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**Declaration of the Presidents of the  
European Regional Legislative Parliaments  
at their joint conference in  
Salzburg on 7<sup>th</sup> October, 1998**

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The Presidents of the European Regional Legislative Parliaments, in the best interest of the Parliaments they represent, emphasise their wish for intensified cooperation expressed at the Oviedo Conference. Therefore, they insist on the necessity of regular meetings.

In connection with the institutional reform of the EU deemed necessary and envisaged by EU member states, they consider inclusion of at least the following points to be in their common interest:

*Regions shall have the right directly to defend their legislative powers within the principle of subsidiarity.*

The principle of subsidiarity was first acknowledged in the EU in the Treaty of Maastricht. From that point in time onward, the Community has been engaged in developing it further into an operational principle. Since subsidiarity is principally meant to protect the spheres of competence of the respective smaller unit from uncontrolled encroachment from „above“, those state entities below the national government level with whose competencies the EU can and will directly interfere (Länder, counties and regions), shall have direct access to the European Court of Justice as a prerequisite of the efficacy of the principle of subsidiarity.

The Presidents therefore deem it necessary that the principle of subsidiarity, which was expressly introduced by the Treaty of Maastricht, should be designed in such a way that the regions are put in a position themselves to defend their competencies vis a vis the EU within the said principle. To this end, they advocate empowering counties and regions to appeal to the European Court of Justice for the enforcement of compliance with the principle of subsidiarity and for the protection from competence encroachments by the European Union.

*The creation of a clear catalogue of competencies of the EU is important for the regions.*

A substantial part of enlargement of the competencies of the EU is not effected by formal enactment in the treaties which lie at its foundation but takes place in the course of practice of EU organs. Such enlargement of competencies concerns both the member states and their parts, or regions. While, however, member states have a right of direct participation in EU organs, parts of states or regions can only resort to an intrastate procedure of participation.

Therefore, the Presidents deem it necessary to specify by enactment the competencies of the EU, of its member states as well as those of counties and regions. This presupposes inclusion of a catalogue of competencies into the treaties. In exercising its competencies under the catalogue, the EU shall strictly adhere to the principle of subsidiarity.

*Regionalism and federalism are irreplaceable and increasingly necessary supplements of democracy, whose potential for legitimacy is indispensable for the EU.*

Regionalism, whose most pronounced form is federalism, is a supplement of democracy, an additional form of safeguarding freedom and preserving pluralism as well as ensuring relatively effective political participation of citizens themselves. These functions are gaining significance with the number of additional tasks conferred on the EU, which is far above the national level, so that citizens' , albeit small, chance of participating in such tasks decreases to insignificance.

The Community has endeavoured, since the Treaty of Maastricht, to address this phenomenon which is often referred to as „democracy deficit“ of the EU, by strengthening the role of the European Parliament. However, wide and regular acceptance of parliamentary decisions on a European level by citizens can only be limited, given the discrepancies in historic, cultural and political traditions. The degree of political legitimisation, from a citizens' perspective, grows in proportion with the proximity of the decision making level to the citizen. Therefore, counties and regions have to retain their own competencies for action, which are governed by autonomous legislative powers of their parliaments. Furthermore, regional and counties' parliaments shall be involved in European parliamentary cooperation to a greater extent in all matters in which EU competencies and exercising them affect legislative powers of counties and regions. For this purpose, cooperation of the European Parliament with regional parliaments shall be promoted. Such cooperation, however, presupposes that regions, in their capacity as legislative institutions with most proximity to citizens, have the option and the power to engage themselves in European policies. Therefore, the Presidents deem it necessary to strengthen cooperation between the European Parliament and regional parliaments, without prejudice to the powers of the Committee of the Regions. Such strengthening, however, presupposes acknowledgement of the regional parliaments by the EU and their participation in already operative forms of parliamentary European cooperation, such as CO-SAC.

Salzburg on 7<sup>th</sup> October, 1998