



The Presidents of the Regional Assemblies with legislative power in the European Union (CALRE):

Consiglio della Provincia autonoma di Trento (Italia)

Asamblea de Extremadura (España)

Asamblea Regional de Murcia (España)

Assembleia Legislativa da Região Autónoma dos Açores (Portugal)

Assemblea regionale siciliana (Italia)

Brandenburg (Deutschland)

Burgenländischer Landtag (Österreich)

Consiglio della Provincia autonoma di Bolzano (Italia)

Consiglio regionale del Veneto (Italia)

Consiglio regionale dell'Abruzzo (Italia)

Consiglio regionale dell'Emilia Romagna (Italia)

Consiglio regionale dell'Umbria (Italia)

Consiglio regionale della Campania (Italia)

Consiglio regionale della Liguria (Italia)

Consiglio regionale della Lombardia (Italia)

Consiglio regionale della Sardegna (Italia)

Consiglio regionale della Toscana (Italia)

Cortes de Aragón (España)

Corts Valencianes (España)

Landtag von Baden-Württemberg (Deutschland)

Mecklenburg-Vorpommern (Deutschland)

National Assembly for Wales (United Kingdom)

Niederösterreichischen Landtag (Österreich)

Parlament de Catalunya (España)

Parlament der Deutschsprachigen Gemeinschaft Belgiens (Belgie/Belgique)

Parlamento de Andalucía (España)

Parlamento de Canarias (España)

Parlamento de Cantabria (España)

Parlamento de Galicia (España)

Parlamento de Navarra (España)

Parlement Wallon (Belgie/Belgique)

Rheinland-Pfalz (Deutschland)

Sachsen (Deutschland)

Vorarlberg (Österreich)

who took part in the XIV Conference of CALRE from the 3rd to the 5th of October 2010 in Trento, Italy, have by mutual agreement adopted (with one abstained - Asamblea de Madrid - España) the following:

DECLARATION OF TRENTO 2010

How to become Subsidiarity Actors

1. Premises

The Presidents, here representing their European Regional Legislative Assemblies, acting in their best interest, congratulate for the enactment of the Lisbon treaty for the strengthening of the European Union and the institutionalization of multi-level governance.

The entry in force of the Lisbon Treaty represents a factual evidence of the willpower of the European Union in the construction of a better future for the European population, and represents a goal long awaited by CALRE. The necessity of its enforcement was explicitly referred to in the Innsbruck Declaration of 2009.

CALRE specifically welcomes that the protocol on subsidiarity of the Treaty of Lisbon - for the first time in European treaties - mentions Regional Assemblies with legislative power. In this context, the presidents expect that the national parliaments, as provided in article 6 of the subsidiarity protocol, share participation in the early warning system comprehensively with the Regional Assemblies with legislative powers.

2. CALRE and its role in the pre-Lisbon Europe

The regionalist movement in Europe dates back to the late 80's. And from 1986 the model of regional legislative assemblies has grown significantly in Europe, because of its efficiency and the transparency it can offer. CALRE unites deep rooted legislative assemblies, such as the Austrian and German Landtags, and younger realities, such as the Belgian Communities who have perceived how a decentralized institutional model can positively affect the governance of a territory.

In 1998, in the Salzburg declaration, CALRE wrote: *“Regions shall have their right directly to defend their legislative powers within the principle of Subsidiarity”*.

The attitude shown was perfectly coherent with the so called “sub-national mobilization” theorized by Liesbet Hooghe and later vastly applied due to the EU structure and organization. Somehow Regions decided to cooperate to become actively involved in the

European policies, trying to become influent actors. The mobilization has happened through more or less extensive channels, but has always aimed to strengthen the relation with the Commission.

Possibly, from 1998, things did not evolve as fast as they could have: the Committee of the Regions has not yet reached a binding role and many regional associations have seen their power weakened because of a path overload that has occurred and must be corrected. Nonetheless CALRE continue to support the work of the Committee of the Regions, that is playing a great role in the development of the political awareness for the need of a local governance within the EU framework.

The reasons for a path overload can be found either by the excessively individualistic approach taken by many Regions and by the overlapping activity of many regional associations: it is predictable that the raise of uncoordinated messages is weakening the lobbying power. The 'individual approach' may be effective for a very specific interest, but is weaker than the coordinate approach on broader issues, and more so because of the Consulting Bodies of the European Union functioning. The Committee of the Regions began to correct this phenomenon through the institution of the meeting of the Associations, which represents a very important moment of comparison and mutual enrichment for the Regional delegates to reduce the fragmentation of the messages.

Regions with legislative powers have demonstrated their capacity to react and suit the need of an evolving institutional framework such as the European Union, and have largely proven their efficiency with regard to the normative process through the direct implementation of more than 70percent of the European directives¹. And although no direct link between the lobbying and its influence can be statistically proven, the impact has been more than enough to persuade Regions in the necessity of a common European activation.

After the enactment of the Lisbon Treaty we shall begin to argue that Regions with legislative powers shall not only *defend* their competences but shall be considered as an

¹ Currently Regions with legislative powers implement more than 70 percent of the EU legislation without going through their national states structures. For 2010 the EPSI (European public Sector Information Platform) suggests that in the transposition process Member States have also managed to reduce the number of directives not correctly transposed. Unfortunately this data does not provide which part of this delay is due to the Regional Legislative Assemblies. (from http://www.epsiplus.net/news/news/eu_directives_transposition_delays).

institutional model for the whole of Europe, due to their adaptability to the local needs and their strong connection with the European history.

3. *Which role for CALRE in the evolving EU framework*

CALRE has been a stakeholder in the European bottom up process, expressing the general interest of the Regions with legislative powers in Brussels for the last decade.

CALRE is aware of the role of its members in the implementation of the European legislation, and will promote any initiative to further develop the transposition efficiency.

During this decade many other regional associations have begun, or have continued, their activities in Brussels, and they often represent the same generalist interest as CALRE does. Hence CALRE will narrow its focus on the institutional and legislative framework: the enhancement of our efficiency is the best credential to be a point of reference in the European ascending process, and to further strengthen the role of the Regional legislative Assemblies in the European Union. And the existence of Regional legislative Assemblies weakens one of the strongest criticisms still moved to the EU: the democratic deficit.

CALRE will coordinate its intelligence to correct the possible inefficiencies of the different working environments of the legislative assemblies, and promote the model of regional legislative assemblies as the true referent of the European Union for its policies enactments. A referent that shall aim at the construction of a coherent system of multilevel governance in which the territorial level has a democratic legitimacy and a parliamentary functioning.

CALRE will also strengthen the promotion of cross-border and transnational programs, which have often helped the overcoming of institutional inertias, and have mobilized financial resources through the stimulation of economic, social and cultural exchanges. Because even though the intensity and effectiveness of territorial cooperation varies greatly and reaches its greatest impact in regions where integration and cooperation are already well developed (e.g. Baltic Sea, Benelux area) within a pre-existing political or strategic framework., cross-boarder cooperation is still a great instrument to promote and to establish new relationships between European populations and territories.

4. CALRE on Europe 2020

CALRE is willing to thank the President of the European Commission José Manuel Barroso for the answer provided to our concerns about the 2020 Strategy papers made available to the association.

Cohesion policy has a role to play in the achievement of the Europe 2020 goals, especially in the definition of how a balance between economic, social and environmental dimensions can be better achieved. There is widespread support for continuation of an EU-wide Cohesion Policy as the regional programs.

CALRE believes an integrated and territorial approach based on multi-level governance is the only effective solution to obtain a proper political success. The Barca report, which suggests specific interventions on the program in order to make it more efficient shall be supported, and furthermore CALRE shall consider the necessity of stimulating innovative, and sometimes risky, projects through the offering of specific regional expertise.

The fact the current design of the Europe 2020 strategy follows a thematic and sectorial approach cannot be considered satisfying, because it inhibits local and regional authorities to be involved both in the preparation and the implementation of the national reform programs and in the flagship initiatives. Indeed, CALRE strongly supports some actual core principles of the cohesion policies like the long term programming, the additionality and the evaluation principles. This means that cohesion policy must benefit all regions in the future as well, including those regions that are already making a major contribution to innovation and productivity. This will improve the competitiveness of the EU as a whole.

CALRE resolutely supports Macro-regions as broader geographic settings which become functional spaces that do not recognise administrative frontiers and which group together to resolve common problems in a joint manner.

CALRE believes that the failure to give sufficient recognition of the key role of local and regional actors in delivering and communicating the Lisbon Strategy on the ground shall be corrected. Regional parliaments and legislative assemblies across Europe are actively involved in the enactment of the EU strategies, especially through their scrutiny and their implementation at the sub-Member State level: our role shall not only be recognized, but it would deserve a stronger involvement in the bottom up process.

CALRE is willing to monitor all efforts for the regionalisation in the central - and eastern - European Member States of the European Union and, where appropriate, to invite regions with growing legislative competencies to take an active part in CALRE.

5. CALRE on the Implementation of territorial cohesion as (new) goal

Territorial cohesion addresses most of EU policies. Thus, CALRE believes its implementation should mobilize legislative (assessment of the territorial impact of major sectorial reforms) as well as budgetary (solidarity principle combined with efficiency rationale) tools.

Territorial cohesion requires a better coordination of the EU policies, and the support of integrated strategies at a pertinent scale, following what *rapporteur* Fabrizio Barca has written in his conclusions.

In the enhancement of those policies the Commission has always left a great amount of freedom to the States, in order to enact implementation legislation of their competence and therefore the system has become a bureaucratic jungle for local government bodies.

Any hyper complex and overwhelming legislation brings an inhibiting factor on its use: for example several instruments, such as the E.G.C.T., that are not working properly because of that. CALRE rejects the Commission's assumption that it is an unavoidable consequence of the lack of competences of the EU in certain fields. CALRE stresses the broader meaning of subsidiarity, which is clearly stated in the art. 3b, para. 3², shall become the standard. This would avoid member states multiplying the burdens for regional, national and cross-border cooperation. And it can be done since it is necessary for a correct implementation of an E.U. goal. All the burdens that still prevent a correct functioning of the territorial cooperation must be removed; and this is true also for regionally imposed burdens, because, as Barca suggests *"...cohesion policy should, by definition, be targeted on specific places³ and specific populations which represent only a subset of the "Regions" and of the populations..."*.

² Lisbon Treaty, art. 3. para 3: *"Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level."*

³ This premise allows to define 'places' interested by cohesion policies as something that might be bigger than Regions, and not necessarily placed within the border of one specific member state.

CALRE also believes that an incentives system for cross-border cooperation for Regions in differently classified GDP categories shall be established. This system should take into account factors such as the ageing population, demographic decline, and the dispersion of population settlements.

6. CALRE on the future EU budget

CALRE acknowledges that within the context of the economic crisis, local and regional financial resources could be submitted to higher constraints, and believes the general economic situation shall be carefully evaluated by the Commission in putting forward its proposals for the future EU budget and new resources. To this end, mention will need to be made in the future Community budget of transitional aid for those regions which for the first time cease to be convergence regions to go on to become competitiveness regions.

CALRE stressed the EU Budget should not be reduced but it shall begin to utilize all the existing resources more effectively, within a coherent legislative framework.

CALRE agrees with the opinion of the Committee of the Regions that an integrated and territorial approach has demonstrated its effectiveness, and that the budget architecture should reflect those approaches whenever possible. Hence CALRE aims at a budget program that provide a strong coordination between funds even when different programs are at stake. In order to further enhance its efficiency the next budget should be submitted to a thorough revision as regards its delivery provisions, because if funds are designed in a way that hampers their utilization, the overarching goals will not be properly achieved.

CALRE believes the outcome of such a revision of the Budget planning will be crucial for the optimal development in the so called "*new fields*": climate change, energy efficiency and knowledge society that many regions will try to explore. However, any engagement of the EU must be considered with a view to achieving a European added value.

7. CONCLUSION

CALRE insists that regions holding legislative powers have the legitimacy to actively participate in the European decision making process. National parliaments must

therefore effectively include the regional parliaments with legislative powers in the early warning mechanism on subsidiarity in the Treaty of Lisbon.

The European Commission is called upon to examine in detail the statements issued within the scope of the early warning system and to intensify the dialogue with national and regional parliaments.

CALRE is aware there is still a long way to develop the best governance framework for the European Union, and that the effectiveness role of regional legislative assemblies can be enhanced. CALRE will continue its efforts in the analysis of the best practices for the transposition of the EU legislation, coherently with the allocation of competences granted to its members by their national legislation, especially through the impact assessment analysis.

CALRE is willing to collaborate for the promotion of the institutional model of the legislative assemblies even in institution building projects, and is very proud of the agreement reached with the Council of Europe on this matter.

CALRE is committed to continue its work to promote and enhance the role of regional government, especially through the promotion, the protection, and the development of the institutional model of the Assemblies which is its polar beam.