

**CONFERENCE OF
EUROPEAN REGIONAL
LEGISLATIVE ASSEMBLIES
(CALRE)**

**DECLARATION OF
BRUSSELS**

Unanimously approved

The sixth CALRE conference from 28th until 29th October, 2002 in Brussels has discussed the factual functioning of the parliaments of regions with legislative power and determined its point of view concerning the activities of the European Convention. In that light the CALRE actualised its point of view concerning the future of European institutions and the role of the regions with legislative powers and their parliament.

1. Confirmation of the Declaration of Madeira of October 30, 2001

The CALRE confirms the proposals of the Declaration of Madeira, taken unanimously by the CALRE on October 30, 2001, namely

- recognition of regions with legislative powers by means of giving them a special statute in European treaties;
- reinforcement of parliamentarism in Europe and the involvement of regional parliaments in the co-operation between the European Parliament and national parliaments;
- arrangement of a clear division of legislative powers attributed to the European and the national or subnational level;
- attribution of the right of the regions with legislative powers to call upon the European Court of Justice concerning conflicts of power;
- reinforcement of the Committee of the Regions by giving it the status of an institution, and an organisation that is better adapted to the differences between the various regional institutions and by the attribution to the Committee of the right to appeal at the European Court of Justice;
- integration in European treaties of the Charter of Fundamental Rights of the European Union, proclaimed in Nice on 7 th December, 2000.

2. The decisions of the conference of prime ministers of the constitutional regions with legislative powers.

The CALRE welcomes the decisions of the conference of prime ministers of the regions with legislative powers of November 15, 2001 in Liège, that subscribed the political declaration of 7 constitutional regions on a reinforcement of the role of constitutional regions with legislative powers in the European Union, signed in Brussels on May 28, 2001 :

- a reinforcement of the role of the Committee of the Regions in the policy-making process: the Committee of the Regions has to get the status of a full EU institution with political powers that go further than a purely advisory task and with the right to introduce procedures for the European Court of Justice;
- a better involvement of national and regional parliaments in the European policy process and an improvement of the interaction with the European Parliament ;
- the right of the constitutional regions with legislative powers to directly turn to the European Parliament if there are conflicts of power.

The CALRE subscribes the declaration of the European constitutional regions with legislative powers of November 15, 2001 and the impetus to institutional proposals that were done.

In the future and in the framework of a co-ordinated functioning the CALRE wishes to follow the conferences and meetings of the prime ministers of the constitutional regions with legislative powers. The Standing Committee of the CALRE is the discussion forum between the CALRE and the Committee of the Conference of prime ministers of the constitutional regions with legislative powers in matters of their co-operation.

3. The CALRE and the Committee of the Regions

The CALRE takes note of the fact that

- on the European Council of Laken the Committee of the Regions was asked to participate as an observer in the activities of the European Convention together with six representatives;
- within the Committee of the Regions, that as an advisory body is the only official representative of the regional level within the European institutions, regions with legislative powers hold important positions and contribute a lot;
- the Committee of the Regions respects the aim of some regions with legislative powers for a better co-operation and harmony of their European policy and that those regions will be invited to structure that co-operation within the structures of the Committee ”

The CALRE wishes to engage itself in the debate and is favourable to the offer of the Committee of the Regions to actively participate through the Committee of the Regions in the activities of the European Convention and the mental process concerning the white paper on European Governance.

The CALRE considers itself as the mouthpiece of the parliaments of the regions with legislative powers and as the democratic legitimation of the informal co-operation that came into being between the European regions with legislative powers. That is why the CALRE proposes that this is recognised by founding a structure that guarantees that the CALRE will be involved in the functioning of the regions with legislative powers within the Committee of the Regions.

The CALRE proposes to structure the co-operation with the Committee of the Regions by means of making an agreement of co-operation with the committee that captures the modalities of the co-operation.

4. The CALRE and the European Parliament

The CALRE takes note of the Resolution of the European Parliament on the definition of powers between the European Union and the member states of May 2, 2002 and of the intention, incorporated in point 40 of that resolution, to note the necessary definitions in the Regulations of the European Parliament so that a representation of regional parliaments with legislative powers for regional affairs can regularly participate in the activities of the commission that is competent for it.

The CALRE aims for an anchoring of the co-operation between the parliaments of regions with legislative powers and the European Parliament by entering into a protocol between the European Parliament and the CALRE in which the modalities and structure of the co-operation can be found. This protocol is applicable to regional parliaments, members of the CALRE, which ratify it.

5. The CALRE working group on the future of Europe

With an eye to the support of the functioning of the CALRE towards the European Convention and with an eye to a factual contribution in the discussion on the European administrative policy (European governance) and the role and position of regions with legislative powers in future European structures, the CALRE founds a working group, supported by the administrations and study services of the parliaments, represented in the CALRE. Some of the tasks of the study group are the following:

- the flow-through of information about the European Convention and the preparation of the IGC of 2004 to regional parliaments;
- the preparation of the points of view of the CALRE in the ongoing discussions;
- the sensitisation of regional parliaments concerning the functioning of the European

Union and the role of regional parliaments in European decision-making.

6. Declaration on the European Convention

The Presidents of European regional legislative assemblies,

- Taking into account the debate in progress at the European Parliament and at the European Convention on the sharing of competencies and on the role of the Regions and their Parliaments with legislative capacities;
- underlining the contribution that Regional Parliaments can offer to move closer EU institutions and citizens and the importance of the enlargement of the European Union to new countries, which are also engaged in starting their own regional set-up;

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the need to recognize the historical, cultural, territorial, political, institutional identities of Regions and local bodies in the Constitutional Treat, as a foundation principle of the European Union(Art.6);

that it is necessary to have an instrument of official ratification in the activities of the Convention concerning the guarantees for the preservation and the protection of the special conditions for regional autonomy recognized at this moment by some member states in view of the preservation of the historical ways of autonomy of national minorities and geographical and cultural individualities, that constitute the basis of the patrimony of liberty and of the tradition of self-rule which is a source of inspiration for the European Union;

the need to vouch for a clear attribution of competences, based on the subsidiarity principle, fixing precisely the limits of the European competences. This clear attribution, which is guarantor to the Regions

for freedom to develop their action in autonomy, is an essential premise to improve the sense of belonging to the Union of its citizens;

to consider that an enlarged Union could better act if it remain able to focus on the challenges with a full European dimension;

the importance to guarantee the respect of the subsidiary principle and the share of competences by an “ex ante” political control, which would involve also the regional parliaments;

the necessity to guarantee the right of the Regions with legislative power to go to the Court of Justice;

the importance of the participation of the regional Parliaments in the co-operation between the European Parliament and national parliaments - particularly within the COSAC - in a future Congress of Parliaments and in the direct co-operation between regional Parliaments and European Parliament;

the necessity to revalue the role of the Committee of the Regions, also with a participation of the regional parliaments, considering more autonomous and effective the Committee in the frame of the EU institutions;

to be ready to participate and to contribute in setting up an open and democratic regional system in the new accessing Countries, especially for the legislative follow up for the implementation of the different policies. “

Unanimously approved in the Flemish Parliament in Brussels on October 29th, 2002.