

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

Declaration of L'Aquila

L'Aquila, 25th –26th November 2011

1. INTRODUCTION

The Lisbon Treaty has marked a further step towards institutional regionalism. In fact, it contains some normative provisions that could relaunch the idea of multilevel governance, i.e. the European action meant to involve Regional and local bodies in the definition of EU action, in the initial phase of EU legislative process.

First of all, art. 4, par. 2 of the Treaty envisages the obligation of the European Union to respect the national identities of the Member States, inherent in their fundamental structures, political and constitutional, «inclusive of regional and local self-government».

Second, art. 5, par. 3 offers a new definition of the subsidiarity principle, according to which, in areas which do not fall within its exclusive competence, the European Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved not only by the Member States, but also by «regional and local level».

Finally, the early warning mechanism meant to control the respect of the subsidiarity principle requires the Commission to consult widely, before proposing legislative acts, taking into account «the regional and local dimension of the action envisaged» (art. 2, protocol n. 2). In addition, regional parliamentary participation in the legislative process of the European Union is expressly recognised when it states that each national parliament or each chamber of a national parliament should consult, where appropriate, regional parliaments with legislative powers (Article 6 of Protocol No 2). On this point, the phrase ‘where appropriate’ should be understood to refer to those cases affecting regional powers or interests.

In doing so, the idea proposed by the European Commission in the “*European Governance, A White paper* (COM(2001) 428 def.)” of a new Community method for the future, involving regional authorities in the political process of the European Union, could be strengthened. The new “method” consisted in allowing: the European Commission to propose and implement policies, the Council and the European Parliament to take decisions, and national and regional authorities to get involved in the political process of the European Union.

These normative provisions suggest that the Lisbon Treaty has aimed at promoting a new model of accountability and governance shared by all the Governmental systems of the European Union, both central, regional and local ones, in line with the basic principles of openness, participation, accountability, effectiveness and coherence.

By including regional and local authorities, the multilevel governance system would be based on the principle of subsidiarity – a pillar of the power sharing mechanism in areas, which do not fall within the EC exclusive competence- and would allow decisions to be taken according to the degree of proximity with territorial communities and their citizens.

2. Enhancing relations among regional legislative assemblies

For the sake of the people they represent, the Presidents of European regional legislative Assemblies confirm their willingness to strengthen cooperation, in order to: improve the reciprocal knowledge, favour exchanges of experiences, start collaboration projects, and develop strategies addressed to regional communities in order to favour the growth of a European culture.

A stronger mutual knowledge could be useful to find out similarities and differences among diverse realities and would allow the regional legislative assemblies of the European Union to represent regional instances more effectively before European Institutions. Moreover, it will supply the basis for a more coordinated action of the Conference and the springboard to implement cooperation agreements in a number of areas among two or more Regions sharing common problems.

Taking for granted the respect of the autonomy of each Parliament, it is desirable CALRE open itself to a deeper involvement of its Parliaments members' internal structures, such as the Commissions for European Affairs, into its activities and create a European legislative database to exchange information on the initial and final phase of the European legislation.

In order to consolidate the cooperation among Regional legislative Assemblies, the Presidents underline how relevant the activities of CALRE working groups on subsidiarity, e-democracy, regional democracy, financial federalism and the balance between rural and urban areas are. Their work represents a meaningful source of reflection, facilitates Regional legislative Assemblies' understanding of shared central issues and constitutes a crucial moment of synthesis and exchange, necessary for the Presidents of European Regional Assemblies to act coordinately in Europe.

CALRE desires all the initiatives facilitating the exchange of information and data related to several issues (such as social-economic data, or data related to the participation of women in political activities and, therefore, to the quality of regional democracy) be fostered and implemented. In order to enhance relations between parliament and facilitate mutual contacts CALRE will exchange further data and information about the composition, budget and internal structure of its members. These data will be accessible for the parliaments and the public and will be published on the website of CALRE.

3. Enhancing relations among European inter-regional associations

European regional associations constitute a heterogeneous universe, because of the diverse interests Regions support and represent.

For this reason, the Presidents of CALRE point out the necessity to cooperate more closely with other European regional associations in areas of common interest, as far as this allows their Parliaments to participate in the decision-making processes in a more effective and credible way.

Also, CALRE expresses its wish that the initiative promoted by the Committee of the Regions, aiming at allowing the Presidents of European Associations to meet and discuss with the President of the European Commission on regional issues, will be continued and strengthened.

4. *Institution Building* activities and trans-national dialogue

There is no democracy without a strong legislative assembly in its support. A strong democratic region is thus a region with an organisational structure which comprises an elected Assembly, nearer to the demands and needs of the community it represents, and able to be a place to debate the issues which citizens are more interested in.

The variety of experiences CALRE gathers together– from Austrian and German Landtag to the most recent regional Assemblies, such as the Belgian ones- shows how the institutional model of Regions with legislative powers has been able to meet local needs effectively and adequately. Moreover, it managed to fit the needs of an ever-changing structure, such as the European Union, and to produce positive effects in terms of territorial governance.

CALRE commits itself to develop further the institutional model of Regional legislative Assemblies, which ensures a better functioning of democracy and provides the European Union multilevel governance with stronger territorial roots.

The agreement signed in September 2010 between the CALRE and the Congress of regional and local authorities of the Council of Europe identified the “promotion of the institutional model of Regions with legislative competences in institutional projects” as a priority. To this end, the Presidents of the Conference of European regional legislative assemblies engage themselves in opening a dialogue with those Regions of the European Union countries which do not have this model and in countries which do not belong to the European Union with a different institutional asset, in order to assist them in building a more effective regional democracy.

In another perspective, CALRE Presidents remark how such a dialogue cannot but have positive consequences for all the Regions involved.

Knowing different realities enriches the experience of all the actors involved, offers ideas to work out innovative strategies and can trigger social-economic mechanisms that, at the same time, could stimulate strategic partnerships in different areas.

Furthermore, in the framework of Europe, whose boundaries are more and more evolving, interregional and trans-national dialogue can help different realities to get closer and integrate.

5. *The subsidiarity network and the early warning system*

The more its citizens will nourish a strong European thought, the more Europe will be politically cohesive. That’s why decisions have to be taken the closest to the citizens.

Art. 4 of the Lisbon Treaty, entered into force on 1 December 2009, establishes that “The Union shall respect the equality of Member States ..., inclusive of regional and local self-government”. The Protocol on the application of principles of subsidiarity and proportionality states that “Before proposing legislative acts, the Commission shall consult widely. Such consultations shall, where appropriate, take into account the regional and local dimension of the action envisaged” (art.2). Moreover, it establishes that “It will be for each national Parliament or each chamber of a national Parliament to consult, where appropriate, regional parliaments with legislative powers.” (art.6).

14 years after its creation, the main challenges of the CALRE remain the active participation of regional legislative assemblies in EU decision-making processes and the recognition by the European Union of the regional legislative level as a main part of the European politics. 14 year after its creation, the CALRE keeps on working to enhance the principle of subsidiarity appropriately, in the context of EU future discussions.

In this direction, the precautionary work is absolutely fundamental. Therefore, in order to sustain the contribution the regional system can provide the national and European level with, the CALRE Presidents underlines the necessity for the Regional legislative Assembly of the European Union to participate in the early warning system, together with national Parliaments. They call on national assemblies for a stronger involvement of Regional Parliaments, promoting their participation and transmitting to the European level both their rulings and their suggestions. Finally, they underline the need to strengthen the participation of CALRE Assemblies in the subsidiarity network founded by the Committee of the Regions and foster the use of the subsidiarity evaluation grid provided by the CoR, in order to promote a constant exchange of information, knowledge and contacts. The Presidents very much welcome the aim of the Committee of the Regions to establish, within the subsidiarity monitoring network, a platform for the regional parliaments with legislative powers, to foster the information exchange, particularly within the early warning system

Given these considerations, it would be desirable to think about a more systematic involvement of regional parliaments in the early warning system, especially if the proposals sent to national parliaments relate to issues, which the Constitution assigns to regional competences. To this end, we call on the European Commission to share the opportunity that national parliaments' practical application of the procedure of early warning involve the regional assemblies with legislative powers systematically, thus becoming a tool for the concrete application of the principle of subsidiarity.

This contribution by regional parliaments to the content of European legislation should take place at a very early stage in the European Union's regulatory procedure. The study, prior to the early warning procedure, of documents drawn up by the European Commission (such as green papers, white papers, communications or work programmes) would be especially useful with a view to identifying those areas of interest for regional parliaments in the framework of the European Commission's strategy in the future.

CALRE Presidents recall that the so-called "Barroso's procedure" invites national Parliaments to undertake a political dialogue with the European Commission during the process of European policies' elaboration and that the European Commission itself has affirmed that "the control mechanism of subsidiarity and the political dialogue represent two sides of the same coin, since the principle of subsidiarity is part of a wider political relation between the Commission and the national Parliaments". In this process, in areas falling within their competence, Regional Parliaments can provide national Parliaments and, consequently, European Institutions, with useful observations and remarks, not only through the examination of the subsidiarity principle, but also discussing the content of European legislation.

Our wish is to widen the field of discussion open to regional legislative Assemblies, so as to be able to broach not simply any possible violation of the subsidiarity principle but also the principle of proportionality of any measures proposed in European draft regulations. This would allow a debate on whether a specific measure was appropriate and would also provide sufficient margin for suggestions or modifications to measures. CALRE notes and welcomes the fact that

the European Commission is increasingly aware that also the regional parliaments with legislative powers have a role to play in the European decision making process.

6. CALRE and the new EU cohesion policy

The Presidents of CALRE conceive the European cohesion policy as a necessary tool for an intelligent, sustainable and inclusive growth, useful to reach the objectives of Europe 2020 Strategy.

In the light of the decision of the European Commission on the multiannual financial framework, the Presidents of CALRE believe that the future cohesion policy has to address all the regions of the European Union actively. Even though it has to remain consistent with its mission, by concentrating its financial support in the poorest countries and regions, support for those regions leaving the convergence objective for the first time must also be guaranteed.

The Presidents of CALRE wish the new cohesion policy will remain coherent with other policies and make the implementation mechanisms easier. Basically, they support concentration of the funds on clear priorities. It must be possible, however, to adjust the priorities to the concrete needs in the regions. Strict and binding rules on the European level in this respect are therefore rejected

Finally, CALRE underlines how, in the framework of the current reform of the cohesion policy and in view of the beginning of negotiations on the structural funds programme post-2013, it is necessary to maintain the dialogue with Regional parliaments, during both the preparatory phase of regulations and the implementation phase of the cohesion policy. After all, only at a regional level, it is possible to evaluate territorial specificities and needs in a correct and appropriate way.

7. Conclusions

The great uncertainty characterizing this particular moment of the world and European history requires adequate, immediate and effective responses by regional, national and supranational political and institutional structures, in order to consolidate the perspectives of economic recovery and to restore citizens' confidence in institutions. Let's think to the economic downturn or to the immigration: both of them are extremely urgent questions.

The European member states need solid public finances. For this reason, the Presidents of CALRE wish a new culture of stability to be created, taking into account regional parliaments. European regions with legislative powers must get involved in a higher efficiency and rationalization of public expenditure in order to avoid an excessive budget deficit and restore confidence and progress in the Eurozone.

Moreover, the current political and democratic context in European borders represents a historical challenge. The European Union has to be able to meet it with new and effective solutions and policies, based on solidarity. They ask the neighbourhood policy to be consolidated and all the actors of all governmental levels, including civil society and local and regional authorities, to be involved.

Thought as an inclusive project, Europe has proved to be able to ensure security, peace and wealth for 50 years. Now it has to be able to solve the contradiction between what it can do and

what its citizens expect it to do. Europe can succeed in it, by acting coordinately with the political and institutional realities closest to its population.

Today, regional legislative Assemblies represent the most dynamic breeding ground to make Europe more sensitive to its citizens' needs. Being elected assemblies, they have direct legitimacy; because of their functions, they are able to communicate their citizens' needs more effectively to those who manage the community. Deeply rooted in civil society, Regional Parliaments represent a familiar and tangible reality for their citizens. In the framework of EU multilevel governance system, they represent a crucial link of connection between institutional and political leaders and citizens' daily life.

At this moment, this specific reality concerns half of European population. Nonetheless, the devolution of legislative powers to regional levels undertaken by a number of EU members States reveals how this reality cannot but grow in the foreseeable future.

Together with national Parliaments and the European Parliament, Regional assemblies represent an absolutely necessary tool in the process *in fieri* of "European construction", which has to proceed following the principle of inter-parliamentary cooperation.

According to European citizens, European institutions are inaccessible, because of the complexity of their organizational system. Therefore, strengthening the role of Regional legislative Assemblies would help Europe to fill the democratic gap and to confer its political action more transparency and effectiveness.

A stronger Europe needs stronger Regions and stronger Regional Parliaments.

Regional legislative Assemblies need Europe as well as Europe needs them. On the one hand, Regional Parliaments allow the European Union to be closer to its citizens, spreading its policies and adapting them to regional specificity; on the other hand, Regions need Europe to meet the big challenges of the future, such as: climate change, energy supply, demographic development and globalization.

Following the spirit which has animated CALRE activities from 1997 up to now, the CALRE Presidents confirm their willingness to cooperate with each other and with the higher governance levels in order to build a stronger Europe, with stronger basis, nearer to its citizens and closer to their needs. They ask for a more incisive role in designing European policies and strategies in those areas, which fall within their competences.

Amendments suggested to the draft Declaration of L'Aquila:

Proposing Regional legislative Assembly	Content of the amendment suggested	Effects of the integration of the amendments in the text
Regional legislative Assembly of Galicia	Integrate the paragraph 6 of Section "Introduction", by adding the adjective "regional"	The amendment has been fully reported in the text in paragraph 6 of section 1 "Introduction" as follows: "These normative provisions suggest that the Lisbon Treaty has aimed at promoting a new model of accountability and governance shared by all the Governmental systems of the European Union, both central, regional and local ones, in line with the basic principles of openness, participation, accountability, effectiveness and coherence"
Regional legislative Assembly of Galicia	Amend paragraph 2 of section "The CALRE and the new EU cohesion policy", as follows: "In the light of the decision of the European Commission on the multi-annual financial framework, the Presidents of CALRE believe that the future cohesion policy has to address all the regions of the European Union actively, being the main tool to realize Europe 2020. Even though it has to remain consistent with its mission, by concentrating its financial support in the poorest countries and regions, support for those regions leaving the convergence objective for the first time must also be guaranteed."	The amendment has been fully reported in the text in paragraph 2 of section 6 of "The CALRE and the new EU cohesion policy"
Regional legislative Assembly of Galicia	Amend paragraph 3 of Section "The CALRE and the new EU cohesion policy", by deleting "result oriented"	The amendment has been fully reported in the text in paragraph 3 of Section 6 "The CALRE and the new EU cohesion policy", by deleting "result oriented", as follows:

		<p>“The Presidents of CALRE wish the new cohesion policy will remain coherent with other policies and make the implementation mechanisms easier.”</p>
Regional legislative Assembly of Galicia	<p>Change paragraph 6 of Section "For a better quality of regional democracy: the self-assessment of regional parliaments" as follows:</p> <p>“Therefore, CALRE Presidents are aware of the importance of monitoring and self-assessment activities, for the sake of the legislative Assemblies they chair. These activities should constitute an occasion of observation, reflection and synthesis.”</p>	<p>The amendment has been initially fully reported in the text in paragraph 6 of Section "For a better quality of regional democracy: the self-assessment of regional parliaments".</p> <p>Then, this section has been deleted after the amendment proposed by Bavaria. However, the issue related to the self-assessment of regional parliaments is a working document that will be object of discussion of the Plenary Assembly.</p>
Regional legislative Assembly of Galicia and Asturias	<p>Delete the paragraph 7 of Section "To improve the quality of regional democracy: self-assessment of regional parliaments":</p> <p>“CALRE Presidents underline the need to involve the Congress of regional and local authorities of the Council of Europe during the final phase of the self-assessment procedure, as it guarantees impartiality in case of a possible final evaluation of its results.”</p>	<p>Paragraph 7 of Section "To improve the quality of regional democracy: self-assessment of regional parliaments" has been deleted and replaced by the following one:</p> <p>“The final report of the self-assessment questionnaires will be assigned to the CALRE Presidency in office”</p> <p>Moreover, to underline the absolute freedom and independence of each Assembly to undertake self-assessment, par. 2 of the section has been reformulated as follows:</p> <p>“For this reason, the CALRE intends to foster a self-assessment process within its Regional legislative Assemblies, fully respecting their freedom and autonomy and aiming at allowing them to gain more awareness of their conduct and to correct possible structural and functional lacks, if necessary”</p> <p>The amendments have been initially fully reported in the text in paragraph 6 of Section "For a better quality of regional democracy: the self-assessment of regional parliaments".</p> <p>Then, this section has been deleted after the amendment proposed by Bavaria. However, the issue related to the self-assessment of regional parliaments is a working document that will be object of discussion of the Plenary</p>

		Assembly.
Regional legislative Assembly of Galicia	Amend paragraph 8 of Section "Conclusions" as follows: "According to European citizens, European institutions are inaccessible, because of the complexity of their organizational system. Therefore, strengthening the role of Regional legislative Assemblies would help Europe to fill the democratic gap and to confer its political action more transparency and effectiveness."	The amendment was fully reported in the text in paragraph 9 of Section 7 "Conclusion".
Regional legislative Assembly of Basque Countries	Amend paragraph 2 of section "For a better quality of regional democracy: the self-assessment of regional parliaments", making reference to the promotion of the Regional legislative Assemblies' model in those Eu countries wich do not have this organization.	The amendment has been fully reported in the text in paragraph 4, Section 4, devoted entirely to the <i>institution building</i> activities.
Regional legislative Assembly of Basque Countries	Amend paragraph 4 of Section "The network of subsidiarity and the early warning system" as follows: "..They call on national assemblies for a stronger involvement of Regional Parliaments, promoting their participation and transmitting to the European level both their rulings and their suggestions."	The amendment was fully reported in the text to paragraph 4 of Section 5.
Regional legislative Assembly of Basque Countries	Add the following paragraph at the end of section "The subsidiarity network and the early warning system": "Our wish is to widen the field of discussion open to regional legislative Assemblies, so as to be able to broach not simply any possible violation of the subsidiarity principle but also the principle of proportionality of any measures proposed in European draft regulations. This would allow a debate on whether a specific measure was appropriate and would also provide sufficient margin for suggestions or modifications to measures."	The amendment has been fully reported in the final part of Section 5.
Regional legislative Assembly of Asturias	Include the following text in paragraph 2 of section "Conclusions": "European regions with legislative powers must get involved in a higher efficiency and rationalization of public expenditure in order to avoid an excessive budget deficit and restore confidence and progress in the Eurozone"	The amendment has been fully reported in the text in paragraph 2 of section 7 "Conclusion"
Regional legislative Assembly of Flanders	Insert in paragraph 5 of Section 2 'intensify the relationship between regional legislative assemblies "the following text:	The amendment was fully reported in the text in paragraph 5 of Section 2.

	<p>following text:</p> <p>“In order to enhance relations between parliament and facilitate mutual contacts CALRE will exchange further data and information about the composition, budget and internal structure of its members. These data will be accessible for the parliaments and the public and will be published on the website of CALRE”</p>	
Regional legislative Assembly of Baden Württemberg	Emphasize the role of cohesion policy in promoting sustainable, smart and inclusive growth.	<p>The amendment has been fully inserted in Section 6 "The CALRE and the new EU cohesion policy" as the opening paragraph and integrated with a reference to Europe 2020, as follows:</p> <p>“The Presidents of CALRE conceive the European cohesion policy as a necessary tool for an intelligent, sustainable and inclusive growth, useful to reach the objectives of Europe 2020 Strategy”</p>
Regional legislative Assembly of Baden Württemberg	Insert a reference to the crucial role of regions in the implementation of cohesion policy.	<p>The amendment has been included in the text, paragraph 4 of Section 6 "The CALRE and the new EU cohesion policy", as follows:</p> <p>“After all, only at a regional level, it is possible to evaluate territorial specificities and needs in a correct and appropriate way. “</p>
Regional legislative Assembly of Baden Württemberg	<p>Insert a reference to the need to ensure the stability of public finance, as follows:</p> <p>“The European member states need solid public finances. For this reason, the Presidents of CALRE wish a new culture of stability to be created, taking into account regional parliaments.”</p>	The amendment has been fully inserted in the text, paragraph 2 of section 7, "Conclusions".
Regional legislative Assembly of Lower Austria	<p>Insert a reference to the role of regional legislative assemblies in the EU <i>multilevel governance</i> system, as follows:</p> <p>“Deeply rooted in civil society, Regional Parliaments represent a familiar and tangible reality for their citizens. In the framework of EU multilevel governance system, they represent a crucial link of connection between institutional and political leaders and citizens’ daily life.”</p>	The amendment has been included in Section 7, "Conclusions" in paragraph 5 .
Regional legislative Assembly of Lower Austria	Insert a reference to the relationship of mutual need between regions and Europe as follows:	The amendment has been fully inserted in the text, Section 7,

<p>Parliament of Catalonia</p>	<p>A reference to Article 6 of Protocol No 2 of the Treaty of Lisbon, concerning parliamentary participation. In this respect, we would add the following at the end of the 4th paragraph of section 1 (“Introduction”):</p> <p>“...Protocol No 2). In addition, regional parliamentary participation in the legislative process of the European Union is expressly recognised when it states that each national parliament or each chamber of a national parliament should consult, where appropriate, regional parliaments with legislative powers (Article 6 of Protocol No 2). On this point, the phrase ‘where appropriate’ should be understood to refer to those cases affecting regional powers or interests.</p>	<p>The contribution has been fully included in the text at the end of the 4th paragraph of point 1 (“Introduction”)</p>
<p>Regional legislative Assembly of Catalonia</p>	<p>Insert a new paragraph (paragraph 7) to section “the subsidiarity network and the early warning system”, with the following content:</p> <p>“This contribution by regional parliaments to the content of European legislation should take place at a very early stage in the European Union’s regulatory procedure. The study, prior to the early warning procedure, of documents drawn up by the European Commission (such as green papers, white papers, communications or work programmes) would be especially useful with a view to identifying those areas of interest for regional parliaments in the framework of the European Commission’s strategy in the future.”</p>	<p>The amendment has been fully included in the text as paragraph 6 of section 5.</p>
<p>Regional legislative Assembly of Bavaria</p>	<p>Amend section 3 of the Declaration “Enhancing relations among European inter-regional associations”, as follows:</p> <p>“European regional associations constitute a heterogeneous universe, because of the diverse interests Regions support and represent.</p> <p>For this reason, the Presidents of CALRE point out the necessity to cooperate more closely with other European regional associations in areas of common interest, in order to as far as this allows their Parliaments to enter the decision-making processes in a more effective and credible way</p>	<p>The amendment has been fully included in the text.</p>

	European Union has to be able to meet it with new and effective solutions and policies, based on solidarity. They ask the neighbourhood policy to be consolidated and all the actors of all governmental levels, including civil society and local and regional authorities, to be involved.	
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Amendments proposed but not included in the text, which will be discussed by the Standing Committee and the Plenary Assembly

Proposing Regional legislative Assembly	Amendment	Comment
Regional legislative Assembly of Basque Countries	Change the last paragraph of Section, "Conclusions" as follows: They ask for a bolder role in designing European policies and strategies in those areas, which fall within their competences.	The contribution was not included because the expression " They ask for a bolder role..." is unclear.
Regional legislative Assembly of Bavaria	Amend section 2 of the Declaration as follows Taking for granted the respect of the autonomy of each Parliament, it is desirable CALRE open itself to a deeper involvement of its Parliaments' internal structures, such as the Commissions for European Affairs, into its activities and create a European legislative database to exchange information on the initial and final phase of the European legislation. (...) Delete the following paragraph of section 2 of the Declaration: CALRE desires all the initiatives facilitating the exchange of information and data related to several issues (such as social-economic data, or data related to the participation of women in political activities and, therefore, to the quality of regional democracy) be fostered and implemented. In order to enhance relations between parliament and facilitate mutual contacts CALRE will exchange further	The paragraph has been proposed by President Boni and makes reference to the institution of a coordination of the Presidents of EU Regional Parliaments' Commissions competent for European Affairs which will be discussed during the Standing Committee and the Plenary Assembly. The paragraph has been proposed by President Peumans and makes reference to an informative initiation aimed at allowing Regional Parliaments to improve mutual knowledge of their institutional assets. The initiative will be discussed during the Standing Committee and the Plenary Assembly

	<p>data and information about the composition, budget and internal structure of its members. These data will be accessible for the parliaments and the public and will be published on the website of CALRE.</p>	
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