



STANDING COMMITTEE OF THE CALRE

Linz, 29th of April 2009

MINUTES

Commencement of the meeting: 9:34 a.m.

Participants:

- Herwig VAN STAA – President of the Tyrolean Regional Parliament - President of the CALRE
- Peter STRAUB – President of the Regional Parliament of Baden-Württemberg (Germany)
- Gebhard HALDER – President of the Regional Parliament of Vorarlberg (Austria)
- José Miguel MENDONÇA – President of the Congress of the Autonomous Region of Madeira (Portugal)
- Francisco CELDRÁN – President of the Regional Parliament of Murcia (Spain)

For the Working Groups:

- Ernest BENACH I PASCUAL – Working Group on Subsidiarity and President of the Parliament of Catalonia (Spain)
- Marino FINOZZI – Working Group on Fiscal Federalism and President of the Regional Council of Veneto (Italy)

Excused are:

- Monica DONINI – President of the Regional Council of Emilia Romagna (Italy)
- Dafydd ELIS-THOMAS – President of the National Assembly for Wales (United Kingdom)
- José HAPPART – President of the Parliament of Wallonia (Belgium)
- Riccardo NENCINI – Working Group on Regional Democracy and President of the Regional Council of Tuscany (Italy)



The Chairman opens the session, welcomes those attending and thanks the President of the Upper Austrian state parliament, Angela Orthner, for the invitation to Linz.

He says that because of the changed majority after the regional elections in the Basque country, there has been a change to the presidency and the president at the last CALRE conference, President Izaskin Bilbao Barrandica, is no longer in office and she is therefore no longer a member of the Standing Committee.

The Chairman informs those present of the apologies he has received for today's meeting.

Jean Claude van Cauwenberghe, who has worked very hard for the Charta of Regional Democracy, is among those who have sent apologies, in his case explaining that he is no longer a candidate for the Walloon parliament and is therefore giving up a number of functions.

Those present raise no objections to the agenda issued.

1. Acceptance of the minutes of the last meeting of the Standing Committee (Brussels, January 22, 2009)

The minutes of the last meeting of the Standing Committee are agreed without comment.

2. Chairman's report

2.1. Report on the Committee of the Regions' European Summit of the Regions and Cities, Prague, 5 and 6 March, 2009

The Chairman reports that he, representing CALRE, along with the President of RegLeg, Mercedes Bresso, the Vice-President of the European Parliament's Committee for Regional Development, Jan Olbrycht, the EPP leader in the Committee of the Regions, Isidoro Gottardo, took part in the platform discussion.

He says that the discussion dealt mainly with the challenges associated with the world financial and economic crisis, and how the instruments for Territorial Cohesion in the European Union could be used, in particular in the context of regional development and cross-border regional co-operation.

He refers to the draft of the European Summit conclusions attached to the conference papers and informs those present of the main points.



2.2. Tripartite agreement between CALRE, RegLeg and CLRA

In respect of the problem of national parliaments, the Chairman is of the view that they (the parliaments) hardly had any opportunity to influence the decisions of the European Parliament. He says that CALRE has so far been denied participation even through COSAC.

He has therefore sought the conclusion of a tripartite agreement between CALRE, RegLeg and CLRA and will report on the result of the outcome of the consultation, especially as a decision will be made about this agreement.

He again offers for discussion whether it might not be the political wish of CALRE to arrive at a much closer degree of co-operation with RegLeg or a merger of the two organisations. Members should be parliamentary presidents and heads of government of the region with legislative power.

The Chairman also states that close co-operation with the parliamentary assembly of the Council of Europe will be desirable. He says he has had a sympathetic discussion on the matter with the President of the European Parliament, Hans-Gert Pöttering.

But he says he will continue do everything possible so that CALRE can at least have observer status in COSAC.

2.3. The Treaty of Lisbon and the Regions: Subsidiarity Monitoring workshop on 16 and 17 April, 2009 in Trento

The Chairman reports back on the event organised jointly by the EURAC Research Institute in Bolzano and the Innsbruck Institute for Federalism.

It was made clear there that subsidiarity is a primary law enshrined firmly in the EU's basic treaties. The shared aim must be to further advance and improve the legal status and the competences of the regions with legislative power in Europe.

He asserted that – as well as respecting a Charta of Local Autonomy and the guidelines of regional democracy – everything must be done to enshrine the right to democracy as a human right.

2.4. Committee of the Regions

- On 22 April, 2009, a meeting of the interregional group Regions with Legislative Power was held in Brussels with Jean Claude van Cauwenberghe in the chair. Subsidiarity Monitoring and the Charta of Regional Democracy were the main topics of discussion.



The Austrian federal states' Examples of Best Practice presented there would accompany the conference papers.

- In respect of the current debate within the Committee of the Regions about a change to the standing orders in connection with the Committee of the Regions' right of appeal to the European Court of Justice, the Chairman refers to the proposal he tabled as leader of the Austrian Committee of the Regions delegation, which is appended to the meeting documents as Appendix 3. He puts this forward for discussion and proposes that this passage is included in the Declaration of Innsbruck.

President Straub states he is in agreement with CALRE's position on the Committee of the Regions' right of appeal and agrees to urge the members of the German delegation to support the position of the Austrian Committee of the Regions members.

President Halder points out that implementation of the right of appeal is seen as being closely associated with Treaty of Lisbon. He says it is about the subsidiarity and the proportionality of the measures proposed by the EU - affecting the regions.

He says the EU must once again be called on to implement the principle of subsidiarity of its own accord, regardless of the implementation of the Lisbon Treaty and of "protests" from the regions, if there is an infringement of the principle of subsidiarity or proportionality.

The Chairman declares his willingness to work for inclusion of the passage in the Innsbruck Declaration along the lines suggested by President Halder. However, as this standing orders issue must be finalised in June, he suggests that the matter be conveyed to the Committee of the Regions as CALRE's position.

3. Election to the European Parliament – Actions of the regional parliaments

The Chairman says that, as discussed at the last CALRE meeting in Brussels, he has prepared a proposal for a letter to all candidates in the European Parliament elections. This is attached to the conference papers as Appendix 4.

The Chairman reports back on the "Aktuelle Stunde" session (Debate on topical issues) held during the last meeting of the Tyrolean state parliament on the subject of "Tyrolean European policy – a success story".



He recalls Europe Day on 9 May, which should be used by European parliamentarians, state, regional and local politicians as an opportunity to engage in a broad dialogue with the voters and to make clear to them the benefits the European Union gives them.

He says that in the Tyrol, the Land Tirol website has a page for young people informing them about the European elections.

President Halder reports that he has taken the reduction in the voting age in Austria to 16 as an opportunity to invite young voters between the ages of 16 and 18 – outside a state parliament meeting – to the Vorarlberg state parliament to convey to them the importance of democracy and to urge them to make better use of the democratic organs – including those in Europe. He says the slogan "Europe must be more democratic" has had a positive response.

The President says that President Finozzi has submitted another draft letter. The decision that has to be made now is whether to send both letters to the candidates or to combine the letters into one and to send it as a joint letter.

President Halder's suggestion that the matter be expressed in a joint letter was endorsed by President Finozzi.

President Benach i Pascual reports on the action taken by the Catalan parliament in connection with the European Parliament elections.

President Celdrán explains that the presidential conference in Spain in May of this year will address this issue. In any declaration, the positive aspects for the voters of the European Union should be stressed and a call to vote issued. He says that above all the principle of subsidiarity must be demanded.

He believes it is important to address the EU election candidates directly in the form of a letter.

After a short discussion on the way to proceed, the Chairman summarises the views and says he will prepare a joint letter and will send this to the elected deputies after the election.

4. Charta of Regional Democracy

The Chairman says that, as agreed at the last meeting in Brussels, the Charta of Regional Democracy has been sent by e-mail to all members of the Standing Committee.



He says the commitment of the presidents in their own country - to press for ratification of the Charta – is currently of varying intensity, but absolutely essential.

The Chairman reports that Jean Claude van Cauwenberghe has clearly stated in the interregional group, Regions with Legislative Power, that there is no intention to deviate from the Helsinki declaration principles. But if this still happens, there should be no resolution.

He says there is the Council of Europe draft, which would discuss and at best be adopted at the Council of Ministers on 16/17 November, 2009 in Utrecht. He says unity is absolutely essential, however, Great Britain and France would work actively against a Charta of Regional Democracy.

The Chairman's proposal that Jean Claude van Cauwenberghe's suggestion be supported is accepted unanimously.

5. Plenary in Innsbruck

5.1. Present programme

The Chairman refers to the current programme, which can be found with the conference papers as Appendix 5.

5.2. Declaration of Innsbruck

The Chairman says that he has prepared the first draft. This is included among the conference papers as Appendix 6.

In his opinion the main topics should be the Reform Treaty, the Role of Regional Parliaments, the Charta of Regional Democracy, Subsidiarity Principle – Monitoring and Procedure, the Right of Appeal to the European Court of Justice, Cooperation with the Council of Europe and the Committee of the Regions, Co-operation with European Institutions, Multi-Level Governance and Regional Policy.

With regard to the Right of Appeal to the European Court of Justice, the Chairman's view is close to President Straub's proposal and that it should be included as a minority right. The Right of Appeal should be available not just through the Committee of the Regions, but also through a national parliament's second chamber.

President Straub states that a preliminary decision on the Right of Appeal to the European Court of Justice in the Committee of the Regions will be made before the CALRE plenary in October 2009. So it is important to refer national representatives in the Committee of the Regions' Standing Orders committee to this matter and to urge them to press for the Austrian position. He asks the Chairman to convey this to the members of the Standing Committee so that they can table this in the national delegation.



The Chairman says that he will send the Austrian position by a date – 14 days – to all members of CALRE's Standing Committee. If no negative responses are received, he will forward this to the Committee of the Regions as CALRE's position.

The members of the Standing Committee agree to this.

The Declaration of Innsbruck will be presented as a formal draft for discussion in Venice.

President Halder asks for Point 2 Role of Regional Parliaments and Point 9 Regional Policy to be ranked one after the other. On Point 9 Regional Policy, in his opinion, the result of the study presented in the meeting of the working group on Fiscal Federalism of 29 April, 2009 should be attached as an appendix and a corresponding paragraph being included in the Declaration of Innsbruck.

The Chairman notes that the idea could be developed.

President Finozzi says he plans to table for the Declaration of Innsbruck a proposal on the subject of federalism based on the study regarding the meaning of autonomy in Europe.

The Chairman suggests that the Regions with Special Statutes are also included in the declaration and that due importance is attached to them. Furthermore those European states, which would currently be part of a regionalisation process, should increasingly be given a helping hand. It would also be good if the CLRA, above all else, deals with those countries, which have in theory built up strong subsidiarity, but which in practice would have considerable democratic deficits. He says CALRE can address this matter forcefully in the CLRA. In the Committee of the Regions there is already a tight network, as in any case there are many of our regional representatives there.

President Mendonça thanks the chairman of the Fiscal Federalism working group, President Finozzi, for his outstanding work and supported its proposal that the paper be duly considered and included in Declaration of Innsbruck.

The meeting breaks up from 11.05 until 11.27.

The Chairman reminds those in attendance of the points discussed today and presents in detail the Innsbruck programme.



6. Any other business

The Chairman asks those present for a view in respect of the holding of a joint meeting – CALRE and RegLeg – and/or how they feel about his proposal to bring together these two bodies.

In the view of President Mendonça the parliamentary presidents in RegLeg should be partners with equal rights. The efforts of CALRE with regard to the exposure of its activities in public have so far not been very successful. Even if the members of parliaments are the representatives of the voters in the various regions, the governments would still have a more important role. If an agreement is reached about this matter, it should also be mentioned in the Declaration of Innsbruck.

The Chairman states that he is willing – subject to the approval of the members of the Standing Committee – to have a conversation with the president of RegLeg, Mercedes Bresso, about whether and/or in what form close co-operation between the two bodies is possible in the future. Initially the separate bodies should basically be retained, however a joint meeting timetable for the Standing Committee or the plenum should be contemplated. He says this co-operation must be on an equal-status basis. There must be majorities in both "chambers" on important issues. Firstly, the creation of a new relationship network with RegLeg should be sought, secondly, in co-operation with the parliamentary assembly in the Council of Europe and the European Parliament, an attempt should be made to develop an institutional relationship with the European parliamentary bodies.

President Halder informs those present that he must send his apologies to the next meeting of the Standing Committee in Venice and also that his presidency of the Vorarlberg state parliament ends one week before the CALRE general assembly in Innsbruck. He thanks everyone for their co-operation and hopes the Standing Committee and CALRE will continue to perform valuable work for Europe's regions and the people who live in them.

The Chairman says that if there are no objections, he will invite those members of the Standing Committee, who had left their regional parliaments in the interim, to the plenary meeting in Innsbruck. This is agreed.

He points out that the question of possibly sending a delegation to the meetings of the Standing Committee and the meetings of CALRE's general assembly has to be clarified and he asks the representatives of the national parliaments, if there is any obstruction, to send a representation to the CALRE general assembly.

The Chairman explains that he will write to the Basque parliament in respect of the further progress of the Information Technology working group, as Mrs Izascun Bilbao Barandica, President of the Basque parliament and the former leader of the working group is no longer in office and so has no further mandate.



President Benach i Pascual reports that the Catalan government is planning to hold a seminar with judges from the European Court of Justice on the subject of European Legislation and Subsidiarity.

The Chairman offers support on the matter – also via the Committee of the Regions.

President Benach i Pascual proposes to conduct this seminar as a CALRE event. The planning is now only in the preliminary phase; more detailed information would, once available, be forwarded to the Chairman.

The Chairman thanks those present and then Angela Orthner, president of the Upper Austrian state parliament, has the final word.

Meeting ends: 12.08