



The State of Regionalism in Europe

An AER Report

Part I: Regions of yesterday, Regions of tomorrow

What has changed over the last 25 years? What is at stake today?

June 2010

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We would also like to pay a specific tribute to Gérard Baloup, who passed away on 2 May 2009, and whose contributions to former AER publications provided us with key material for our chapter on the strengthening of the regional phenomenon, on the setting up of the Congress of Local and Regional Authorities and the creation of AER.

We would also like to thank the Regions' Presidents who took the time to answer our questions and provided us with their views on Regions in Europe and the advantages of being an AER member.

Last but not least, many thanks to the regional officers, who checked our country reports, and to the representatives of national governments who helped us in our updating activities.

Disclaimer

To prepare each country report, the AER Secretariat used various sources, mentioned in Annex 4. The majority of the country reports was submitted to a two-level system of control: on the one hand, the AER General Secretariat asked for Member Regions in the country to check the accuracy of the information provided. On the other hand, representatives of national governments, involved in the European Committee on Local and Regional Democracy of the Council of Europe, were invited to send comments or relevant updates to their respective country reports. Some reports, however, could not be checked, either due to the lack of Regions in a specific country, and thus ad hoc AER contacts, or due to language problems. Information provided in this report therefore only engage its authors. Should you notice any inaccurate piece of information, or should you know about changes in a specific country, we invite you to send your comments to:

secretariat@aer.eu

Re.: Regionalism report

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Foreword by Michèle Sabban, President of the Assembly of European Regions, Vice-President of Ile-de-France Region (F)



For 25 years, the Regions have been the bedrock in Europe's construction

Since the creation of the AER in 1985, Europe has achieved significant advances along the path of regionalisation. This trend has obviously been due to the efforts of our members, who for 25 years have been militating for greater recognition of the key role played by the Regions in the construction of Europe, and specifically in its ownership at political and citizen level. Incidentally, over this period, most European countries have experienced decentralisation, to a greater or lesser degree depending on each one's constitutional and political traditions. The Lisbon Treaty has taken these trends into account. The rise of the regional layer in multi-level governance is now widely recognised, even if only via the right granted to the Committee of the Regions to appeal direct to the Court of Justice of the European Communities in the event of any violation of the principle of subsidiarity. This shows that the principle of local autonomy has certainly been strengthened, but also fully institutionalised following the highly uncertain phase of European construction that culminated in the signature of the Lisbon Treaty.

But this does not mean that the dynamic of regionalisation and decentralisation has been completed or even that it has become widespread. The most recent European legislative elections gave us a reminder that politically, Europe remains both uncertain and perfectible. There is no doubt that in that respect, multi-level governance needs to make a fresh qualitative leap in the years ahead in order to bridge the gulf that has opened between the institutional life of the Union and that of its citizens. The budgetary period currently starting must enable us to achieve the objective of territorial cohesion laid down by the Lisbon Treaty.

It is the objective of better grasping the Regions' new framework of action that is driving the AER to organise a conference in December that will bring together institutions from the EU, member regions and States, primarily for the sake of exploring a better use of the structural funds. In other areas – be it the fight against climate change or the economic recovery – we must continue to use the exchange of good practices and the development of local solutions to press on towards our common goal of a Europe which is sustainable and geared to its citizens.

A handwritten signature in black ink that reads "Michèle Sabban". The signature is written in a cursive, flowing style.



Foreword by Danuta Hübner, Member of the European Parliament, Chairwoman of the EP Committee on Regional development

Dear Friends,

As you know, we are in the middle of the debate on how the future regional policy should be structured and organized, what should its main pillars be, its priorities and its management system. This policy was conceived originally as the third pillar essential for the creation of the European internal market and of economic and monetary union. This role of the policy remains valid today but there is a change as well.

European integration today takes place in the context of intense globalization, and the regional policy is therefore not only to help create and adapt economic and social structures to tackle internal market competition and EMU zone constraints, but also to deal with global competition. All European cities, towns and regions measure today their strength and competitiveness against the global background. The effort to adapt is required on a permanent basis across the European Union. Challenges, including the crisis, affect in an asymmetric way entire the European territory. Sustainable competitiveness is a challenge for every territory. Eliminating barriers to growth, mobilizing development potential of every piece of Europe is our duty. Investing in regions and cities means progress for Europe.

There are new expectations of consumers. There are new markets emerging. Jobs are created in new sectors. Society is aging with all the consequences for public finance, labour market policy, migration policy and new demands. Moving toward low carbon economy implies huge structural transformation. All changes will have dramatic impacts on our society, on social fabric, on social capital. There is a big risk that cohesion, this magic glue Europe has always been so proud of, will suffer.

As we discuss the link between European regional policy and the Europe 2020 strategy, it seems obvious that Europe needs a long-term strategy not only to respond to global change or to indeed lead the global change. We need a long-term vision and common progress of action also to cope with our own intra-EU problems and opportunities and to better organise ourselves for European common goals. We need more, not less, of what the Lisbon agenda identified ten years ago. We need more, not less, structural reforms.

The new strategy must link the crisis exit policies and long-term growth and structural change. Any new strategy should take into account the diversity of European territory which can allow us to better exploit diverse opportunities, comparative advantages and different potentials. We have talked for decades about the link between diversity and unity in the Union. This time talk is not enough. The time has come when we must prove that we are able to truly build on this diversity and cooperation. A new strategy for Europe must be built on the role of an active European citizen and an involved society. The new EU2020 strategy must not exclude anybody from the pursuit of common

European objectives. Multilevel governance and partnership so well known from European cohesion policy experience should be, therefore, the core of governance and delivery of such a strategy.

The ownership of the strategy should go beyond the Commission, the Council, the European Parliament. Regional and local levels of European governance are important co-owners, capable to harness policy tools they have at their disposal as well as the enthusiasm of all partners: business, academia, civil society. And to translate general goals into their own territorial specificities.

Europe is too small to afford leaving parts of its territory with growth deficit. We need leading growth centres but their role is also to pull others forward. That is why we must also enhance economic links between those growing faster and those lagging behind. Clearly, more cooperation is needed to get us out of the crisis and put our economies on long term growth track.

New growth engines must work towards strengthening European cohesion: economic, social, and territorial. We must finally understand that aiming at cohesion is not a cost; it gives strength, taps unused potential, expands growth basis, and generates European social capital. Both, innovation that can bring productivity gains, and greening, that can create new demands and markets, they both require local and regional focus. They require place-based integrated approach to investment and growth policies. A region, a city, a town, a rural area happens usually to be such a place where all partners needed to bring about a solution can be found and all elements of a solution can be brought together. This is the experience of European cohesion policy.

This experience demonstrates that combining integrated approach to growth with territorial specificity brings the best results in terms of growth, sustainable jobs, creativity and innovation.

If the future is challenging it will also be exciting! I hope you find this report as stimulating as I have; in any case I am sure you will find it interesting.



1. Introduction

1.1 History of the report

The Assembly of European Regions (AER) is the umbrella organisation and political voice of the regions in Europe. It embraces over 270 regions from 33 Council of Europe countries, stretching from the Azores (Portugal) to Adjara (Georgia), and counts 16 member interregional organisations. As such, the AER is a key player in promoting regional democracy in Europe. For the past 25 years, the AER has been providing advice and expertise to regional governments on all issues of regional competence and facilitating exchange of experience between regions and identification of best practices of regions.

The AER has been active in debates on regional structures throughout Europe. In 2008, AER organised a Conference on effective regional governance in the Ukraine, together with Donetsk Regional Council. In May 2007, AER and the region of Hedmark jointly organised a seminar on regional developments in Scandinavia. In 2005, AER organised a forum, together with the OSCE and the Council of Europe, to bring the Serbian government together with the authorities of the autonomous province of Vojvodina, in order to discuss the competences and financial resources of Vojvodina. Previous seminars have been organised in Portugal, Romania and in the Baltic states, bringing together regional and national representatives with experts on regional democracy from throughout Europe, to discuss new approaches to regionalisation within the specific national contexts.

Through these activities, the AER has gained a great knowledge and understanding of the development of regional democracy throughout Europe. It has been able to observe the trends of the past 25 years and to assess and disseminate best practice in this area. In 1996, the AER used these best practices to develop a series of benchmarks for good regional democracy. These are set out in the AER Declaration on Regionalism, which has proved to be the key document defining good regional democracy in Europe today. The Declaration was accompanied by synoptic tables on the progress of regionalism in Europe, updated in 1998.

Building upon this work, in 2003, AER produced a comparative study into regionalisation in Europe. This study provided a snapshot of the state of regional democracy in 10 European countries. It allowed us to draw some preliminary conclusions about the state of regional democracy in Europe today. In 2006, ten years after the publication of its Declaration on regionalism, AER decided that it was time to update the report and to expand it to cover all countries of the Council of Europe. In so doing, the AER used the benchmarks set out in its Declaration on Regionalism to assess the state of regional democracy in each country and to identify trends and challenges for regional democracy today.

Since then, however, there have been a number of significant developments concerning the regionalisation processes throughout Europe. Throughout these developments, themes such as the distribution of responsibilities and the financing of regional government have constantly come to the fore. Subsidiarity, a principle now extended to the subnational level of governance by the Lisbon Treaty, has also increasingly emerged as a constant theme underpinning governance throughout Europe. At the occasion of its 25th Anniversary, AER has therefore decided to update its 2006 Regionalism Report .

The present report entails two parts. The first part, on Regions of yesterday, Regions of tomorrow, begins with a definition of key terms used in this study, i.e., Regions, regionalism, regionalisation and subsidiarity. An article on the state of the art with regards to regionalisation in 1985, founding date of AER, set up the framework for two other contributions, on the progress of Regions since 1985, and their current role in the EU multilevel governance system. Some reflections regarding the future challenges and prospects for Regions in the coming years are proposed in conclusion. The second part of the report gives an overview of the state of regional democracy in each country of the Council of Europe, on the basis of the criteria defined in the AER Declaration on regionalism. Interviews of Regions' Presidents, MEPs and experts provides with lively testimonies on Regions' role in today's Europe and the added-value of AER membership. Synopsis tables, summarising the main information for each country, can be found in the annex to the report. A copy of the AER Declaration on Regionalism can also be found in the annex, together with the map of Regions in Europe, an indicative bibliography and useful links, and a list of acronyms.

The AER General Secretariat will update the second part of the present report (the country report) in a yearly basis. All updates will be available under 'Publications' on the AER website: www.aer.eu

1.2 Presentation of the external contributors to the report and introduction to their contribution

Pascal Goergen, Diplomatic representative of the Region Bruxelles-Capitale to the European Union, Doctor in political sciences (UCL-Louvain-la-Neuve)



Pascal Goergen was born in 1963 in Cologne (Germany) and has three children. He was appointed diplomatic representative for the Region of Brussels-Capital to the European Union in November 2000. He has been working for 10 years at the Permanent Representation of Belgium on behalf of the Region of Brussels-Capital. Holding a doctorate in political sciences and a diploma in international affairs, he has a passion for European affairs and specialized in the field of regional policy and lobbying of cities and regions in the decision-making process at EU level. As a renowned observer of the role of regions in European policy he made of this subject one of his favorites.

Author of the book "***Lobbying of cities and regions in the European Union***" he is currently closely following issues concerning the post 2013 cohesion policy, the EU Strategy 2020, the Euro-Mediterranean partnership and multi-level governance. In 2004, he published a vade-vacum with the title "***The European Parliament in its many Shapes and Forms***", which was translated into English and Polish. During the debate on the European Constitution in 2005, he drafted a pedagogical tool with the title "***What kind of Europe in the future?***" Following his book "***Lobbying in Brussels***", Pascal Goergen published his work "***Networking in Brussels***" (web site www.goergen.be).

25 years: a short period, but one in which the European regions have covered a lot of ground. As the diplomatic representative of the Brussels-Capital Region to the European

Union, I would first like to congratulate the Assembly of European Regions on its 25th anniversary. I hope it will celebrate many more quarter-centuries with an equally strong commitment to defend the regions in the European sphere. I would also like to thank the AER for inviting me to contribute to the updated report on regionalisation in Europe, thus giving me the opportunity to express my views on a subject which continues to gain importance. Whether through advances for the local and regional authorities in the framework of the **Treaty of Lisbon** or the challenges for regions under the recent **EU 2020 strategy**, the regions are increasingly at the heart of Europe. The Treaty of Lisbon gives the local and regional authorities a greater voice in European affairs. It also gives more power to the Committee of the Regions. In my view, the EU 2020 strategy constitutes a challenge for the short and medium term for regions, because successful implementation of this strategy will depend on its being taken up quickly by the regional authorities. In addition – because taking up the strategy as such is not enough in itself –, it will be imperative to involve the regions closely in its implementation if the European Union hopes to see this strategy crowned with success and thereby avoid the disappointment of the Lisbon strategy.

I may as well put down in writing what those who know me can confirm: I am not a hard-line regionalist. Personally, I am convinced that the national/federal level must exist – moreover, in the EU, only Member States are recognised as members –, but this level has a duty to work with the sub-national levels, regardless of the country's institutional organisation. So the greater role of the regional authorities is undeniable. This **"regional reality"** and all the concrete consequences that can result from it nourish my daily work at the Brussels-Capital Region. It is a fact that the "regional reality" is not new, but it has nevertheless been accentuated with successive enlargements. The role of the regions has continued to expand over the years. The Committee of the Regions has existed for more than 15 years and it is obvious that the Union cannot function without taking this local and regional dimension into account. For the tools that provide definitions, I refer readers to the introduction of this report and its discussion of concepts such as region and regionalism.

In the age of globalisation, Europe's traditional national states are losing their capacity to carry out their tasks effectively. In the face of new challenges, *every* level of the decision-making process must be involved in policy implementation. Furthermore, the European Union's capacity to assume its responsibilities and to achieve its objectives depends not only on its institutional organisation, but above all on its mode of governance. The legitimacy, effectiveness and visibility of the Union's functioning are guaranteed by the contributions of *all* actors. Such contributions can only be ensured when the local and regional authorities are real *"partners"* and not just intermediaries. The evolution, through the different treaties, of the structure of European decision-making demonstrates the awareness of this necessity of building Europe on the basis of partnership. Globalisation also strengthens the added value of multi-level governance because it highlights the imperative of coherent and concerted action by the different political players. The economic, financial and political influence of the regional and local authorities is a decisive factor for the success of any reform on the ground. Indeed, this multi-level governance is essential for more effective European action.

Furthermore, there is no escaping the fact that European Union legislation has a growing impact on local and regional institutions and therefore on their own interests. The responsibilities of the local and regional authorities have increased to a very wide extent,

albeit to different degrees in the Member States. They have acquired greater influence in terms of freedom of action at European level.

But what is the real role of the regions? My contribution to this updated report will attempt to answer that question. I will divide my presentation into two parts, plus conclusions. The first will address the role of the regional authorities in the European governance system and will seek to explain its evolution between the Treaty of Nice and the Treaty of Lisbon. The second will deal with the future prospects for the role of the regions. I will illustrate my contribution by reviewing in practical terms how this happens in Belgium.

Europe needs regions. They are not only one of the mainsprings of European construction but they also represent a level that is close to European citizens, the level that enables them to identify more readily with this "great" Europe. The regional reality also corresponds to a will to make European integration more democratic: being close to citizens in a large construction and making all citizens realise that Europe is built through concrete projects in their region and municipality. It is up to us to make sure the regions take on even more importance and to provide evidence of the added value of multi-level governance and subsidiarity.

Valentina Guerra, Doctorate Student in Contemporary History, Robert Schumann University, Strasbourg (F), AER Press and Communication Officer



Valentina Guerra has been a doctoral student at the University of Strasbourg since 2008, and she works for the Assembly of European Regions (AER) in the Press and Communications unit. After graduating in International Relations at the University of Bologna, and two Masters in European Studies at the Institut des Hautes Etudes Européennes in Strasbourg, she undertook doctoral studies to expand the understanding of regional issues in Europe. Her research field runs from cross-border cooperation, specifically along the border between France and Italy, to cooperation between the regions and the Council of Europe from 1957 to the present day. Her thesis focuses on a historical analysis of the European Conference of Local and Regional Authorities at the Council of Europe, the only European institution to be representing the regions between 1957 and 1994-1995, the year that the EU's Committee of the Regions was created.

My contribution to the report seeks to present the starting point for regionalism in Europe at the time of the setting up of the first large organisation representing the regions on the European stage, the AER. The objective is to highlight the diversity of experiences of regionalism and to show how the countries of Europe are striving to adapt to the changes occurring after the Second World War. The point is that they are looking for a better balance of power between the various layers of governance, on the one hand for the sake of avoiding the excesses of centralisation and on the other so as to get democracy more firmly bedded in and to respond more effectively to citizens' needs. Because of the wide variety of regions and types of regionalism in Europe, it would be impossible to cover them all within this study. Instead, four countries which broadly represent the major schools of regionalism will be presented by way of examples, specifically the Federal Republic of Germany as a representative of the federal countries, Italy as a representative of the regionalised countries, France for the centralist countries, and Norway as a typical example of Scandinavian regionalism.

2. Regions and regionalisation: An introduction

2.1 What do we mean by 'Region'?

Before we come back to the growth of regionalism in Europe, we must define what we mean with the term 'region'. It is a term that is ill-defined in popular usage. It is often taken to have a purely geographical definition, simply describing an area which has some common features which draw it together, but no administrative or governance structures. The term 'region' is also used on a supra-national level to describe regions of the world, such as Europe and Australasia. In European Union parlance, the term often refers to a statistical classification that does not relate to a sub-national governance structure, for example through the NUTS classification. None of these definitions reflect what the AER understands as a region. The AER Declaration on Regionalism defines the region as "the territorial body of public law established at the level immediately below that of the State and endowed with political self-government" (Article 1.1). According to this definition, European regions are in no way a homogeneous entity; they vary greatly in size, population, institutional structures, competences and financial powers. At one end of the spectrum are federal structures, such as those in Germany, Austria, Belgium and Switzerland, which have legislative powers in a wide range of areas. At the other end are the regions in relatively centralised countries, such as France (even though the situation has much evolved there since 1982), which have less power and operate within a highly restrictive national framework. However, all regions share the same basic purpose: to democratically design policies and deliver services to the citizen at a level which is small enough to be close to the citizens' concerns and needs, yet large enough to deliver economies of scale.

A study of regions is bound to make use of terms such as 'regionalism', 'regionalisation' and 'subsidiarity'; it is important that we clarify the meaning of these concepts before continuing. 'Regionalisation' is the process of creating sub-units within a state and transferring power from the central government to these sub-units. These sub-units are an intermediary level of government, between the national state and the municipalities. 'Regionalism' is the political notion which favours the process of regionalisation; it is generally seen to imply some struggle for a degree of political autonomy on behalf of the region(s) concerned. However, regionalism must not be misunderstood as separatism, which describes a movement to separate a particular region from the central state, either to create a state of its own or to join a neighbouring state. Neither is regionalism synonymous with federalism, although federalism can be a sub-category of regionalism. Under a federal system, sovereignty is divided between a central governing authority and constituent political units; this is not necessarily the case with other forms of regionalism. Federalism develops either through entities uniting and giving sovereignty to a central level, or through the central level giving powers to the constituent parts.

The concept of regionalism has its roots in the principle of subsidiarity. This principle states that decisions ought to be taken at the closest possible level to the citizens. The word 'subsidiarity' implies that the central authority should have a subsidiary function, performing only those tasks which cannot be performed sufficiently by lower levels of government. The Lisbon Treaty, which entered into force on December, 1, 2009, defines subsidiarity as follows:

'Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far 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. The institutions of the Union shall apply the principle of subsidiarity as laid down in the Protocol on the application of the principles of subsidiarity and proportionality. National Parliaments ensure compliance with the principle of subsidiarity in accordance with the procedure set out in that Protocol' (new Article 3b, as inserted by the Lisbon Treaty).

This places decision-making closer to the point of service and is therefore likely to be more effective. Subsidiarity is thus at the heart of democracy.

2.2. The state of regionalisation in 1985, founding date of AER

By Valentina Guerra

PhD student in contemporary history, Robert Schuman University, Strasbourg (F)

Press & Communication Assistant, Assembly of European Regions

In 1985, 47 regions in eight European countries met to set up a major organisation of European regions, the Council of the Regions of Europe (CRE), a name subsequently changed to Assembly of European Regions (AER). This was a fundamental date for regions, which for the first time decided to team up to defend their interests with the European institutions and in their own countries. The challenge was huge, but the regions were determined, based on the crucial conclusion that Europe could not be built without them. This paper explores the situation in terms of the establishment of regions in the different European countries at the time of the AER's founding.

The history of regionalism in Europe from the Second World War can be seen as a series of waves, namely periods during which each State put in place different reforms to improve the sharing of powers and responsibilities with the local authorities. Starting in the 1960s and 1970s, up until the crucial decades of the 1980s and 1990s, can be observed an important departure from the centralism that was previously the rule in most European countries. This initial observation leads to the finding that regionalism is a constantly evolving rather than a finished process. Even today, this process continues and the challenges for regions lead to ongoing reflection in terms of further development of regionalism.

Analysing the phenomenon of regionalism also implies taking two particular processes into account: on the one hand, the development of regions at European level and on the other, their development in their individual countries. This is another characteristic of regionalism: while in general it designates the process of the creation of intermediate echelons between municipalities and central governments, on the other, each individual process of regionalism establishes itself differently according to the specific characteristics of the country (its history, the presence of cultural diversity, the administrative culture, etc.). Before looking at the fascinating history of the development of regionalism in certain European countries, we will mention the role of the European institutions in the development of the regions as crucial players in European integration.

Apart from certain specific cases such as federal countries, history reveals that the regional level was absent at the time the first European institutions were established

between 1949¹ and 1952². Although the European Community took several more years to involve the regions in its institutions, the Council of Europe took a first step in this direction with the establishment, in 1957, of the Conference of Local Authorities of Europe (CEPL). In the minds of the CEPL's organisers, this body also represented regions in Europe, not just municipalities, provinces, counties, etc. Despite this open attitude, however, the reality on the ground proved to be different. The regions, before being able to play the important role they play today, had to achieve recognition at political level. Thanks to the different resolutions and recommendations adopted by the CEPL from 1957 to 1974, the regions earned such recognition and were invited to participate officially and with greater political representation in the work of the Conference of Local and Regional Authorities of Europe (CEPLR) from 1975.

This heightened political recognition of the regions during the early years of European history is also seen in a number of reforms of regionalism undertaken in the Council of Europe³ member countries. What regional models were developed by the different European countries in 1985? A wide range of models existed. However, four main categories can be identified that will be presented in decreasing order in terms of the regions' political power and influence: constitutional regionalism, strong regionalism, decentralised regionalism and administrative regionalism. This diversity of approaches makes the question of regionalism all the more interesting and, again, an important element of European integration. To illustrate this diversity and the starting point of regionalism at the time the AER was established, an example of each category of regionalism is presented below, namely the case of the Federal Republic of Germany (constitutional regionalism), Italy (strong regionalism), France (decentralised regionalism) and Norway (administrative regionalism).

The Federal Republic of Germany (FRG) or the region in federal systems

The Federal Republic of Germany represents an example typical of federal systems. German federalism was interrupted under the totalitarian regime, but just after the war, a federal structure was gradually put back in place in keeping with a centuries-old tradition. This administrative architecture suited the Allies' determination to prevent any return to authoritarianism and to restrain the political aspirations of the new State. Indeed, the German political leaders in charge of restoring democracy in their country, whether or not they had been victims of the Nazi regime, intended to found a new regime on values scorned by the Nazis⁴. On the basis of these political aspirations, the Federal Republic of Germany adopted its Basic Law on 23 May 1949. Under this law, the Republic was made up of all the Länder from the Western occupied zones except Saarland, which remained under French sovereignty until 1956. Shortly thereafter, on 7 October of the same year, the German Democratic Republic (GDR) was founded by the Soviet Union in its occupied zone. In GDR, the Länder were dissolved in 1952 and replaced with a centralised state-run administrative structure.

1 Date of founding of the Council of Europe.

2 Date of establishment of the European Coal and Steel Community (ECSC).

³ From 1949 to 1985, the Council of Europe member countries were: United Kingdom, France, Italy, Belgium, Netherlands, Sweden, Denmark, Norway, Ireland, Luxembourg, Greece, Turkey, FRG, Austria, Switzerland, Cyprus, Malta, Portugal, Spain and Liechtenstein

4 Deyon P., *Régionalismes et régions dans l'Europe des quinze*, Éditions locales de France – Bruylant, 1997, p. 32

Three administrative levels existed in the Federal Republic of Germany: the Bund (central level), the Länder and the municipal level. The 11 Länder represented the intermediate level between the Bund and the municipalities. They included three city-states: Hamburg, Bremen and West Berlin. The Bund's powers were regulated by the Basic Law, which established its competences. The Länder had the right to legislate where the Basic Law did not confer legislative powers on the Bund.

The existence of a second legislative assembly, the federal council or Bundesrat, represented another characteristic of Germany's constitutional federalism. The Bundesrat ensured the participation of the Länder's governments in the federation's affairs and had a more limited role than that of the Bundestag (parliamentary assembly), the only body entitled to bring the chancellor's political responsibility into play. Made up of delegates and the spokesmen of the governments of the Länder, it reviewed all draft legislation. Its approval was also required for laws that could be imposed on regional administrations.

This initial system met with a real challenge when the central authorities took a number of initiatives based on competing competences and thereby reduced the regional governments' autonomy⁵. The 1969 reform was meant to limit such initiatives by the central authorities, making it clear that "interventions by the federal government suppose that the Land concerned has given its prior agreement, that they involve the drafting of a bilateral agreement that includes the sharing of financial costs and that they may only concern the extension or construction of higher education establishments, the improvement of regional economic structures, the improvement of agricultural structures and environmental protection".⁶

The 1969 reform also demonstrated another aspect, namely that the further development of regionalism provided a response to changes in the social aspects of contemporary life. The idea was to adapt to the country's swift evolution and the new needs of an increasingly industrialised and urban society. Once these adjustments were in place, the FRG did not undertake any additional major reforms of regionalism until the early 1990s, when the Treaty of Maastricht, which expressly referred to the subsidiarity principle, entered into force and most European countries found themselves in the position of having to revise their administrative architecture.

Italy: two-phase regionalism

Article 5 of the 1947 Constitution defines the Italian Republic as: "a republic that is one and indivisible and that recognises and encourages local self-government; achieves extensive administrative decentralisation in the services that depend on the State; and adapts its legislative principles and methods to the requirements of self-government and decentralisation".⁷ Articles 114 and 115 also state that "the Republic is divided into

5 As Pierre Deyon explains: "This was the case for research and higher education, with the creation in 1962 of a federal research ministry, followed by the appointment in 1970 of a committee in charge of a unified training policy. It was also the case for economic and financial policy, with a 1967 law making the federal government responsible for coordinating budget programmes and implementing the crisis relief strategy. The creation of national administrative offices simultaneously limited the Länder's executive powers: the national meteorology office, the federal road system office, the federal labour office, etc." Deyon P., *Op. Cit.*, p. 36

6 *Ibid*, p. 37

7 *Ibid*, p. 69

regions, provinces and municipalities and the regions are established as autonomous bodies with their own specific powers and functions in accordance with the principles laid down by the Constitution".⁸

The establishment of regionalism in Italy represented a major break with a deeply rooted historic tradition of centralisation dating back directly to Italian unification and overcome by the will of the Italian people just after the Second World War. Following the collapse of Mussolini's regime and the birth of the Republic after the June 1946 referendum, a new constitution had to be written and it obviously had to break with the centralisation and totalitarianism of fascism. Furthermore, for reasons of domestic and international policy, it had to take account of the situation of a number of outlying territories. For example, the Allied occupation of Sicily in July 1943 had fostered the emergence of a separatist movement and Alto Adige, Val-d'Aosta and Istria, the new borders assigned to Italy, encompassed national minorities to which the new Republic had the duty of granting constitutional guarantees. These situations explain why Title V of the Constitution is devoted to territorial administration and takes note of the birth of a new territorial entity: the region.

In spite of this break with the past, regionalism encountered a number of uncertainties and delays in becoming established. It was a two-phase process: the creation in 1948 of five regions with special statutes, followed in 1970 by regions with ordinary statutes. It took another two years for the implementing texts to be published and for the statutes of each region to be approved. Financial transfers did not seem to follow the transfers of competences, however, leading to an absence of financial independence that for years partially negated the significance of regional self-government.

What was distinctive about the reform of Italian regionalism in 1970 was that, while a great majority backed the creation of regions, there was no precise plan for regionalisation and the debate focused on two principal projects: on the one hand, the opposition to regionalisation and the request to create regions as an instrument of State devolution; on the other, the proposal to create regions as a new administrative echelon. The region would therefore have political autonomy to enable it to intervene effectively in public actions for territorial development or control, without however giving it the power to express its economic and social development projects.

The debate also concerned another aspect, namely the creation of "political" or "administrative" regions. As soon as ordinary regions were established in 1970, the regions slipped back into a more or less administrative role, which represented a virtual defeat for regionalism. There were two reasons for this, linked to the characteristics of the process of transfers of functions to the regions and the transfer of the financial resources required to exercise these new functions.

With regard to the transfer of functions, initially the regions were assigned only partial responsibilities, with the other part exercised by the State. This meant that the regions and the State had to work jointly on every task. As for the transfers of financial functions, these were followed by a tax reform that centralised the power to levy taxes at State level, decreasing the regions' powers. This contradiction between the enlargement of regional functions and the reduction of regional financial autonomy is a typical example of the ongoing tension between the centrifugal tendencies of the political and

8 *Ibid*, p. 69

administrative system and recurring attempts to rebuild the cohesion and uniformity of the system. A major consequence of this contradiction was the development of strong ties between national and regional administrations, which in principle runs counter to full local self-government.

There were a number of reasons for the delay in putting ordinary regions into place. First, the majority party at the time (the Christian Democrats) feared that establishing regions would reinforce the opposition. Second, the authoritarian mentality of centralised bureaucracy failed to evolve, despite the change of regime from fascism to democracy. Third, the under-development of certain parts of the country and the process of economic reconstruction in the 1950s and 1960s were used as a pretext to justify the need to centralise and maintain unitary control of economic policies. Despite all these oppositions, two changes that occurred at the end of the 1960s pushed Italy towards a reform of local self-government: economic growth generated more resources to be redistributed and the mentality and political culture of Italian political representatives changed as they began to accept and assimilate democratic and pluralist values. A new generation of administrators began to emerge, who considered democracy not as a change that could threaten their status, but as a set of principles that should underpin their behaviour⁹.

In conclusion, in less than a decade (from 1970 to 1977), the Italian regions were put in place not only from the administrative point of view but also in terms of human and financial resources. At the end of 1970, the regions had important powers in social services, regional planning and economic development. It is interesting to note that regional reform was very important for Italy, especially because it prompted expectations: it was a great opportunity to modernise the State and its administration and to strengthen democracy. Yet in spite of the considerable advances by regions in Italy, at the end of the 1970s the regions were still fairly weak, so much so that they were considered an external element of the Italian system¹⁰. They were not on the political agenda because regionalisation was no longer a priority for the political class. It was consequently not until the 1990s that a new wave of reforms concerning the regions was introduced.

France: an example of administrative decentralisation

France has traditionally been a unitary state. This results in particular from Article 2 of the Constitution of 4 October 1958, which proclaims that: "France is an indivisible republic". However, the fact of being a unitary state does not exclude the existence of a fair degree of decentralisation. Two levels can be identified in the French administration: territorial levels of decentralisation and levels of simple State devolution.

The levels of decentralisation are represented by the territorial authorities and local public establishments. Local authorities constitute public law legal persons exercising general local competences. The 95 departments and 37,708 municipalities have the nature of territorial authorities. Local public establishments have specialised local competence. The French Constitution establishes that categories of public establishments may be created by law. Since 1958, the law has created several

9 Cassese S. and Torchia L., "The Meso level in Italy", in Sharpe L.J., *The rise of meso government in Europe*, SAGE Publications, 1993, p. 96

10 *Ibid*, p. 99

methods for grouping municipalities that have the legal qualification of public establishments: districts, voluntary municipal consortiums and urban communities.

The levels of devolution are represented by the State's administrative districts. These districts do not have legal personality or financial autonomy. The departments, along with local authorities, therefore constitute administrative districts headed by a government representative known as the prefect.

In spite of this initial absence of the regional level in the French Constitution, it is nevertheless important to note that the Constitution does give the legislator the possibility to create new local authorities. This explains why the regionalism that is being put in place in France falls into the typical framework of decentralisation, i.e. a transfer of competences from the centre to the new territorial authorities.

The history of the development of regionalism in France shows that it has encountered a fair share of difficulties and obstacles. After the Liberation, almost 30 years went by before the large parties gradually and only partially started to support the idea of regionalisation. The first recognition of the region as the natural framework for spatial planning resulted from the action of organisers in the Planning Commission and the Economic Expansion Committees set up spontaneously in a number of regions by elected officials, trade unionists, entrepreneurs and geographers. The Liaison Committee for the Study of Brittany's Interests (CELIB) and the Committee for Study and Action for the Alsatian Economy were pioneers in this area. The CELIB, set up in 1949, succeeded in developing a modernisation and development plan for Brittany that prompted the French parliament to mention, in a development plan in 1954, the "complementary actions to be carried out in certain densely populated agricultural regions". Later, in a report on implementation of the plan presented in 1955, an entire chapter is devoted to regional achievements.

The role of local actors was therefore fundamental in the establishment of regionalism in France. Following these initiatives, the expansion committees that were sufficiently representative were given official advisory status in December 1954. Consequently, regional action districts were defined and a system of premiums and tax advantages was put in place to encourage the economic development of less developed and non-industrialised regions in the west, centre and south of France. Since 1964, 22 "regional action" districts headed by a regional prefect were also put in place.

The years of crisis that began in 1968 and that followed these initial actions in support of development of the regional dimension in France contributed to reflection on decentralisation. General De Gaulle made a speech in 1969 that was fairly telling with respect to the demand for and importance attached to the regional level: "The region appears today to be the essential local element. Indeed, with its ethnic and geographical nature, its size and its resources, it has its own existence and it must indeed have this own existence so that our country will develop each of its parts and stop amassing its substance in Paris and the surrounding areas, while emptying the rest."¹¹

The region also emerged as one of the fundamental remedies to the societal crisis and consequently, in 1969, President De Gaulle proposed a referendum with a view to making the region the new basis for French territorial organisation. This referendum

11 Quoted in du Granrut C., *Europe, le temps des régions*, LGDJ, 1996, p. 42

ended in failure, but his successor, Georges Pompidou, took up this key issue. He asked his Prime Minister, Jacques Chaban-Delmas, to defer the experience of decentralisation that he proposed to implement in two regions, and then to organise another consultation of the French people by referendum. The law adopted in 1972 gave the region minor public establishment statutes. Consequently, the department and the municipality remained the only territorial authorities and the EPR (regional public establishment) had no direct contact with the electorate. In contrast, it had to be consulted on issues of planning and economic development and it had a limited investment budget. Its most interesting role was its reflection on the future of the region, its definition of priorities for the region and the fact that it constituted the first initiative and proposal body at this level.

It was not until around ten years later that the Decentralisation Act of 2 March 1982 gave the regions the statute of fully-fledged territorial authorities and gave them a third competence, training for employment. In 1982, there was therefore a major shift in the French institutional scene, with a change of mentalities and behaviours, as well as important changes from the legal point of view. This was one of the most important advances in the administrative history of France. Between 1982 and 1984, a raft of decentralisation laws supplemented the initial reform and confirmed the importance and role of the region in the French Republic. These reforms were completed in 1986, when the regions were given the possibility to elect their own representatives by direct universal suffrage, thus breaking definitively with a centralising past.

In spite of these remarkable advances, the track record of the decentralisation laws of the 1980s has certain limits. The regions were given new means of action and the financial capacity to act in the areas under their competence, but these means were not equal to the tasks entrusted to them.

On the other hand, regionalisation in France has the considerable merit of ensuring that "the concrete problems of day-to-day life are brought out of administrative anonymity into broad daylight, becoming political challenges and creating a new community-based politico-administrative logic. Decentralisation generated a whole series of spin-off effects by freeing up the initiatives of local elected officials and creating a process of take-up of tasks on the ground. It also demonstrated that delegated competences were executed more effectively."¹²

Norway: from administrative region to political region

The case of Norway, like that of the other Scandinavian countries (Denmark and Sweden), starts from a tradition of very strong local self-government from the standpoint of municipalities and the absence of an intermediate or regional echelon. Local self-government was established in 1837 in Norway and remained more or less unchanged for 150 years. The local self-government system was reformed under a two-phase process: the first aimed to reduce the number of municipalities, primarily by merging them into larger entities and then giving them different tasks and responsibilities. The second phase concerned reform of the counties. Following these two reform processes, Norway was composed of 19 counties and 450 municipalities.

¹² *Ibid*, p. 45

What is particular to the Norwegian system is that the county can represent a regional agency of the central government as well as a local entity with its representative bodies elected by universal suffrage, its own taxes and budget, and its own self-government. This is why the initial reforms of the counties in 1964 had the aim of separating these two functions of the counties, but also of dividing up tasks, functions and finance among the three levels of governance: the central government, the counties and the municipalities. As Tore Hansen points out, "the reforms of the intermediate level can be seen as a process of restoring balance among three conflicting aims: the first, to increase local self-government by deciding on types, levels and standards; the second, to ensure a basic level of national equality for access to and consumption of public services; and the third, to internalise externalities and to ensure a tax equivalence for this provision."¹³

With the 1964 reforms, the counties also became more politicised. Before that date, the county was simply a place for interaction and discussion for the rural municipalities. Starting in 1964, the urban municipalities became members of the county and the representative system was subsequently changed through the introduction of indirect elections, where every member of the municipal council was eligible for the county council. In addition, the rule that the prefect had to be a member and president of the county's executive committee was repealed. A direct consequence of the inclusion of the urban municipalities in the county was an increase in the county's financial resources.

A second round of reforms took place towards the mid-1970s, with the aim of establishing a frame of reference for Norwegian local self-government and laying down basic principles for reforms. Three objectives were set in this context: to decentralise, democratise and ensure effective administration. Two subsequent structural reforms, in 1979 and 1983, achieved the major result of giving the counties responsibility for providing services directly to citizens. Following these reforms, the counties underwent a significant transformation: they evolved from an institution that was primarily at the service of the municipalities into service providers alongside the municipalities.

The basic principle underpinning all the reforms of local self-government was the necessity of ensuring egalitarian access to welfare services throughout the country. In fact, these reforms had very little to do with local values or decentralisation. They were more concerned with a centralised concept of the development of welfare and social equality in the consumption of certain central public services, as well as financial effectiveness in implementing these services. This change of functions had the effect of setting in motion the system of political representation of the county council because, by providing such services, the county was now closer to citizens than the municipalities. In 1970, a committee in the central government was set up to study the introduction of direct elections in the county. The idea was not to learn whether direct elections should be organised, but to lay down the foundations for the organisation of elections and to reflect on the number of representatives in the counties. The proposals were accepted and the first direct elections of county members took place in 1975.

The main stages of the regionalisation process in Norway, which can also be traced for local autonomies in Denmark and Sweden, show first and foremost that the reforms were implemented to give the counties more independence from the central government.

13 Hanse T., "Intermediate-Level reforms and the Development of the Norwegian Welfare State", dans Sharpe L.J., *Op. Cit.*, SAGE Publications, 1993, p. 156

At regional level, this was reflected in a division of tasks and powers between the State's regional authorities and the county councils. Second, political representation was reformed through the establishment of the proportional electoral system. In a little over a decade, the county councils became multi-functional institutions, serving as "super-municipalities" with regard to the other levels of local government.

Final remarks

The regionalisation processes presented here bring to light the existence of several common characteristics. On the one hand, regionalism establishes itself based on a logic specific to each State; on the other, there are several recurring external factors that serve as catalysts: the new requirements of European integration, the need for territorial development and the need to root democracy more firmly all plead for the creation of an intermediate echelon, the region. This is all the more evident when comparing development of the regions with that of other local authorities, which took hundreds of years to become established, whereas the regions have developed extremely quickly. Indeed, it has taken the regions only around 50 years to raise themselves up to the other levels of governance, bridging the gap between the interests of individuals and the general interests that a central government must guarantee.

The examples presented here are meant simply to attest to the diversity of regionalism in Europe, and the strengths and weaknesses of the regional level at the time the AER was established. In 1985, the regions still had a number of battles ahead, not only at European level but also in the national sphere, to secure greater recognition of their role. The points that still needed to be developed further in most countries concerned the region's political and institutional strengthening and an appropriate financial allocation to enable it to handle its different responsibilities. In spite of all the advances made during the 1960s and 1970s, these two points still needed to be addressed. Once again, it was the regions' dynamism and determination in their day-to-day combat that led them to a more promising future, up until today, when their role is fully recognised not only at national but also at European level.

3. The growth of the regional phenomenon in Europe, between 1985 and today

Contribution based on an article by Gérard Baloup, former counsellor at the Assembly of European Regions and Former Director at the Council of Europe

3.1. The challenges of the first years

“ Your victory is our victory. The doors of the Council of Europe have been opened to you after a struggle that has sometimes been tough. Now no power, no bureaucracy, no budgetary pretext can ever close them again.”

These were the words spoken by the President of the Council of Europe's Parliamentary Assembly when he opened the first session of the European Conference of Local Authorities.

“For the first time in the history of the European institutions, local authorities have a say in the formulation of the policy of nations...Everyone will realize that the Europe we are building will not be an abstract structure which removes all traces of national, regional and local origin. Your presence in Strasbourg will be the tangible sign of our common loyalty to this concept. It will testify that the Europe that we want to build will be a Europe which respects intermediate structures between the State and the Citizens. A Europe which protects personal liberty, of which the local authorities were the birthplace and are still often the asylum.”

The stages that had to be passed through in order to get the duly appointed representatives of the regional authorities of the member states - communes, kreise, counties, departments, provinces, cantons, regions, Länder - to sit in the assembly for Europe's parliamentary bodies were, however long they appeared, completed relatively quickly given the speed to the European institutions.

From a Conference of Local Authorities to the establishment of a Permanent Conference of Local Authorities.

This first Conference was simply and literally a form of consultation. Our aim was to make sure that it was the first step towards institutionalization.

In the Conference, each country shall be entitled to a number of seats equivalent to the number it holds in the Consultative Assembly. The Conference's structures (Bureau, Permanent Committee, Committees) and its internal regulations shall be closely based on those of the Assembly. The Conference sessions shall be held in the European Assemblies building in Strasbourg.

This is the form given - the form which we wanted from the first session - to this unique body in Europe, unique in the history of the institutions, a body in charge of officially representing the regional authorities of the member countries vis-à-vis a European institution, the Council of Europe.

From the Conference of Local Authorities to the Conference of Local and Regional Authorities.

Thus far, when we mentioned local authorities we included both regions and communes. So when we managed to get the mandate of the “Special Committee on Communal and Regional Affairs” turned into a mandate for a full committee by the Parliamentary Assembly, the Committee changed its name to the Committee on Local Authorities” for “reasons of conciseness”. Similarly, the first event involving the local and regional authorities was, naturally enough, to be under the name “European Conference of Local Authorities.”

However, let us render to Caesar what is Caesar's, which we will have to pay for later. It was thanks to the communes that were able to pass through the eye of the needle. While in our view the expression “local authorities” covered all regional authorities, from Communes to Regions, for most of the Government representatives we met, the local authorities were the communes and at most the intermediary structures such as kreise, counties, departments, etc.

The sixties, with launching of the European Economic Community's regional policy and the emergence of the debate on intra-Community regional balance, were to prove decisive for the rupturing or clarification of this hybrid, misleading concept.

The first seminar on the peripheral regions and communes which the Conference of Local Authorities organized to mark the 20th anniversary of the Call by Robert Schuman on 9 May 1970 to Brest was to highlight the difference, which was considerable, between communes and regions: the communes were not up to the battle emerging for a balanced development of Europe. Only the regions were capable of playing an important part in the Community's “regional” policy.

And the declaration, whose proposals and suggestions were concentrated on regional structures only, laid down this principle:

“The possibility of a dialogue between the European authorities and the relevant regional authorities appears indispensable. This implies the existence of regional authorities endowed with real legal status well as the organization of authentic, effective representation of the Regions at European level.”

The creation of the Conference of the Peripheral Maritime Regions in 1973 in Saint-Malo set the process in motion. It was then in Galway that the idea was launched for the first time to create a European Senate of Regions involving the “collective and institutionalized representation of all the regions of Europe, representation which could take the form of a second chamber - a European Senate of the Regions.

It was at this time that “regional power” was really emerging in Europe: in France in particular and, even more so, in Spain, and then in Belgium, the Jacobin countries joined the federalist countries and Italy.

The Conference produced a multitude of positions on the regions, the definition of regions and their role in ensuring an internal balance within countries and in Community.

The aim now was ensure that the regions were given their rightful place in the national delegations to the Conference of Local Authorities.

The board meeting of the expression “local authorities” had thus far enabled several regional deputies, Presidents and Councillors from Italian and French regions and Austrian Länder to form part of their countries' delegations.

In fact, these people often had a dual mandate as local and regional deputies.

Under pressure from the Conference and the Parliamentary Assembly, and also from certain countries, mainly Switzerland, Austria and Italy, the Committee of Ministers decided to amend the Conference's status.

Resolution 75-4 of the Council of Europe of 19 February 1975 officially opened the Conference of Local Authorities to the Regions. The Conference of Local Authorities became the *Conference of Local and Regional Authorities of Europe*. Its new Charter stated that the Conference “represents the regional authorities of the Member states”. Thus the Europe of the regions made its official entrance into the European institutions.

A crucial, decisive stage: the recognition by governments of the principle of the representation of the regions at European level, and of the principle of the involvement of regional power in the construction of Europe.

Divorce or separate rooms

In fact, the undertaking very soon came up against resistance - low at first, then loud - not only by certain Member States but also very domain influenced by jacobinism - Napoleon has sown the seeds throughout Europe.

Surprising, and contrary to all the lessons from our law teachers who continued to spout clichés from classical works, jacobinism was prevalent than in northern Europe which was opposed to regionalization; the latter is in fact a fundamental advantage in the efforts to restore a balance between the poor side of Europe and the rich side of Europe.

For State Governments, 36,000 communes in France, 100,000 or 150, 000 communes in Europe are not dangerous.

But a handful of regions located immediately underneath the State in this hierarchy of structures was indefinitely more dangerous. For all the States, the regions constituted the most serious threat of relinquishment.

It was the regions, the leaders of the sub-state authorities, who had to fight toughest battle for the right to the legal status granted to such authorities at European level.

It was the moment of truth. It emerged that neither the States (at least not many of them), nor often the national or international associations of communes, intended to give the Regions their rightful place within the new European Conference of Local and Regional Authorities.

The Secretariat General of the Council of Europe, supported by the Parliamentary Assembly and with the efficient help of the international associations of regions,

including first and foremost the Conference of the Peripheral Maritime Regions, was to develop an intense information policy aimed at raising awareness, even among officials themselves. In particular by organizing a host of meetings, discussions, congresses, conventions and regional conferences on issues specific to the regions, peripheral regions, border regions, mountain regions, island regions, etc.

Following the Galway Convention of peripheral regions of Europe, the Bordeaux Convention in 1978, the first General Conference of the European Regions, held at the initiative of the Council of Europe structures, was to relaunch the political dialogue by reiterating the request for a Second Chamber at European level and by defining the concept of region. In fact, it formulated a veritable doctrine of the Regions by declaring that the Regions were the cornerstone of the European society under construction. "Regionalization does not only promote union with diversity but also one of conditions for the European Union itself.

The Bordeaux Declaration raised the question of the "right to a region": the right of each European to his or her "Region". "Disputing this right would be tantamount to denying the identity of Europeans and finally of Europe itself. A state which cannot recognize the diversity of the regions of which it is formed will never be able to open up sincerely to the diversity of the European Community."

And defined "Region": a human community located "on the biggest territorial unit within each nation."

The conclusion was obvious: "The regions can act as a channel of representation for European citizens not as individuals as in the Parliament elected on the basis of universal suffrage, but as a living community. A Parliament elected on the basis of universal suffrage should be complemented by the institutionalized involvement of regions at European level."

The national delegations to the Conference of Local and Regional Authorities of Europe was not, however, opened to the representatives of the regions. In parallel to this, the hopes which arose in 1984 from the initiative of the European Parliament to organise in the hemicycle in Strasbourg a major "Conference of the Regions of the European Community, and the Applicant States of Spain and Portugal" are soon dashed. Much was riding on this, for it heralded a new stage in the official legitimation of the Europe of the Regions. But it was at the level of each State that the delegates for this conference were to be appointed. A maximum of elected local representatives are appointed, and the regional representatives found themselves in a minority. Because of this, the Conference organised by the Parliament is distorted from the start. But it was out of the disappointment of the regional organisations, and then their reaction, that the initiative was to emerge two months later that would lead to the creation of the AER.

3.2. From the Conference to the Congress of Local and Regional Authorities, from the Council of the Regions of Europe to the Assembly of European Regions: A joint destiny

On 29 March 1984, what might be called an uprising occurred. President JARDIM was the instigator. Having realized how inflexible the barricade was, the 2nd Conference of European Island Regions, convened in the Azores by the Permanent Authorities, took a decision which was to launch the process of autonomous representation of the regions.

“The Island regions, meeting in the Azores, declare that it is necessary to have collective and institutionalized representation of all the regions of Europe and have decided to initiate the process of institutionalization of the “Conference of the European Regions” in conjunction not only with all the other regions but also with all the institutions which in Europe represent interests of a regional nature.”

But the Island Regions, in a last attempt to avoid the divorce, added a proposal concerning a separate chamber.

The strategy of the Regions was thus defined: a separate chamber or a divorce.

The plan for a “European Conference of the Regions” was soon taken up by the Conference of Peripheral Maritime Regions of the Community which met a few months later, in October, in Trieste.

January 1985 finally saw the decisive meeting in Strasbourg. At the invitation of Edgar FAURE, who at the time was the Vice-President of the European Parliament's Regional Commission and President of Franche-Comté, Presidents of Regions gathered in Strasbourg and set up the Council of Regions of Europe (CRE) with a view to establishing the Senate of European Regions. Due to the will of the Regions to have a European organisation which was specifically regional, the CRE held its statutory founding meeting on 14-15 June 1985 in Louvain-la-Neuve (Wallon Region), attended by 47 Regions and 8 European Interregional Organisations. In 1987, the CRE changed its name and became the Assembly of European Regions (AER), underlining that way its will to be the political forum of all Regions.

An unstoppable force

From a Council of European Regions to an Assembly of European Regions, from a group of some 50 pioneering regions to an Assembly comprising practically all the regions of Europe, an unstoppable force was set in motion.

A final attempt by some States and associations of communes to block this succeeded once again: the Committee of the Regions set up by the Maastricht Treaty became a hybrid of minority regions within a set of diverse local authorities.

But the other wing of attack succeeded: thanks to the will of the Council of Europe's Parliamentary Assembly (whose members, remember, represent national Parliaments), which deserves praise, and with the support of certain governments (Austria, Switzerland, Germany and Belgium in particular), the Permanent Conference of Local and regional Authorities was split into two chambers by decision of the Committee of Ministers of 14 January 1994...one chamber for the Local Authorities and one chamber for the Regions, within a confederal body - raised itself to the rank of third body of the Council of Europe - with the Committee of Ministers and the Parliamentary Assembly, the Congress of Local and Regional Authorities of Europe.

For the first time in the history of the European institutions, the regions were finally given their own representative body, with a number of seats that was practically sufficient to ensure the representation of most of the main regions of the member states of the Council of Europe: the Senate of the Regions of Europe was virtually born - it simply had to develop and use its powers, take advantage of its potential, which each region occupying its seat.

What about today?

In 25 years of existence, the AER has succeeded in developing into the widest independent network of regions in all of Europe. Bringing together over 270 regions in 33 countries and 16 inter-regional organisations, the AER can proudly boast that it has represented and reinforced the voice of the Regions in some key areas for their institutional recognition and their development. From promoting regionalism in Europe to training regional officials, from implementing cooperation programmes to exchanging best practice¹⁴, from extending the principle of subsidiarity to the local and regional authorities¹⁴, to introducing the principle of territorial cohesion, the actions conducted and the milestones achieved thanks to the work of the AER are virtually endless. For more details, readers are invited to look at the Minutes of the AER's 25th anniversary Conference, due to be published in the summer of 2010.

And what of its sister organisation at the Council of Europe, the Congress of Local and Regional Authorities? The current climate of economic crisis, States' budget cuts, as well as the process for the reform of the Council of Europe embarked upon by its new Secretary General, Thorbjorn Jagland, are having a direct impact on the Congress. Like the Council of Europe, the Congress is currently working on optimising its organisation and its work. Is it possible that this movement might be accompanied by the raising of questions about its two-chamber structure? Are we headed towards a situation similar to the one in the 1970s? We don't think so. The Regions today are firmly embedded within the Congress, and the appointment of the new Secretary General, Andreas Kiefer, whose own background is in a regional structure (the 'Land' of Salzburg), is more likely to reinforce the Regions within the Congress. In addition, the Regions can find potential allies to get their messages across in the ad hoc intergovernmental structures of the Council of Europe, such as the European Committee on Local and Regional Democracy. In any case, the AER will be keeping a close eye on developments underway at the Congress, and will not fail to adopt a stance on the subject. Readers can find our future official positions on the AER site at: www.aer.eu

¹⁴ Under the Lisbon Treaty, which came into force in December 2009

4. Regions in the EU multilevel governance system: from Nice to Lisbon

by Pascal Goergen, Diplomatic representative of the Region Bruxelles-Capitale to the European Union

4.1. The institutional framework under the Nice Treaty: Overview and Case Study Belgium

The institutional context since the Nice Treaty



The Treaty of Nice, which entered into force on 1 February 2003, was drafted with a view to meeting the challenges of the 2005 and 2007 enlargements. Indeed, the structures and processes in place at the time were not well adapted to the integration of new members. This treaty was meant to allow the institutions of the enlarged Union to function effectively. There were four issues on the agenda: extension of qualified majority voting, the size of the Commission, the establishment of a new weighting of votes in the Council and enhanced cooperation. In addition to these changes, the Treaty of Nice also set the number of members of the Committee of the Regions and the conditions for their appointment.

In contrast with the EU Treaty, which contributed to recognition of the regional authorities by giving them a right of representation in the Council, the Treaty of Nice that entered into force in 2003 did not provide any new elements for the regional authorities. It marks a standstill phase in terms of advancing the role of the regions in the Union's institutional sphere.

Practical case : the Belgian federal model

Belgium is a state with a federal structure. Founded and built, until 1970, on the principle of the decentralised unitary state, today it is composed of federated entities created on the basis of earlier territorial divisions: the language regions. These four language regions have no competences, but simply represent portions of territories or constituencies.

The Belgian federated entities, namely the communities and the regions, have their own elected bodies and legislative, executive and administrative competences. The sharing of competences by the federal state, the regions and the communities is based, on the one hand, on the principle that there are no shared competences: they are either mixed or exclusive. On the other, the regions and communities have the power of self-organisation which they may exercise, in their respective competences, through decrees or ordinances (in the case of Brussels-Capital). These are "regional laws" that have the same force as federal laws. On that basis, the principal competences of the **Brussels-Capital Region** include the local powers (oversight of the 19 municipalities of Brussels), spatial planning, transport and mobility, research and innovation, employment, the economy, housing and urban



renewal, etc. The federated entities have international competences for all matters based on the principle "*in foro interno, in foro externo*".

To exercise their respective competences, the communities and the regions, as mentioned above, have their own institutions, namely a parliament and a government. However, in Flanders, the northern part of the country, the regional and community institutions have been merged. It is important to note that the competences of the federated entities have undergone various evolutions in the course of consecutive reforms of the state, namely in 1970, 1980, 1988, 1993, 2001 and most recently in 2004, which have further developed the federal organisation of the Belgian state. Since 2007, the federal government must deal daily with tensions between Belgium's communities related to the repeated requests by the Flemish Region for further reform of the state. This government was brought down in April 2010 over these community issues and elections will be held on 13 June. A reform will follow in which the regions will doubtless be strengthened further.

The Belgian federal model sets itself apart from others through a number of specific characteristics: the superimposition of two categories of federated entities (regions and communities) on the same portions of territories and the fact that these authorities have considerable autonomy. At international level, Belgian federalism and even more so, Belgians' ability to compromise, are renowned in Europe, given their aptitude for and the necessity of coordinating different points of view within Belgium and building consensus. In this respect, there is an important process of coordination and consultation and informal mechanisms to protect the coherence of Belgian foreign policy.

The main question that remains at this stage is how the Belgian federal model is reflected at European level and how the Belgian regions exercise their competences in the European system of governance. The following section of my paper will try to address these questions.

The participation of Belgian regions in the European process: is this multi-level governance? What about the subsidiarity principle?

The Belgian regions are true political actors that intervene directly in the European decision-making process both internally through the shaping of a Belgian position and the application of European Union decisions and externally through their presence in the European institutions and bodies. The Belgian federated entities have **four modes of intervention at European level**:

1. **Parliamentary approval of the European treaties:** This competence shared by the federated entities and the federal level means that each treaty must be submitted to the seven Belgian parliaments and approved by all of them. Without this general approval, Belgium cannot ratify the treaty in question;
2. **The transposition, application and implementation of European decisions:** for matters under their competence, the regions are responsible for transposition, application and implementation of European directives and decisions;
3. **Participation in the pre- and post-legislative phases;**

- 4. Participation in the European decision-making process:** the regions participate directly in the European decision-making process through their representation in the Council of the European Union. This participation is based on a cooperation agreement (1994) concluded between the Belgian federal state and the communities and regions. Belgium has an internal rotating system for its representation in the Council. The cooperation agreement establishes six categories of international competences of the federated entities. The Belgian delegation is led by either a federal minister or a minister of a federated entity depending on whether the competence is federal (Ecofin, JHA, etc.), regional (research, environment, industry) or community (education, culture and youth). In the case of regional or community matters, the minister who represents Belgium is from the Brussels, Flemish or Walloon government in terms of the pre-established rotating system of representation (see table below). For community matters, the minister is from the government of the Flemish, French or German-speaking community and defends the Belgian point of view. This specific characteristic of Belgian federalism stems from the fact that in Belgium, international relations are considered the natural extension of the competences attributed internally to the regions and communities, and not as a separate sphere of competence.

The Belgian regions therefore participate, through special mechanisms, in developing European legislation and consequently form an integral part of the European decision-making process. Indeed, all the Belgian entities, whether national or regional, hold a seat in a sector for six months through this intra-Belgian rotating system of representation.

Intra-Belgian rotating system of representation:

Présidence :	ES	BE		HU	PL	DK	CY →
		Présid	Dél. B				
Catégorie II	I/10	II/10		I/11	II/11	I/12	II/12
Marché intérieur	WB	FED	WB	WB	VLG		BRU
Santé	WB	FED	WB	WB	VLG		DG
Energie	VLG	FED	VLG	VLG	BRU		WB
Transports	BRU	FED	BRU	BRU	WB		VLG
Emploi - Affaires sociales	VLG	FED	VLG	VLG	WB		BRU
Catégorie III	I/10	II/10		I/11	II/11	I/12	II/12
Industrie	WB	WB	FED	WB	VLG		BRU
Recherche	BRU	BRU	FED	BRU	WB dg		VLG
Environnement	VLG	VLG	FED	VLG	BRU		WB
Catégorie IV	I/10	II/10		I/11	II/11	I/12	II/12
Culture / audiovisuel	WB	WB	VLG	WB	VLG		DG
Education	VLG	VLG	WB	VLG	WB		VLG
Tourisme	DG	DG	WB	DG	VLG		WB
Jeunesse (y c. sport)	VLG	VLG	DG	VLG	DG		WB
Am. Territoire - Logement	WB	WB	BRU	WB	VLG		BRU
Catégorie V	I/10	II/10		I/11	II/11	I/12	II/12
Pêche	VLG	VLG	VLG	VLG	VLG		VLG
Catégorie VI	I/10	II/10		I/11	II/11	I/12	II/12
Agriculture	RW VLG	FED	RW VLG	RW VLG	RW VLG	RW VLG	RW VLG

Now that we have demonstrated the importance of the role of the regional governments in Belgium, it is also advisable to highlight the usefulness of this form of governance at European level. It is essential indeed for the European Union to be built on the basis of

partnership. In fact, multi-level governance constitutes an added value that makes it possible, to a large extent, to serve the European Union's objectives. Multi-level governance must develop the subsidiarity principle while guaranteeing the cohesion and institutional strength of the European Union. To achieve this objective, it is essential to advance towards an appropriate representation of infra-national governments within the institutional system of the European Union and the Member States, and in particular within the self-government bodies of the regions that hold legislative powers. Furthermore, multi-level governance must have as its guiding principles mutual cooperation and interaction between the European, national, regional and local authorities. This is the case in the other federal states and is also the case - but to a lesser extent – in states with regions that have legislative powers.

Multi-level governance is not an illusion but a method for building citizens' Europe and managing the overall issues faced by the European Union. The recent summit of local governments, held in Barcelona in February 2010, stressed the importance of local governance, which is more than a concept and must become a constant reality that allows the direct and concrete involvement of cities and regions in European policies. The added value of local governments for Europe needs to be highlighted to ensure that the role of local and regional authorities in European policies is taken into account in the future. I would say that the Barcelona summit demonstrated once again that local and regional players wish to contribute to decision-making at European level and that, to ensure that they can do so, their participation in the European Union's democratic life needs to be guaranteed. European governance should also be directed towards an integrated territorial approach aimed at greater coordination of objectives in the development of major European strategies. Local and regional authorities should also be more closely involved in the Union's external dimension. I particularly have decentralised cooperation in mind.

To conclude, a review of the Belgian situation shows that institutional regionalisation can be a phenomenon whose effects extend to the European Union.

4.2. From one Belgian Presidency (2001) to the following Belgian Presidency (2010): From the Laeken Declaration to the Lisbon Treaty, institutional progresses for Regions' recognition

The Laeken Declaration

One year after the Treaty of Nice and the declaration of the same name, which proposes to continue taking forward institutional reform beyond the results secured at the Intergovernmental Conference in 2000 (IGC 2000), the European Council met in Laeken on 15 December 2001, under the Belgian EU Presidency. It adopted a "**Declaration on the Future of the European Union**", known more succinctly as the "**Laeken Declaration**". This text is an undertaking to make the Union more democratic, more transparent and more effective.

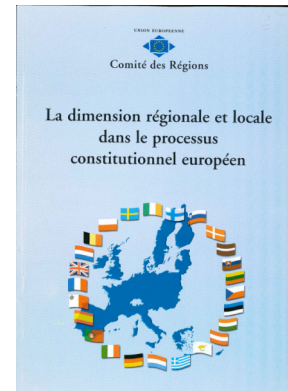
The Laeken Declaration raises 60 key questions on the future of the Union, grouped into four themes: the division and definition of competences, simplification of the treaties, the institutional architecture and the way forward towards a constitution for European citizens. With a view to providing answers, the declaration convened a convention of stakeholders to debate the future of the Union. This Convention had the task of



considering the key issues arising from the Union's future development, in order to pave the way as broadly and transparently as possible to the 2004 IGC. This meeting was decidedly different from previous conferences. By convening a convention, the heads of state and government placed the analysis of the reforms needed for the future of Europe in the hands of Convention participants who did not represent the state level exclusively. From the start, the states were

involved in the work through all sorts of key contributions that provided input to the debate. Infranational entities were equally involved and made an important contribution to the proceedings. Networks that defend the interests of cities and regions, such as the AER or the Eurocities network for example, contributed a great deal to the draft constitution. They carried out studies, took part in different discussions and forums and presented their proposals with the primary aim of promoting the role of cities and regions and ensuring an express mention of cities and regions in the draft treaty.

The Committee of the Regions also undertook a relatively important lobbying effort by participating in the work of the Convention. The CoR considered that, inasmuch as Community action was absolutely necessary, the political responsibility of the Member States, regions and municipalities had to be determined. The CoR argued that there was a need to clarify the tasks that the members of an enlarged Union can and must carry out together. The tasks of the enlarged EU had to be focused on areas that can only be managed jointly.



The Convention completed its work in July 2003, and in June 2004, the heads of state and government of the Member States came to agreement, after working out certain compromises, on the European Constitution drawn up by the Convention. Among the major advances contained in this text were those that specifically concerned the regions: recognition of the regions in Europe and the Union's commitment to "*respect the national identities of the Member States*". In addition, the provisions on the subsidiarity principle now included the regions and municipalities.

However, the Constitution encountered opposition by certain Member States. After certain adaptations were made, the text was renamed the Treaty of Lisbon. This treaty, adopted in December 2007 in Lisbon, entered into force in December 2009 following the positive vote in the referendum in Ireland.

The situation following adoption of the Lisbon Treaty: the regional reality is recognised



The Treaty of Lisbon represents a significant advance towards enabling all levels of government in Europe to work together. It enshrines the territorial dimension, and in particular territorial cohesion, in the process of European integration. Apart from other important changes, the Treaty of Lisbon also strengthens the mechanisms of multi-level governance. This treaty makes three principal contributions for the local and regional levels:

- First, it recognises and enshrines for the first time **local and regional autonomy** in the Member States of the Union. This element is important because it demonstrates the need for the Member States to recognise the autonomy they have granted to certain of their regional entities.
- Second, the Treaty of Lisbon reiterates **the subsidiarity principle**. This principle is also a principle that tends to confirm national competences and, going further, regional and local competences when an action can be performed more effectively at this level than at European level. The Treaty thus gives greater importance to the local and regional levels within the framework of the subsidiarity principle.
- Third, **Protocol No 2 on application of the subsidiarity and proportionality principles** gives a **greater role to the national parliaments**. This protocol encourages enhanced participation by the national parliaments in the European Union's activities. It strengthens their capacities to express their views on legislative proposals. In addition, the national and regional parliaments are given a greater right of scrutiny on European legislation through the **early warning mechanism** in the event of infringement of the subsidiarity principle in particular. This obviously implies greater participation by the regional parliaments which, depending on their competences, have sovereignty over decisions for actions coming within these competences. Belgium specified in Declaration No 49 on the national parliaments that *"in accordance with its constitutional law, not only the Chamber of Representatives and Senate of the Federal Parliament, but also the parliamentary assemblies of the Communities and Regions act, in terms of the competences exercised by the Union, as components of the national parliamentary system or chambers of the national Parliament"*. This means that the term "national parliaments" is equivalent in Belgium to "regional parliaments" and corresponds to a will to add more

pragmatism for Europe and for citizens. Only the future will say what will become of this role given to parliaments.



The Treaty also gives the **Committee of the Regions** more power to scrutinize draft legislation throughout the legislative procedure. It gives this EU assembly – made up of local and regional representatives – new political and legal instruments: the prolongation of its mandate, the obligation for the European institutions to consult it and the right to take action before the EU Court of Justice.

- In order to bring the Committee's mandate into line with that of the European Parliament, its term was increased from four to five years. The current mandate runs from 2010 to 2015.
- The Committee is now involved in the entire legislative process, since it is now compulsory not only for the European Commission and the Council of the Union, but also for the European Parliament to consult the Committee.
- The Committee also has the right to take action before the Court of Justice of the European Union in the framework of infringement of the subsidiarity principle. It is entitled to challenge European legislation that it finds to be contrary to this principle due to a violation of local and regional competences. Thanks to this right to bring a case before the Court, **the Committee plays the role of guardian of the subsidiarity principle**. This function makes the Committee of the Regions a full-capacity European Union body. To give itself the means to play this role, the Committee is developing a closer working relationship with the Commission on the one hand and with the regional and local authorities on the other. The latter are invited to submit their views on the documents reviewed by the Committee. The Committee of the Regions thus constitutes an essential interface between the local and regional authorities on the one hand and the European Union on the other.

The increasingly formal involvement of the Committee of the Regions in the preparation and "co-drafting" of European legislation and its determination to place the increased role of the regional authorities on the agenda of the rotating European Union presidencies are clear signals that the CoR will use its new prerogatives to the full. The know-how of the European regions is highlighted by the CoR at the annual open door days (every year in October), a showcase for the local and regional authorities in Brussels, where the concrete results of projects championed and implemented by the local or regional powers are illustrated.

5. Regions of tomorrow: Challenges and future prospects

by Pascal Goergen, Diplomatic representative of the Region Bruxelles-Capitale to the European Union

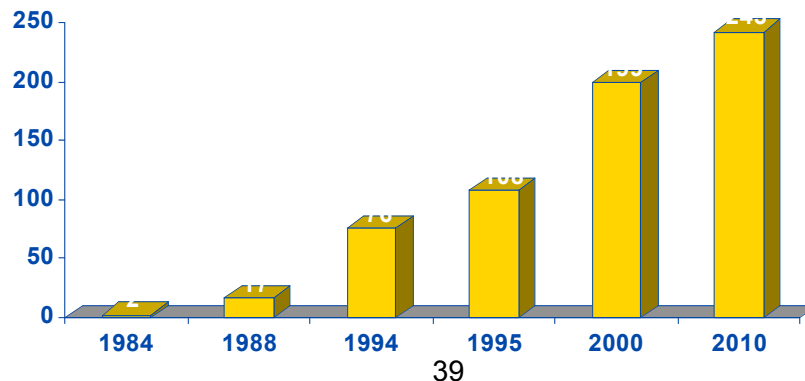
5.1. Brussels, world capital of lobbying by European local and regional authorities

Legally, only the Member States are contracting parties in the European Union. However, the development of a European regional policy, the growing impact of European legislation on the regional and local institutions and the widespread increase in the responsibilities of regional and local authorities in Europe have led to a growing interest by regions and cities in European affairs. While the European Union remains first and foremost a union of states, the local and regional entities have established themselves as major players in the European arena. Indeed, the European regions contribute significantly to the European integration process as a whole by informing and influencing European policy-makers through lobbying actions meant to ensure that the regions are taken into consideration in European decision-making. Between 1994 and 2010, the presence and influence of local and regional authorities' representative offices in Brussels have become a force that cannot be ignored.

In recent years – and it is still the case today –, it has become standard practice for regions and local authorities in Europe to open a representative office in Brussels. These representative offices have acquired considerable importance as Brussels-based players in the European sphere. Brussels can be considered the **world capital of lobbying by local and regional authorities**, which can be defined as "*representing the specific interests of regional and/or local authorities with the European Union*".

In addition to the different objectives to which the Brussels-based representative offices respond, it is also important to note that they are a means of bringing Europe to the regions and not just serving as their representative to the EU. They consequently help build the European Union's democratic legitimacy.

These representative offices are a relatively recent phenomenon, however. In 1984, there were only two representative offices, but this figure had risen to 126 by 1997, to say nothing of the constant increase in partnerships and associations between regions, cities and other territorial bodies. Today, there are 243 regional representative offices in Brussels, the world capital of regional institutional lobbying.



As mentioned above, this evolution results from the growing influence of European decisions on the infranational authorities, which constitutes a serious incentive for having a presence in Brussels. Indeed, regional policy became an EU prerogative with the signature of the Single European Act (1987). In addition, further reforms and the increase in Structural Funds have drawn a number of regions to Brussels with the goal of trying to influence the distribution of these funds. The Treaty of Maastricht (1992) reinforced the regional dimension of the European integration process by introducing the subsidiarity principle, further increasing the budget for Structural Funds, establishing the Cohesion Fund and creating the Committee of the Regions. It also gave the Belgian regional and community ministers the possibility to be represented in the Union's Council of Ministers.

From individual offices to regional associations and networks or independent consultants, the regions use a whole range of possibilities identical to those used by other groups to represent their interests with the European institutions. Indeed, the generic term "representative office" in fact encompasses players from different levels with different status and organised in a variety of ways. By opening a representative office in Brussels, regions pursue **three main objectives**: to secure recognition as a valid interlocutor of the European institutions, to influence the distribution of funds (ERDF, ESF, EAG EAGGF, FIFG) under structural policy and to involve their city or region more closely and more effectively in programmes or networks cofinanced by the Union. Accordingly, representative offices divided their activities into **four areas**:

1. The cornerstone of their work is to gather, process and filter information on European policy and institutional developments. The offices analyse measures under way and in the planning stage at the European Commission to identify elements with relevance for their region. This analysis is essential for defining the first steps in a possible lobbying strategy.
2. Every office also acts as a liaison between its region and the EU.
3. The regional offices are also energetically involved in networking and the development of ties with other representative offices. These networks are involved not only in exchanging information and best practice, but also in exercising political pressure.
4. A fourth important area of activity by the regional offices concerns their efforts to influence European sectoral policies. Most try openly to influence European political processes and consequently carry out significant lobbying work.

At the heart of the European sphere in Brussels, networking has become an activity that cannot be ignored and now corresponds to the reality of the European Union, whether specifically or in a more overarching way within the framework of the Union in its own right. The **human networking** practiced daily in Brussels forms an integral part of a winning lobbying strategy and thus helps ensure the success of a given lobbying action. In the Union's institutional sphere, the regions and cities have an increasingly important role to play as a link between the European institutions and European citizens. To play that role, they have to be present in Brussels, make their voice heard, organise and network, and work in partnership with other players.

There is no doubt that this presence in Brussels is strong and the importance of regions is certain to increase further given the determination of the Committee of the Regions to develop subsidiarity and multi-level governance. Putting in place the keys of influence at the service of the regions to heighten the regional dimension or the role of the regions in sectoral policies constitutes the principal objective for the coming years, with a view to the post-2013 financial perspectives.

5.2. Focus on EU cohesion policy: Which role for Regions of Europe in the next programming period?

With its history of 20 years of Structural Funds, and in the run-up to the debate on cohesion policy after 2013, the EU has every reason to be proud of its cohesion policy. The main objective of this policy is to reduce income gaps between regions so as to achieve **"economic, social and – since the Treaty of Lisbon – territorial cohesion"**.

The European Union's cohesion policy, written into the treaty in 1986, has the objective of diminishing the gap between development levels in different regions in order to reinforce economic and social cohesion. With the accession of ten new Member States in 2004, followed by Bulgaria and Romania in 2007, this harmonisation effort has had to be strengthened.

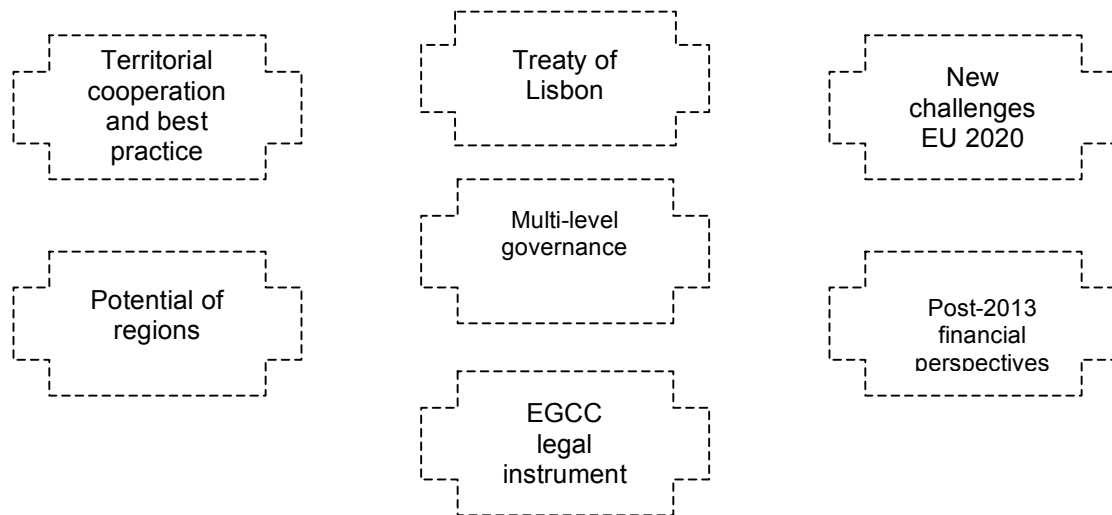
The new regulatory framework for 2007-2013 provides for several reforms compared with the 2000-2006 programming period. First, cohesion policy has been modernised and given a new structure, which highlights the need for a strategic vision in order to achieve a common set of European Union priorities. In fact, European cohesion policy is and must remain the major European instrument for modernising the Union's economy in the coming years.

The cohesion policy combines this strategic nature with a **decentralisation of the responsibilities** delegated to players on the ground who, in the Member States and regions, have the experience or the know-how needed to guarantee its successful implementation. Once the general strategy is agreed with the Commission, it is often up to the regions to take the key decisions in matters such as project selection and management. This is not yet the case in all the Member States, however.

In addition, cohesion policy is one of the key European policies that helps build the confidence the Union needs **by bringing Europe closer to its citizens**. This being the case, it is all the more important for these policies to be adapted to future challenges. Cohesion policy is essential for achieving the EU's ambitions. That is why it must be closely tied to the new EU 2020 Strategy that will define the economic, social and environmental frameworks for the coming decade. Indeed, cohesion policy, with its integrated framework and its take-up by players on the ground, must be at the heart of this new strategy. Yet the communication presented by the European Commission on 3 March 2010, suggests that cohesion policy should be used as an implementing instrument for this strategy. It is obviously much more than that and it would be wise to highlight not only the specific character of this policy but also its added value.

Economic, social and territorial cohesion is one of the key components of the model of European integration. Cohesion policy, with its decentralised approach and its multi-level

governance system, is the only European policy that ties together the objectives of the EU 2020 strategy and the new challenges facing the local and regional authorities. Cohesion policy establishes not only a connection between the different administrative levels, but it also stimulates the local and regional dimensions. In my opinion, it is also a puzzle that only the regions are capable of putting together:



We must improve knowledge of the European territory and better assess the impact of policies on the territory. There is a need for reliable indicators to adopt informed decisions. This knowledge will enable us to enhance coordination of the European policies that have an impact on the territory. The current economic crisis further justifies the strengthening of cooperation. No territory in Europe can hope to exit the crisis on its own: it is essential to consolidate ties, coordinate the activities of regions and create networks.

Consequently, multi-level governance should be applied to cohesion policy because it is the only system that combines local and regional characteristics with the European Union's strategic directives and that coordinates interactions between different levels of government. Local and regional governments should therefore be fully involved in the shaping and application of this policy. There is a need to strengthen the role of the local and regional authorities at every stage of programming and implementing this policy. This should also be the case for the EU 2020 Strategy in the framework of its implementation. The role and involvement of the regional authorities in this 2020 strategy is moreover currently at the heart of the regions' lobbying work.

Europe is confronted today with challenges, climate change for example, which do not fall within traditional administrative boundaries. So there is a need to reflect on new types of cooperation between the States and regions that will better connect the territories. More strategic and more flexible cooperation, adapted to the needs of the territories, also needs to be put in place.

Conclusion: More Regions for a better Europe

by Pascal Goergen, Diplomatic representative of the Region Bruxelles-Capitale to the European Union

The regions are without a doubt the foremost intermediary between the European Union and its citizens. They carry the promise of this difficult yet at the same time natural and necessary alliance of the regional or even local identity and the European political project. They also represent the level of communication and implementation of European decisions and accordingly the level most capable of bringing to the fore the effectiveness and quality of European action. Furthermore, local and regional players want to be involved in European decision-making. Consequently, European governance must be steered towards an integrated territorial approach that aims for better coordination within European strategies.

The local and regional authorities are today the **"project managers"** of the main European policies. However, in spite of their increasing competences, they are still excluded from the principal European bodies, where the strategic choices for the conditions of exercise of these activities are adopted.

Thanks to the federal structure of Belgium and the pre-established rotating system of representation, the Brussels-Capital Region finds itself directly involved in European decision-making. The forthcoming Belgian Presidency of the European Union, which begins in July 2010, will therefore be an opportunity to highlight the regions on the European stage. As in 2001, the Brussels Region minister with responsibility for research will chair the Competitiveness Council (research section) during the six-month presidency.

In the framework of this Belgian EU Presidency, one of the priorities of the Brussels-Capital Region will be the role of the local and regional authorities in European sectoral policies, with a view to transmitting to them the impetus of the European regional players. Through activities or the organisation of events underpinned by political



ERRIN European Regions
Research and Innovation Network

objectives, the Region will attach particular importance to including the regions in European policies where the challenges are clearly identified for the regional authorities. This type of operation will take place in the framework of a partnership with policy or thematic networks, such as the **AER** for the debate on the future of regional policy, the **ERRIN** network for research and innovation, the **NEREUS** network for the use of space technologies or the Eurocities network for the urban dimension.





These networks bring to the fore the role of the regions in the European Union's sectoral policies. Membership of these networks contributes to more effective influence because it enables the regions to join forces and to collaborate with the aim of reflecting and intervening on a collective basis. This dynamic in favour of the role of the regions should also be extended – sector by sector – to the level of the EU's external relations through the Region's concrete involvement in European projects and programmes through networks like **Euromed** for decentralised cooperation in Morocco, Tunisia and Lebanon.

An evolution of the political and administrative culture in the European Union should therefore be encouraged and stimulated. If we refer, for example, to the Autumn 2009 Eurobarometer, European citizens seem to support such an evolution: two out of three persons surveyed consider that the ***local authorities are not sufficiently taken into account during the adoption of policies in the Union (66%)***. Furthermore, the regional and local authorities, after the national authorities, are the decision-making level which citizens consider to have the greatest influence on their living conditions. European integration has for too long remained an excessive monopoly of the states. In the future, it should rely more than ever on strong and autonomous local and regional authorities, considering the essential role they play for citizens and the concrete actions in the field that they implement in response to the major challenges with which our continent is confronted.

Personally, I am convinced that *"only by working together - regions, cities and local authorities – will we succeed in becoming stronger"*. Further integration of the European Union and the challenges and opportunities created by the European single market and monetary union have helped to consolidate the policy of regional and structural action and to strengthen the subsidiarity and partnership principles. The regional authorities and other infranational institutions hold increasing influence in decision-making and have acquired the freedom to operate on a larger European scale than in the past. What is more, as noted by former AER President **L. Prokop**, *"only by recognising the effective interface role that the regional authorities play with regard to citizens, but also their federative role at the level of the territories they represent, will the European Union succeed in meeting the challenge of good governance in Europe and maintaining economic, social and territorial cohesion in this vast area of the enlarged Europe"*. The importance of the local and regional levels is indisputable, as is the necessity of their involvement in European sectoral policies. They are the players who guarantee future success in the face of the new challenges ahead for the Union.

The regional dimension, as I have said, is a growing reality. The elements presented above are the tangible proof of this evolution and the Treaty of Lisbon, which enshrines the territorial dimension, is certainly not the final stage. There will also have to be a special focus in the future on the Committee of the Regions, which has become the essential interface between the regions and the European Union, and to which the Treaty of Lisbon gives new scrutiny instruments. There are therefore signs of a European awareness of the need to take greater account of the local and regional authorities. However, the effort made so far does not seem sufficient to us or to European citizens, who are demanding greater inclusion of the local and regional levels, with which they are in closer contact. Steps have already been taken but many more lie ahead in order to guarantee the democratisation of European integration. The European Parliament will without a doubt help us in this task. New partnerships between the Committee of the Regions-local and regional authorities and the European Parliament should also be built.

I shall conclude by noting that this work continues: a number of initiatives aimed at promoting the local and regional dimension are under way. I particularly have in mind the European Commission's Green Paper on Territorial Cohesion and the CoR's consultation on the EU 2020 Strategy. It is also clear that the Belgian EU Presidency will be an opportunity to **highlight the added value of the regional level and to demonstrate it with political content and concrete proposals.**

The next Belgian Presidency of the Council of the European Union will probably be in 2023, at which time the Assembly of European Regions will be close to its 40th anniversary. The hope offered by this perspective is also that of believing that the regions will by then be genuinely involved in the daily life of European affairs. For that to happen, and to have a real influence on the future European agenda, not only is it essential to be determined to secure political power and to create strong ties in and with the administration, but also to place Europe at the heart of all strategic reflection, because *Europe is your region, Europe is all our regions.*

Annexes

Annex 1: AER Declaration on Regionalism in Europe

PREAMBLE

The Assembly of European Regions (AER) meeting in Basel on 4th December 1996:

1. Considering that the AER represents almost 300 European regions of varying sizes and different administrative and political structures with a total population of nearly 400 million;
2. Considering that the Regions have different statuses, which vary according to their history, their culture and their constitutional principles and characterize the territorial organisation of each State. Whilst respecting this diversity, this common declaration expresses the Regions' aspirations to further regionalism within the institutional framework of their own country, which have a federal, decentralised or autonomous structure. This text cannot be interpreted as binding the regions to any of these structures.
3. Considering that the regions are an essential and irreplaceable element of European development and integration;
4. Conscious that the regions have different origins and functions, with some historically based on distinct communities, ethnic groups or even nations, and others created as administrative districts, exercising powers delegated to them by the State;
5. Considering the importance in Europe of the process of integration and regionalisation;
6. Noting that people through historical, linguistic, cultural, social, economic and geographical ties, increasingly identify themselves with their region, the variety of which, constitutes an inexhaustible richness;
7. Considering that States with strong regional political structures, ie. with legislative powers and their own finances can optimally resolve their economic and social problems;
8. Considering also that the regional reality justifies the participation of the regions in State bodies and actions at an international level;
9. Being aware that the regions, within the national legal order, are an indispensable element of democracy, decentralisation and self-determination, by allowing people to identify with their community and by increasing the opportunities for their participation in public life;
10. Conscious that the regions and their peoples have endless possibilities to carry out and further develop mutually advantageous political, economic and cultural cooperation between themselves;

11. Noting the vast potential for political, social, economic and cultural cooperation between European regions and the significance of such cooperation at national, transfrontier and international level for the development of a united and cohesive Europe and for improved knowledge and understanding of its actions among the general public;
12. Considering that regional participation in the decision-making process of the European institutions, in accordance with the principle of subsidiarity, contributes to improving transparency of European Union actions for citizens;
13. Considering the relevance of the Council of Europe's draft European Charter of Regional Self-government (1996) and the European Parliament's "Community Charter for Regionalisation" (1988);
14. Convinced of the significance of this declaration, which reflects a political will and aspirations that the regions wish to promote in Europe, while respecting the diversity of their situations which call for a variety of solutions;

have adopted the following Declaration:

ARTICLE 1. THE REGION: DEFINITION AND CONCEPT

1. The region is the territorial body of public law established at the level immediately below that of the State and endowed with political self-government.
2. The region shall be recognised in the national constitution or in legislation which guarantees its autonomy, identity, powers and organisational structures.
3. The region shall have its own constitution, statute of autonomy or other law which shall form part of the legal order of the State at the highest level establishing at least its organisation and powers. The status of a region can be altered only in cooperation with the region concerned. Regions within the same State may have a different status, in keeping with their historical, political, social or cultural characteristics.
4. The region is the expression of a distinct political identity, which may take very different political forms, reflecting the democratic will of each region to adopt the form of political organisation it deems preferable. The region shall resource and staff its own administration and adopt insignia for its representation.

ARTICLE 2. INSTITUTIONAL ORGANISATION

1. The region shall have full legal status.
2. The region's basic structure shall comprise a representative assembly and an executive body. Its organisation shall be a matter for the region alone.
3. The members of the representative assembly shall be directly elected by free and secret ballot on the basis of equal and universal suffrage. The assembly may be granted legislative powers, subject to the limits laid down in the domestic legal order.
4. The executive body shall be politically answerable to the representative assembly, subject to the conditions and procedures prescribed in domestic legislation.

5. Members of both the representative assembly and the executive body shall not be subjected to supervision by the central authority which would prejudice the free exercise of their functions.

ARTICLE 3. POWERS

1. The apportionment of powers between the State and the regions shall be determined in the national constitution or in legislation in accordance with the principles of political decentralisation and subsidiarity. Under these principles, functions should be exercised at the level as close to the citizen as possible.
2. The implementation of national law, either directly or by delegation, should, as a general rule, be the responsibility of the region.
3. The region should have responsibility for all functions with a predominantly regional dimension.
4. Where the State has decentralised administration at regional level, it shall transfer the corresponding staff and financial resources to the regional bodies in order to avoid duplication.
5. The regions shall exercise the powers assigned to them on an individual basis. The regions within a single State shall agree to harmonise, where appropriate, the action taken within their specific spheres of competence. To that end, they shall decide on the required procedures.
6. State decisions and measures which affect regional powers or interests - in particular measures which have implications for their financial situation or that of the local authorities, and decisions which affect the scope of any legislative powers the regions may have - may not be adopted without the prior assent of the regions involved.

ARTICLE 4. FINANCING

1. The region shall enjoy financial autonomy and have sufficient own resources to develop its powers fully. It shall be governed in particular by the principles of economy, efficiency, effective use of resources, service to the citizen, and transparency in its budgetary decisions.
2. The fundamental principles governing the public finances and apportionment of revenue as well as State guidelines for regional budget management shall be laid down in the national constitution or in legislation. The regions shall also play a decisive role in the shaping of financial legislation at national level.

ARTICLE 5. FINANCIAL RESOURCES OF THE REGION

1. The financial resources of the region shall consist basically of taxes partly or wholly transferred by the State, and of its own taxes.
2. The region shall receive the income necessary for the performance of its functions. It shall be entitled to an appropriate share of national tax revenue for this purpose. Its income shall be sufficient and concentrated uniformly on a small number of major sources of tax revenue in order to ensure stable regional budget

management and allow the implementation of an economic policy directed towards sustainable development.

3. Under national legislation, the region shall be entitled to levy its own taxes and determine sources of tax revenue. For this purpose, it shall set the criteria for determining its taxes, duties and dues. Where the law permits, it may decide to charge supplements on State taxes.
4. Where a number of authorities share a source of tax revenue, the scale and procedure for the distribution of such revenue shall be prescribed by legislation. State financial allocations of a general nature shall take precedence over special allocations, which shall be governed only by statutorily prescribed criteria.
5. Where the region is not empowered to collect taxes, it shall be involved in determining the organisation of the relevant bodies and tax procedures. It shall likewise be involved in determining the composition and procedure of the competent courts.
6. Within the limits prescribed by law, the region may seek credits to finance investments. Credit limits and arrangements for monitoring their legality shall be laid down by law.

ARTICLE 6. INTER-REGIONAL FINANCIAL EQUALISATION

1. The principle of solidarity entails the existence of national systems of financial equalisation. The aims and procedure of financial equalisation shall be prescribed in the national constitution or legislation. Account shall be taken of the uneven distribution of the financial burdens borne by the regions, on the basis of objective criteria. However, financial equalisation shall not dissuade those regions required to make equalisation payments from making appropriate use of the sources of tax revenue available to them. The needs of municipal authorities shall also be taken into account in the calculation of equalisation payments. Equalisation shall take the form of transfers from the State to the regions, and between regions.
2. The principle of solidarity shall also be expressed in the EU for reducing the interregional inequalities in order to achieve the aim of social and economic cohesion in Europe. The Structural Funds of the European Union shall be one instrument for the achievement of this aim.

ARTICLE 7. INVOLVEMENT AT THE CENTRAL LEVEL OF THE STATE

1. The regions shall play an appropriate part in the legislative bodies of the State.
2. The State, within the scope of its own powers, shall make arrangements to coordinate the participation of the regional institutions in the State's decision-making processes, where such decisions affect the region's powers.
3. The regions shall be involved in appointing the judicial bodies responsible for the settlement of disputes over the division of powers between the State and the regions. Disputes between the regions and the State shall be settled by court proceedings or arbitration.

ARTICLE 8. THE STATE AND THE REGIONS

1. Relations between the State and its regions and among the regions themselves shall comply with the principles of mutual respect, cooperation and solidarity. The regions and the State shall promote mutual cooperation and refrain from adopting measures which could prejudice or limit the exercise of powers at other levels.
2. Where it exists, State control over the regions shall be regulated by the national constitution, or failing that, by appropriate legislation.
3. Regions should be permitted to sign treaties or agreements with other regions within the same State.
4. As a general principle, administrative powers should be exercised by the regions and only in exceptional circumstances by the State.

ARTICLE 9. THE REGIONS AND LOCAL AUTHORITIES

1. In exercising the powers assigned to them, regions and local authorities shall cooperate in a spirit of mutual trust and in accordance with the principle of subsidiarity. Regions and local authorities shall take all necessary measures to promote mutual cooperation, bearing in mind the control which regions may exercise over local authorities.
2. Local authorities shall be consulted on all regional measures which affect their sphere of competence or individual interests. In practice, these measures shall include any which have a bearing on the financial powers of the local authorities.

ARTICLE 10. THE REGIONS AND INTERNATIONAL RELATIONS

1. Regions shall have the capability to act at an international level. They may conclude treaties, agreements or protocols which are international in scope, subject to approval by the central Government where this is required by national legislation.
2. The regions shall promote bilateral and multilateral domestic and transfrontier cooperation among themselves for the purpose of carrying out joint projects.
3. Regions shall have the right to set up their own representations, either individually or in conjunction with other regions, in other States and in appropriate international organisations.
4. Subject to the provisions of paragraph 1 of this Article, the regions shall participate in the international activities of their State, in accordance with the relevant domestic legislation, whenever their own powers or essential interests are concerned.
5. Prior to the conclusion of an international treaty which affects their essential interests, the regions shall be consulted by the State. Should the State intend to sign an international treaty which affects the powers of the regions, the regions shall participate in the drafting and conclusion of the treaty. The exact manner of their participation shall be governed by the domestic procedures in force between the State and its regions. Treaties shall be executed in accordance with the apportionment of powers between the State and its regions.

ARTICLE 11. THE REGIONS AND TRANSFRONTIER COOPERATION

1. Regions with common frontiers shall, in compliance with relevant domestic legislation and international law, promote transfrontier cooperation.
2. Regions, taking due account of domestic legislation and international agreements between States, shall be entitled to conclude transfrontier agreements in order to develop their cooperation within the limits of their powers.
3. Regions shall have the right, within the legal framework of each State concerned, to establish joint deliberative or executive bodies.
4. The actions of these bodies shall be subject to the procedures of the competent courts in the same manner as actions of regional bodies.

ARTICLE 12. THE REGIONS AND EUROPEAN UNION

1. The European Union shall recognise the regions of its Member States and associations of a regional nature as active participants in its policies. It shall have a body of regional composition which shall participate in decision-making on issues having a regional dimension. Its members shall be proposed by the regions.
2. The regions may make representations to the institutions of the European Union. Such representations may be established jointly by several regions. The European Union and the Member States where they are located shall recognise their proper status.
3. The regions, within the scope of their powers, or where their interests may be affected, should participate in the determination of the positions taken by their States in the Community institutions.
4. Where an issue is the exclusive responsibility of the region or has a particular bearing on its interests, the State shall not be able to deviate from the position adopted by the region, save where domestic legislation requires this in the interests of unity. The State shall be required to justify any deviation from the region's position. On such issues, the region shall also be entitled to take part in the decision-making process of European institutions and shall in particular have the right to have its representation within the national delegation.
5. The regions shall implement Community legislation within their sphere of competence.
6. The regions shall manage assistance from the Community Funds for matters within their powers. For this purpose, the regions shall liaise with the European Union without the intermediation of the State.
7. The regions may enter into agreements designed to improve the implementation of Community policies. The courts shall supervise the implementation of Community legislation by the regions. The State and the regions shall keep one another informed of the measures they adopt in the implementation of Community legislation and programmes.
8. The regions shall have the right to bring proceedings before the European Court of Justice where measures taken by the Community institutions affect their powers or interests.

9. The legislation on elections to the European Parliament shall refer to regional constituencies in States which have decentralised political or administrative structures.
10. Arrangements must be made for contact between the European Parliament and regional parliaments in their capacity as institutions which directly represent the will of the citizen.

ARTICLE 13. FINAL CONSIDERATIONS

1. The Assembly of European Regions (AER), in adopting the present Declaration, which is inherently political in character, aims to promote and strengthen regionalism in Europe. In view of the wide variety of regional situations and aspirations, this document, which is not legally binding, is intended to serve for some regions as a guide containing basic standards or goals for regionalisation.
2. The AER and its members shall make such approaches to national governments, European Union institutions and other European bodies as are necessary to achieve the objectives of this document.
3. The Declaration also illustrates the fact that the region is the best form of organisation for resolving regional problems in an appropriate and independent manner. The States of Europe shall undertake to pursue as far as possible the devolution of powers to the regions and to transfer the financial resources necessary for their exercise, amending international legislation as necessary.
4. AER and its members shall also promote European interregional cooperation at all levels and shall offer assistance in their regionalisation where necessary by proposing amendments to the constitution or constitutional law to allow for the creation of the most appropriate forms of regional structure.
5. Transfrontier cooperation strengthens and consolidates regionalism. The development of a regional identity based on transfrontier cooperation promotes political and social stability.
6. The establishment of the Committee of the Regions within the European Union and the Congress of Local and Regional Authorities of Europe within the Council of Europe is a great step forward for regionalism in Europe. A longer-term goal shall be to establish a Europe of the regions as a third level of government; this would entail the Committee of the Regions attaining the status of a genuine regional chamber.
7. The AER and its members shall lend support to associations of local authorities. Its central aim, however, shall remain the development of a genuine regional identity.
8. The AER shall monitor the progress made in the individual European States towards achieving the goals set forth in this Declaration.

APPENDIX TO ARTICLE 3, PARAGRAPH 1

Examples of the existing regions' powers:

- regional economic policy,
- regional planning, building and housing policy,
- telecommunications and transport infrastructures,
- energy and environment,
- agriculture and fisheries,
- education at all levels, universities and research,
- culture and media,
- public health,
- tourism, leisure and sport,
- police and public order.

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Annex 3: Indicative bibliography and useful links and contacts

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- The Committee of the Regions at the heart of the local and regional authorities’ European dynamics in 2006-2008, 2008
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List of acronyms

AER/ARE - Assembly of European Regions

BMW - Border Midland & Western Region (Ireland)

CEMR/CCRE - Council of European Municipalities and Regions

CLRAE/CPLRE - Congress of Local and Regional Authorities of Europe

CoR/CdR - Committee of Regions

CPMR/CRPM - Conference of Peripheral Maritime Regions

EU/UE - European union

GATS / AGCS - General Agreement on Trade in Services

INTERREG - Programme for Interregional Cooperation (EU)

IRAP - regional tax on productive output

IRPEF - surtax on national income tax

KS - Norwegian Association of Local and Regional Authorities

SNCB - Société Nationale des Chemins de Fer Belge (National railway company of Belgium)

MS - member states

NARC - National Association of Regional Councils (of USA)

NATO/OTAN - North Atlantic Treaty Organization

NGO / ONG - Non-governmental organization

NIK - Chief Board of Supervision

NUTS - Nomenclature of Territorial Units for Statistics

PEPTRAN - Pedestrian and Public Transport navigator

RDB - Regional Development Board

RIO - Regional Audit Chamber

RPT - Reform of financial equalization and task allocation in Switzerland

SPA - Special Provincial Administration

SGR - Secretary General of the Region

S&E - Southern & Eastern Region (Ireland)

UN - United Nations

UK - United Kingdom

USSR - Union of Soviet Socialist Republics

VAT - Value added tax

