



Press Office of the Constitutional Court

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MAYORS OF METROPOLITAN CITIES: THE LEGISLATOR MUST GUARANTEE CITIZENS' RIGHT TO VOTE

The current legislation concerning the mayors of metropolitan cities infringes the principle of equal voting power and undermines their political accountability *vis-à-vis* the electorate. However, it pertains to the Legislator, and not to the Constitutional Court, to introduce provisions that ensure that citizens are able to vote, directly or indirectly, for the mayors of metropolitan cities.

This is established in [Judgment No. 240](#), filed today (*Rapporteur* Stefano Petitti), in which the Constitutional Court ruled upon the reform of political authorities of metropolitan areas introduced with law no. 56/2014 (so called Delrio Law), and upon the connected provisions issued by Sicily Region. According to these provisions, the office of mayor of a metropolitan city is not an elected position, because it automatically coincides with that of the mayor of the chief town. A different regulation affects the presidents of provinces, who are elected by the territory's mayors and members of town councils.

The questions raised by the Court of Appeal of Catania were declared inadmissible because they called for a systemic intervention, which falls among the competence of the Legislator. However, the Constitutional Court has highlighted that the current legislation “is not in accordance with the coordinates provided for by the Constitution” concerning citizens' equal voting power and the political accountability of the highest authority of a metropolitan city. The need for a reassessment of the legal discipline concerning metropolitan areas, the judgment states, is also related to the failure of the abolishment of provinces after the rejection of the constitutional reform proposed via referendum in 2016, which made the different treatment for voters residing in a metropolitan city “wholly unjustified”.

Rome, 7 December 2021