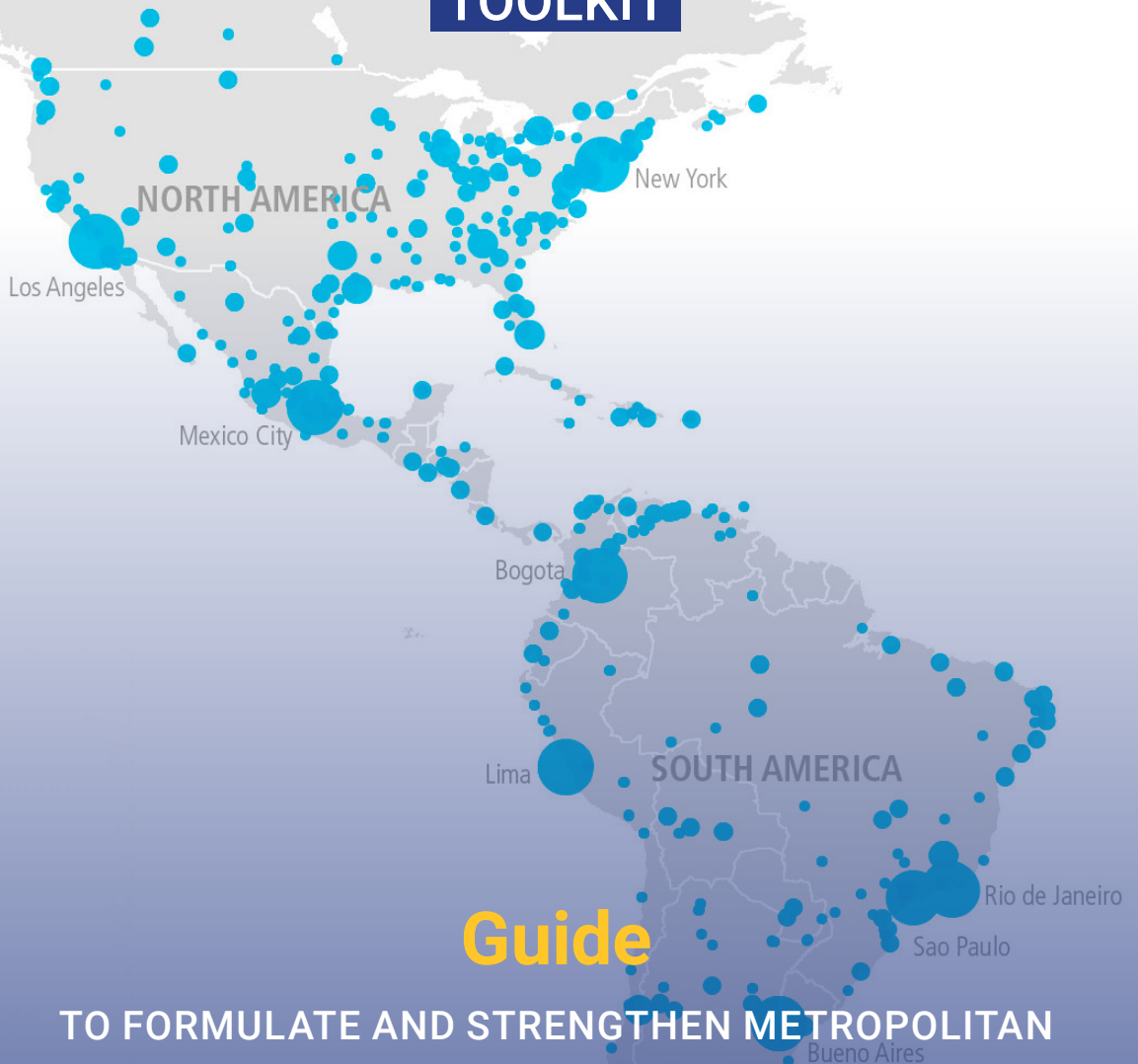


MetroHUB

METROPOLITAN LEGISLATION TOOLKIT



Guide

TO FORMULATE AND STRENGTHEN METROPOLITAN
NORMATIVE FRAMEWORKS FOR METROPOLITAN
MANAGEMENT



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Metropolitan Legislation Toolkit: Guide to Formulate and Strengthen Metropolitan Normative Frameworks for Metropolitan Management

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NORMATIVE FRAMEWORKS FOR METROPOLITAN
MANAGEMENT

Foreword

Metropolitan areas in this 21st century are becoming the most common form of urban agglomeration driven by accelerating urbanization. As hosts of one third of a growing global population, metropolitan areas are among the main drivers of economic development while fostering social networks and interaction of diverse cultures.

However, these vast human settlements that extend beyond traditional borders or jurisdictional limits continue to face complex, interrelated challenges, particularly in governance and sustainability.

Addressing these challenges requires metropolitan solutions that foster collaborative, coordinated action across institutions, sectors and administrative boundaries to advance sustainable urban and territorial development.

Effective metropolitan management plays a critical role in advancing the Sustainable Development Goals (SDGs) and realizing the vision of the New Urban Agenda (NUA). Strengthening legal and institutional frameworks at the metropolitan level is essential for fostering inclusive and resilient metropolitan spaces. Additionally, effective metropolitan management requires robust legal and governance mechanisms capable of addressing the scale, complexity, and interjurisdictional nature of these regions. This approach not only supports the implementation of the Goal on *sustainable cities and communities* (SDG 11) but also contributes to broader global commitments by promoting integrated, participatory, and forward-looking metropolitan governance.

It is in this context that I am pleased to present this Guide on Metropolitan Legislation, developed by UN-Habitat. The guide offers a comprehensive methodology to assist metropolitan actors (including various levels of government, policymakers, planners, and other relevant stakeholders) in designing or strengthening metropolitan legal frameworks that promote inclusive and sustainable metropolitan management in response to emerging trends and evolving urban dynamics. Furthermore, the MetroHub Toolkit constitutes a practical instrument for the implementation of UN-Habitat's Strategic Plan 2026–2029, advancing its strategic focus on housing, land, and basic services by embedding these priorities within metropolitan governance frameworks and legislative reform.

This guide makes up the first of the three complementary components of the MetroHub Toolkit on Metropolitan Legislation the second being an assessment methodology for metropolitan legal systems, and the third component being a comparative study of legal cases from several countries globally.

The contents of this guide progressively address: the conceptual foundations and challenges of metropolitan governance; normative principles to guide metropolitan legislation; global experiences and trends in metropolitan law-making; essential components of effective legal frameworks; and strategic policy recommendations for national, subnational, and metropolitan authorities. The guide is grounded in a technical and comparative analysis of existing legal frameworks in various metropolitan areas worldwide, drawing on best practices to inform normative reform in diverse contexts. In doing so, this guide contributes to strengthening the technical and institutional capacities of metropolitan policymakers and stakeholders by equipping them with relevant, adaptable tools to enhance their metropolitan legal policies and frameworks. I am confident that applying this toolkit in their metropolitan management efforts will enhance decision-making, foster collaboration across jurisdictions, and promote more inclusive, resilient, and well-governed metropolitan regions.



A handwritten signature in black ink, appearing to read 'R. Tuts', with a long horizontal flourish extending to the right.

Rafael Tuts

Director, Global Solutions Division
UN-Habitat

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Glossary of terms



Accountability mechanisms

Legal, technical, and participatory systems that compel metropolitan authorities to report, justify, and be evaluated on their use of public resources and the achievement of institutional goals.



Fragmented approaches

Disjointed or uncoordinated institutional, legal, or policy responses across jurisdictions or sectors within a metropolitan area. Fragmented approaches typically lead to inefficiencies, duplication of efforts, conflicting mandates, and an inability to address challenges that require integrated metropolitan-scale solutions.



Functional autonomy

The capacity of a metropolitan entity to exercise assigned functions, make decisions, and implement public policies without discretionary interference from other levels of government.



Functional scale

A spatial level defined by real-world patterns of mobility, economic activity, service provision, and social interaction, which delineates the effective reach of a metropolis beyond its administrative boundaries.



Functional territorial delimitation

The definition of metropolitan boundaries based on technical and functional criteria (e.g., commuting patterns, population density, land use), rather than solely on administrative divisions.



Inter-municipal Cooperation

Joint actions and arrangements among municipalities within a metropolitan area, such as agreements, consortia, or associations, to collaboratively manage shared services or address common challenges.



Intergovernmental co-responsibility

A governance approach in which public responsibilities, resources, and decisions are shared across national and subnational governments to address common challenges in metropolitan territories.



Metropolitan affairs

These are territorial dynamics, challenges, or opportunities that have a homogeneous impact on more than two cities within a single metropolis and directly influence its sustainable development. They are considered metropolitan affairs when, due to their scale and complexity, they require coordinated responses among multiple local governments. They may represent opportunities when they create positive outcomes under significant institutional control or threats when they generate imbalances over which there is no direct control due to the involvement of multiple actors and factors. They are also referred to as metropolitan challenges, metropolitan phenomena, or priority dynamics in the metropolitan agenda.



Metropolitan area

UN-Habitat defines this as an integrated urban system composed of multiple interrelated jurisdictions functioning as a single spatial unit, albeit often operating within fragmented institutional frameworks. It is composed of a central city and its surrounding municipalities, functionally interlinked through economic, social, environmental, and infrastructural interdependencies.



Metropolitan financial architecture

The structure of revenues, expenditures, and fiscal capacities that support the functioning of metropolitan institutions, including own-source revenues, intergovernmental transfers, access to credit, and international cooperation.



Metropolitan governance

The set of mechanisms, processes, rules, and institutions that enable collective decision-making, intergovernmental coordination, and the engagement of public, private, and civil society actors at the metropolitan scale.



Metropolitan institutional framework

The organizational, legal, and operational structures that sustain the existence and functioning of public entities with metropolitan-scale competencies.



Metropolitan management

The operational execution of public functions at the metropolitan level, including planning, service delivery, financing, policy implementation, and performance evaluation across multiple jurisdictions and tiers of government.



Metropolitan planning instruments

A hierarchical and integrated set of plans (strategic, spatial, sectoral) that guide urban development at the metropolitan scale, aligning public policies with investment and regulatory frameworks.



Metropolitan public participation

The active inclusion of the public and stakeholders in the formulation, implementation, and evaluation of public policies at the metropolitan level through deliberative, consultative, and oversight mechanisms.



Multilevel legal framework

A coordinated system of laws, regulations, and norms issued by different tiers of government (national, regional, local) to regulate the governance of metropolitan territories.



Multiscalar planning

The alignment of spatial and sectoral planning processes across metropolitan, municipal, regional, and national levels to ensure coherence, complementarity, and policy efficiency.



Normative hierarchization

The systematic organization of metropolitan legal and planning instruments according to their legal force, duration, and hierarchy within the broader national or regional legal system.



Subsidiarity

A governance principle asserting that public responsibilities should be exercised by the lowest possible level of government, as long as they can be performed effectively, with higher levels intervention only when necessary.



Territorial equity

A principle aimed at reducing spatial inequalities in access to services, opportunities, and quality of life, ensuring a fair distribution of the benefits of metropolitan development.

Executive Summary

This *Guide on Metropolitan Legislation* provides a technical and conceptual framework for designing, reforming, and strengthening legal frameworks governing metropolitan management. It offers a clear reference for government officials at all levels and technical specialists committed to improving territorial governance in complex urban environments. The document aligns with the principles of the New Urban Agenda and the Sustainable Development Goals (SDGs), recognizing that 21st-century metropolitan areas require unique and robust legal architecture capable of coordinating multiple levels of government, jurisdictions, and sectors within a unified functional space.

The 2020 Global State of Metropolis study reveals a critical gap: fewer than half of the 50 metropolitan areas evaluated by UN-Habitat worldwide possess a dedicated legal framework to support metropolitan governance.

Even among those with metropolitan legislation, there is considerable heterogeneity in terms of institutional scope, assigned competencies, regulatory levels, and governance mechanisms. This diversity undermines these metropolitan areas' ability to address their inherent challenges, such as administrative fragmentation, overlapping roles and responsibilities of relevant authorities, territorial inequalities, and inadequate planning, financing, and public participation instruments.

In light of these findings, this guide proposes a set of strategic recommendations aimed at reinforcing metropolitan legal frameworks. Key proposals include: an explicit legal recognition of metropolitan areas as a functional scale of government; clear delineation of competencies based on subsidiarity, coordination, and territorial equity; institutionalization of technical and representative structures equipped with effective and meaningful public participation mechanisms; normative articulation of urban management across levels of government and sectors; establishment of hierarchical, integrated spatial planning instruments; consolidation of a diverse, stable, and autonomous financial architecture; and implementation of robust accountability, auditing, and transparency mechanisms.

The proposals of the guide unfold across five chapters. The Introduction provides a brief background of metropolitan developments globally, including key statistics and emerging trends in the metropolitan sphere. Chapter one delves into the topic of metropolitan legislation, detailing the importance of metropolitan legal frameworks as the basis for assigning governance responsibilities, engaging and coordinating actors, and enabling effective and sustainable

territorial governance. The second chapter presents twelve key guiding principles of metropolitan management as the normative foundations to guide all metropolitan legislation. Chapter three identifies global trends in metropolitan legislation. The chapter outlines 15 trends shaping the metropolitan legal and governance environment, complemented by comparative normative analysis and supported by international case examples. The fourth chapter highlights the fundamental elements of an effective metropolitan regulatory framework. It presents the key ingredients necessary for establishing a robust legal framework to guide metropolitan governance.

The final chapter proposes a range of policy recommendations to guide the metropolitan law development or reform process, informed by the analysis and knowledge developed in the preceding chapters. The guide also contains annexes which have additional information to further support metropolitan actors in their metropolitan law review and reform process.

Ultimately, this guide underscores that metropolitan legislation is not an end in itself, but rather a necessary enabler for executing public action in functional territories. A well-crafted legal framework is essential to institutionalize sustainable urban development policies, safeguard fundamental human rights, reduce territorial disparities, and enable effective implementation of the SDGs.

Thus, advancing toward strong, coherent, and context-sensitive metropolitan legal frameworks is a strategic imperative for building more inclusive, democratic, and resilient cities.

Furthermore, metropolitan legislation serves as a pivotal instrument for translating the principles of the New Urban Agenda and the SDGs into tangible policies and measures. By strengthening institutional capacities, enhancing coordination across levels of government, and ensuring integrated metropolitan governance, this document provides a reference framework for guiding national, subnational, and metropolitan authorities in legal formulation and reform processes, promoting normative systems that are effective, contextually relevant, and aligned with global sustainability commitments.

Introduction

Metropolises in the 21st century represent an advanced form of territorial organization, grounded in functional, economic, social, and environmental interdependencies between a central city and its surrounding municipalities. According to UN-Habitat, a metropolitan area is defined as an integrated urban system composed of multiple interrelated jurisdictions functioning as a single spatial unit, albeit often operating within fragmented institutional frameworks. These regions concentrate a significant share of the global urban population: over 55 per cent of people currently reside in metropolitan areas, and this figure is projected to exceed 70 per cent in the coming decades (UN-Habitat, Global State of Metropolis, 2025).

Box 1. Metropolitan Areas in Figures

In 2020, there were 1,934 metropolitan areas with populations exceeding 300,000 inhabitants worldwide, accounting for approximately 60 per cent of the global urban population (around 2.59 billion people), representing one-third of the total world population. This figure is projected to rise to over 3.47 billion by 2035, encompassing 39 per cent of the global population and 62.5 per cent of the world's urban population. This urban concentration trend is not limited to megacities:

- a. 1,355 metropolitan areas had between 300,000 and 1 million inhabitants.
- b. 494 ranged between 1 and 5 million.
- c. 51 between 5 and 10 million.
- d. 34 exceeded 10 million.

These numbers highlight the ongoing expansion of metropolitan areas across all global regions, with Asia-Pacific leading the trend with 1,038 metropolises, followed by Western Europe and other regions (325), Africa (235), Latin America and the Caribbean (215), and Eastern Europe (121). This confirms the role of metropolises as the dominant human settlement form of the 21st century, with significant implications for spatial planning, urban governance as well as legislative frameworks.

Source: UN-Habitat, Global State of Metropolis 2020 – Population Data Booklet.

In addition to their population density, metropolises serve as strategic hubs for resources, infrastructure, innovation, and economic production. According to World Bank estimates (2015), metropolises generate between 60 per cent and 70 per cent of global GDP, and function as critical nodes for mobility, housing access, basic services, and environmental protection. However, their complex functionality also entails distinct challenges: administrative fragmentation, overlapping institutional competencies, planning deficits, and territorial inequalities, all of which require robust legal frameworks tailored to their operational scale.

The global assessment conducted by UN-Habitat reveals a critical gap in metropolitan management: most of the world's metropolises lack dedicated institutional structures and formal metropolitan plans, which undermines their ability to capitalize on functional advantages and exacerbates the negative externalities of agglomeration. This reality is further compounded by a lack of intermunicipal coordination, weak sectoral integration, and structural deficiencies in planning, financing, and citizen participation at the metropolitan scale (UN-Habitat, Preliminary Findings of the Global State of Metropolis, 2020).

Box 2. Preliminary Findings on Metropolitan Legal Frameworks Worldwide

Preliminary findings from UN-Habitat reveal that less than half of the global metropolitan areas assessed possess specific legal frameworks that establish the foundations for their metropolitan governance. Among those that do have dedicated legislation, the legal instruments tend to focus on key components such as territorial and jurisdictional delineation, governance system configuration, planning instruments, as well as mechanisms for accountability and public participation in metropolitan affairs.

However, these legal frameworks exhibit considerable heterogeneity in terms of institutional reach and scale of application. In countries under unitary government system, metropolitan laws are typically enacted at the national level, whereas in federal contexts, this responsibility often falls to subnational governments. There are also cases where several metropolitan areas share a single national legal framework applicable to all metropolitan regions within the country. In contrast, a few metropolises have succeeded in developing specific legislation tailored to their territorial and functional characteristics. These findings underscore the need to advance toward more widespread, coherent, and differentiated metropolitan legislation that effectively responds to the diversity of institutional and urban realities.

Source : UN-Habitat, First Global State of Metropolis – Preliminary Findings and Key Messages, 2020.

Considering this context, legal frameworks, whether national, state, regional, or local, emerge as essential tools to overcome these limitations. Effective legislation not only provides legal recognition to metropolises as functional entities but also establishes the institutional mechanisms that enable their governance, planning, financing, and democratic oversight. A well-designed legal framework allows for integration across levels of government, complementary allocation of competencies, promotion of intermunicipal cooperation, and equitable access to public services throughout the metropolitan territory.

Within this framework, metropolitan legislative instruments must not be regarded merely as technical or administrative tools; rather, they constitute fundamental enabling conditions for the effective implementation of the New Urban Agenda (NUA, 2016) and the Sustainable Development Goals (Agenda 2030), particularly SDG 11 (Sustainable Cities and Communities), SDG 16 (Peace, Justice and Strong Institutions), and SDG 17 (Partnerships for the Goals).

The NUA explicitly recognizes metropolitan areas as key functional units for promoting inclusive, safe, resilient, and sustainable urban development. It calls upon States to review and update their legislative frameworks to strengthen institutional capacities, ensure intergovernmental coordination, and enable appropriate instruments for planning, financing, and public participation that are tailored to metropolitan specificities. Robust metropolitan legal frameworks allow for the institutionalization of sustainable urban development policies, the protection of fundamental human rights, the promotion of territorial equity, and the facilitation of long-term investment in these complex urban environments. Moreover, they are essential to advancing legal systems that promote environmental protection, climate resilience, and secure land tenure, ensuring that metropolitan governance can respond effectively to the challenges of the 21st century.

Therefore, effective legislation is a strategic component for effective, equitable, and sustainable metropolitan management. In complex urban contexts, where multiple jurisdictions coexist within the same functional space, legal frameworks are essential to establish clear rules for coordination, define competencies, allocate resources, and ensure effective mechanisms for accountability across different levels of government. A well-structured metropolitan legal framework enables the institutionalization of the metropolitan scale as a distinct dimension of public action, endowing it with legal personality, regulatory powers, and functional autonomy. This is crucial to address administrative fragmentation and enable effective decision-making in key areas such as mobility, spatial planning, infrastructure, housing, environment, and urban resilience.

Likewise, legal frameworks provide democratic legitimacy by establishing mechanisms for public participation, proportional representation of local governments, and systems for institutional oversight and control.

By linking strategic planning with financial and regulatory instruments, legislation becomes an enabling channel for the implementation of coherent metropolitan policies aligned with the challenges of contemporary urban development.

Indeed, metropolitan legislation is a key instrument for the localization and achievement of the SDGs. A well-designed metropolitan legal framework will enhance interjurisdictional coordination, integrated planning, and coherent allocation of competencies and resources. This directly contributes to specific SDG targets such as sustainable mobility (SDG 11.2), equitable access to services (SDG 11.1), the reduction of urban environmental impact (SDG 11.6), and inclusive participation in decision-making processes (SDG 16.7), among others.

This guide provides a structured approach for the development and strengthening of metropolitan legislation, grounded in international experiences, comparative analysis, and technical principles.

The subsequent chapters examine the legal relevance of recognizing the metropolitan level, the normative principles that should guide these frameworks, global trends and leading experiences, the essential components of an effective legal framework, and a series of strategic recommendations for national, subnational, and metropolitan governments.

The overarching objective of this document is to offer a technical and conceptual tool to guide the formulation and reform of legal frameworks specific to metropolitan governance. Its purpose is to contribute to closing the institutional, normative, and operational gaps that limit the effectiveness of public action in these functional territories.

By strengthening the legal foundation of metropolitan areas, the guide aims to facilitate the implementation of the New Urban Agenda, accelerate progress towards the SDGs, and consolidate a model of sustainable, inclusive, and resilient urban development at the metropolitan scale. While grounded in global commitments, this proposal is tailored to the diversity of contexts and challenges faced by metropolitan regions around the world.

1. Importance of Metropolitan Legal Frameworks

Metropolitan legislation plays a critical role in the strengthening of governance for metropolitan territories. As urbanization accelerates and functional urban areas expand, metropolitan areas are confronting increasingly complex social, environmental and economic challenges. In this context, legal frameworks serve as the foundation for structuring responsibilities, coordinating actors, and enabling effective and sustainable territorial governance.

Legal frameworks as pillars of metropolitan governance

Based on the above context, legal frameworks are essential pillars of metropolitan governance. They provide the foundation for enabling coherent and effective action by defining competencies, institutional arrangements, intergovernmental coordination mechanisms, planning instruments, and financing schemes. These laws can exist at multiple levels, national, regional, and local, and their design significantly shapes how metropolitan areas are governed. National legislation often sets the enabling conditions for metropolitan governance (e.g., mandates, funding mechanisms), while regional and local laws operationalize them through tailored procedural rules.

Metropolitan legislation plays a critical role in achieving SDG 11 by institutionalizing mechanisms for collaboration across municipalities and sectors; ensuring that urban development efforts are coherent, participatory, and responsive to the needs of diverse populations, particularly underprivileged groups. In doing so, they not only support the localization of SDG 11 but also enhance the capacity of metropolitan territories to deliver long-term, equitable, and sustainable development outcomes.

According to the New Urban Agenda, sustainable urban development requires legal and institutional systems that support participatory planning, multilevel governance, and effective implementation, anchored in the principles of equality, non-discrimination, and subsidiarity. Effective legislative frameworks are not just procedural tools, they are strategic enablers of inclusive, resilient, and well-managed metropolitan territories.

The New Urban Agenda assigns metropolitan legislation a strategic role in building inclusive, resilient, and sustainable urban systems. Paragraph 89 calls for ***“strengthening regulatory frameworks at national, subnational and local levels to enable effective urban governance,”*** stressing that these frameworks must be inclusive, rights-based, and responsive to territorial needs.

Paragraph 90 specifically highlights the need for legal frameworks that support intermunicipal and supramunicipal cooperation in metropolitan territories, where functional interdependencies cross administrative boundaries. To this end, the NUA emphasizes that laws should facilitate shared decision-making, the allocation of clear competencies, and access to adequate resources for subnational and metropolitan governments. This approach implies moving from fragmented urban legislation to coherent frameworks that recognize the metropolitan scale as a legitimate level of governance, with planning and financing instruments in line with its institutional and territorial complexity.

Metropolitan legislation and institutions

Legal frameworks form the foundation upon which metropolitan institutions are established, empowered, and sustained. As highlighted in UN-Habitat's Metropolitan Institutions Guide (2020), a legal mandate is essential to define functions, structures, and coordination mechanisms for managing their inter-jurisdictional complexity. Laws not only formalize the existence of these institutions but also guarantee their legitimacy, access to resources, and sustainability over time.

Without this legal backing, metropolitan institutions often operate in conditions of uncertainty, without sufficient authority to address challenges or harness opportunities that transcend administrative boundaries. A strong legal framework equips them with the clarity and tools needed to implement integrated policies, coordinate sectoral strategies, and promote collaborative governance across jurisdictions.

Legislation and institutionalization of metropolitan affairs

The legal recognition and institutionalization of metropolitan affairs are essential for effectively addressing the shared challenges faced by the cities that make up a metropolis. These challenges referred to as metropolitan matters, metropolitan issues, or elements of the metropolitan agenda are phenomena that affect more than two municipalities and cannot be managed by a single jurisdiction alone. They represent opportunities when leveraged to generate economic, social, or environmental benefits for the entire region, especially if there is institutional capacity to guide their development. However, they also pose threats when they cause imbalances or conflicts that arise from a lack of direct control, due to the involvement of multiple actors and divergent interests.

In this context, effective legislation and the strengthening of metropolitan institutional frameworks are key to identifying, prioritizing, and managing these issues with a unified vision. The formal acknowledgment of the metropolitan fact within the legal system not only legitimizes collective decision-making but also provides the tools needed to coordinate policies, allocate responsibilities, and ensure more effective, equitable, and sustainable governance.

Without this legal and institutional framework, opportunities may be lost and threats exacerbated, deepening inequality and territorial fragmentation.

Metropolitan legislation and decision making

Metropolitan legislation is a fundamental pillar for structuring effective, legitimate, and sustainable decision-making processes in complex and fragmented urban contexts. According to the **UN-Habitat Guide on Decision-Making in Metropolitan Governance**, well-designed legal frameworks should provide institutional clarity regarding the competences, functions, and relationships between different levels of government, while also establishing formal mechanisms for deliberation, consultation, decision-making, and policy implementation.

Effective legislation not only sets the rules of the game but also promotes collegial forms of decision-making, ensures political representation of metropolitan actors, and facilitates public participation with a particular focus on including underprivileged groups. This ensures that decisions reflect the real dynamics of the territory and carry social legitimacy. Furthermore, legislation should provide binding tools to ensure the execution of agreed decisions, promoting coherence between planning and action, and strengthening multi-level governance as the foundation for a resilient, efficient, and equitable metropolis.

In conclusion, metropolitan legal frameworks are not mere administrative instruments; they are essential catalysts for democratic, effective governance of the metropolitan territory. Their design must respond both to the principles of global agendas and to local institutional and functional realities, allowing for a coordinated, legitimate, and transparent exercise of metropolitan management. Without effective legislation, metropolitan management remains limited, fragmented and exposed to political and administrative volatility.

2. Guiding Principles of Metropolitan Legislation

The complexity of metropolitan territories requires a regulatory architecture that recognizes their specificity, that allows their functional scale to be managed in an integrated manner and that promotes governance based on co-responsibility, equity, and sustainability. This implies overcoming fragmented approaches, providing metropolitan institutions with effective capacities to plan, execute and coordinate public policies for the collective benefit, without substituting local competencies, but facilitating inter-jurisdictional cooperation and efficiency.

Within this framework, the following guiding principles are presented as the **normative foundations to guide all metropolitan legislation aimed at structuring a modern, transparent, democratic, and resilient management**. They are principles that aim not only to organize institutional functioning, but also to build enabling legal frameworks that are dynamic and aligned with the values of sustainable development, territorial justice and inclusive governance.

Guiding Principles

1. Legal recognition of the metropolitan scale

Legislation should explicitly recognize the metropolis as a territorial and functional unit, which transcends traditional administrative boundaries and requires specific normative structures for its planning, management, and regulation.

2. Subsidiarity and functional territorial approach

Legal frameworks should be based on the principle of subsidiarity, assigning competencies to the closest level of government with effective implementation capacity. This implies empowering supra-municipal bodies (for example, with binding planning instruments, financing mechanisms, metropolitan regulations, etc.) when challenges require a metropolitan level solution, , guaranteeing local autonomy.

3. Clarity of competence and institutional autonomy

It is essential that the legislation precisely defines metropolitan competencies (for example: scope of territorial planning, environmental, economic or social matters), avoiding duplication or overlaps with powers at the local or sectoral level or gaps that lead to different interpretations of the law. It should also clearly define the level of operational, administrative and technical autonomy of

metropolitan institutions to implement policies, plans and manage resources effectively at the supra-local level, avoiding possible conflicts of powers between authorities at different levels.

4. Multilevel and interjurisdictional governance

The regulations should establish effective coordination mechanisms between levels of government (national, regional and local) and between the municipalities that make up the metropolis, facilitating joint action without diluting responsibilities.

5. Decision-making structures and procedures

The legislation should establish collegiate bodies with equitable representation (territorial, public, and multi-level), clear rules for deliberation and voting, and binding procedures for decision-making, integrating criteria of proportionality, technical evidence and institutional traceability.

6. Public participation and democratic legitimacy

Legal frameworks should institutionalize spaces for meaningful and active public participation with an emphasis on the inclusion of the most vulnerable populations in the planning, monitoring and evaluation of metropolitan policies, guaranteeing transparency, access to information and accountability as central elements of metropolitan governance.

7. Territorial equity and social cohesion

Legislation should guide metropolitan action towards the reduction of social, economic and territorial inequalities, promoting inclusion and equitable access to services, opportunities and resources for all inhabitants of the metropolitan territory.

8. Environmental sustainability and resilience

It is essential that legal frameworks integrate criteria of ecological sustainability, land use planning, climate change mitigation and urban resilience. This will guarantee that metropolitan areas recover from various shocks and stresses which will enhance the well-being of residents and the sustainability of ecosystems.

9. Financial empowerment and fiscal sustainability

Metropolitan legislation should establish clear and stable financing mechanisms for metropolitan management, including the generation of own source revenues such as (taxes, fees, tariffs), transfers, debt and innovative tools such as Land Value Capture, ensuring fiscal autonomy and operational sustainability.

10. Institutional efficiency, effectiveness and innovation

Regulatory frameworks should promote agile institutional structures capable of optimizing resources, improving the quality of services and fostering modern, result-oriented and evidence-based management models through digital tools, technical cooperation and continuous improvement.

11. Regulatory flexibility and institutional adaptability

Metropolitan legislation should allow for the progressive adaptation of institutional arrangements to territorial transformations, population dynamics and regulatory changes, while maintaining their functional coherence and responsiveness to urban challenges.

12. Alignment with global development agendas

Legal frameworks should incorporate the principles of global development agendas such as the 2030 Agenda, the New Urban Agenda and other international agendas, ensuring their integration into metropolitan planning and management, and contributing to global sustainable development goals. These guiding principles provide a fundamental basis for the development of metropolitan laws, facilitating the creation of comprehensive legislation by considering the realities of territorial interdependence and urban complexity.

By incorporating principles such as subsidiarity, democratic participation, equity, sustainability, and institutional innovation, metropolitan legislation becomes a tool not only for organizing competences and responsibilities but also for enabling collective and coordinated action toward common goals. This principles-based approach ensures that legal frameworks promote legitimacy, coherence, and effectiveness in metropolitan governance, while advancing inclusive and sustainable urban development.

3. Global Trends in Metropolitan Legislation

Contemporary urban transformations, driven by demographic changes, technological advances, environmental pressures, economic dynamics, and evolving governance paradigms, have given rise to increasingly complex, dynamic, and functionally interdependent metropolitan areas. Challenges such as climate change, migration, and digitalization require adaptable legal and policy frameworks. In response, metropolitan legislation has progressively shifted from fragmented and sectoral approaches to more comprehensive, enabling and strategic regulatory models that reflect the integrated nature of today's urban and territorial challenges.

This chapter identifies 15 global regulatory trends that are reshaping the legal foundations of metropolitan management. These trends are not prescriptive checklists, but recurring patterns that illustrate how legal systems are adapting to challenges of coordination, sustainability, equity, and efficiency in territories that span multiple jurisdictions.

Each trend is supported by a comparative normative analysis and exemplified by concrete experiences drawn from 24 international case studies, showing how different regions of the world are advancing in the development of more robust, adaptive, and transformative metropolitan legal frameworks.

Trends

1. Legal recognition and regulatory differentiation of the metropolitan scale

A central feature of contemporary legislation is the explicit legal recognition of metropolitan areas as functional units with distinct roles and responsibilities compared to other territorial levels such as local, regional, or national.

This differentiation translates into the creation of legal entities with their own identity, specific competencies and supra-municipal operational capacity.

In **San Salvador**, this principle is clearly expressed in the **Law of Development and Territorial Ordering of the Metropolitan Area of San Salvador and Surrounding Municipalities (Legislative Decree 732/1994)**, which not only defines the metropolitan perimeter, but also creates two entities-the Council of Mayors of the Metropolitan Area of San Salvador and Office

of Planning of the Metropolitan Area of San Salvador with differentiated legal functions and powers for planning, urban control and environmental management. Similarly, in **Stuttgart, Germany**, the ***Gesetz über die Errichtung des Verbands Region Stuttgart (1994)*** recognizes the Metropolitan Region as a public entity under law (**Legislative Decree 732/1994**), with its own competencies in transportation, planning and regional development, thus institutionalizing its metropolitan character with legal force.



Normative value: Legal recognition of the metropolitan scale enables its institutionalization, making it possible to develop structures, assign competencies and guarantee legitimacy. It constitutes the basis on which the other metropolitan governance functions are articulated.

2. Regulatory flexibility and institutional adaptability

Given the diversity of territorial contexts and varying levels of political capacity, metropolitan legal frameworks are often designed as flexible instruments. This flexibility allows them to accommodate a range of institutional arrangements tailored to local needs, from strong metropolitan governance models to more voluntary intermunicipal cooperation schemes. Such adaptable frameworks ensure scalable, context-sensitive approaches to metropolitan management.

This approach can be observed in **Bratislava, Slovakia**, where there is no formal metropolitan authority, but national legislation (**Act on Regional Self-Government No. 302/2001**) which allows the self-governing region of Bratislava to coordinate regional planning and development policies in a transparent institutional architecture. In **Porto, Portugal, Law No. 75/2013** regulates a model of metropolitan areas with adaptable inter-municipal structures, which has allowed the development of specialized instruments such as the ***Agência Metropolitana de Transporte***, without the need for a new rigid legislative framework.



Normative value: Legal flexibility facilitates the progressive adaptation of the governance model, makes it possible to respond to changing dynamics and reduces institutional implementation costs, without compromising the capacity for metropolitan action.

3. Regulation of governing and decision-making bodies

Effective metropolitan legislation must go beyond defining who governs- it must also establish how decisions are made. A key regulatory trend is the formalization of collegiate bodies with territorial representation, and clearly defined rules for deliberation, voting procedures, and assigned

responsibilities. These structures are essential in ensuring democratic legitimacy, institutional stability, and operational efficiency in complex governance systems.

Barcelona, Spain, offers a paradigmatic example. **Law 31/2010** of the Parliament of Catalonia establishes the Metropolitan Council of the Barcelona Metropolitan Area as the highest decision-making body. It features proportional representation from constituent municipalities and is chaired by the Mayor of Barcelona. The council is vested with clearly defined competencies in urban planning, mobility, and the environment. Similarly, **in Santo Domingo, the Dominican Republic, Title V of Law 176-07** provides for a collegiate metropolitan governance structure, including a General Assembly composing of mayors and municipal representatives. This assembly coordinates shared policies and fosters inter-municipal collaboration.



Normative value: The precise regulation of governing bodies strengthens institutional coherence, facilitates coordinated decision-making, and reinforces representativeness in multi-actor metropolitan systems.

4. Multilevel and interjurisdictional governance

The functional complexity of metropolitan areas requires governance schemes that transcend municipal boundaries, integrating different levels of government. Metropolitan legislation thus tends to structure formal coordination mechanisms between local, regional and national scales, creating platforms for joint decisions and shared policies.

In **Johannesburg, South Africa**, the **Local Government: Municipal Systems Act No. 32 of 2000** outlines a Metropolitan Municipality model that consolidates local and provincial government functions into a unified structure, enabling effective integration of planning, service delivery and economic development. In **Riga, Latvia**, the **Regional Development Act of 2002** establishes the Riga Planning Region as a public body responsible for coordinating policies between municipalities and the national government, ensuring policy coherence in the implementation of regional planning instruments.



Normative value: The institutionalization of multilevel governance helps overcome institutional fragmentation, improves policy coherence across sectors and levels of government, and enables more integrated and strategic territorial planning.

5. Definition of clear and differentiated competencies

A distinctive feature of advanced metropolitan legal frameworks is the clear delimitation of functions assigned to the metropolitan level. This functional differentiation establishes which competencies are exclusive, shared or delegated, and how they are to be exercised in coordination with other levels of government.

In **Seoul, the Republic of South Korea**, national legislation assigns the Seoul Metropolitan government specific competencies in areas such as transportation, urban planning, environment, and public finance, established in regulations such as the **the Urban Planning Act (1962, with multiple amendments) and the Framework Act on the Construction of the Seoul Metropolitan Area (1982)**. Similarly, in **San Salvador, the Metropolitan Area of San Salvador Law** defines that the Council of Mayors of the Metropolitan Area of San Salvador – Office of Planning of the Metropolitan Area of San Salvador (OPAMSS and COAMSS) assume direct competencies in urban planning, territorial control and environmental services, with technical capacity and operational autonomy.



Normative value: The clear definition of competencies reinforces institutional efficiency, facilitates resource allocation, and strengthens accountability, reducing legal overlaps and ambiguities.

6. Binding regulation of metropolitan planning instruments with a focus on sustainability and climate resilience.

One of the most established trends in metropolitan legislation is the adoption of legally binding territorial planning instruments. These plans are not simply advisory, they must have normative authority, taking precedence over land use decisions, public investment priorities and sectoral policies. Moreover, such frameworks are integrating climate resilience and environmental sustainability as core principles, embedding them explicitly within the legal structures that govern metropolitan planning and development.

In **Barcelona, Spain**, the Metropolitan Urban Master Plan (PDU), whose preparation and binding nature are supported by **Law 31/2010** regulating the Metropolitan Area of Barcelona, acts as a higher-level spatial planning instrument. This Plan guides the coherence between municipal plans, defines binding criteria for territorial cohesion, land use, housing, infrastructure and environmental protection, reflecting a comprehensive approach to sustainability.

In **Lima, Peru**, the Metropolitan Urban Development Plan of Lima and Callao 2040 are based on **Supreme Decree No. 012-2014-VIVIENDA**, which establishes metropolitan planning as binding for district plans, with regulatory capacity on land use.

In addition, more recent legal frameworks in **Perú**, such as the **Framework Law on Climate Change (Law No. 30754, 2018)** and its regulatory developments, including **Law No. 31313 (2021)** explicitly include a mandate to integrate climate resilience, risk mitigation and environmental adaptation criteria into metropolitan plans. In **Seoul, the Republic of South Korea**, the **Carbon Neutral Green Growth Framework Act (2021)** mandates all metropolitan areas to incorporate climate action plans into their urban planning. This mandate translates into policy actions on green infrastructure, natural risk management and energy transition. Similarly, in **Medellin, Colombia**, the Strategic Metropolitan Land Use Plan of the Aburrá Valley Metropolitan Area, developed under **Law 1625 of 2013**, includes binding strategic lines of environmental resilience and integrated risk management.



Normative value: The legal hierarchy of metropolitan planning instruments- combined with the explicit integration of ecological sustainability and climate resilience- forms a critical foundation for ensuring territorial coherence, efficient land management and the sustainable projection of urban growth.

7. Financial empowerment and fiscal autonomy

Strengthening metropolitan management requires not only clearly defined competencies but also robust financial capacity. A growing trend in legislation is the inclusion of provisions that empower metropolitan authorities to mobilize and manage their own resources, whether through taxes, fees, intergovernmental transfers, borrowing, or innovative instruments such as land value capture and people-public-private financing mechanisms.

In **Medellín, Colombia**, the Aburrá Valley Metropolitan Area has a robust legal framework that allows it to access revenues from environmental taxes, transfers, and inter-institutional agreements, in accordance with **Law 1625 of 2013**. This law gives it the capacity to directly manage infrastructure, mobility, and environmental sustainability projects. In **Montreal, Canada**, the **Act respecting the Montréal Metropolitan Community (2000)** establishes the power to impose tax contributions, collect funds from member municipalities, and issue debt for strategic projects.



Normative value: The fiscal autonomy established by the legislation ensures financial sustainability, operational independence and enhanced capacity for metropolitan authorities to function effectively, reducing their reliance on higher levels of government.

8. Public participation and democratic control mechanisms

Progressive legal frameworks recognize that the legitimacy of metropolitan governance cannot rest exclusively on institutional representation. Accordingly, they incorporate formalized mechanisms for meaningful public participation, enabling civil society to have a direct and active role in the processes of planning, management, and oversight of metropolitan policies.

In **Medellín, Colombia**, the Aburra Valley Metropolitan Area has institutionalized participatory bodies such as the Metropolitan Planning Council, which is based on provisions of **Law 1625 of 2013** and local participatory planning regulations. In **Montreal, Canada**, legislation requires public consultations for the adoption of the *Plan Métropolitain d'Aménagement et de Développement*, and permanent commissions with public representation have been created, as regulated in Article 39 of the *Loi sur la Communauté Métropolitaine de Montréal*.



Normative value: The inclusion of public participation in metropolitan regulations reinforces democratic legitimacy, improves the quality of decisions, and guarantees transparency in contexts of high institutional complexity.

9. Transparency, traceability, and accountability

Alongside participation, accountability is increasingly recognized as an essential component of effective metropolitan legal frameworks. Modern regulations emphasize transparency in management, guarantee access to information, and establish institutional evaluation mechanisms, such as audits, management reports, monitoring systems and public reports disclosures.

For example, the **Greater London Authority Act 1999** mandates the mayor to publish annual reports on compliance with metropolitan plans, including the London Plan, and subjects' financial management to external audit and parliamentary scrutiny. Similarly, **Montreal's, Loi sur la Communauté Métropolitaine de Montréal (2000)**, requires the Metropolitan Community to submit management reports, publish annual budgets and conduct public evaluations of adherence to the *Plan Métropolitain d'Aménagement et de Développement* (PMAD).



Normative value: Legally mandated traceability and transparency strengthen governance systems, build public trust and foster continuous improvement in metropolitan management.

10. Specialization and institutional flexibility in metropolitan governance

A key trend in contemporary metropolitan legislation is the pursuit of two complementary institutional objectives. First, it emphasizes technical specialization through the establishment of legal structures with clearly defined mandates, qualified personnel, and the analytical capacity to address complex challenges, such as sustainable mobility, environmental management and integrated territorial planning. Second, it promotes regulatory flexibility, allowing adaptation to evolving political, economic, and spatial contexts. This flexibility supports the implementation of diverse coordination models whether intermunicipal, supramunicipal, or sectoral tailored to local needs and conditions.

In the **Paris Metropolitan Region**, the **Loi MAPTAM (2014) Law on the Modernization of Territorial Public Action and Affirmation of Metropolises** and the **Loi Notre (2015) Law on the New Territorial Organization of the Republic** provide the Métropole du Grand Paris with a professionalized technical structure integrating competencies in transport, housing, and urban sustainability, through the creation of legally mandated thematic agencies and planning units. In **San Salvador**, the **AMSS Land Development and Management Law (Legislative Decree 732/1994)** created OPAMSS, a specialized technical office with authority in planning, urban control, and territorial impact assessment, backed by regulations and with technical autonomy.

On the other hand, regulatory flexibility is reflected in governance models that do not impose a one-size-fits all approach to metropolitan organization. In **Bratislava, Slovakia**, for example, national legislation specifically the **Act on Regional Self-Government No. 302/2001** allows the self-governing region to coordinate key planning and economic development functions without a rigid mandate, enabling adaptive arrangements between municipalities and the region. Similarly, in **Zagreb, Croatia**, the **Zagreb Act (1997)** provides the legal basis for establishing intermunicipal cooperative mechanisms, allowing institutional structures to evolve in response to changing metropolitan needs. In **Cochabamba, Bolivia**, metropolitan governance is structured through intermunicipal agreements and a *Mancomunidad de Municipios*, supported by Bolivia's **Autonomy Framework (Law 031/2010)**, without establishing a specific metropolitan authority.



Normative value: The combination of technical specialization and regulatory flexibility enables metropolitan systems to evolve in an adaptive and context-sensitive manner. This dual approach ensures high-quality policy implementation through professional, well-structured institutions, while also fostering innovation and local legitimacy by allowing governance models to respond to shifting territorial dynamics without being constrained by rigid frameworks. The result is a form of metropolitan governance that enhances coordination, minimizes institutional inefficiencies, and delivers agile, effective responses to the complex challenges of urban development.

Box 3: Strengthening institutional design through specialized guidance

To support the design or reform of metropolitan legal frameworks, particularly regarding the principles of specialization and institutional flexibility, **UN-Habitat's Metropolitan Institutions – Guidelines for Designing and Managing the Metropolitan Authority (2020)** offers a highly valuable reference tool. This publication provides comprehensive guidance for structuring metropolitan authorities that are both technically capable and adaptable to diverse governance contexts.

The document outlines key institutional elements such as mandate definition, organizational design, legal personality, financial autonomy, and coordination mechanisms across jurisdictions. It emphasizes the importance of tailoring institutional arrangements to the functional characteristics of each metropolitan region, enabling flexible governance responses to evolving urban dynamics.

By applying this tool during legislative processes, policymakers and lawmakers can ensure that metropolitan governance structures are not only legally sound but also functionally specialized and resilient. Integrating these principles into legislation enhances institutional effectiveness, facilitates cross-sector collaboration, and aligns with global best practices on metropolitan management.



11. Diversity of legislative scales

Metropolitan legislation is shaped by the broader territorial structure of the country, resulting in regulatory frameworks that may be national, subnational, or a combination of both. This diversity reflects the understanding that metropolitan areas function within different government forms, federal, unitary, or hybrid, and therefore require multi-scalar legal approaches. Effective metropolitan management depends on legal systems that are tailored to the specific institutional architecture of each country, ensuring coherence between national objectives and local realities.

Montreal, Canada operates under the **Loi sur la Communauté Métropolitaine de Montréal (2000)**, which is a provincial law of the state of Quebec. This contrasts with the case of **San Salvador**, where the **AMSS Law** was enacted at the national level by the Legislative Assembly. This regulatory diversity not only reflects state structures but also conditions the capacity for articulation between levels of government, as seen in the integration of Lima and Callao, Peru, under national frameworks with limited coordination between jurisdictions.



Normative value: The diversity of legislative scales, when well-articulated, allows for more contextualized and effective responses. However, it requires regulatory harmonization mechanisms to avoid legal fragmentation and overlapping of competencies.

12. Predominance of cooperative governance models over full metropolitan governments

In many metropolitan areas, legislation favors collaborative governance models that prioritize coordination among municipalities rather than establishing a single metropolitan authority with centralized powers. This approach relies on intergovernmental structures such as councils, committees, or cooperation agreements, that promote collective decision-making while respecting the institutional autonomy of each participating municipality. It enables joint action on shared challenges like mobility, housing, and infrastructure, without requiring complete political or administrative consolidation.

The **Metropolitan Area of Barcelona (AMB), Spain**, offers a hybrid model, established by **Law 31/2010**, which creates a metropolitan government with its own set of competencies. However, its governance structure is composed of representatives from member municipalities, preserving a logic of cooperative governance rather than centralized control. In **Medellín, Colombia**, the Metropolitan Area of the Aburrá Valley, governed by **Law 1625 of 2013**, functions as an

association of municipalities, with a Metropolitan Board acting as a collegiate decision-making body, without constituting a fully separate supra-municipal administration. In **Bamako, Mali**, metropolitan coordination is enabled by the ***Loi d’Orientation sur la Décentralisation (1993)***, which permits voluntary communal associations for shared functions, without establishing a hierarchical metropolitan authority.



Normative value: This approach fosters intermunicipal cooperation and reduces political resistance, but its effectiveness can be limited if not supported by adequate operational capacity and binding decision-making mechanisms.

13. Synergies between sectoral policies and legal frameworks

Effective alignment between metropolitan legal frameworks and sectoral policies is essential to ensure territorial coherence and create operational synergies. It is not sufficient for legislation to merely recognize the existence of metropolitan areas; it must also clearly define how metropolitan competencies interact with regulatory systems in key areas such as transportation, urban development, the environment, public services and climate change.

In **Singapore**, the **Planning Act (1998)** mandates the integration of sectoral strategies, such as housing, transport, and sustainability into the legally binding Master Plan and Concept Plan, ensuring coherence across public agencies. In **Riga, Latvia**, the **Law on Regional Development (2002)** requires regional spatial planning to align with national policies on education, environment and transport, within the framework of legally approved regional development plans.



Normative value: The regulatory articulation of sectoral and territorial policies helps overcome fragmented, siloed approaches and fosters the creation of integrated legal frameworks that reflect the functional interdependence of metropolitan territories. This integration enhances the effectiveness of public action, reduces institutional inefficiencies, and enables more impactful and coordinated territorial development.

14. Incorporation of cross-border cooperation mechanisms.

Some metropolises operate in bi-national or inter-regional contexts, which requires legal frameworks that allow for institutional cooperation between different jurisdictions. This trend manifests itself in bilateral agreements, joint authorities or adapted legal structures.

In **Ciudad del Este, Paraguay**, the **Interinstitutional Resolution N° 005/2018** formalizes the Binational Entity of the Metropolitan Area (EBAM), a technical body with a mandate for joint planning between **Paraguay and Brazil**. This legal instrument allows for the coordination of infrastructure and mobility projects that transcend national borders.



Normative value: Legal frameworks that recognize cross-border cooperation enable coordinated solutions to shared problems and promote supranational governance adapted to the real dynamics of the territory.

15. Data-informed and evidence-based decision making.

Metropolitan legislation is beginning to contemplate the institutionalized use of open data, technical analysis, and empirical evidence for the formulation of policies, plans, and institutional decisions. This trend drives the creation of observatories, monitoring platforms, and information systems.

In **Guadalajara, Mexico**, the Metropolitan Planning Institute (IMEPLAN), established under the **Metropolitan Coordination Law of the State of Jalisco (2011)**, is legally mandated to produce technical analyses that inform the decisions of the Metropolitan Board. These technical analyses are legally binding and must be used to evaluate the feasibility and territorial impact of metropolitan projects, ensuring that decisions are grounded in evidence-based planning.

In **Riga, Latvia**, the **Regional Development Act (2002)** establishes a legal responsibility for planning regions to develop and maintain territorial databases, performance indicators and technical analyses to guide both regional plans and cooperation agreements with the national level. This evidence is binding for decisions on resource allocation and regional policy design.



Normative value: Legally grounded technical evidence enhances the quality of public policy by reducing political discretion, increasing decision-making transparency, and strengthening the legitimacy, effectiveness, and long-term sustainability of metropolitan actions.

Final Reflection

The fifteen regulatory trends identified reflect a process of profound transformation in metropolitan legislation on a global scale, moving from sectoral and fragmented legal frameworks to integrated, flexible, and results-oriented regulatory structures. Far from remaining rigid, fragmented, or purely administrative legal frameworks, contemporary legal frameworks tend to articulate more integrated, adaptive, and results-oriented regulatory structures. This regulatory transition responds to the growing need to manage metropolitan territories more effectively, equitably, and sustainably, recognizing their status as complex and interdependent functional units.

Emerging legislation is no longer limited to defining competencies- it now functions as a strategic tool for multi-level coordination, enabling collective action, aligning diverse actors and integrating territorial, sectoral, and environmental objectives. The growing emphasis on sustainability, resilience, public participation, and transparency reflects a normative shift: from regulation to transformation, seeking to not only govern metropolitan areas, but also shape them in line with broader societal goals.

This process is neither linear nor free of tensions. Significant challenges and opportunities remain, particularly in relation to financing, legal hierarchy, institutional legitimacy, and technical capacity. Nevertheless, the cases analyzed demonstrate that it is possible to advance toward metropolitan legislation that not only regulates but also enables collective action, strengthens support for sustainable development, and makes the governance of functional urban territories more effective. Metropolitan areas require governance grounded in a robust legal foundation, yet also flexible and adaptive, combining legal formalization with institutional innovation.

In summary, 21st-century metropolitan legislation should be conceived as a transformative regulatory architecture, designed to build more inclusive, resilient, and efficient metropolitan systems. The trends documented in this chapter offer a valuable comparative basis for informing future reforms, encouraging inter-territorial cooperation, and strengthening metropolitan governance in alignment with the principles of the Sustainable Development Goals and the New Urban Agenda.

Table 1. Comparative Matrix of Global Trends in Metropolitan Legislation

Source: Author

Nº	Regulatory trend	Focus	Normative value	Highlighted examples
1	Legal recognition of the metropolitan scale	Formalization of the metropolitan fact	Enables institutionalization and assignment of functions	San Salvador, Stuttgart
2	Regulatory flexibility and institutional adaptability	Various institutional arrangements	It favours the progressive adaptation of the governance model	Bratislava, Porto
3	Regulation of governance and decision-making bodies	Collegial and deliberative structures	Strengthens representativeness and operational efficiency	Barcelona, Santo Domingo
4	Multilevel and interjurisdictional governance	Coordination between levels of government	Overcomes fragmentation and improves policy coherence	Johannesburg, Riga
5	Definition of clear and differentiated competencies	Functional delimitation by scale	Avoids overlaps and improves the allocation of resources	Seoul, San Salvador
6	Planning regulation with a focus on resilience and sustainability.	Binding and integrated planning	Ensures territorial coherence and climate response	Barcelona, Seoul, Medellín
7	Financial empowerment and fiscal autonomy	Own source revenue and innovative mechanisms	Reduces dependence and strengthens operational capacity	Medellin, Montreal
8	Public participation and democratic control	Institutionalized public advocacy	Improved legitimacy and quality of decisions	Medellin, Montreal
9	Transparency, traceability and accountability	Access to information and public audit	Strengthens trust and evidence-based governance	London, Montreal

10	Institutional specialization and flexibility in metropolitan governance	Technical capacity and institutional adaptation	Promotes the organic and adaptive evolution of metropolitan systems.	Paris, San Salvador, Bratislava
11	Diversity of legislative scales	National/ subnational regulatory frameworks	Allows for differentiated responses and vertical coordination	Montreal, Lima, San Salvador
12	Predominance of cooperative governance models over full metropolitan governments	Voluntary inter- municipal coordination	Strengthens cooperation without eroding local autonomy	Barcelona, Medellin, Bamako
13	Articulation between sectoral policies and legal frameworks	Multisectoral regulatory integration	Reduces fragmentation and increases operational efficiency	Singapore, Riga
14	Incorporation of cross- border cooperation mechanisms.	Binational interjurisdictional governance	Responds to real territorial dynamics	Ciudad del Este
15	Data-informed and evidence-based decision making	Observatories and information systems	Increases quality and legitimacy of decisions	Guadalajara, Riga

4. Fundamental Elements of an Effective Metropolitan Regulatory Framework

This chapter presents a systematization of the essential components that constitute an effective legal framework for regulating metropolitan management. Based on the study of international cases and the analysis of the main institutional challenges, seven fundamental elements are identified that every metropolitan legislation should consider: the functional delimitation of the territory, the definition of competencies, the configuration of governance models, planning instruments, sources of financing, accountability mechanisms, and modes of public participation. These elements are addressed from a functional, normative, and operational perspective, with the aim of providing technical criteria for the design, evaluation, and strengthening of legal frameworks adapted to contemporary urban realities.

4.1. Territorial scope

The territorial scope constitutes one of the foundational pillars of any metropolitan legal framework. It refers to spatial, legal, and administrative delimitation within which metropolitan authority is exercised, and its functions are organized. This delimitation not only defines the physical boundaries of the metropolitan territory but also establishes the institutional perimeter where competencies, regulations, and coordination mechanisms are applied.

A robust metropolitan legal framework must precisely identify the group of municipalities or territorial entities that constitute the metropolitan area. Furthermore, it should include provisions for territorial modifications, expansion, reduction, or reconfiguration, allowing the territorial structure to adapt to demographic, economic, functional, or institutional changes. Such flexibility is essential to ensure the continued relevance of the metropolitan model in dynamic urban contexts.

Additionally, the framework should clearly define the requirements and procedures for the accession or withdrawal of municipalities, based on principles of autonomy, consensus, and technical rationality, thereby guaranteeing the active participation of the involved local governments.

Key functions of the territorial scope in metropolitan legislation:

- i. Establishing with certainty the jurisdiction of the metropolitan authority.
 - ii. Defining the legal procedures for modifying the territorial perimeter.
 - iii. Consolidating the institutional identity and legitimacy of the metropolitan governance system.
-

Strategic dimensions of the territorial scope

a. Legal and operational clarity

A precise territorial delimitation provides legal and operational certainty. It reduces ambiguities, prevents jurisdictional overlaps, and facilitates inter-institutional coordination.

Examples such as the Law 31/2010 of the Parliament of Catalonia (Barcelona), the Loi sur la Communauté Métropolitaine de Montréal (Canada), and the Gesetz über die Errichtung des Verbands Region Stuttgart (Germany) demonstrate how an explicit territorial definition is essential for effective planning and governance.

b. Flexibility for adaptive configuration

Legal recognition of mechanisms that allow for territorial modifications enhances the adaptability of the metropolitan model.

Legislations such as Law 1625 of 2013 in Colombia or Law No. 75/2013 in Portugal enable the expansion or adjustment of the metropolitan perimeter based on technical criteria and political consensus, ensuring the territorial configuration adequately reflects emerging urban dynamics.

c. Participation and consensus in territorial integration

Establishing clear procedures for voluntary inclusion or legitimate withdrawal fosters a cooperative governance logic. Cases such as Guadalajara (Mexico), Bratislava (Slovakia), or Cochabamba (Bolivia) illustrate how metropolitan territorial construction can be supported through inter-municipal agreements, public consultations, or autonomy-based frameworks, generating shared governance and a strong sense of metropolitan identity.

Table 2. Comparative table of territorial scope by metropolitan area

Source: Author

Metropolitan Area	Legal Instrument	Territorial Scope
Barcelona (Spain)	Law 31/2010 of the Parliament of Catalonia	Establishes 36 municipalities as members of the Barcelona Metropolitan Area (AMB) and provides mechanisms for modification through regional law.
Medellín (Colombia)	Law 1625 of 2013	Defines the Metropolitan Area of the Aburrá Valley and includes criteria for the voluntary incorporation of contiguous municipalities through popular referendum.
Seoul (South Korea)	Framework Act on the Construction of the Seoul Metropolitan Area	Defines the Seoul Metropolitan Area using a hierarchical zoning system (core, inner and outer belts).
Montreal (Canada)	Loi sur la Communauté Métropolitaine de Montréal (2000)	Identifies 82 municipalities as members based on functional and administrative criteria. Allows for adjustments via provincial decree.
Bratislava (Slovakia)	Act on Regional Self-Government No. 302/2001	Does not define a formal metropolitan area but allows the self-governed region to integrate municipalities for regional functions.
Lima and Callao (Peru)	Supreme Decree No. 012-2014-VIVIENDA	Establishes the metropolitan configuration of Lima and Callao for integrated planning.

4.2. Scope of action: Metropolitan competences and functions

The scope of action refers to the set of functions, services, and competences that legislation assigns to the metropolitan level. Its precise definition is a central component of the legal architecture, as it enables the functional division of responsibilities among levels of government, prevents institutional overlaps, and ensures the efficient delivery of public services across functionally integrated territories.

A clear delineation of metropolitan competences contributes to the rationalization and operationalization of the governance system by articulating complementary responsibilities and minimizing jurisdictional conflicts. The legal framework should specify which functions are exclusive to the metropolitan tier, which may be delegated, and under what conditions cooperation with other institutional actors is permissible.

Strategic dimensions of the scope of action

a. Definition of metropolitan competences

Metropolitan legal systems vary in how competences are defined. Some adopt a structured approach, enumerating mandatory and exclusive functions, while others use more flexible models that allow progressive adjustments through intergovernmental agreements or complementary provisions.

- In Barcelona, Law 31/2010 defines mandatory competences in public transport, urban planning, environmental management, housing, and economic development, and empowers the AMB to assume delegated responsibilities.
- In Seoul, the Urban Planning Act and the Framework Act on the Construction of the Seoul Metropolitan Area confer explicit competences in transportation, urban development, environmental protection, water and waste management, and regional development.
- In Montreal, the *Loi sur la Communauté Métropolitaine de Montréal* assigns exclusive and non-delegable powers in territorial planning, land management, economic development, and environmental governance.

By contrast, models such as Bratislava and Zagreb reflect a more open and cooperative logic, where functions are exercised through intergovernmental agreements rather than exhaustive legal enumeration.

b. Execution modalities: direct, delegated or hybrid

The legal framework must also establish how metropolitan competences are to be exercised: directly by the metropolitan entity, through delegation, or via institutional arrangements with other stakeholders.

- In San Salvador, OPAMSS exercises direct responsibilities in urban planning, while COAMSS operates as an inter-municipal coordination entity, forming a functional duality.
- In Medellín, the AMVA combines exclusive powers with inter-administrative agreements under the authority of Law 1625 of 2013, enabling various modalities of shared implementation.
- In Porto, Law No. 75/2013 allows for the creation of functional agencies such as the Agência Metropolitana de Transportes, which can undertake specific tasks without requiring structural reforms to the broader metropolitan system.

These hybrid arrangements enhance institutional flexibility, encourage multi-actor participation, and allow management approaches to adapt to local administrative capacities.

a. Inter-institutional coordination and multilevel articulation

A critical dimension of the metropolitan scope of action is its ability to coordinate policies and services across different levels of government. This coordination can be vertical (among national, regional, and local authorities) or horizontal (among municipalities), and requires dedicated legal and institutional instruments.

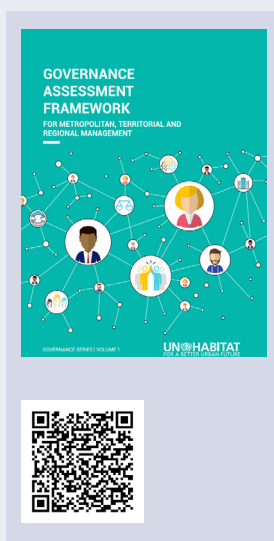
- In Johannesburg, the metropolitan municipality model established by the Municipal Systems Act No. 32 of 2000 integrates local and provincial functions, allowing for comprehensive service delivery, planning, and mobility management.
- In Riga, the Regional Development Law (2002) facilitates articulation between the national government, planning regions, and municipalities through joint strategic planning mechanisms.

In summary, the regulation of the metropolitan scope of action is not limited to defining a catalogue of functions. It must establish the normative, technical, and institutional conditions necessary to ensure effective, sustainable, and coordinated governance. Comparative experience shows that inspiring legal frameworks combine competence clarity with operational flexibility, enabling models of direct, delegated, or cooperative action that allow for the development of functional metropolitan systems without the need for rigid or oversized structures.

Box 3. Defining metropolitan functions and mandates: A strategic reference tool

The Governance Assessment Framework for Metropolitan Territorial and Regional Management (GAF-MTR) (UN-Habitat, 2020) guides in the development or reform of legal frameworks that define the scope of action and core functions of metropolitan governance bodies. This framework enables a structured assessment of existing governance arrangements, highlighting critical gaps in legal mandates, functional distribution, and institutional coordination mechanisms.

By identifying essential metropolitan functions such as integrated spatial planning, mobility systems, environmental management, housing policies, and economic development, this tool supports the design of legal frameworks that assign clear, complementary, and feasible competences to metropolitan institutions.



It also emphasizes the importance of subsidiarity, territorial equity, and responsiveness in allocating mandates, which are fundamental principles for sustainable urban management.

The GAF-MTR is especially useful for policymakers and legislative drafters seeking to clarify and strengthen the legal responsibilities of metropolitan authorities. Its diagnostic and benchmarking methodology enables governments to align legal mandates with real-world metropolitan dynamics, ensuring that legislation supports effective and accountable governance at the metropolitan scale.

Source: UN-Habitat, 2020, Governance Assessment Framework for Metropolitan Territorial and Regional Management (GAF-MTR).

4.3. Governance model: Institutions, representation, and decision-making

The governance model defines the institutional architecture through which decisions are made at the metropolitan level. It encompasses governing bodies, their mandates, composition, appointment mechanisms, operational rules, and the instruments that ensure territorial representation and democratic legitimacy. This dimension is essential for reconciling diverse interests in contexts characterized by political and functional fragmentation.

Strategic dimensions of the governance model

a. Typology of governing bodies

Metropolitan legal frameworks typically establish one or more bodies with deliberative, executive, technical, and oversight functions. The way these bodies are structured and interrelated determines the balance between collegial governance, executive leadership, and specialized technical capacity.

- In Barcelona, Law 31/2010 created the Metropolitan Council of the AMB, a collegial body composed of municipal representatives based on population size. It is chaired by the Mayor of Barcelona, who also performs executive duties, forming a dual leadership structure that combines collective deliberation with executive direction.
- In Santo Domingo, Law 176-07 establishes a General Assembly of Local Governments as the highest coordination authority, composed of mayors and municipal delegates, acting as a joint decision-making forum.
- In Montreal, the law provides for a Community Council with municipal quota-based representation and specialized technical committees, reinforcing a deliberative model with strong technical backing.

In more flexible or emerging models, governance bodies tend to be informal or based on cooperative mechanisms:

- In Cochabamba, the metropolitan association is governed by a Council of Mayors that operates by consensus, without binding normative powers.
- In Bratislava, the self-governed region serves as a coordinating entity, without a dedicated metropolitan authority, delegating decisions to intermunicipal agreements.

b. Composition, representativeness, and legitimacy

A growing trend in metropolitan governance is the design of representation systems that ensure balanced participation of constituent municipalities, whether based on population, territory, or a combination of both. This approach seeks to balance the political weight of central cities with that of peripheral municipalities.

- In Seoul, the metropolitan government is elected through direct vote granting it strong institutional legitimacy and reinforcing democratic accountability.
- In London, the Metropolitan Mayor is also directly elected, working alongside the London Assembly, which performs legislative oversight functions.
- In Paris (*Métropole du Grand Paris*), the governance model is structured through a combination of local mayors and designated representatives according to population thresholds, allowing for a balanced reflection of territorial diversity.

c. Operational rules and decision-making processes

Metropolitan laws typically establish clear rules for decision-making processes, including quorum requirements, qualified majorities, vote delegation mechanisms, and regulatory autonomy.

- In Stuttgart, *the Verbandsversammlung* adopts strategic decisions by qualified majority, in accordance with procedures set out in the 1994 Regional Law.
- In San Salvador, the COAMSS operates under internal regulations that safeguard the equitable political representation of local governments, while the OPAMSS serves as the technical arm with executive functions.

Clear legal provisions governing decision-making are crucial to ensuring legal certainty, avoiding political deadlock, and legitimizing metropolitan agreements in the eyes of the public.

A metropolitan governance model must achieve a balance between territorial representation, operational efficiency, and democratic legitimacy. The most robust cases combine collegial bodies with visible executive leadership and permanent technical structures.

Box 4. Regulating metropolitan decision-making: A practical tool

The report **Decision Making in Metropolitan Governance (UN-Habitat, 2023)** serves as a key reference document for informing the development or reform of legislative frameworks governing decision-making processes in metropolitan contexts. This publication offers technical criteria and practical examples to help design governance structures that are clearer, more efficient, and more legitimate, addressing critical aspects such as the allocation of competence, voting rules, representation mechanisms, and platforms for intergovernmental coordination.

Particularly valuable for legislators, technical teams, and public policy makers, this tool supports the integration of principles such as transparency, inclusiveness, accountability, and shared responsibility into metropolitan legislation. Through a comparative analysis of international experiences, it highlights best practices that can be translated into legal provisions to improve the operational functionality of metropolitan authorities.

In summary, this document serves as a guide to ensure that metropolitan legislation not only formally recognizes the metropolitan scale but also effectively regulates the decision-making process in complex functional territories.

Source: UN-Habitat, 2023, Decision Making in Metropolitan Governance.



4.4. Planning instruments: typologies, legal regulation, and multilevel articulation

Metropolitan legislation not only empowers the metropolitan entity to engage in planning but also defines how this should be done, specifying the instruments to be used, the relevant scales, and the legal effects involved.

Regulating planning mechanisms is a structural function of any metropolitan legal framework, as it determines the capacity to anticipate, coordinate, and implement territorial interventions.

Legally regulated metropolitan planning enables the articulation of long-term strategic visions, the structuring of urban and territorial functions, coordination with other levels of government, and the alignment of financial resources with public policies.

Strategic dimensions of metropolitan planning

a. Typology and scope of metropolitan plans

Legislation must define which types of plans should be developed at the metropolitan level, including their content, frequency of review, and their relationship with municipal or national plans. These may include strategic development plans, spatial planning instruments, sectoral policies, and operational frameworks.

- In Milan, Law 56/2014 (Delrio) and the Metropolitan Statute regulate the *Piano Strategico Metropolitan*, a mandatory triennial development plan that aligns territorial agendas, strategic projects, and governance priorities. It is integrated into the Italian national planning system.
- In Riga, the national spatial planning framework mandates that metropolitan planning be embedded within the regional development plans, which include strategic and land-use components coordinated with the planning region and its municipalities.

b. Legal nature and binding force

The legislation must specify whether metropolitan plans are legally binding for municipalities or serve as non-binding coordination instruments. Legal clarity on this matter is essential to avoid jurisdictional conflicts.

- In Milan, the *Piano Territoriale Metropolitan* (PTM) holds normative authority and can override municipal planning tools on supra-local matters such as infrastructure, transport, and the environment. This hierarchy is regulated by Regional Law 12/2005.
- In Riga, Latvian legislation grants binding legal status to regional development plans, allowing metropolitan plans to have a degree of functional hierarchy over municipal instruments on strategic issues.

c. Institutional and multilevel articulation

Legislation should provide mechanisms for integrating metropolitan plans with regional and national planning systems, thus fostering intergovernmental coherence.

- In Milan, the *"Piano Strategico"* is developed through a "territorial pact" involving multi-stakeholder platforms and public-private alliances, ensuring vertical alignment with regional and national policies and horizontal inclusion of municipalities.
- In Ciudad del Este, the absence of a legal framework coordinating the planning of its four municipalities hinders collaboration. The Departmental Government acts as

a facilitator but lacks the authority to enforce a unified plan, revealing a normative coordination gap.

- In Riga, planning operates under the Regional Development Law (2002), which mandates coordination across national, regional, and municipal levels, supported by shared technical instruments such as Strategic Action Plans.

Metropolitan legislation must regulate planning mechanisms as an integral part of institutional design. This regulation not only assigns responsibilities but also establishes the legal conditions under which metropolitan plans can be effective, normatively robust, and coherent with other levels of government.

4.5. Sources of financing: Fiscal architecture, competences, and intergovernmental responsibilities

Metropolitan legislation defines the financial framework that enables the operation and long-term sustainability of metropolitan functions. This framework regulates the sources of revenue, financial management instruments, articulation with municipal, regional, or national budgets, as well as the financial obligations of the various levels of government. A clear and efficient financial regime allows for the consolidation of metropolitan functional autonomy, enhances public spending efficiency, and ensures the viability of multiscale strategic projects.

Strategic dimensions of metropolitan financing

a. Typology of financing sources

The financial resources of metropolitan areas may be broadly categorized as: (i) own-source fiscal revenues; (ii) intergovernmental transfers; (iii) funding from agreements or international cooperation; and (iv) income from services, fees, or concessions. Effective legislation must precisely define which resources are authorized, whether they are mandatory or discretionary, and the conditions for their management.

- In Bratislava, National Act No. 302/2001 (Act on Self-Governing Regions) establishes that regional revenues include state budget subsidies, shared taxes, and own-source revenues. The annual regional budget serves as the core instrument for financial planning, enabling the financing of strategic regional programs through EU structural funds and national resources.
- In Barcelona, Law 31/2010 endows the AMB with a solid financial architecture, combining own-source revenues (such as mobility and environmental taxes), state and regional transfers, municipal contributions, service fees, and borrowing capacity.

This diversified base allows for attracting higher investment levels and strong fiscal autonomy.

- In the Brussels Capital Region, the Belgian federal framework grants full fiscal autonomy to the regions. The Special Law of January 16, 1989, enables the region to generate revenue through its own taxes, federal transfers, and loans. This empowers the region to operate an autonomous financial system covering mobility, urban development, environmental policy, and economic governance.

b. Linking competences and resources

Legislation must ensure that the assignment of metropolitan functions is accompanied by proportional financial resources. This principle of fiscal sufficiency is essential to avoid nominal decentralization without effective financial backing.

- In Bratislava, strategic instruments such as the IROP (Integrated Regional Operational Programme) and the RIÚS (Regional Spatial Strategy) are financed through EU structural funds channeled via the region, ensuring coherence between functions and funding for spatial and territorial development.
- In Brussels, each regional competence is supported by specific administrative structures and dedicated budgets managed by regional technical agencies (e.g., Urban Brussels, Brussels Mobility). Legislation guarantees alignment between strategic objectives and financial sources through direct allocations and sectoral budgetary autonomy.

c. Intergovernmental financial coordination instruments and mechanisms

A robust legal framework must include arrangements for budgetary coordination across levels of government, particularly when competences are shared or overlapping. These mechanisms may include financial agreements, metropolitan funds, and fiscal coordination committees.

- In Brussels, although each municipality maintains autonomy, the Regional Government articulates sectoral budgets through agreements with local communes, backed by its normative authority in fiscal matters and its coordinating role within the federal structure.
- In Bratislava, the region functions as an intermediary between the State and municipalities for the implementation of programs financed by EU funds. This mediation, regulated by government resolution, enables the region to strategically negotiate and redistribute resources among participating communes.

d. Fiscal autonomy and accountability

Metropolitan legislation must strike a balance between fiscal autonomy and mechanisms for oversight and accountability. This includes regulations on participatory budgeting, external auditing, and fiscal responsibility rules.

- In the AMB (Barcelona Metropolitan Area), the Metropolitan Council includes a Special Accounts Committee composed of representatives from all political groups to oversee the use of financial resources. Additionally, open data access reinforces transparency and the legitimacy of financial actions.

The financial regulation of metropolitan governance must incorporate stable and diversified revenue sources, aligned with assigned competences and supported by clear mechanisms for intergovernmental coordination and public oversight.

4.6. Accountability Mechanisms: Transparency, Internal Oversight, and Public Participation

Accountability is a fundamental component of the metropolitan legal framework. Legal systems must ensure that metropolitan governance is subject to effective monitoring, evaluation, and control mechanisms, both internal and external. This entails the establishment of institutional follow-up procedures, technical audits, and public participation platforms to guarantee democratic legitimacy, operational efficiency, and public oversight of metropolitan decision-making.

Strategic dimensions of metropolitan accountability

a. Institutional oversight and control

Metropolitan legal frameworks must provide for internal structures that enable systematic self-assessment of institutional performance. These include internal audit bodies, special accounts committees, and performance monitoring units.

- In the Barcelona Metropolitan Area (AMB), Law 31/2010 establishes a Special Accounts Committee as a financial oversight body, composed of representatives from all political groups within the Metropolitan Council. This committee conducts annual reviews of financial resource use and issues public reports.
- In Medellín, Law 1625 of 2013 mandates the Aburrá Valley Metropolitan Area to submit periodic management reports to its Metropolitan Board, enabling a formal and documented review of policies, programs, and budget execution.

b. External auditing and fiscal responsibility

Metropolitan laws must ensure that governance bodies are subject to audit by independent control entities. Such audits verify compliance with principles of legality, efficiency, and fairness in the use of public resources.

- In London, the Greater London Authority (GLA) is overseen by the London Assembly, a legislative body that monitors the mayor's actions, audits budgets, and holds public oversight hearings. Legislation empowers the Assembly to request information and conduct public inquiries on key decisions.

c. Fiscal transparency and public oversight of budgets and investments

The metropolitan legal framework must ensure effective access to budgetary information and establish specific mechanisms for public participation in the oversight of public resources. This entails not only the proactive publication of official documents such as annual budgets, investment plans, and financial statements but also the creation of institutionalized spaces where the public can audit, deliberate, and issue recommendations regarding the use and allocation of metropolitan resources.

- In Johannesburg, the South African legal system, particularly the Municipal Systems Act No. 32 of 2000, mandates that metropolitan municipalities subject their budgets and integrated development plans to compulsory public participation processes. These include community hearings and the integration of ward committees that review, propose, and monitor local budgets. This model ensures direct and systematic interaction between the public and metropolitan government on financial matters, strengthening transparency and the legitimacy of fiscal planning.
- In Cochabamba, although the legislation governing the metropolitan association formally acknowledges the principle of public participation, institutional gaps hinder the effective implementation of public oversight mechanisms. The absence of a robust regulatory system for accessing budgetary and investment information limits public control over the financial decisions of the metropolitan entity, highlighting the need for legal reforms aimed at ensuring transparency and public-led fiscal accountability.

An effective metropolitan accountability system requires the integration of internal oversight mechanisms, independent external audits, and platforms for public monitoring. Comparative experience shows that the most resilient legal frameworks are those that combine technical controls with democratic instruments, fostering a culture of transparency, legality, and shared responsibility.

4.7. Public Participation Mechanisms: Metropolitan Democracy, Deliberation, and Community Engagement

Public participation is a foundational pillar for the design and legitimacy of metropolitan legal frameworks. Legislation must establish mechanisms that ensure active public involvement in the planning, formulation, and implementation of public policies at the metropolitan scale. This entails recognizing the right of residents to influence decisions that affect their daily lives and the sustainability of the urban-regional environment either directly or through representative mechanisms.

Strategic dimensions of public participation

a. Institutionalization of participatory bodies

Legal frameworks should establish consultative or deliberative bodies to channel the civic voice within the metropolitan structure. These may include public councils, consultative forums, or intersectoral platforms with community representation.

- In Zagreb, the legal framework regulating the urban agglomeration explicitly mandates the creation of a “Partnership Council,” composed of municipal representatives, civil society organizations, and economic actors. This advisory body convenes periodically to monitor the progress of the Development Strategy, enabling structured deliberation between institutional and public actors.

b. Public consultation and deliberative procedures

Metropolitan legislation must provide formal procedures of public consultation at key stages of the policy cycle, particularly during the formulation of strategic plans and multiannual budgets.

- In Milan, regional legislation and the Metropolitan Statute mandate that the *Piano Strategico Metropolitan* be subject to public consultation prior to adoption. This is regulated through administrative acts aligned with the planning calendar and obliges the metropolitan authority to publicly address public comments, incorporating community input into strategic priorities.
- In Stuttgart, the *Gesetz über die Errichtung des Verbands* Region Stuttgart enshrines the “*Gegenstromprinzip*” (counter-current principle), which requires reciprocal consultation processes between metropolitan bodies, municipalities, and the public during the drafting of the Regional Plan. This principle is formally regulated as a procedural mandate within the Verband’s legal framework.

c. Digital tools and open data

The use of digital technologies and open data portals enhances public monitoring capacities and fosters informed participation.

- In Seoul, the digital platform “M-Voting” enables residents to vote on public initiatives, promoting a model of metropolitan direct democracy. This tool has been incorporated into the normative system of smart urban governance.

d. Inclusion and equity in participation

An effective legal design must ensure the participation of traditionally underrepresented groups such as women, youth, and vulnerable communities, through representation quotas or differentiated processes.

- In Santo Domingo, Law 176-07 on municipal organization explicitly recognizes community participation as both a right and an institutional obligation. In accordance with this law, comprehensive development plans include sectoral forums with guaranteed participation from women, youth, and community leaders. This is not merely encouraged as best practice but established as a prerequisite for the legal validation of certain planning instruments.

The institutionalization of public participation within metropolitan legislation not only strengthens the democratic legitimacy of public decisions but also enhances the technical quality and sustainability of urban policies. Comparative experiences demonstrate that the most advanced legal frameworks combine structured deliberation, civic technology, and inclusive pluralism, transforming metropolitan governance into a genuine process of shared social responsibility.

Ensuring legal soundness: Scrutiny criteria for metropolitan lawmaking

As an integral component of the formulation or reform of metropolitan legal frameworks, it is essential to incorporate a structured scrutiny of legal quality, as recommended by UN-Habitat in its **Guidelines for the Scrutiny of the Quality of Urban Legislation (2023)**. This tool provides a set of key criteria to assess whether a draft law meets the technical, functional, and operational standards required for effective regulation. Among the central aspects are clarity of purpose and objectives, structural coherence, precision in rules, clear definition of administrative and institutional mechanisms, use of accessible legal language, inclusion of enabling clauses for secondary regulations, and provisions regarding review, commencement, and transitional arrangements.

Applying these criteria during the drafting phase not only enhances the technical quality of metropolitan legislation but also strengthens its political and institutional feasibility. In complex urban contexts where multiple actors and interests intersect a clear, coherent, and well-structured law is crucial to ensure effective implementation, build legitimacy, and facilitate coordination across levels of government. Therefore, systematically integrating UN-Habitat’s scrutiny approach is a vital step to ensure that metropolitan legal frameworks are not only legally robust but also functional, inclusive, and sustainable.

Box 5. Key Elements for scrutinizing urban legislation

When reviewing laws, particularly in the urban and metropolitan domain, it is essential to ensure that the legal instrument adheres to principles of clarity, functionality, and accountability. UN-Habitat (2023) identifies eight critical components to assess the quality of urban legislation, listed below:



Clear purpose/objectives: The law must explicitly state its goals and intended outcomes, aligned with broader policy frameworks.



Clear structure: A coherent organizational format that enhances understanding and navigation of the text.



Clear rules: Specific, enforceable provisions that define rights, obligations, and processes.



Implementation mechanisms: Defined institutions, responsibilities, and resources to ensure effective execution of the law.



Clear language: Plain, unambiguous language to avoid multiple interpretations and enhance accessibility.



Enabling clauses: Provisions for secondary legislation or regulations to operationalize technical or procedural aspects.

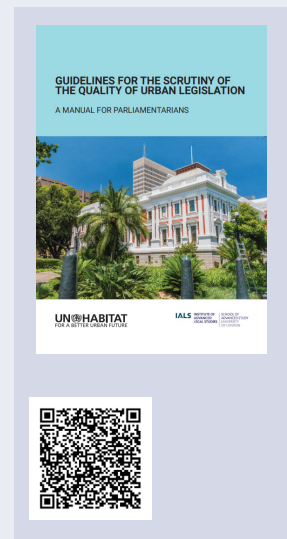


Review provisions: Mechanisms for periodic evaluation and adaptation of the law over time.



Transitional provisions: Clear stipulations regarding the law’s commencement, expiry (if applicable) and transitional measures for smooth implementation.

Source : UN-Habitat, Guidelines for the Scrutiny of the Quality of Urban Legislation, 2023.



5. Policy Recommendations

This chapter proposes a set of policy recommendations aimed at guiding legal reform processes in diverse contexts, based on the lessons derived from the technical and comparative analysis conducted in the preceding chapters. The proposals focus on ensuring the legal recognition of the metropolitan level, endowing it with clear competencies, representative structures, financial capacities, and integrated planning tools. Likewise, the proposals promote a normative architecture that combines institutional autonomy with democratic control mechanisms, ensuring shared responsibility between governments and the public in sustainable metropolitan development.

Strategic recommendations for the development of metropolitan legal frameworks

1. Establish explicit and binding legal recognition of the metropolitan level as a functional scale of government

To consolidate metropolitan management and ensure its operability, it is essential that legal frameworks recognize metropolitan areas as differentiated legal entities, endowed with legal personality, functional autonomy, and normative capacity.

This recognition must be enshrined in national or subnational legislation, allowing metropolitan entities to exercise their own competencies, enter into intergovernmental agreements, and act as public authorities without depending on discretionary authorizations. Such a definition strengthens the institutional legitimacy of the metropolitan level and enables its coherent integration within the broader territorial governance system.

2. Integrate the metropolitan dimension into legal frameworks and national urban and territorial development policies

Legal frameworks must explicitly incorporate the metropolitan scale as a structuring axis of national urban policy, ensuring coherence across levels of government, alignment of strategic objectives, and normative articulation in multiscale interventions.

3. Establish a flexible, updatable territorial delimitation based on functional criteria

Legislation must define metropolitan boundaries using technical-functional criteria, enabling their periodic revision in response to demographic, economic, or environmental changes. It should

also establish clear mechanisms for the accession or withdrawal of municipalities, thereby strengthening the territorial and operational legitimacy of the metropolitan entity.

4. Incorporate normative flexibility to adapt to different territorial realities and urban dynamics

Metropolitan legislation must avoid rigid models, allowing adjustments in territorial configuration, the allocation of functions, and institutional structures in accordance with the evolving nature of urban systems and metropolitan governance.

5. Adopt guiding principles of subsidiarity, coordination, and territorial equity in metropolitan legislation

The legal framework must ensure that decisions are made at the most appropriate level of government, with clear mechanisms for intergovernmental coordination and provisions that promote a fair distribution of development benefits throughout the metropolitan territory.

6. Promote participatory, progressive, and adaptive legal formulation processes

The development of legal frameworks should be based on consultative processes involving local governments, civil society, and private actors, especially underprivileged groups. In addition, it must allow for gradual adjustments and the implementation of pilot schemes that support institutional innovation and continuous improvement.

7. Enable intermunicipal cooperation and multilevel articulation as pillars of metropolitan management

To address the institutional and functional fragmentation typical of metropolitan areas, legal frameworks must explicitly authorize joint action among municipalities through consortia, inter-administrative agreements, and shared structures. This cooperation must be supported by clear regulations that define joint governance modalities and the attribution of powers.

Furthermore, legislative design should adopt a multilevel approach, operationally articulating local, regional, and national governments to consolidate integrated agendas and ensure coherence in the implementation of public policies across the metropolitan territory.

8. Ensure institutional sustainability through robust and stable legal frameworks

Legislation must provide for permanent technical structures, predictable financing mechanisms, and governance frameworks that guarantee institutional continuity beyond political cycles, thereby supporting the sustained implementation of public policies.

9. Balance functional autonomy with fiscal responsibility, transparency, and public oversight

The legal framework must combine clearly assigned competences for the metropolitan entity with normative obligations regarding participatory planning, fiscal discipline, accountability, and civic oversight. This balance is essential to ensure operational effectiveness and democratic legitimacy.

10. Define metropolitan competences in a clear, functional, and complementary manner

Legal frameworks must precisely specify the exclusive competences of the metropolitan entity, identify delegable functions, and establish coordination mechanisms with other levels of government. Such functional delineation helps avoid institutional overlaps and promotes efficiency in public management.

11. Design metropolitan governance models with democratic representation and operational capacity

Legislation must establish collegial governing bodies that ensure proportional representation of municipalities, promoting democratic legitimacy and territorial balance. Transparent mechanisms for the election or appointment of authorities must be defined, along with the consolidation of permanent technical structures and institutional control systems that strengthen the operational capacity of the metropolitan entity and public trust in its management.

12. Consolidate metropolitan planning as a legal mandate with integrated and hierarchical instruments

Legal frameworks must mandate metropolitan plans, including strategic, territorial, and sectoral instruments, with clearly defined legal authority and effective articulation with national and regional planning systems. This normative hierarchy ensures multilevel coherence, alignment with public investment, and policy continuity despite political or administrative changes.

13. Strengthen metropolitan financial architecture through a multi-source, stable, and autonomous approach

Legal frameworks must ensure that metropolitan entities have a robust financial system based on a combination of own-source revenues (such as taxes, fees, and service charges), intergovernmental transfers, access to credit, and international cooperation. This architecture must be governed by clear regulations that define the mechanisms for generating, allocating, and monitoring resources, aligned with the assigned competences and principles of territorial equity, thereby ensuring fiscal sustainability and operational capacity.

14. Establish comprehensive mechanisms for metropolitan accountability, oversight, and auditing

Legislation must mandate the implementation of both internal and external audits, systematic publication of budgetary and programmatic information, and open access to institutional data. Financial transparency and technical oversight are essential to legitimize the actions of metropolitan entities and reinforce public trust.

15. Institutionalize public participation throughout the metropolitan legal and governance cycle

Legal frameworks must recognize and guarantee the right of the public to engage in the formulation, implementation, and evaluation of metropolitan policies through the establishment of deliberative bodies, mandatory consultation procedures, and inclusive mechanisms for diverse groups.

This approach fosters a model of metropolitan governance grounded in democratic co-responsibility, equity, and collective well-being.

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7. Annexes

Annex 1: Regulatory Frameworks Matrix Case Studies

Metropolitan Area	Regulatory Framework	Access Link
ACT (Canberra)	Local Government Act 1993	https://www.legislation.act.gov.au/a/1993-30/
AMB (Barcelona)	Law 31/2010 on the creation of the Metropolitan Area of Barcelona.	https://www.boe.es/buscar/pdf/2010/BOE-A-2010-13640-consolidado.pdf
Bamako	Loi d'Orientation sur la Décentralisation (1993)	https://www.africa.upenn.edu/Govern_Political/Mali_Const.html
Bratislava	Act on Regional Self-Government No. 302/2001	https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/302/20240101
Brussels	Code Bruxellois de l'Aménagement du Territoire (CoBAT)	https://urbanisme.irisnet.be/documents-officiels/legislation/codat/
Ciudad del Este	Interinstitutional Resolution N° 005/2018	https://www.itaipu.gov.py/es/sala-de-prensa/noticia/formalizan-entidad-binacional-del-area-metropolitana
Cochabamba	Framework Law of Autonomies and Decentralization "Andrés Ibáñez" (Law 031/2010).	https://www.lexivox.org/norms/BO-L-N031.xhtml
Guadalajara	Metropolitan Coordination Law of the State of Jalisco	https://transparencia.info.jalisco.gob.mx/sites/default/files/Ley_Coordinacion_Metropolitana_Estado_Jalisco.pdf
Johannesburg	Local Government: Municipal Systems Act No. 32 of 2000	https://www.gov.za/documents/local-government-municipal-systems-act
Lima	Supreme Decree N° 012-2014-VIVIENDA	https://busquedas.elperuano.pe/normas-legales/decreto-supremo-que-aprueba-la-politica-nacional-de-vivienda-decreto-supremo-n-012-2014-vivienda-1136974-1/

London	Greater London Authority Act 1999	https://www.legislation.gov.uk/ukpga/1999/29/contents
Medellín (AMVA)	Law 1625 of 2013	https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=52687
Milan	Legge 56/2014 "Delrio"	https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2014-04-07;56
Montreal	Law on the Metropolitan Community of Montréal (2000)	https://www.legisquebec.gouv.qc.ca/fr/document/lc/C-37.01
Paris Region	Loi MAPTAM (2014) and Loi NOTRe (2015)	https://www.legifrance.gouv.fr/dossier_lg/legislatif/LOI-NOTRe-Loi-n-2015-991-du-7-aout-2015
Porto	Lei n.º 75/2013	https://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=1867&tabela=leis
Riga	Law on Regional Development (2002)	https://likumi.lv/ta/en/en/id/63107
San Salvador (AMSS)	SSMC Land Development and Management Law (1993)	https://www.diariooficial.gob.sv/diarios/do-1993/12-diciembre/03-12-1993.pdf
Santo Domingo (MGSD)	Bylaws of the Commonwealth of Greater Santo Domingo (2007)	http://www.opd.org.do/index.php/perfiles-institucionales-gobierno-local/2449-mancomunidad-del-gran-santo-domingo
Seoul	Framework Act on Low Carbon, Green Growth	https://elaw.klri.re.kr/eng_service/lawView.do?hseq=46688&lang=ENG
Singapore	Planning Act (1998)	https://sso.agc.gov.sg/Act/PA1998
Stuttgart	Gesetz über die Errichtung des Verbands Region Stuttgart (1994)	https://www.landesrecht-bw.de/jportal/portal/t/qdd/page/bsbawueprod.psm1?doc.hl=1&doc.id=jlr-VerbStuttgG1994rahmen&documentnummer=1&numberofresults=1&doctyp=
Zagreb	Zagreb Act (1997)	https://narodne-novine.nn.hr/clanci/sluzbeni/1997_07_97_1174.html

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