality staff on the basis of merit and competence. Apart from that, local authorities should provide their employees with adequate training opportunities, remuneration and career prospects.

230. The general principle governing the staff of the local and regional entities is that this group of employees share the same regulation as the rest of public sector employees. Therefore, the constitutional provisions on the civil service (titled “Status of Administrative Agents”) apply also to them (art. 103.6 of the Greek Constitution).³⁷

231. The extensive constitutional rules on this matter provide (inter alia) that:

- the qualifications and the manner of the appointment of civil servants shall be specified by law (art. 103.1 Greek Constitution);
- a civil servant can only be appointed to a post provided by law (103.2);

³⁷ “The provisions of the preceding paragraphs shall apply ...to the civil servants of local government agencies ...”.

- some posts (“technical”, “assistants”) may be filled by employees on private law contracts (103.3), whose conditions and duration will be specified by law (103.8);
- as a rule, civil servants have tenure, that is, “they are permanent so long as these posts exist” (art. 103.4);
- their salaries shall evolve in accordance with the provisions of the law (art. 103.4);
- it is prohibited to convert by law the contractual employees into permanent civil servants or temporal employment contracts into contracts of unlimited duration (103.8);
- no civil servant may hold two posts in the public sector at the same time, although some exceptions apply (art. 104.1).

232. The GC is notable in the sense that it includes two long articles on the civil service, a feature that is unusual in comparative constitutional law. This feature has been explained by scholars as an instrument or attempt to terminate long-term and structural clientelism and patronage practices that undermined for decades the principles of meritocracy, objectivity and transparency in the recruitment of government employees, practices that are in part responsible of the traditional over-staffing of the Greek public sector³⁸.

233. The civil service system in Greece follows basically the French administrative model. It is a career system, where civil servants are recruited at the lower echelons and advance through promotions at the higher bureaucratic level. Public sector personnel, including those in local governments are classified into different categories and grades³⁹.

234. In addition to the tenured civil servants, local authorities employ people on a contractual basis, i.e., through private legal contracts of indefinite or temporary duration, and they can also conclude private legal contracts for specific jobs that must be carried out (the so-called “project” contracts).

235. For budgetary reasons, restrictive measures on the hiring of public sector personnel were introduced at the beginning of the 1980’s. These restrictions came mainly as a reaction to a situation described by Greek scholars where, following certain collective practices, political clientelism and lack of transparency, the number of municipal personnel climbed from 25,000 employees at the beginning of the 1980’s up to 50,000 by the late 1990’s and reached in 2012 the astonishing figure of 100,000 employees (including those of municipal companies).⁴⁰

236. For a long time, it was not uncommon that, by means of a piece of legislation, contractual (temporary) employees were transformed into full civil servants. In view of such legislative practices, the constitution was amended in the sense above described, and today it explicitly prohibits giving tenure to contractual employees or changing their temporary status into a civil servant status. This is why art. 103.8 of the GC provides today that “it is prohibited to convert by law the contractual employees into permanent civil servants or temporal employment contracts into contracts of unlimited duration” (103.8).

237. Nowadays, due to the financial crisis, the IMF and EU controls and the long-term austerity programme, these controls and restrictions over the staff of public administration (including the local ones) have been tightened even further.

238. Indeed, there are very tight controls over the recruitment procedures in the local governments. First of all, there is a strict moratorium on the recruitment of new officials. According to that policy, there is a rule according to which any “positive” growth of personnel is prohibited, and only one civil servant may be recruited for filling up a position that came vacant for reasons of retirement.

239. Another controlling feature was the creation of ASEP. As noted supra, the GC provides at art. 103.6 that “the recruitment of civil servants shall take place either by competitive entry examination or by selection on basis of predefined and objective criteria and *will be subject to the control of an independent authority*.”

240. This independent authority is the Supreme Council for civil personnel selection (“ASEP”). This body was established by Law 2190/1994 (OG No. 28/3.3.1994) as an independent authority responsible for securing the implementation of the provisions on public sector staff recruitment. This

³⁸ Hlepas N. (2012), *op. cit.*, p. 265.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

statute defines the Council's activities and processes. The role of ASEP was further enhanced under the 2001 Constitution amendment, as the institutional guardian of the principles of transparency, publicity, objectivity and meritocracy in the civil personnel selection. The ASEP follows and monitors closely any recruitment practice, every selection process organised by any governmental level.⁴¹

241. On the other hand, retired staff are not easily replaced. When a vacancy takes place, the local authority has to justify thoroughly the need to hire a fresh employee and that it cannot fill the position by hiring temporary, contractual employees, or having recourse to subcontracting with private companies. In some cases, the only solution to understaffing is to outsource, contracting with private companies, a practice which does not mean increasing in-house staff.

242. Thus, municipalities and regions need to obtain the necessary permission and authorisation from the competent ministry and the ASEP. This, usually, takes a long time. But this is not the end of the procedure. A selection process must be put in place, with all guarantees of objectivity and impartiality.⁴² Consequently, recruitment procedures require considerable time to be carried out. In most cases, local authorities are only authorised to hire contractual employees for a fixed term (maximum 8 months).

243. This situation puts in serious difficulty the municipalities that need to fill seasonal vacancies. For example, many tourist island municipalities need to recruit people for tasks that are only needed during the tourist season (for instance, street cleaning). Unfortunately, it is often impossible for the interested local authority to go through all the procedures in time, and the recruitment is not always timely. During the consultation procedure, the Ministry of the Interior highlighted that fast-track procedures have been introduced and approval is granted only by decision of the Minister of the Interior.

244. There are not only rigid legal restrictions imposed upon hiring: municipalities and regions have practically no possibility of developing a human resource management system of their own. The reason is that "negotiations between employees and employers are organised nationally, given that salary increases, and other claims are settled at the level of central government".⁴³ Then, although the local authorities are the employer, bargaining with trade unions is conducted by the central government (especially the Ministries of the Interior and of Finance). The managerial autonomy of the local authorities on the salaries of their own employees is, hence, extremely limited to certain posts.

245. As a result of these and other factors, the interlocutors met by the delegation reported a structural and overall situation of under-staffing, which is common in all Greek municipalities and regions (or in most of them). This understaffing is especially acute in terms of specialised or highly qualified employees. Municipalities and regions need additional high-skilled personnel. For instance, the mayor of Athens reported that the city faces many difficulties for hiring experts, and that it does not have engineers or architects who would verify the requirements when the city receives applications for new building licenses. Since subcontracting (externalising) is allowed, then the city makes (too) frequent recourse to this.

246. During the consultation procedure, the Ministry of the Interior stressed that a multi-annual and annual strategic planning system for the recruitment of regular and temporary staff for all public bodies was established, including the first and second degree local authorities and their legal entities (Law 4590/2019-Government Gazette A'17, art. 3 and Law 4622/2019-Government Gazette A'133, art. 51, as replaced by art. 20 of law 5027/2023-Government Gazette A' 48).

247. Mobility across the different levels of government has been encouraged or even mandated by the "*Kallikratis*" reform, but it has had a limited success, according to the interlocutors that the delegation met during the visit.

248. In the opinion of the rapporteurs, the under-staffing is one of the most serious structural problems facing Greek municipalities and regions, which reduces their operational capacity to perform efficiently their competences and deliver local public services of high quality, although this situation may be explained or justified by powerful historical, political and economic reasons.

41 See <https://info.asep.gr/supreme-council-civil-personnel-selection-asep>

42 Law 4765/2021 introduces as a central recruitment procedure, the Pan-Hellenic written competition. This was another attempt to combat clientelism and patronage at local level.

43 See: Hlepas N.K. (2012), *op. cit.*, page 263.

249. Consequently, the rapporteurs consider that Greece does not comply with Article 6.2 of the Charter.

3.6 Article 7 – Conditions under which responsibilities at local level are exercised

Article 7 – Conditions under which responsibilities at local level are exercised

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.

3.6.1 Article 7.1

250. Art. 7.1 is the shortest provision of the Charter and proclaims that the conditions of office of local elected representatives shall provide for free exercise of their functions. Despite this laconic wording, the analysis of the application of this provision was the object of recurrent remarks and claims on the part of the local leaders and representatives.

251. The usual analysis of this provision involves issues such as (a) the frequency of violent actions perpetrated by local residents against the mayors or local councillors; (b) the frequency of hate speech, in media or in social networks; (c) the existence of “de facto” threats of dismissals by State agencies or authorities; (d) other legal or “de facto” threats.

252. In the case of Greece, the local representatives met by the delegation confirmed that there are very few cases of violence against the mayors. Hate speech against local elected representatives is also neglectable. Nor is there a situation of abusive interventions or dismissals of local elected officials by the government.

253. However, the mayors expressed concern about the situation, which they define as “defencelessness”, in the face of a feature of the Greek legal order. Given that a local authority cannot be sued criminally and given that the mayor is the legal representative of the authority, it is very common for businesses or residents of the municipality to denounce the mayor before the criminal courts whenever they suffer damages as a result of the discharge of local services and activities, or when there is a malfunctioning of the local services and departments.

254. All of this is possible under the current legislation, and it is not necessary for the mayor to have acted maliciously or with gross negligence. Once the complaint has been lodged, criminal proceedings are opened and the mayor finds himself/herself in the dock, a fact that can also have very negative consequences for the exercise of his/her functions. For instance, once the criminal proceedings start, the mayor may be suspended by the Ministry of the Interior, until the proceedings culminate. The prosecuted mayor may certainly come back to the office if finally acquitted, but the proceedings are usually very long: two-three years is the rule. Consequently, a criminal prosecution may mean, in practice, the end of the mayor’s mandate.

255. The mayors consider that this situation is unacceptable, that they are not sufficiently protected by the law and that their presumption of innocence is being denied. They demand the necessary legal amendments.

256. The mayors claim, too, that they are not adequately protected by the law in the discharge of their duties, and that they are too frequently prosecuted, sometimes for disaster on which they do not held responsibility (forest fires) or for petty or trivial questions for which they are not responsible at all (someone falls in the street and claims that the pavement is in a bad state, there is a fire that has not been properly extinguished by the fire brigade, local pipes cause a flood in a private garage, etc.)

257. During the visits, the Minister of the Interior informed the Delegation that, although legislative changes were already introduced in 2018, one of the issues that is going to be amended by the local

reform that his department was drafting was precisely the protection of mayors. Apparently, if the reform is successful, a three-member commission (composed of judges) will decide, on a case-by-case basis, whether the mayors must be suspended or not, in view of a criminal complaint filed against them.

258. In view of all the above considerations, the rapporteurs consider that Greece partially complies with Article 7.1 of the Charter.

3.6.2 Article 7.2

259. According to this provision, the conditions of office of local elected representatives “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”. Greece is not bound by this article of the Charter.

260. Anyway, this is another critical provision of the Charter, which has been recurrently at the centre of any debate on the application of the Charter in Greece.

261. In recent years, the financial crisis determined an important cut in the remunerations of the elected representatives. As a rule, only the mayor and one or two deputy mayors, depending on the size of the municipality, are remunerated on a regular basis if they work full-time as mayor or vice-mayor.

262. As for municipal councillors, they do not receive a fix salary, but only an allowance that theoretically covers the cost incurred by attending the meetings of the local council or its sub-committees.

263. Two issues dominate the debate: the first one is the fact that local authorities cannot in any way determine the level of remunerations for their mayors or heads of regions. Those entities have absolutely no power to do that, and this issue is totally and exclusively decided by the Government and by the Parliament (annual Budget Act).

264. The second issue is the level of the remunerations. The fact is that the low remuneration of mayors and heads of regions has emerged as key and recurrent claim during the different meetings held during the two visits. For local representatives, this is a very sensitive issue.

265. The remuneration of the mayor depends on a scale, based on the number of “official” (permanent) local residents of his municipality. For instance, the mayor of a city of 70,000 inhabitants and a budget of some € 120 million get a net salary of €2,200. The highest salaries (in the same amount) are paid to the mayors of Athens, Thessaloniki and Patras. This level of retribution is considered to be insufficient for several reasons.

266. First, when someone becomes a mayor, he/she must give up temporarily the exercise of his/her profession, if it is a liberal professional such as a doctor or a lawyer, since keeping it is incompatible with the holding of the office of mayor. In this vein, it is important to note that the mayors, deputy mayors, presidents of the municipal councils, heads and vice-heads of regions and the presidents of the regional councils who are government employees by career are entitled to an unpaid special leave throughout their term of office. This possibility is much more limited if the mayor is a private employee in a private firm.

267. Second, there is the paradox that in some cases, the mayor may receive a salary that is lower than those of some local employees (for reasons of professional echelon or seniority).⁴⁴ This does not make sense and does not happen in any private firm.

268. Thirdly, the mayors claim that their office is very complex and that they are permanently exposed to the event of criminal prosecutions (see, precedent point), and that they need higher salaries as a matter of dignity and to compensate the social relevance of their function. In comparison with the salaries of the members of Parliament, their remunerations are much lower.

⁴⁴ The vice-president of KEDE referred, for instance, that his driver has a higher salary than him.

269. Fourth, they claim that, because of financial reasons, the present situation dissuades many young people to engage in local politics.

270. The heads of regions also complained that there is the same fix remuneration for all of them. According to article 181 of law 3852/2010, a governor's remuneration was equal to the monthly remuneration of a Ministerial Secretary General. It was reduced by 10% with the article 3, par. 3a, of law 4051/2012 (a provision for the remunerations of elected representatives of both tiers). All elected representatives of both tiers who are entitled to an increase by 20% to their remuneration in case they are persons with disabilities. All these are provided also in the Common Ministerial Decision 75011/2024. Since January 2025 they receive 5.121 Euros with taxes and contributions or 3.145 Euros net.

271. They claim that the remuneration for a Head of Region is not only low in comparison with the complexity of their tasks and their political responsibilities, but also that it does not take into account the number of inhabitants of the regions.

272. Local leaders also reported that there has been a recent change in the legal scheme: a new "Joint Ministerial Order" of the Minister of Interior and the Deputy Minister of Economy and Finance has increased the retributions of the mayors and those of the heads of regions. This increase depends on the population of the local authority and is connected to the wages of a Secretary of State in a cabinet Ministry, which are taken as reference. This has meant, apparently, an overall pay rise of roughly 200€ for all mayors. This has been the first pay rise for local elected representatives in 12 years.

273. Thus, according to this recent joint decision, from 1 January 2025 the salary of the mayors in municipalities with a population of more than 200.000 residents, and the salary of the heads of regions will be equal to 100% of the salary of a Secretary General in a Ministry. The mayors in municipalities with a population between 100.001 and 200.000 residents will receive the equivalent of 90% of the salary of the said Secretary General.

274. Mayors in municipalities with a population between 20.001 to 100.000 residents will receive the equivalent of 76% of the salary of the Secretary General of the Ministry and mayors in municipalities with a population of less than 20,000 residents will receive the equivalent of 62% of the salary of the Secretary General of the Ministry.

275. Moreover, deputy mayors will receive 55% of the mayor's salary, while the chairs of the municipal councils will receive 22% of mayor's salary. The deputy Head of Region will receive 75% of the salary of the Head of Region, and the chairmen of the regional council will receive 25% of the regional governor's salary.

276. The Minister of the Interior made a formal statement that, in the context of the new Local Government Code, the remuneration of elected officials will be further reviewed to meet basic demands, always in line with the country's economic potential and in cooperation with the Ministry of Finance.

277. In order to draw a conclusion about the "sufficiency" of the retributions of local elected representatives in one country, several issues must be considered, such as the cost of living in that country, the historical precedents, the overall economic situation, and the fact that it is still subject to strict international obligations concerning fiscal consolidation.

278. In the case of Greece, it is clear that a mayor earns a lower salary than (for instance) a German or French mayor for a similar municipality, but it is also true that these remunerations are much higher than those of a Moldovan mayor (included the mayor of the capital city).

279. One cannot disregard, either, the tough economic and budgetary situation of Greece, a country that has suffered a harsh fiscal crisis and that is subject to a draconian long-term programme of austerity monitored by international institutions. Moreover, in recent days, as referred supra, there has been a notable increase in those retributions.

280. All in all, the rapporteurs conclude that, although Greece is not bound by Article 7.2 of the Charter, it "de facto" meets its basic requirements. Therefore, the Greek authorities should be encouraged to ratify this provision.

3.6.3 Article 7.3

281. According to this provision, “any functions and activities which are deemed incompatible with the holding of local elective office shall be determined by statute or fundamental legal principles”.

282. As noted supra, the Constitution itself has a say on this issue when it provides that “none of the employees mentioned in the preceding article may be appointed to another post of the civil service or of local government agencies or of other public law legal persons, or of public enterprises or public utility agencies. As an exception, appointment to a second post may be permitted by special statute, in compliance with the provisions of the following paragraph”. This provision applies to the local elected representatives that were, before being elected, professional civil servants. As stated above, the local elected representatives who are government employees by careers are entitled to an unpaid mandatory special leave throughout their term of office.

283. The law provides for objective criteria on the incompatibility of tasks. For example, and to safeguard the public interests, several persons are prevented from standing for the offices of mayor, deputy mayor or member of the municipal council: this prohibition refers to judges, religious officers, armed forces and security forces officers as well as any person having any relation with the municipal authorities, or any debt or owing money to the municipality.

284. On the other hand, it is also prohibited to stand for elections at both levels of local government (municipalities and regions). Therefore, no one may be at the same time mayor and head of the region, or member of the local council and member of the regional council. Any election of the same person as an elected representative of the first and second level local government is precluded. It is also prohibited to be mayor and member of the Parliament, and Heads of Regions are prevented from being candidates for the Parliament even if they resign before the end of their term of office at the Region (Art. 56 of the Constitution).

285. In conclusion, the Greek legal system meets the formal and material requirements of Article 7.3 of the Charter, and Greece complies with this provision.

3.7 Article 8 – Administrative supervision of local authorities’ activities

Article 8 – Administrative supervision of local authorities’ activities

1. Any administrative supervision of local authorities may only be exercised according to such procedures and in such cases as are provided for by the constitution or by statute.
2. Any administrative supervision of the activities of the local authorities shall normally aim only at ensuring compliance with the law and with constitutional principles. Administrative supervision may however be exercised with regard to expediency by higher-level authorities in respect of tasks the execution of which is delegated to local authorities.
3. Administrative supervision of local authorities shall be exercised in such a way as to ensure that the intervention of the controlling authority is kept in proportion to the importance of the interests which it is intended to protect.

3.7.1 Article 8.1

286. As stated above, Greece has traditionally been a centralised State, and it largely remains so. Centralism requires unification of the sources of the Law (therefore, municipalities and regions lack normative powers) and the possibility for the State institutions to supervise, monitor or “control” the activities, decisions and measures of the other two territorial levels of the republic. The State must have the power to redirect to unity and uniformity the activity of the other governmental bodies.

287. This explains the fact that the GC, besides recognising local autonomy, has enshrined the State supervision over local and regional authorities. In this vein, art. 102, 4th indent of the GC enshrines the principle of State supervision over local authorities, which “shall consist exclusively in the review of the legality”.

288. In the current system, the activities, services and decisions of the local and regional authorities are monitored, supervised or controlled by different State bodies and institutions: (a) the courts; (b) the

Hellenic Court of Audits; (c) the national Ombudsman; d) the National Transparency Agency;⁴⁵ and (e) the different central ministries, especially the Ministry of the Interior.

289. Concerning the supervision that is implemented by the State central administration, it must be underlined that the “*Kallikratis* law” (Act N° 3852/2010) reformed the existing scheme and laid down the foundations of the current system.

290. Currently, the State exercises supervision over the acts and decisions of the municipalities, the regions and their legal entities. This control focuses exclusively on reviewing legality. There is also an oversight over the local elected representatives running these authorities (called “disciplinary control”). Each type of control follows a different procedure and is inspired by different principles.

291. According to the system of supervision laid down in the “*Kallikratis* law”, the competent bodies within the State administration for the supervision of local authorities are the Decentralised Administrations, the Court of Audit, the Independent Service for the Supervision of Local Authorities (arts. 214-236 of the said Act) the Minister of Interior (Article 237 thereof) and the Observatory for Economic Autonomy of Local Authorities. The Independent Service for the Supervision of Local Authorities is established at the headquarters of each of the seven State “decentralised administrations” and conceived as a professional service with civil servants, to depoliticise the institution of administrative Supervision. The Introduction of this new, depoliticised system has been postponed several times. In 2015, a civil servant with the title of “Coordinator” overtook the responsibility for state supervision during the ongoing “transition period”. In 2022, however, a political appointee, the “Secretary” overtook again the responsibility for state supervision.

292. It should be underlined, however, that until now the Independent Service for the supervision of the local authorities has not been operational yet.⁴⁶ There is, then, a transitional stage that will last until the actual establishment of those “Independent Services”. During this period, the control of the legality of the acts and decisions adopted by the local and regional authorities is implemented by the Secretary of each “Decentralised Administration”. This secretary is appointed by a joint decision of the Minister of Interior and of a Special Committee provided for in the Law.⁴⁷

293. In general, the scheme for supervision often complies with the requirements of the Charter. The fact, however, that the heads of the supervision authorities are political appointees creates an environment of mistrust.

294. In the same vein, and until the Independent Service for the Supervision of Local Authorities will come into operation, the “disciplinary control” of the local elected representatives is also exercised by the Secretary of each Decentralised Administration.

295. As far as the “disciplinary control of local elected representatives” is concerned, this is rooted in the Greek tradition. Apart from the correction of minor offences and bad conducts, the Greek system foresees the possibility to impose on the elected officials the serious penalty of suspension from office, or even the dissolution of a municipal or regional council.

296. This, however, is the harshest penalty, and it can only be declared for serious reasons of public interest. The final penalty, after a contradictory procedure, is declared by a decision of the Minister of the Interior, based on the concurring opinion of a disciplinary board, the majority of which is composed of judges, and on a special reasoned report prepared by the competent Supervisor of Local Authorities.

45 The Authority has as its task the design and implementation of a framework of coherent policies, to identify and repress acts of corruption and to prevent and deter them. See <https://aead.gr/en/>

46 This is another example of legal provisions or reforms that are published in the Official Gazette but that, for one reason or another, have not become effective and operational.

47 In the case of municipalities, this committee is provided by art. 152 of the Code of Local authorities (Law No. 3463/2006, A' 114). In the case of regions, this committee is set up by art. 68 of the Code of Prefectural Self-Government. These Committees are established by decision of the Secretary of the relevant Decentralised Administration.

297. Another important control and supervision over the local and regional authorities is discharged by the Hellenic Court of Audit.⁴⁸ This court implement different types of control over the local and regional authorities, which are subject, like the rest of the Public Sector, to its competence.⁴⁹

298. In the past, the Court of Audit audited ex ante all local authority expenditure. This system was abolished and replaced by an audit that is mainly ex post, although some exceptions persist. For instance, the Court of Audits still controls “ex ante” certain expenses of the local authorities, such as the award of public contracts with a budget over €300,000. The local or regional authority must send the draft decision to the Court of Audits before awarding the contract to the selected bidder. This is reinforced by the fact that, if the local authority does not send the file beforehand, the public procurement is considered to be “null and void”⁵⁰.

299. Thus, the Court of Audit, through a specific “commissioner”, can monitor during the financial year the normal collection of the revenues of the entities forming the local public sector (municipalities, regions, cooperative and instrumental entities, their legal entities etc.)⁵¹.

300. If the competent commissioner finds inaction on the part of a local authority (or its financial services) concerning the collection of their debts, taxes, fees or fines, he may send a document to the Coordinator of the State decentralised administration and to the Legality Auditor, and they will request the concerned local authority to effectively collect their rights within a reasonable deadline.

301. The ex-post audit is carried out by the Court of Audit after the production of the final financial statement. This key document must be released at the end of the fiscal year by every local and regional authority.

302. Therefore, the Court of Audit is responsible for carrying out ex post audits on the accounts of municipalities, regions and their public entities, as well as on the accounts of all the public utilities enterprises (water supply, sewerage, etc.). These types of audits are annual and are conducted randomly, except in cases where an issue is identified and then, a more general audit is conducted on the local or regional authority at stake.

303. Apart from this control of “regularity” in the management of public funds, the Court of Audit also performs “performance audits”, where the local public accounts and budget execution is analysed from other perspectives, such as efficiency, professionalism, etc. These audits may verify whether the internal control bodies (present in all local and regional authorities) do their job correctly. These internal bodies must prepare and make public an internal audit statement.

304. In view of the foregoing, the rapporteurs conclude that Greece complies with Article 8.1 of the Charter.

3.7.2 Article 8.2

305. Greece is not bound by this article. This, however, does not prevent the rapporteurs to check what is the current legal scheme on this point.

306. Concerning the type of administrative supervision that is implemented by the State delegated administrations and by the line ministries (control of legality, control of expediency, ex ante or ex post control), art. 102 para. 4 of the Constitution provides that “the State shall exercise supervision over local self-government organizations, which shall focus exclusively on reviewing legality”.

307. In accordance with this explicit constitutional requirement, Article 214 of Law No. 3852/2010, provides that the State supervision over local authorities is limited to the control of acts (control of legality) and the control of persons (disciplinary control of elected officials).

48 The Hellenic Court of Audit – the *Elegktiko Synedrio* – is one of the oldest institutions the Greek State has today. It was founded with the Decree of 27 September 1833, and it is modelled on the French *Cour des Comptes*. Its mission to control the use of the public monies and the financial management of the whole Public Sector, which includes local and regional authorities. See: <https://www.elsyn.gr/en>

49 See art. 120 of Act N° 4820/21.

50 Art. 327 of Act N° 4700/2020.

51 Apparently, it is not infrequent, as reported by the Court of Audits, that municipalities do not collect parking and other fines, because mayors do not want to be disliked by the local residents.

308. In the context of the control of the legality of the acts of the local authorities, a series of decisions of the collective bodies of the municipalities, the regions and the legal entities of these, which are listed restrictively in the law on the basis of their importance, must be sent to the competent decentralised administration for legality control, within fifteen days of their issuance (art. 225 par. 1 of Law No. 3852/2010).

309. According to the current supervision system of Law 3852/2010, legal control is exercised with specific procedures and deadlines and is exclusively ex post.

310. On receiving the acts and decisions forwarded by the local authorities, the Secretary of the Decentralised Administration (who exercises the powers of local authorities' Supervisor on a transitional basis) will check the legality of the decision within a limited period of thirty days. As a consequence of the examination of the adopted measure, the Secretary may issue a "mandatory special act" addressed to the local authority that adopted the act or measure (Article 225 of Law 3852/2010). The secretary annuls the act or decision if it is proved to be illegal.

311. The Secretary of the Decentralised Administration may also, ex officio, annul any decision of the bodies of the local authorities and their legal entities, for reasons of legality, within two months from the publication or the adoption of the decision (art.226 of Law 3852/2010).

312. In addition, anyone who has a legitimate interest may, through the exercise of a special administrative appeal, challenge on grounds of legality the decisions of the collective or unilateral bodies of the local authorities and their legal entities before the Secretary of the Decentralised Administration, within a period of fifteen days from the publication of the decision or its posting on the internet website of the local entity, or from its notification or after having received full knowledge of it.

313. The Secretary shall decide on the appeal within an exclusive period of two months from the date of the appeal's submission. If the local decision is found to be unlawful, it shall be annulled (this provision does seem hardly compatible with art. 8.2). If the above deadline has expired without a decision being issued, then the appeal is deemed to have been implicitly rejected (Article 227 of Law 3852/2010). There is also a legal right to challenge the decisions of the Secretary of the Decentralised Administration on grounds of legality through an appeal at second instance. This appeal will be examined by a joint commission of three members (A member of the Legal Council of the State is the Chair, a representative of the Association of Local/Regional Authorities the second member and a representative of the local Bars Association the third member). This joint committee can annul the decision of the Secretary of the Decentralised Administration for reasons of legality (Art. 151-154 of the Municipal Code - law 3463/2006)

314. However, the legislation in force also provides for an a priori control over certain acts and decisions of the local authorities, such as, the approval by the Secretary of the Decentralised Administration of the decisions of the municipal councils on the Internal Service Bodies of local authorities (article 10 of Law 3854/2007), the approval of the decisions of the municipal councils on the establishment of associations of local authorities, the approval of traffic regulations, etc.

315. During the consultation procedure, the Ministry of Interior indicated that the decisions approving acts of local authorities by the state body relate exclusively to specific acts that fall within the exercise of purely state powers that have been transferred by the legislator to local authorities, in order to ensure the unity of the powers exercised throughout the territory.

316. During the consultation procedure, the National Delegation highlighted that although the state supervision is essential, which is often perceived as excessive or overly centralised for the National Delegation, some controls go beyond legality, entering the domain of expediency, which contradicts the principle of self-government. Furthermore, the a priori control slows down the administrative efficiency and affects the principle of autonomy.

317. In the light of the foregoing, the rapporteurs consider that the situation in Greece is in partial compliance with the basic requirements of Article 8.2.

3.7.3 Article 8.3

318. As it has presented supra, the forms of administrative supervision are prescribed by positive legislation, and even have an explicit constitutional anchoring.

319. Moreover, the control or supervision from the State authorities is mainly a control of legality. The control of expediency is strictly limited to the implementation of “delegated tasks” and is allowed by the Charter itself.

320. A separate mention should be made to the control over the annual budgets of the local and regional authorities.

321. In this field, the “Financial Autonomy Observatory of Local Government” is a key body, set up in the Ministry of the Interior. It is operationally supported by the General Directorate of Local Government Finance and Development Policy. The main purpose of the Observatory is to monitor the preparation and proper execution of the local government budgets. The Observatory has the responsibility of providing an opinion on the realism and balance of the submitted draft budgets of the municipalities, regions and other legal entities of the local public sector.

322. This “Observatory” also monitors the execution of the annual budgets of the entities of the local government sub-sector, based on the approved Integrated Action Framework. The Observatory monitors the deviation of the execution of the annual budgets of the bodies of the sub-sector of Local Government from the objectives that have been set, in the applicable documents and plans.

323. There are other types of controls and “precautions” on the local budgets in terms of publicity, reporting, transparency, etc.

324. These controls may seem to be excessive, but they may be explained by the current, pressing situation that the country is going through. Moreover, the Council of State has declared that the fact that the local authorities must request an opinion of the Financial Autonomy Observatory when approving their budgets does not undermine the principle of self-government, because this opinion is not binding.⁵²

325. Local representatives complained that many local decisions are checked for legality and also raised the issue about the intensity of control, which may be the case. However, this does not prove that the intervention of the controlling authority is not kept in proportion to the importance of the protected interest. In the past, it was not uncommon that local authorities would approve unbalanced or unrealistic budgets. Therefore, in the opinion of the rapporteurs, the present controls seek to attain a legitimate and compelling governmental interest.

326. In view of the foregoing, the rapporteurs conclude that Greece complies with Article 8.3 of the Charter.

3.8 Article 9 – Financial resources

Article 9 – Financial resources of local authorities

1. Local authorities shall be entitled, within national economic policy, to adequate financial resources of their own, of which they may dispose freely within the framework of their powers.
2. Local authorities' financial resources shall be commensurate with the responsibilities provided for by the constitution and the law.
3. Part at least of the financial resources of local authorities shall derive from local taxes and charges of which, within the limits of statute, they have the power to determine the rate.
4. The financial systems on which resources available to local authorities are based shall be of a sufficiently diversified and buoyant nature to enable them to keep pace as far as practically possible with the real evolution of the cost of carrying out their tasks.
5. The protection of financially weaker local authorities calls for the institution of financial equalisation procedures or equivalent measures which are designed to correct the effects of the unequal distribution of potential sources of finance and of the financial burden they must support. Such procedures or measures shall not diminish the discretion local authorities may exercise within

⁵² Council of State, Decision 1716-1717/2014.

- their own sphere of responsibility.
6. Local authorities shall be consulted, in an appropriate manner, on the way in which redistributed resources are to be allocated to them.
 7. As far as possible, grants to local authorities shall not be earmarked for the financing of specific projects. The provision of grants shall not remove the basic freedom of local authorities to exercise policy discretion within their own jurisdiction.
 8. For the purpose of borrowing for capital investment, local authorities shall have access to the national capital market within the limits of the law.

3.8.1 Articles 9.1 and 9.2

327. These two provisions will be examined jointly, since they are connected. This comprehensive analysis requires exploring four different aspects:

1. Constitutional provisions on local finances

328. There are several provisions in the GC that address the issue of the local finances. Thus, art. 102.2, first provision of the constitution proclaims that “Local government agencies shall enjoy administrative and financial independence...”.

329. For its part, art. 102.5 is a long provision that lays down important principles in this matter: first, that “the State shall adopt the legislative, regulatory and fiscal measures required for ensuring the financial independence and the funds necessary to the fulfilment of the mission and exercise of the competences of local government agencies...”; second, that “matters pertaining to the attribution and allocation, among local government agencies, of the taxes or duties provided in their favour and collected by the State shall be specified by law”.

330. Thirdly, art. 105.5 enshrines the key principle that “every transfer of competences from central or regional administrations of the State to local government also entails the transfer of the corresponding funds”. And, finally, “the law will regulate the matters pertaining to the determination and collection of local revenues directly from local government agencies”.

331. Apparently, the Charter inspired the constitutional reform of 2001, which introduced in art. 102.5 of the GC the principle of financial autonomy. During the consultation procedure, the national delegation pointed out its dissatisfaction with the limited statutory, financial and administrative autonomy of municipalities and regions.

2. Economic and political context

332. Any analysis of the local finances in a country must take into account the historical tradition, and the political and macroeconomic context. It is well known that Greece suffered a very hard financial and debt crisis in 2009-10, whose economic and social effects were devastating. Currently, Greece is subject to a long-term austerity and financial adjustment programme, monitored by the international financial institutions and the EU. As a consequence of this programme, public spending has faced significant cuts across all sectors, with a reduction of 32%. On top of that, the health crisis triggered by the Covid-pandemic further worsened the situation.

333. Apart from that, in the Stability Covenant with the EU there is ceiling in the annual increment of the total spending of the public sector (3%, maximum), which leaves a small room for manoeuvre in financial and public spending matters to the Government and the Parliament.

334. This radical situation has had a clear impact on the finances of local and regional authorities. In a nutshell, the funding of local and regional authorities went down by 60%, as compared to pre-crisis figures. The global mass of finances of the local authorities was dramatically reduced: from an overall figure of €6,2 billion before the crisis, the figure went down to €2,5 billion, after the crisis.

335. A recent law has set an overall threshold of €3,2 billion. Therefore, the figures are slowly recovering but are still very far away from pre-crisis “normality”. On top of that, local leaders reported, the annual funding allocated to the local authorities certainly gets higher every year but is smaller than the inflation rate. For instance, for 2025 the total State funding was increased in 2.1%, but the inflation

rate is higher. Consequently, the mass of State funding is smaller in “real” terms and produce a loss of “purchasing power” for the local authorities.

3. Overall description of the sources of financing

336. Municipal and regional revenues are divided into ordinary and extraordinary revenues. Ordinary revenues derive from:

- resources allocated to them by the State, i.e. Central Autonomous Funds (CAF),
- income from movable and immovable property,
- charges, fees and entitlements,
- local taxes and contributions.

337. Extraordinary revenues derive from:

- Loans, donations, bequests and legacies,
- Sale and use of assets,
- Participation in business activities,
- Administrative fines and penalties,
- Any other source.

338. Most of these types of revenues are presented in more detail in the following headings. For this reason, the rapporteurs should briefly refer here to local government properties and assets as a source of income (mainly for municipalities).

339. Properties and assets may be a source of income for local authorities. As a rule, all municipal movable and immovable property belonging to the municipalities and to the regions has to be registered, and municipalities and regions, must have their own register of real estate.

340. For what concerns the “immovable property” (real estate), there are three subgroups of assets here (a) Public (municipal) Property (for instance, streets, squares, etc.); (b) Private property (assets that are not used by the public or connected with the public services) and (c) Pastures available to municipalities for exploitation and used solely for meeting the need of livestock. This, of course, only happens in rural areas.

341. This real estate properties may be leased, rented or sold, following the applicable procedures and safeguards. For instance, the sale of property is only allowed when the sale results in gains for the local authority.

342. Similar arrangements and rules on the protection of their properties apply to the Regions. The regional immovable property includes private immovable property (buildings hosting the regional services, regional roads, etc).

343. For what concern movable property: apart from immovable property, cash in banks, securities, machinery and equipment are part of the municipal and regional movable property which is registered and managed according to the applicable provisions. This property may also generate revenues (for instance, interests from bank deposits).

344. European funding is also an important source of funding for local authorities (Cohesion Fund and others).⁵³ The regions administer the financial resources coming from the European funds, and they may also apply for loans of the European Investment Bank.

345. Local and regional authorities are free to approve their own annual budget and are free to identify the priorities in their spending, with the special features that have been mentioned below.

⁵³ In 2024, Greece received more than 150 million EUR from the “regional” EU funds.

4. Preliminary assessment of the local and regional finances

346. A general assessment of the respect of art. 9.1 and 9.2 of the Charter allows to draw some conclusions:

347. First, there is a structural problem of under-financing for local and regional authorities. This has been explained to the delegation by all local leaders and representatives. The Ministry of finance representatives conceded that local authorities suffer from a structural problem of lack of funds, coupled with the deep economic crisis.

348. Second, there has been a notable reduction in the overall volume of funding allocated to the local authorities. The *Kallikratis* reform (2010) introduced important changes, there was an increase in revenues, but currently the local and regional authorities receive a total amount to €3,2 billion per year, while before the crisis this figure was €8.5 billion. (see above). As a result, many municipalities have real difficulties to close their budgets (which need to reflect a balance between the revenues and the expenses).

349. Third, the financing of municipalities consists mainly of funds that are managed and transferred by the State (see below). The overall level of these transfers and funds is decided every year by a Ministerial Order, so it can change from year to year. These funds cover basically the operational costs of the local authorities but leave a small margin for investment projects.

350. Fourth, local and regional authorities demand recurrently more and more resources to the State. The association “KEDE” (see below) is constantly requesting to enhance the resources that they need to discharge their tasks and competences.

351. Fifth, island and touristic municipalities claim recurrently that their specific needs are not taken into account correctly. Seasonality is not taken into account in the calculation of the funds they receive, they claim. Local representatives put the example of the island of Mikonos. This island has an “official” or permanent population of 10,000 inhabitants. However, during the touristic season it receives thousands of people, mainly tourists (with a peak of up to 250,000 people in the middle of summer).

352. The local authority receives State funding that is calculated on the basis of the “legal” or permanent population, but in reality, the local entity must deliver services for 250,000 people (waste collection, streets and parks cleaning, water supply, wastewater depuration, etc.). There is a clear gap between the “theoretical” funding that is calculated by the State and the real or actual expenses that the municipality must face to meet the needs of this seasonal “over-population”.

353. Local representatives also complained about the fact that tourism is hit by different taxes and fees, but these taxes and fees are collected by the State and almost no money that is generated in the municipality remains in the municipality. This point will be addressed in the following point, below.

354. Summing up, all the stakeholders met by the delegation have recognised that in Greece the local and regional authorities have a structural problem of underfunding. In addition, most of their revenues come from funds and transfers that are awarded by the State. Consequently, these revenues cannot be characterised as “financial resources of their own”, while they are often insufficient, unpredictable, and not aligned with transferred responsibilities, according to the National Delegation. During the consultation procedure, the National Delegation further added that the financial and functional autonomy of local authorities in Greece has some limitations mostly due to financial dependence and excessive supervision from the central Government.

355. In the light of the foregoing, the rapporteurs consider that Greece does not comply with Articles 9.1 and 9.2 of the Charter.

3.8.2 Article 9.3

356. All the interlocutors and local representatives met by the delegation during the two visits joined in the same statement: in Greece, local taxation is very low, and its weight in the overall financing of local authorities is marginal. Different reasons explain this situation: (a) the strongly unitary and centralist nature of the country; (b) there is a constitutional reservation of parliamentary law for all tax-

related matters. Taxation is an exclusive competence of the national parliament; (c) the hectic economic situation and the national programme of recovery: the central government wants to be in full command of the level of tax pressure on the country; (d) the Constitution provides for the local government financial autonomy, but fiscal autonomy is not even an issue.

357. Within this context, the State enacts legislation and provides for some sources of revenue (taxes) in favour of Local Authorities. In addition, local authorities have the possibility of establishing regulatory acts and imposing fees, contributions and entitlements. These revenues according to their legal status (taxes, fees, entitlements and contributions)⁵⁴ may be used by local authorities either to balance the costs of the services provided or for general municipal purposes. For local authorities, making use of the sources of revenue through taxes can be either discretionary or mandatory.

(1) Compensatory fees, discretionary fees and entitlements

358. There are different types of local fees at the disposal of the municipalities. Municipalities impose them to meet the costs of the services that they provide to the local citizens (such as the cleaning of streets or public spaces, water consumption or irrigation). These fees are called “compensatory fees”, which may be obligatory or discretionary.

359. The revenues generated by such fees are strictly earmarked for specific purposes, that is, for financing the costs of the local services delivered.

360. The law provides for different types of compensatory fees, such as:

- fees for water supply, irrigation and drainage,
- fees for Cleaning and lighting services,
- fees for the use of public spaces, for the permanent or temporary use of streets, pavements, squares (for instance, terraces of private bars and restaurants), etc.
- parking fees for vehicles in controlled public parking zones,
- entitlements⁵⁵ for the use of municipal slaughterhouses,
- entitlements for the use of public areas of pasture,
- entitlements or fees for the use of cemeteries (tombs, etc.),
- fees for the value of crude industrial mineral quarrying.

361. On the other hand, local authorities are entitled to impose local “discretionary” compensatory fees for services or local works which contribute to the improvement of the quality of life, the development of the local area and the provision of better services to citizens (for instance, a municipality builds or refurbishes a sidewalk, in which case it can distribute the cost of the public works among the owners of the buildings facing the sidewalk).

(2) Taxes, Fees, Entitlements and Contributions

362. Taxes, fees and entitlements enacted in favour of local authorities are the following ones:

- The real estate fee,⁵⁶ imposed on immovable property within the municipal boundaries, the amount of which is decided by a municipal council decision, as specified by law
- A discretionary tax on electrified sites, the imposition of which depends on the discretion of the local authority and is imposed at electrified sites in general,
- Fees for publicity within the municipal boundaries, the amount of which is determined by the municipalities.
- In addition, the following fees are levied on either a mandatory or discretionary basis:
- Residence fees at hotels, levied on all types of hotel accommodation (hotels, motels, campings, etc),
- Fees for the gross income of clubs, restaurants and stores,⁵⁷

54 Materials written in English have been used for the preparation of this report. Translation of fiscal-taxation terminology is not always easy, and some nuances or concepts may be confusing.

55 These “entitlements” could probably be translated by “charges”.

56 Here, the materials given to the Delegation refer to “fee”, while it is probably a “tax”.

57 This could be a true local tax on business profits

- Fees for trading mineral drinking water, which is a tax on transactions,
- Fees for the sale of aggregate and quarry products.

363. In recent years, "Compensatory benefits" have been instituted as revenues of the Municipalities, for the functioning of facilities or activities that cause nuisance to the local community. Such cases are the following:

- Payment of municipal fees to the municipalities hosting immigrant accommodation units.
- Special fee to municipalities for areas where renewable energy projects are installed.
- Compensatory benefit to municipalities hosting waste treatment facilities and sanitary landfills.
- Tax on advertising revenue made on buses and bus shelters.
- Fee for the collection and burial of dead animals.

364. Taxes, fees, entitlements and contributions are collected either by the local authorities themselves, or by other legal entities (such as public electricity companies) on behalf of the local authorities. However, some of them are collected by the State, and subsequently allocated to the local authorities by ministerial decisions.

365. Such taxes and fees may include fees for carrying out entertainment games, fees for decommissioned ships, or fines for violating the Highway Code and fines for building violations.

366. As seen supra, most of the "local taxation" in reality consists mainly of levies and rights that do not have the real nature of a "tax", but are "fees", "charges" or "special contributions", instead.

367. Local taxes and charges form a part of the financing system of local authorities, even if they have a modest relevance. For some of them, municipalities may determine the rate, in line with another requirement of the Charter.

368. By contrast, Regions do not have the possibility to levy taxes, fees, charges and entitlements.

369. In the light of the foregoing, the rapporteurs consider that Greece partially complies with Article 9.3 of the Charter.

3.8.3 Article 9.4

370. The system of local self-government must be "sufficiently" diversified and buoyant. As the Contemporary Commentary clarifies "the diversification of income sources is crucial if local authorities are to maintain their autonomy during fluctuation in economic cycles. At the same time, income sources should be diverse to ensure local authorities' resilience to external economic factors. Consequently, local authorities' finances should not be based solely on taxes or transfers and should be bolstered by all possible sources of local income". In addition, the systems of local finance should be "buoyant", which means that "they should allow local finances to rise to meet the costs of the delivery of services, i.e. local finances should be able to adapt to new circumstances, needs and macroeconomic scenarios and be sufficient to cover service delivery".⁵⁸

371. Based on the statements and written replies of the interlocutors met, the rapporteurs consider that the Greek system of local financing does not meet these requirements. First, the system of local revenues is not really "diversified", in the sense that the most part of the local revenues come from a big Fund that is managed by the State.

372. And it is far from being buoyant because the level of the actual overall funding for LRA is much lower than pre-crisis levels; and the funding has not been increased in the same proportion as the tasks and responsibilities of the local authorities have expanded.

373. In the light of the foregoing, the rapporteurs conclude that the situation in Greece is not compliant with Article 9.4 of the Charter.

⁵⁸ Contemporary commentary, paras 161, 164.

3.8.4 Article 9.5

374. In Greece, there is no consolidated, systematic and transparent scheme identified as “financial equalisation” process or procedures. In reality, the State sets and manages different types of transfers and funds, whose overall effect aim at correcting the effect of the (potentially) unequal distribution sources of finance. An enumeration of those funds, transfers and programmes include:

(1) the “Sectoral Development Programme (SPD) of the Ministry of the Interior.⁵⁹ This programme was endowed with €508 million in the period 2021-2025, and finances projects in municipalities that are considered as “smart” or “green” development, among others.

(2) the “Antonis Tritsis” programme for development and solidarity in local authorities. This programme allows the Ministry of the Interior to finance or co-finance a number of investment projects belonging to the priority axis of civil protection, quality of life, digital convergence or social cohesion

(3) The Special Municipal Support Programme “*Filodimos II*”.⁶⁰ This programme is also implemented by the Minister of the Interior. It finances projects, services and studies of municipalities related to local development and environmental protection, with the aim of (i.a.) improving infrastructures and increasing the employment level

(4) the “Recovery and resilience fund”. This programme is specifically designed for improving the road safety in the national and regional road networks. The purpose of this programme is to restore and refurbish the road network.

375. Therefore, one may understand that these funds and programmes may help the economically weakest municipalities to engage in investment projects that they could never face without the assistance of the State. In a way, they constitute “equivalent measures” in the wording and the spirit of art. 9.5 of the Charter. During the consultation procedure, the National Delegation pointed to insufficiency and outdatedness of the financial equalisation mechanism, as in their view the allocation criteria are not always clear and there is no permanent rules-based equalisation formula. They consider that the system fails to ensure equality and balanced territorial development, counter to the spirit of the article and a modern, transparent and objective equalisation framework, would better support both weaker and high need territories across the country.

376. In the light of the foregoing, the rapporteurs consider that Greece generally complies with Article 9.5 of the Charter.

3.8.5 Article 9.6

377. There is no institutionalised process for consultation or negotiation on financial matters, which is a key concern for the representatives of local government. However, a general pattern and environment of communication and consultation has been positively noted above, in connection with art. 4.6. and this environment is prolonged in the matter of financial resources.

378. Of course, the degree of consultation or negotiation is more limited in this area, since the Government has not the final say on many issues, but the Parliament, through the annual budget and different appropriations.

379. Some avenues for consultation, however, are expressly provided for. For instance, see below, the Central Union of Municipalities of Greece makes a proposal to the competent ministries on the manner in which the Central autonomous funds will be allocated among the different municipalities, based on the different physical, economic and social characteristics of these entities.

380. The same happens with the distribution of the Central Autonomous Funds (CAF) among the regions, that is decided by the ministries on the suggestion of the Union of Regions.

⁵⁹ Set up by Act N° 4635/2019 (OG A 167).

⁶⁰ Set up by Act N° 4509/2017.

381. In the light of the foregoing, the rapporteurs conclude that Greece complies with Article 9.6 of the Charter.

3.8.6 Article 9.7

382. As noted *supra*, the most important sources of financing for municipalities in Greece are the grants and transfers awarded by the State. The most important (apart from those mentioned at point 3.6.5) is the Central Autonomous Funds (CAF).

383. Its operation works separately for municipalities and for regions.

384. In the case of municipalities, the Central Autonomous Funds (CAF) are sources granted by the State Government on an annual basis to municipalities. They come from the following State budget resources: (a) Income tax for individuals and legal entities: a percentage of 19.5% of the total tax receipts; (b) Value added tax: a proportion that varies from 1 to 2% of the total tax receipts; and (c) The Single Property Ownership Tax (ENFIA): a percentage of 11.3% of the total tax receipts.

385. From these amounts, 1/3 of the above revenues is allocated to the municipalities to meet their investment costs; and the remaining revenues are allocated to them to cover their operational and other general costs.

386. Central Autonomous Funds are allocated according to the suggestions of the Central Union of Municipalities of Greece, based on the demographic, geomorphological, administrative, financial, social, environmental and cultural characteristics of the municipalities. In determining the actual allocation of these funds, the specific circumstances of insular and mountain municipalities are taken into serious consideration. The aim is that they should receive extra administrative support to assist them in meeting their operational needs.

387. The CAF sources are also granted by the state government to the regions on an annual basis, but in this case the funds come from the following state budget resources: (a) Income Tax for individuals and legal entities: a percentage of 4.2% of the total tax receipts; and (b) Value Added Tax: a percentage of 4% of the total tax receipts.

388. The amount of the funding required for meeting the regional operational and investment expenses is determined by a joint decision of the ministers of the Interior and of Economy and Finance, following the opinion of the Union of Regions, and based on the demographic, geo - morphological, administrative, financial, social, environmental and cultural characteristics of the regions with a view to alleviating disparities.

389. Apart from the CAF, the State has set up several funds and programmes of transfers that are managed by the competent ministries, which have a redistribution objective. These funds, however, are totally earmarked.

390. In the light of the foregoing, the rapporteurs conclude that Greece partially complies with Article 9.7 of the Charter.

3.8.7 Article 9.8

391. Municipalities and regions may borrow from the State, accredited institutions, financial institutions in Greece or abroad, as well as from public entities and organisations, exclusively for the financing of investments and for the financing of their debts.

392. Two cumulative conditions must be met by the local authority: (a) on the one hand, the annual cost of servicing the public debt of the municipality or region should not exceed 20% of its annual regular revenues; and (b) on the other hand, the total debt of the municipality and the region that borrows does not exceed a 60% percentage of its total revenue.

393. As an exception, municipalities are given the possibility to contract loans, without meeting the above conditions, in the following cases:

- Inability to balance the budget;
- Loan granting under special programmes;
- If the loans are sought for actions aiming at improving energy efficiency;
- For the preparation of Local Spatial Plans;
- For energy upgrading of public buildings;
- When the sole purpose of the loan is to refinance already concluded loans.

394. Also, the possibility of prepayments of Municipalities and Regions from the Central Autonomous Funds (CAF) is foreseen, if specific criteria for this are met.

395. Apart from that, the existence of "Financial support contracts" should be mentioned. In order to support the over-indebted entities of the local government sub-sector, a "Financial Support Account" has been set up in the Deposit and Loan Fund.

396. The bodies of the sub-sector that have an inability to balance their budgets have access to this "special account" under the condition of concluding a "programmatic financial support agreement" with the Minister of the Interior. The agreement must define the financing conditions of the local entity and the interventions that it will undertake to improve its financial operations and financial position.

397. The Financial Autonomy Observatory of Local Governments is the body responsible for monitoring the implementation of the contract.

398. In the light of the foregoing, the rapporteurs conclude that Greece complies with Article 9.8 of the Charter.

3.9 Article 10 – Local authorities' right to associate

Article 10 – Local authorities' right to associate

1. Local authorities shall be entitled, in exercising their powers, to co-operate and, within the framework of the law, to form consortia with other local authorities in order to carry out tasks of common interest
2. The entitlement of local authorities to belong to an association for the protection and promotion of their common interests and to belong to an international association of local authorities shall be recognised in each State.
3. Local authorities shall be entitled, under such conditions as may be provided for by the law, to co-operate with their counterparts in other States.

3.9.1 Article 10.1

399. In Greece, local authorities are entitled to co-operate among themselves in exercising their powers, and to form consortia with other local authorities in order to carry out tasks of common interest.

400. This issue is so important that it has constitutional relevance, something that is unusual in comparative constitutional law. Concretely, art. 102. Par. 3 of the GC provides that "The law may provide for compulsory or voluntary associations of local government agencies to execute works or render services or exercise competences belonging to local government agencies; these shall be governed by elected administrations". Therefore, the "entitlement" that is enshrined in the Charter enjoys constitutional protection in the Hellenic Republic.

401. Indeed, there are multiple formulae to channel this cooperation. It may involve two local entities belonging to the same tier (for instance, municipalities) or involve the two tiers of government (region and municipality) or being even wider.

402. Concerning inter-municipal cooperation, the basic formula for cooperation are the "agreements". Under this scheme, municipalities within the same Region or adjacent Municipalities, their Legal entities governed by Private Law and Associations of Municipalities may conclude inter-municipal cooperation agreements with each other in order to exercise or support the exercise of powers on behalf of their members.

403. Municipalities within the same Region and the said Region, Legal Entities and Associations in which any of the contacting parties may participate, can conclude, among them, inter-level cooperation agreements in order to perform or support the exercise of powers on behalf of one or more contracting parties.

404. For its part, cooperation across levels of local government is regulated and encouraged by the Law.⁶¹ Cooperation including both tiers of local government is nowadays explicitly foreseen by law, providing for the (voluntary) establishment of cross-level “associations” (*diavathmidiki sindesmi*, Art. 105 *Kallikratis* reform Act). They can deal with public works, service provision, fulfilment of concrete tasks or implementation of development programmes and projects. For instance, in the Attica Region there is a special, obligatory cross-level “syndicate” for waste management. Inter-municipal “associations” (*diadimotiki sindesmi*) can also be created on a voluntary basis to deal with public works, service provision, fulfilment of concrete tasks or implementation of development programmes and projects. The law also offers a wide range of contracting and networking possibilities to both municipalities and regions.

405. The other formula for cooperation are the contracts. Here, municipalities and regions can also participate in “contracts of inter-municipal or cross-level cooperation”, in which one part can offer support to the other part and/or fulfil some of its tasks (Art. 99 *Kallikratis* reform Act). In reality, the participation in such contracts is open to a plethora of entities and bodies: municipalities, regions, associations of municipalities, networks of municipalities and regions, KEDE and ENPE and other legal entities governed by public law.

406. Quite common are the so-called “programmatic contracts” (Art. 100 of the *Kallikratis* law, *programmatikes simvasis*), related to concrete projects (e.g., development projects, construction, etc.), in which not only local but also other public authorities (including universities) and public sector entities (public companies, etc.) can take part. Finally, municipalities and regions can also be members of more informal cooperative schemes, such as “networks” (Art. 101 *Kallikratis* Law, *diktia*) with goals of public interest (including networks with foreign local governments).

407. Contracts for the design and implementation of projects, development plans and the provision of services are subject in certain cases to a pre-contractual control of legality conducted by the Court of Audit. For instance, pre-contractual controls of legality are conducted in respect of contracts, with cost estimates of over one million (€1,000,000), not including VAT.⁶²

408. In sum, the entitlement referred to in Art. 10.1 of the Charter is recognised by the constitution and regulated and encouraged by the law. In practice, there are several forms of cooperation, involving all the local and regional authorities, and their subsidiary organisations.

409. In the light of the foregoing, the rapporteurs consider that Greece complies with Article 10.1 of the Charter.

3.9.2 Article 10.2

410. This article was not ratified by Greece. During the consultation procedure, the National Delegation pointed that, in their view, this reflects a historically centralised approach to international cooperation, but in practice the municipalities and regions proceed with cooperations.

411. The analysis of this provision involves two different issues: on the one hand, the entitlement of local authorities to belong to an association for the protection and promotion of their common interests; on the other hand, the entitlement of local authorities to belong to an international association of local authorities.

412. For what concerns the first aspect, this “entitlement” is fully recognised in the law and fully operational in practice. In Greece, there are two main, national associations of local authorities, one for municipalities and another for regions.

⁶¹ See Hlepas N.K (2012), *op. cit.*, p. 271.

⁶² See Ministry of the Interior, *Greece: Structure and operation of local and regional democracy. Situation in 2024*, p. 42.

413. The national association of municipalities is the “Central Union of Municipalities of Greece” (acronym in Greek: “KEDE”). This is a legal entity endowed with full legal personality, that acts as a body governed by public law, representing the first level of local authorities (municipalities). The Presidential Decree 197/1978 established KEDE and was last updated with the Presidential Decree 75/2011. KEDE headquarters are established in Athens.⁶³

414. The main objectives of KEDE are the promotion and support of municipalities; the fostering of cooperation between local authorities; the cooperation with the central administration in any matter connected with decentralisation; the provision of technical support to municipalities (example: for the submission of proposals in European funded projects); and the participation in European and international organisations representing interests of local authorities.

415. As mentioned earlier, KEDE is the natural interlocutor with the Government on any issue involving municipalities. KEDE keeps, for the time being, an excellent climate of communication and consultation with the Government and with the key central ministries (Interior, Finance, Maritime Affairs).

416. For its part, the national association of municipalities is the “Association of Greek Regions” (name and acronym in Greek: *Ένωση Περιφερειών Ελλάδας*, “ENPE”). This is a legal entity endowed with full legal personality, acting as a private law legal entity which was established and operates for the organised cooperation, promotion and representation of the Regions. All the Regions of the country must participate in the ENPE, through their representatives.⁶⁴

417. ENPE is also the natural interlocutor of the Government in any issue involving regions. Currently, ENPE also keeps an excellent climate of communication and consultation with the Government and with the key central ministries.

418. Therefore, it may be concluded that this part of art. 10.2 of the Charter is respected in Greece, both in the law and in practice.

419. As noted *supra*, the second part of this provision is the entitlement of local authorities to belong to an international association of local authorities. In this regard, it should be recalled that Greece has neither signed nor ratified several Council of Europe international instruments in this field, such as the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (ETS no. 106), or any of its three protocols (see *supra*, point 1).

420. Apart from that, there seems to be some type of inconsistency between the official position of Greece in this regard, and practice.

421. For what concerns the first aspect, the delegation specifically asked the Minister of the Interior about the reasons not to sign (at least) the above-mentioned international instrument, and his reply was: “Greece has stated that in matters of cross-border and inter-regional cooperation it is bound only by European legislation and does not intend to abandon this position. This does not mean, however, that the OCTs are deprived of the possibility of international (transnational and cross-border) cooperation”.

422. From this statement, one may guess or suppose that the Ministry of Foreign Affairs remains cautious due to difficult relations with one neighbouring country. This might be also an explanation for not signing treaties on trans-frontier cooperation, while implementing instead EU schemes of trans-frontier cooperation.

423. As concerns practice, however, local and regional authorities participate in international associations. On the one hand, municipalities and regions can participate and set up international and European networks of local and regional authorities, with a view to a coordinated and targeted promotion of their aims. On the other hand, they may also participate in international and European multi-stakeholder “platforms”, municipalities may participate in multi-stakeholder platforms characterised by the diversity of their members (e.g. C40, 100 Resilient Cities, Cities Alliance).

⁶³ See <https://kede.gr/en/>

⁶⁴ See <https://enpte.gr>

424. In the light of the foregoing, the rapporteurs consider that, although Greece is not bound by Article 10.2 of the Charter, it “de facto” meets its basic requirements. Therefore, they encourage the Greek authorities to ratify this provision.

3.9.3. Article 10.3

425. In Greece there are many possibilities of international cooperation (transnational and cross-border) at the disposal of local and regional authorities. Among which stand:

Programmes and Initiatives of International and European Organisations

426. The Municipalities and the Regions may participate in different initiatives such as the Covenant of Mayors, the Euro-Mediterranean Regional and Local Assembly (ARLEM), in EU programmes such as URBACT, INTERREG, etc. or programs of the Council of Europe (ex.: Intercultural Cities), and other international organisations (ex.: UNESCO Learning Cities network).

Town-Twinings and International Networks and platforms (see, precedent point)

427. Municipalities may enter into town-twinning protocols with other cities with a view to promoting economic, cultural, educational and social relations and building and developing close and friendly relations.

European Groupings of Territorial Cooperation

428. Municipalities, Regions and other Public Sector Bodies, including the Decentralised Administrations, may participate in a European Grouping of Territorial Cooperation (EGTC) in order to facilitate and promote cross-border, transnational and/or interregional cooperation.

Mission exchanges and events

429. Municipalities and Regions can also organise cultural, artistic and sporting events and take part in mission exchanges to address issues of common interest.

Agreements and Memoranda of Understanding

430. Municipalities may sign Agreements and Memoranda of Understanding on matters of mutual interest, as well as participate in international solidarity actions, in particular, in cases of natural disasters.

431. This form of cooperation must be approved by an Inter-ministerial Tripartite Committee, which includes representatives of both KEDE and ENPE. Requests must meet different conditions. Between 2006 and 2023, this committee has approved hundreds of international partnerships for municipalities⁶⁵ and for regions.⁶⁶

432. The case of Athens is exemplary, as Athens belongs to all the major international networks of cities and mayors: C40, Eurocities.

433. In the light of the foregoing, the rapporteurs conclude that Greece complies with Article 10.3 of the Charter.

⁶⁵ In that period, and among other partnerships, 493 European programmes have been approved, together with 314 town-twinings, 166 International Networks, 59 EGTCs and 34 European Initiatives (source: Ministry of the Interior, *op. cit.* p. 41)

⁶⁶ In that period, and among other partnerships, 48 European programmes have been approved, together with 12 Networks for Regions, 7 Protocols and Agreements, and 3 EGTS (source: Ministry of the Interior, *op. cit.* p. 41).

3.10 Article 11 – Legal protection of local self-government

Article 11 – Legal protection of local self-government

Local authorities shall have the right of recourse to a judicial remedy in order to secure free exercise of their powers and respect for such principles of local self-government as are enshrined in the constitution or domestic legislation.

434. In Greece, local and regional authorities, in order to defend their interests, have the right to appeal and file petitions for the annulment of administrative acts before the competent courts to secure the free exercise of their powers.

435. The analysis of the legal protection of local/regional self-government in Greece must consider two different aspects: on the one hand, the access of such entities to the Constitutional Court to defend the principles of local self-government, as enshrined in the Charter or in the Greek Constitution; on the other hand, the access of local authorities to regular and administrative courts.

436. Concerning the first question: it is well known that in Greece there is no constitutional court. *Prima facie*, this could be seen as an unsatisfactory situation or an obstacle to the possibility to declare that a given statute or parliamentary legislation violates the provisions of the GC pertaining to self-government (for instance, Arts. 102 or 103) or the Charter itself.

437. However, this is not so. In fact, there are other European countries that do not have a constitutional court, for instance the Netherlands, Sweden and the UK, and there is always a legal remedy to annul or to depurate the legal order from unconstitutional statutory provisions. In Greece, this may be raised not in a direct legal action in the (non-existent) Constitutional Court, but in a diffuse and incidental manner by the courts.

438. Thus, if a piece of legislation violates the constitution (Art. 101, 102) this law can be declared invalid, null or unconstitutional by the courts, since there is in place a system of diffuse unconstitutional review of the laws. The courts do not implement an abstract control of constitutionality, but the application of the law to a given case. Thus, every judge has the power and the obligation not to apply a statute or a piece of legislation that is contrary to the Constitution. Of course, the system of judicial appeals may eventually bring the case to the courts of last resort, which will adjudicate finally the dispute.

439. In this vein, different pieces of legislation have been declared “unconstitutional” for violating Arts. 101 or 102 of the Constitution (see below). However, is it not possible to declare “unconstitutional” a piece of legislation because it violates the Charter: only violation of the Greek Constitution can lead to the declaration of unconstitutional a piece of legislation.

440. Concerning the access to the courts, Greece follows the French tradition in the sense that there is a system of “regular” courts, whose apex is the Supreme Court, and a separate system of “administrative courts”, whose apex is the Council of State.

441. The defence of the principles of local self-government (or of the constitutional provisions of this matter) in the courts is twofold: on the one hand, local authorities do enjoy locus standi to go to the regular courts (*juridiction judiciaire*) in order to defend their rights, properties and interests, just as any other juridical (or “moral”) person would do. This is especially the case when a municipality (for instance) engages in private or civil law relations with individuals or firms.

442. But the forensic scenario that is more interesting for the purpose of this report is the access of the local authorities to the administrative courts, where they can invoke the principles of local self-government, either as they are enshrined in the GC, or as they are laid down in the Charter. In particular, the scenario we are referring to is the case when a local authority acts as a plaintiff in the administrative courts.

443. For instance, a municipality may file a legal action (annulment action) in the administrative jurisdiction by which it may challenge a decision, an act or regulation issued by the State authorities (Government, ministries, etc) and in these legal proceedings the local entity may, eventually, invoke the principles of local self-government.

444. The bunch of decisions rendered by the Greek administrative courts form an interesting case-law, in which the Council of State and other courts have interpreted and eventually applied the legislation on local authorities, as well as the constitutional provisions on decentralisation, or the Charter itself. The delegation did not hear any complaint from local leaders or representatives regarding this state of facts.

445. Thus, in Greece the Council of State has played an important role in the protection and defence of the principle of local autonomy, as it is the competent court to address local authorities' requests for review of administrative acts that affect them. According to its case-law, the principle of local self-government is quite enforceable within the existing constitutional and legislative framework, and the Council of State interprets the GC in conjunction with the Charter.

446. As to the invocability of the Charter in courts, and its executive character, there are many cases in which the Charter is directly invocable, usually those that concern municipalities' matters. However, it is not considered to be a self-executing treaty, as the Charter requires legislative implementation.

447. In Greece, local and regional authorities can certainly appeal to the administrative jurisdiction if they consider that a decision or an administrative regulation adopted by the central government is illegal. In practice this is very common. Local and regional authorities enjoy full judicial protection concerning acts of the central government.

448. Therefore, the municipalities and regions do have direct access to the Council of State to protect their rights, competences, and the principle of local autonomy. In this sense, the Council of State handed down some charts and factual information to the delegation, showing numerical aspects of this right.

449. For instance, between 2015 and 2024, there were 1596 applications filed in the Council of State by the municipalities, with a peak in 2017 (with 216 legal challenges). As a result of those challenges, the number of those that were admitted and finally adjudicated totalled 193 rulings (between 2004 and 2022). As can be seen, this is a really high number of appeals and legal proceedings, which testifies to the frequency and normality with which local entities go before the Council of State.

450. During the consultation procedure, the National Delegation specified that Greece may not have separate Constitutional Court, but except from the Council of State, there is the Court of Audits that proceeds with the review of the constitutionality of laws. In this framework, in their view, procedure complexity, long timelines, high costs and political sensitivities discourage municipalities and regions from invoking them frequently.

451. It must be clarified that not all these cases raised issues of violations of the principles of local self-government, only a minority did. And among them, the Charter is not so frequently invoked in administrative litigation. Instead, plaintiffs rely more directly on the constitutional provision in the matter. The Charter is usually a supporting argument.

452. In chronological order, the first relevant ruling of the Council of State in the matter of local government was its decision 3440/1998 (plenary). In this ruling, the High Court confirmed that the Charter, at that time, did not apply to the second-tier local authorities.

453. Since that time, the Council of State has rendered important rulings. The high number of those rulings prevent us to make a thorough presentation of all of them. However, it is possible to mention some of them:

(a) Judgement N° 545/2001, of the 3rd Chamber, dealt with a hot issue: the application of the Charter (Art. 5) to the compulsory amalgamations that were decided at the time. The Court confirmed that Art. 5 could not be invoked by the plaintiffs, since Greece had made a reservation to the said provision.

(b) another relevant case was adjudicated by judgements 37-40/2013, where the plenary dismissed the claim that the *Kallikratis* reform violated several articles of the Charter.

(c) Judgement 15/2015, the Plenary adjudicated a dispute concerning the status of the municipal police officers. Without referring to the Charter, the court ruled that the transformation of the municipal police and its reassignment to the State police did not violate Art. 102 of the Greek Constitution. In this ruling the Court made a fundamental difference between local autonomy (which involves the power to regulate) and local self-government: the Greek local authorities have self-government, but not local autonomy, because they lack regulatory powers, and what they have is the power to decide on local affairs through their own bodies within the general provisions of the laws.

(d) a case that triggered a lot of political and popular attention was the one adjudicated by the judgement N° 2377/2022, of the plenary (referred to at point 3.2.2, supra). In these proceedings, some local councillors filed actions for annulment against acts of the city council and the mayor concerning the election and appointment of member of other collective bodies of the municipality. The challenge went on to question the constitutionality of the Act 4555/2018, under which the local elections of 26 May 2019 were held.

454. This Act introduced, right after those local elections, a new system of “governance” of the municipalities, depriving the city council of important responsibilities, that were transferred to the Municipal Financial Committee. Among other arguments, the plaintiffs invoked Art. 3.2 of the Charter. The Plenary declared that the contested Act had superveniently altered the decisional context that the voters had in mind when casting their ballots, and for this reason it was contrary to the provisions of Arts. 5.1, art. 52 and 102.2 of the Constitution.

(e) Finally, reference should also be made to Judgment 283/2023 and judgment 2377/2022 (both of the Plenary), regarding the legislative amendment of local authorities’ internal structure and competences. These are examples of a declaration of illegality of a State decision or regulation by the Council of State for violation of the constitutional principle of local autonomy and for the violation of the Charter.

455. Another interesting feature of the Greek legal system is that it allows the associations of local and regional authorities to contest a law in a judicial proceeding if they consider that this law infringes or limits local self-government.

456. Another related issue is the principle of subsidiarity. It is interesting to see whether it is respected in Greece, or whether it is frequently invoked in court proceedings opposing local and regional authorities versus the State. According to the Council of State, the principle of subsidiarity is respected in Greece. However, it is not common to be invoked in court proceedings opposing local and regional authorities versus the State.

457. Regarding the most controversial issues related to local and regional self-government from the Council of State standpoint, these issues are related to the financial autonomy of local and regional authorities, as well as issues that have been raised regarding the new electoral system (some relevant cases are still pending).

458. A final reference should be made here to the advisory functions of the Council of State. In Greece, the Council of State has only competence at the drafting of the presidential decrees. In that frame and taking into consideration all Greek legislation relevant to a decree, it is possible for the Council of State to invoke the Charter in the exercise of the advisory functions, but this has not happened so far.

459. In the light of the foregoing, the rapporteurs consider that Greece complies with Article 11 of the Charter.

4. OTHER MATTERS RELATED TO THE FUNCTIONING OF LOCAL AND REGIONAL SELF-GOVERNMENT

460. In the analysis of local and regional democracy in Greece, there are other matters that are not directly raised in the text of the Charter but have an important dimension on local and regional government. Here, the rapporteurs will refer to the protection of Human rights at local level; the impact

of the Covid-19 pandemic on local and regional authorities, and the lessons learned from the health crisis; and the impact of Russia's war of aggression against Ukraine.

4.1. The Ombudsman and Human Rights at Local level

461. In Greece there is a national Ombudsman,⁶⁷ called *Synigoros* in Greek. The Constitution provides that the Law "shall specify matters relating to the establishment and activities of the "Ombudsman", who functions as an independent authority (Art. 103.9, Greek Constitution). The Ombudsman is a constitutionally established Independent Authority, operating since 1 October 1998.

462. The national Ombudsman is elected by a majority of 3/5 of the national parliament, which is not easy to obtain. This is probably one of the reasons why the present Ombudsman, Mr Pottakis, has remained in office for more than 8 years, and it seems that the present Parliament is unable to reach an agreement on his replacement.

463. The Greek Ombudsman is the national body with a broad mandate to ensure equality and to combat discrimination, and to promote the principle of equal treatment, irrespective of gender, racial or ethnic origin, religion or sexual orientation etc. The National Ombudsman has a very large mandate on human rights protection, covering different aspects such as the prevention of torture, human rights monitoring and ensuring equality for all, including minorities and migrants.

464. Due to its scope of activity, the Greek Ombudsman may receive complaints from the local authorities, or that are connected to the works of the local authorities. The Greek Ombudsman was met by the delegation during the monitoring mission in November 2024. As a result of this interview, the Ombudsman declared to the Delegation that his office receives many complaints that are related to the work and activities of municipalities.

465. The part of the Ombudsman's job that is connected to local and regional authorities may be summarised with the following points: (a) roughly $\frac{1}{4}$ of the complaints forwarded to the Ombudsman concern local authorities; and (b) the cases of maladministration represent at least $\frac{1}{4}$ of all the complaints connected to/with local and regional bodies.

466. The areas for complaints on maladministration include:

- (1) urban planning and construction permits (including inspections). The main problem here is that most local authorities are understaffed and lack the expert and technical employees that are required for the application of the law. As a consequence, there are delays in issuing the permits. Another negative issue is that many authorities do not have planning inspectors. Consequently, illegal constructions sprawl;
- (2) waste management: there are many illegal landfills, where the waste is mostly burned, in violation of laws and regulations. Landfills are in principle a local responsibility;
- (3) recruitment of personnel. Reported cases and complaints include political patronage, lack of equality among candidates or lack of transparency in the selection process.

467. According to the Ombudsman, at present one important issue he deals with is the protection of asylum seekers, as he receives many complaints about delays in the identification process, or the holding of an interview.

468. Another delicate issue concerns the mayors and their criminal liabilities. In Greek criminal law, a municipality cannot be held criminally liable when individuals suffer a damage that is somehow connected with/to the activities and services of the municipality. Therefore, citizens usually sue the mayor in the criminal courts, as the physical person representing the local entity. Apparently, this is a common practice, used even in trivial cases (damages suffered for the bad maintenance of a local road, lack of water, local public works, etc.).

⁶⁷ See <https://www.synigoros.gr/el?i=equality.en>

469. Finally, the lack of resources affecting many municipalities explains the fact that social services are almost non-existent at local level, and most facilities designed for the elderly are private.

470. There seems to be issues with compliance by municipal authorities with the Ombudsman's recommendations. The reason may be political: either political will, or the culture at the local level. To date, there has been up to 21 disciplinary proceedings against local authorities, for not implementing a recommendation of the Ombudsman. These disciplinary proceedings may lead to the imposition of different penalties, for instance a six-month ban on the mayors, or their dismissal.

471. There is only one national Ombudsman in Greece. However, local and regional governments may also appoint an official who is usually referred as a "local Ombudsman". However, these local and regional officers should not be confused with a true "Ombudsman", since they do not have guarantees of independence and functional autonomy. In practice they do act as independent and impartial mediators.

472. Although all local and regional authorities may appoint in principle such "supporters", they are not present in all of them. According to data provided during the visit, at present there are 50 local "ombudsmen" and 6 regional ones. According to the law, the local "ombudsmen" are just internal officials in the local administration, called "supporters" or "mediators". Their mandate is not clearly defined, though.

473. Thus, these municipal or regional officials also receive complaints from citizens and businesses affected by the decisions of the local and regional bodies having problems or issues of maladministration, discrimination, inequality.

474. Once received, the complaint is investigated by these local officials, who try to find a solution within the sphere of competence of the local government involved in the complaint and seek to avoid contentious procedures such as appeals or legal proceedings.

4.2. The impact of the Covid-19 pandemic on local authorities

475. The conduct of the visit in November 2024 allowed the Congress delegation to obtain first-hand and updated information on the impact that the Covid-19 crisis has had so far on the regional and local authorities in Greece. As in other European countries, the Covid-19 pandemic has had an important impact on Greek local and regional authorities.

476. More specifically, like in other countries, the pandemic has had a very negative economic impact on the local finances. It has caused a clear drop in local revenues, due to the economically induced effects of the lockdown and the subsequent economic slowdown. This reduction in revenue was mainly due to the shrinking of the revenue (taxes, fees, etc.) derived from multiple economic activities.

477. Conversely, the pandemic has also produced an increase in local expenses. For instance, local authorities were supposed to carry out different activities such a disinfection of public premises and facilities, and to intensify their efforts towards the jobless and those needing humanitarian aid.

478. During the consultation procedure, the national delegation highlighted that municipalities and regions were in the frontline, managing a wide range of urgent social and healthcare logistical responsibilities, despite limited resources (supporting vulnerable populations, ensuring public hygiene, digitizing services etc.).

4.3. The consequences of the war in Ukraine

479. Another area of concern for some local authorities, linked to another situation of crisis, has been the military invasion of Ukraine by the Russian Federation. This war has produced an enormous number of displaced people and refugees around Europe. In the case of Greece -as in other parts of Europe- the municipalities and regions have been faced with the consequent problems of lack of resources or financial means, that they have tried to solve in a supportive manner.

480. Thus, the protection of displaced people from Ukraine, since the beginning of the war, has been activated in all EU Member States, and therefore also in Greece, through the implementation of the

relevant Directive 2001/55/EC on temporary protection, which provides a number of rights to beneficiaries of temporary protection (e.g. residence permit, access to work, education, health, housing, etc.), which fall under the responsibility of the policy of the respective Ministries.

481. Subsequently, by virtue of Law 4332/2015, local authorities of first and second degree work in close connection with the “First Reception Centres” (KE.P.Y.), the “Reception and Identification Centres” (K.Y.T.) and with the “Open Structures for Temporary Reception and Accommodation of refugees and migrants”. They put at their disposal available premises and facilities, to meet the emergency needs for housing and temporary accommodation of refugees and migrants.

482. These local authorities may, in order to meet emergency and urgent needs, take all necessary steps and conclude contracts with third parties for the execution of works, the provision of services, the supply of goods or the leasing of movable and immovable property as far as they are concerned.

483. The reception of the newly arrived aims at covering temporary accommodation needs, food, direct medical care, burial expenses, the administration of humanitarian aid and any offer of cash or in-kind assistance. For the storage and distribution of the above essentials, the Regions may set up storage and distribution centres.

5. CONCLUSIONS

484. Unlike some other European countries, Greece does not have a strong tradition of local self-government. In addition to being a strongly unitary state, Greece has traditionally been a centralised country and is likely to remain so.

485. Decentralisation is a constitutional principle, and Greece has undergone several processes of decentralisation, where the local authorities have received more powers.

486. The system of local government has modernised significantly, improving transparency, accountability and objectivity at local level.

487. The principles of the Charter are protected by appropriate legal mechanisms, which have produced interesting case-law of the Greek Council of State. Moreover, the application of the Charter was extended to the regions by a 2018 Act, therefore enlarging the original commitments originally made at the time of ratification.

488. However, the political momentum for decentralisation reforms has faded during the financial crisis. Moreover, decentralisation is not, at this moment, a top priority, for either local politicians or citizens, who care more about inflation, the loss of purchasing power, the still harsh economic situation and the acute housing problem (a general strike was held during the second visit of the Delegation, in April 2025).

489. Any meaningful reform of the Greek local system is profoundly conditioned by the aftermath of the financial and economic crisis (worsened by the Covid-19 pandemic). The long-term austerity programme (monitored by the EU and international financial institutions) acts as a straitjacket, limiting any structural reform involving a relevant increase in the public spending.

490. The system of local government is two tiered, and the constitutional understanding is that local authorities do not enjoy “local autonomy”, but “local self-government”, which is a weaker notion implying the fact that these authorities do not have “regulatory” powers.

491. The system of local governments is clearly asymmetric, in the sense that municipalities have a much stronger institutional power and political visibility than the regions, which remain in a somehow “secondary” position. Regions are mainly structures created to channel and manage the “regional” funds of the European Union, and to better organise economic development at supra-municipal level. They have not been created as a response to the demands of the people, or as a consequence of regionalism or nationalism in some parts of the country. They do not follow the historical regions, and there are no plans to enhance their self-government. In this context, the significant efforts of regional governors and authorities trying to institutionalise the regional identity, should not be underestimated.

492. For what concerns the first tier of local government, the current map of municipalities is the final result of several successive processes of compulsory amalgamations, so that the current number (332) is low in comparison with the country's surface area. Pre-existing small municipalities were mainly transformed into "communities" falling short of being a full "local authority".

493. At the municipal level, mayors have very strong powers. There have been several reforms in a short time, which aim to find the right balance between democracy and a working model of governance. The Law has been amended several times, and in one case it was found to be unconstitutional. The current government is drafting a new reform that would change the system again.

494. The allocation of powers and competences among the two tiers of local authorities and the central State administration is not clear. It is sometimes confusing and needs urgent clarification.

495. Chronic problems of under-funding and under-staffing, affecting most of the local authorities, were also observed during the visit.

496. Comprehensive reforms to enhance financial independence, clarify competencies, create metropolitan and island/mountain governance and promote participatory democracy are essential to fully realise the principles of the Charter.

497. In the light of the foregoing, the rapporteurs invite the authorities of Greece to complete the on-going drafting of the reform of the legal scheme governing the municipalities and the regions and deepen the financial autonomy of local and regional authorities, so that the revenues match the expenses needed to comply with local and regional responsibilities. Stability and predictability of local funding systems should be increased while fiscal autonomy of local authorities enhanced, by allowing a higher local taxation.

498. The rapporteurs also suggest modifying the existing legal scheme, so that local authorities keep a significant share of the collection of the State taxes and fees applied to tourism and related activities with a local dimension. The overall level of funding that the State awards to the local and regional authorities should be increased step by step, to bring such funding level back to pre-crisis levels.

499. Furthermore, it is important to clarify the allocation of competences among the municipalities, the regions, the "delegated" State administrations and the State central administration, especially in critical sectors such as civil protection, and urban planning and constructions. The rapporteurs also consider advisable to establish a comprehensive, permanent and institutionalised framework for consultation between the local authorities and the central government to further improve the consultation process.

500. The rapporteurs recommend revising the current criminal legislation concerning the criminal liability of mayors so that its application does not undermine the status of local elected representatives by disproportionately affecting their ability to perform their duties.

501. Finally, the rapporteurs call on Greece to ratify the non-ratified Articles 5, 7.2 and 10.2 of the Charter as the current legal scheme satisfies the requirements of the Charter and to sign and ratify the Additional Protocol to the Charter on the right to participate in the affairs of a local authority (CETS No. 207).

APPENDIX – Programmes of the Congress monitoring visits to Greece

PROGRAMME

CONGRESS MONITORING VISIT TO GREECE – FIRST PART

Athens, Livadia

26-28 November 2024

FINAL PROGRAMME

Congress delegation:

Rapporteurs:

Ms Tanja JOONA

Rapporteur on local democracy
Chamber of Local authorities, ILDG⁶⁸
Councillor, Ylitornio Municipal Council
Finland

Mr David ERAY

Rapporteur on regional democracy
Chamber of Regions, EPP/CCE
Minister of Environment, member of the Government of
the Republic and Jura Canton (Canton du Jura)
Switzerland

Congress secretariat:

Ms Stéphanie POIREL

Head of Department of Protecting Local Democracy
Secretary to the Monitoring Committee of the Congress

Expert:

Prof. Angel MORENO

President of the Group of Independent Experts
on the European Charter of Local Self-Government
(Spain)

Interpreters:

Ms Aikaterini APOSTOLAKI

Ms Maria Miranda PAPADOPOULOU

The working languages, for which interpretation was provided during the meetings, were Greek and English.

68 L – Chamber of Local Authorities / R – Chamber of Regions
EPP/CCE: Group of the European People's Party in the Congress
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats
ILDG: Independent and Liberal Democrat Group
ECR: European Conservatives and Reformists Group
NR: Members not belonging to a political group of the Congress

Tuesday 26 November 2024
Athens

JOINT MEETING WITH THE GREEK NATIONAL DELEGATION, LOCAL AND REGIONAL ASSOCIATIONS AND GIE EXPERT

NATIONAL DELEGATION

Mr Konstantinos KOUKAS, Deputy Head of Delegation, Vice-President of the Congress, Municipal Councillor of Mykonos

Ms Tina KAFATSAKI, Zografou (Mayor)

Ms Meropi-Spyridoula YDRAIOU, Central Corfou (Municipal Councillor)

Mr Nikolaos GIALITAKIS, Heraklion (Municipal Councillor)

Ms Dimitra NANOU, Nea Smirni (Municipal Councillor)

Ms Evangelia GIAKOUMATOU, Attica (Vice-Governor)

Ms Despoina CHAMAKIOTI, Secretary of the National Delegation

CENTRAL UNION OF MUNICIPALITIES OF GREECE

Mr Grigoris KOSTANTELLOS, First Vice-President of KEDE (Mayor of Vari-Voula-Vouliagmeni)

UNION OF GREEK REGIONS

Mr Christos MICHALAKIS, Representative, Regional Councilor of Thessalia

SCIENTIFIC COUNCIL OF THE INSTITUTE OF LOCAL ADMINISTRATION

Mr Michalis ANGELOPOULOS, President, former vice-president of the Congress

GIE expert

Prof. Dr Nikolaos-Komninos CHLEPAS, Vice-President of GIE of the European Charter of Local Self-Government, Congress Adviser on constitutional matters

CITY COUNCIL OF ATHENS

Prof Haris DOUKAS, Mayor

Ms Maria STRATIGAKI, Deputy Mayor for Social Solidarity and Equality

Mr Georgios – Konstantinos GIANNAROS, Deputy Mayor of Finance

Mr Vassilis P. BOKOS, Secretary General

Ms Maro BANTEKA, Director of the Mayor's office

Mr Eftichis GRYFAKIS, Press Office

Mr Nikolas KALLIANIDIS, International Cooperation and Public Relations Department

HELLENIC PARLIAMENT

Mr Ioannis PLAKIOTAKIS, 1st Vice-President of the Hellenic Parliament

Mr Manos KONSOLAS, Chairman of the Special Permanent Committee of the Regions

Mr Panagis KAPPATOS, Vice Chairman of the Standing Committee on Public Administration, Public Order and Justice

NATIONAL OMBUDSMAN

Mr Andreas I. POTTAKIS, Greek Ombudsman

Wednesday 27 November 2024
Athens

MINISTRY OF INTERIOR AND REPRESENTATIVE OF THE OBSERVATORY FOR LOCAL GOVERNMENT FINANCES

Mr Theodoros LIVANIOS, Minister of Interior

Mr Savvas HIONIDIS, General Secretary of Self-Government and Decentralization

Mr Antonios KARVOUNIS, Head of Department of International and European Relations of Ministry of Interior

Ms Stamatia DIDIOUMI, Head of Department of Local Administration (A Grade) of Ministry of Interior

Mr George CHRISAFIS, Executive of Department of Local Administration (B Grade) of Ministry of Interior

MINISTRY OF FINANCE

Mr George CHRISTOPOULOS, Secretary General for Economic Policy and Strategy of the Ministry of Economy and Finance

COUNCIL OF STATE

Mr Michail PIKRAMENOS, President

Ms Eleni KOULENTIANOU, Associate Councilor

Ms Virginia KOUMPOUZI, Assistant Judge

HELLENIC COURT OF AUDIT (HELLENIC SUPREME FINANCIAL COURT)

Ms Sotiria NTOUNI, President

Ms Anna LIGOMENOU, Vice-President

Ms Asimina SAKELLARIOU, Counsellor, President of the Observatory for the Financial Autonomy of Local Authorities

Mr Panagiotis PAPPIDAS, Appeal Judge

Mr Emmanouil KALAITZIS, Rapporteur Judge

REGIONAL COUNCIL OF ATTICA REGION

Mr Nikos HARDALIAS, Governor of the Attica Region (member of the national delegation)

Mr Vassilios CAPERNAROS, Chairman of the Regional Council

Thursday 28 November 2024
Livadia, Athens

LIVADIA MUNICIPALITY

Mr Dimitrios KARAMANIS, Mayor

Mr Notis AGNIADIS, Deputy Mayor for Culture, Sports and Tourism

Mr Georgios LIANOS, Deputy Mayor for Technical Works

Mr Georgios TZATHAS, Municipal Councillor

Ms Georgia TSOKOU, President of Local Community of Livadia

Mr Nikolaos GEORGAKOPOULOS, Mayor's Advisor on Civil Protection Issues

Mr Georgios KALIENTASIS, Director of Financial Services (Municipality of Livadia)

Mr Andreas STAMATAKIS, Director of Culture, Sports and Tourism (Municipality of Livadia)

SWISS AMBASSADOR TO GREECE

Ambassador Stefan ESTERMANN

CONGRESS MONITORING VISIT TO GREECE – SECOND PART

Kos Island, Leros, Athens, Distomo-Arachova-Antikyra

7-9 April 2025

FINAL PROGRAMME

Congress delegation:

Rapporteurs:

Ms Tanja JOONA

Rapporteur on local democracy
Chamber of Local authorities, ILDG⁶⁹
Councillor, Ylitornio Municipal Council
Finland

Ms Katrien PARTYKA

Rapporteur on regional democracy
Chamber of Regions, EPP/CCE
Member of the Flemish Parliament
Belgium

Congress secretariat:

Ms Stéphanie POIREL

Head of Department of Protecting Local Democracy

Expert:

Prof. Angel MORENO

President of the Group of Independent Experts
on the European Charter of Local Self-Government
(Spain)

Interpreters:

Ms Aikaterini APOSTOLAKI (07 and 08 April)
Ms Eléonora CAMBAS (07 and 09 April)

The working languages, for which interpretation was provided during the meetings, were Greek and English.

⁶⁹. EPP/CCE: Group of the European People's Party in the Congress
SOC/G/PD: Socialists, Greens and Progressive Democrats Group
ILDG: Independent and Liberal Democrat Group
ECR: European Conservatives and Reformists Group
NR: Members not belonging to a political group of the Congress

Monday 7 April 2025
Kos and Leros

KOS CITY COUNCIL

Mr Theodosios NIKITARAS, Mayor of Kos
Mrs Dionysia TELLI-TSIMISIRI, Chairman of the city council

MUNICIPALITY OF LEROS

Mr Timotheos Kottakis, Mayor
Mr Panagiotis KOUMPAROS, Chairman of the City Council

REGIONAL ASYLUM OFFICE OF KOS

Ms Eirini CHALKIDIOU, Head of the Regional Office

Tuesday 8 April 2025
Athens and Distomo-Arachova-Antikyra

MEETING WITH HEAD OF NATIONAL DELEGATION OF GREECE

Mr Fanis SPANOS, Head of the National Delegation, Governor of Central Greece
Ms Loukia THEODOROU, President of the Regional Council

Mr Georgios DASIOTIS, Deputy Regional Governor of Prefecture of Voiotia
Ms Fani PAPATHOMA, Deputy Regional Governor of Tourism and Culture

Mr Ioannis PERGANTAS, Regional Consultant

MUNICIPALITY OF DISTOMO-ARACHOVA-ANTI KYRA

Mr Yannis STATHAS, Mayor

Wednesday 9 April 2025
Athens

MINISTRY OF INTERIOR

Mr Theodoros LIVANIOS, Minister of Interior

MEETING WITH GIE EXPERT FROM GREECE

Prof Nikos CHLEPAS, Vice-Chair of the Group of Independent Experts on the European Charter of local self-government