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Proceedings

Strengthening the role of
regional
parliaments
in EU affairs
**Challenges,
practices, and
perspectives**



Summary

The Lisbon Treaty recognises regional parliaments with legislative powers within the framework of the system of subsidiarity monitoring. This affects a total of 74 regional parliaments from eight EU Member States. Many of these have undertaken reforms to adapt to these opportunities for becoming a more active player in the EU multi-level system. Adapting to the so-called Early Warning System (EWS) is certainly at the heart of these reforms. The European Committee of the Regions (CoR) has supported regional parliaments in various ways, above all by establishing a Subsidiarity Monitoring Network and by setting up the database REGPEX to help regional parliaments to exercise their new rights and improve regional inter-parliamentary cooperation.

The conference aimed to raise awareness of the role of and challenges facing regional parliaments in this context. Contributions by academics and practitioners focused on an initial evaluation of the new mechanisms and their use by regional parliaments. In addition, the conference aimed to bring practitioners from regional parliaments into contact with each other and with policy-makers and experts at European level.

Speeches, presentations, photos and videos can be found at: www.cor.europa.eu/regparl

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Opening session

Michel Lebrun, president of the European Committee of the Regions, welcomed participants to the conference and stressed that the Treaty of Lisbon had given new powers to national as well as regional parliaments under the terms of the Subsidiarity Early Warning System. For the first time, the subsidiarity principle had been incorporated into primary law, namely in Protocol Number 2 annexed to the Lisbon Treaty. Hence 74 regional parliaments with legislative powers from eight EU Member States could contribute towards checking compliance with the subsidiarity principle. In 2007, the CoR had therefore established the Subsidiarity Monitoring Network, which was used by 146 partners, including regional parliaments. Since 2012 the REGPEX platform had also existed, enabling regional parliaments to share their statements on subsidiarity. Furthermore, Mr Lebrun presented a report from 2013 issued by the CoR that evaluated the role of regional parliaments in the Subsidiarity Early Warning System. In December 2013, the CoR had organised jointly with the German Bundesrat the sixth Subsidiarity Conference in Berlin. Mr Lebrun underlined that these steps demonstrated that the CoR was willing to play an active role and work together with regional parliaments.



Michel Lebrun

Peter Friedrich, Minister for Bundesrat, European and International Affairs in the state of Baden-Württemberg and alternate CoR member, congratulated the CoR on reaching its 20 years of existence in 2014. Since 1994, the EU had overcome its “blindness towards regions” and the early involvement of the CoR in the meantime had played a crucial role in avoiding a reality shock for EU legislation. For many regions, the CoR was the only possibility for them to become active at the EU stage and it provided an excellent forum for the European regions. The results of the elections of the European Parliament in 2014 had shown that the EU institutions needed to re-gain the trust of the general public. Therefore, the EU level had to cooperate with the Member States as well as with the regional level and compliance with the subsidiarity principle was central to achieving this goal. Mr Friedrich emphasised that the subsidiarity principle was not just a right to veto. It also represented a blueprint for proceedings at EU level. So, subsidiarity together with proportionality should be upheld in order to enable the EU to focus on the big issues like finance or economic policies where more Europe was needed. At the same time, the back-shifting of competences should not be a taboo subject anymore. He pointed out that inter-parliamentary cooperation had to be strengthened, although this could not replace parliamentary legitimacy. Moreover, the heterogeneity of the CoR should not be considered as a weakness, but rather as a strong point. Nevertheless, the CoR should become more flexible in order to be able to act faster. In 2015, the CoR would embark upon a new term of office, whereby the distribution of seats should be reconsidered, since small regions were over-represented. But Mr Friedrich made it clear that he was well aware that big regions should also keep a low profile on this issue.



Peter Friedrich

“The subsidiarity principle is not just a right to veto. It also represents a blueprint for proceedings at EU level.”

Peter Friedrich

Regional parliaments in multi-level governance – challenges and perspectives in the post-Lisbon era



Gabriele Abels

Professor Dr Gabriele Abels from the University of Tübingen referred in her keynote speech to the big changes resulting from the Lisbon Treaty for national and regional parliaments, which triggered a vivid academic discussion. However, there was a blind spot in the debate: While there was a lot of talk about an emerging multi-level parliamentary system, the actual situation remained limited to a two-level structure consisting of the 28 national parliaments and the European Parliament. With few exceptions regional parliaments were almost completely ignored. This wide-spread academic ignorance stood in stark contrast to the realities of regional parliaments' role in EU affairs as laid out in the subsidiarity protocol of the Lisbon Treaty. Professor Abels began by addressing the question of why regional parliaments should play a role in EU affairs. The predominant answer given to this question was that regional parliamentary involvement improved the overall democratic legitimacy of the EU. But this claim required theoretical and empirical verification. Professor Abels presented three academic examples of how to answer this question and showed that different strands and theoretical viewpoints in the academic literature could provide us with various responses as to the role of regional parliaments in EU affairs, the desirability and the limits of their involvement. Secondly, Professor Abels dealt with the question of how regional parliaments had adapted to the new rights and opportunities. Based on studies commissioned by the CoR and on a limited body of academic studies, Professor Abels demonstrated that there was at least sufficient empirical evidence that the 74 regional parliaments with legislative powers had reacted to the new institutional provisions laid out in the subsidiarity protocol, although there were numerous inter-state and intra-state differences. The third question that Professor Abels raised concerned the key challenges and perspectives for regional parliaments. She explained that there were several key challenges; some had to do with the institutional structure in the EU Member States, others more with the limitations of the Early Warning System itself, and thirdly, there was the question of resources. Most prominently, the eight-week time limit was a real challenge for all regional parliaments. By addressing future perspectives Professor Abels stated that one had to overcome the control-fix that was part of the Early Warning System and continue to develop instruments for proactive and positive legislative policies. In the last part of her speech, Professor Abels gave some recommendations on what the CoR could and should do to strengthen the role of regional parliaments in EU policy-making. The European Committee of the Regions clearly saw itself as a "natural ally" of the regional parliaments. Hence, it had already provided a lot of support to regional parliaments. In the future, the CoR should, for example, continue its awareness-raising activities, aim for a system that was at least documenting the reasoned opinions issued by national parliaments and lobby for a provision stating that reasoned opinions by regional parliaments had to be forwarded to the EU institutions. Professor Abels concluded that enormous progress had been made in the first five years of the Lisbon Treaty, yet there were still many problems that needed to be tackled.



Members of regional parliaments need incentives to become involved in EU affairs."

Gabriele Abels



Daniel Janssens and Gabriele Abels

The ensuing debate was chaired by **Daniel Janssens**, secretary-general ad interim of the European Committee of the Regions, and started by a remark from **David R. M. Melding**, member of the National Assembly for Wales and deputy presiding officer of the National Assembly, who underlined that a direct link between regional parliaments and the EU institutions would be conducive to solving the democratic deficit of the EU. **Professor Abels** agreed, adding that regional parliaments would then be forced to communicate more directly with their citizens, something which so far had often been neglected. She added that members of regional parliaments lacked incentives to become active in EU politics, since no votes could be won with EU topics. Consequently the members of regional parliaments were often less knowledgeable about EU affairs. As a result, the administrations of regional parliaments had become more relevant, leading to a greater bureaucratisation of EU affairs. **Franco Iacop**, president of the regional council of Friuli Venezia Giulia, highlighted that the regions were closest to the interests of the general public and therefore he supported their involvement in the EU multi-level system. He raised the question of why the CoR should play a leading role in the inclusion of regional parliaments when only eight out of the 28 Member States possessed subnational assemblies. **Professor Abels** replied that the history of Italy had shown that countries might not be regionalised in the beginning, but this situation might evolve. Decentralisation processes were ongoing in the EU right now, so there was a possibility that in the future more countries might be affected.

Scrutinising regional governments on EU affairs: exchange about legal provisions, existing instruments and best practices

Working group 1 focused on an exchange of information about recent and ongoing reforms and the development of legal provisions by regional parliaments, which were triggered by the Treaty of Lisbon. Enhanced scrutiny powers vis-à-vis regional governments, expanding participatory mechanisms and stronger inter-parliamentary cooperation were often at the heart of reform activities.



Working group 1

The panel was chaired by **David R. M. Melding**, member of the National Assembly for Wales and deputy presiding officer of the National Assembly, and was composed of the following participants: **Isolde Ries**, deputy speaker of the regional parliament of the Saarland, alternate member of the CoR, **Costanza Gaeta**, director for institutional and European affairs at the Conference of the Italian Regional Parliaments and **Professor Dr Sabine Kropp** from the Free University of Berlin.

David R. M. Melding began by emphasising that an effective monitoring system and an early engagement of regional parliaments in the legislative process were crucial; it could be achieved by Brussels-based offices.

Isolde Ries reported that subsidiarity monitoring had a legal basis in Germany, so that the regional governments were obliged to inform their respective parliaments at an early stage in the process. However, the regional government of the Saarland just forwarded EU drafts without any comments. In the future, the statements of the regional and national government should also be automatically transferred to the respective regional parliament. Furthermore, she would favour a binding mandate for regional parliaments so they could monitor their governments more effectively. In general, the deadline of eight weeks provided by the Subsidiarity Protocol within which a reasoned opinion had to be sent to the EU institutions should be extended to twelve weeks. Besides the short time frame, a lack of resources restricted the possibilities of effective subsidiarity monitoring by the regional parliament of the Saarland.

Costanza Gaeta reported that in Italy, Law 234/2012 states that National Government has to send to both the regional governments and parliaments all EU legislative and non-legislative proposals concerning areas of exclusive and shared competence of the Regions. The same Law provides that Regional Parliaments have members in the Committee of the Regions appointed by the Conference of Italian Regional Parliaments. As regards practical problems, she underlines that still few Regional Parliaments are systematically exercising their powers of scrutiny on EU matters. This is mainly due to



David R. M. Melding



Isolde Ries



Costanza Gaeta

a number of causes, such as few qualified human resources, poor political attention to EU affairs and awareness that Regional Parliaments are not heeded by National and EU Institutions. Therefore, regional positions should be binding in the event of an EU legislative proposal falling under the terms of reference of a regional authority. The case of Belgium and of the Declaration n. 51 in particular should be considered and analyzed in the future when revising the EU Treaties, so that Regional Parliaments were able to forward their reasoned opinions in their own capacity without a “detour” via National Parliaments.

Professor Dr Sabine Kropp focused her presentation on the regional parliaments in Germany and pointed out that the Lisbon Treaty and the German Responsibility for Integration Act had led to a re-orientation of the German Landtage in EU affairs. As a result, the implementation of the Early Warning System had fostered parliamentary administrations whereas the new “EU” role orientations of members of regional parliaments were still nascent. German regional parliaments frequently installed horizontal coordination, which was mainly achieved by parliamentary administrations. There existed, for example, a network of five “observers” of the Landtage in Brussels (Brandenburg, Baden-Württemberg, Bavaria Hessen and North-Rhine Westphalia) that met on a weekly basis. However, the question of how efficient those networks were had still to be answered. So far, three German Landtage (Baden-Württemberg, Bavaria and Thüringia) had the authority to mandate their government in the course of decisions taken in the German Bundesrat (second parliamentary chamber). In general, a broad range of institutional solutions had been set up whereby most activities were undertaken by the parliamentary administrations.



Sabine Kropp

In the ensuing debate, the role of special EU committees was further assessed. **Mr Melding** and **Gregg Jones**, head of the National Assembly for Wales’ EU Office, explained that in the Welsh Assembly all committees were now concerned with EU matters, since a special EU committee had been disbanded in 2011. **Ms Ries** stated that regional parliaments in Germany had EU committees but other committees could be invited to meetings of their EU committee in order to provide their expertise. **Dr Neil McGarvey** from the University of Strathclyde stated that in the Scottish parliament there was an EU committee as well as a person in charge of EU affairs in each of the other committees. To conclude, **Mr Melding** and **Ms Ries** emphasised the overflow of information as a key challenge for the future as well as the extension from an eight to a twelve-week deadline for reasoned opinions. **Professor Kropp** demanded that parliamentarians should start defining themselves as EU-actors and **Ms Gaeta** proposed institutionalised meetings between members of the CoR and members of the European Parliament.

Participation of regional parliaments in the Early Warning System, REGPEX and in the CoR's Subsidiarity Monitoring Network

Working group 2 focused on the role of regional parliaments in the Early Warning System (EWS) and the support activities by the Committee of the Regions for regional parliaments within the EWS. Moreover, the working group discussed experiences and further developments of the CoR support structure. The working group was chaired by **Dr Michael Schneider**, member of the Committee of the Regions and chair of the Subsidiarity Steering Group. The panel was composed of **Raffaele Cattaneo**, president of the regional council of Lombardy, chair of the CALRE Working Group on Subsidiarity and member of the Committee of the Regions, **Pierre Schmitt**, a researcher at the Catholic University of Leuven and co-author of the 2013 updated CoR report on the EWS, and **adj. Prof. Dr. Klemens H. Fischer**, minister plenipotentiary at the Austrian Permanent Representation to the EU.



Working group 2

Dr Michael Schneider opened the proceedings by talking about the function of the Subsidiarity Steering Group of the CoR. He explained that the Steering Group had an overview role of the CoR's activities in the field of subsidiarity monitoring, which was supported by the Subsidiarity Expert Group, composed of local and regional subsidiarity experts. However, Dr Schneider stated that subsidiarity monitoring must not be left to specialists and legal experts alone; it also needed a political orientation. He hoped that the working group would be able to provide some critical thoughts on the design and organisation of the CoR's support structure.

Raffaele Cattaneo pointed out that regional parliaments' participation in EU affairs was driven by a political motivation for the achievement of multi-level governance in Europe. However, he observed that European institutions saw the new post-Lisbon machinery as a concession towards regional parliaments. He emphasised that this would be a misinterpretation of subsidiarity and that it was the lower level which empowered the higher level. The EWS could be considered as a child of this culture and as a mainly technical procedure, not designed for real regional participation. Mr Cattaneo saw the activities of the CoR as being helpful to achieving the aim of more involvement of regional parliaments in the EWS, but wanted more possibilities for direct participation in the CoR, for example via hearings. He further proposed to develop closer relations between CALRE and the CoR. He closed by developing a metaphor of Europe as a symphony orchestra where every region was able to contribute to the symphony playing a different instrument, which is recognised and valued by the whole.

Pierre Schmitt presented the key findings of the study on the role of regional parliaments in the EWS, published by the CoR in November 2013. He explained that in the beginning regional parliaments were quite enthusiastic about being involved in the EWS. However, five years after the Lisbon Treaty a number of regional parliaments were now showing signs of discouragement over their lack of visibility and impact within the EWS. As the main obstacles he identified the short deadline for submitting an opinion to the national parliament, the lack of resources and administrative capacities as well as the



Michael Schneider

complexity of the process. To enforce their role in the EWS, Mr Schmitt advised regional parliaments to cooperate with governments and parliaments at all levels. Furthermore, he suggested that the CoR could provide training for staff members, early support with the filtering of EU draft legislation or a systematic documentation of all decisions on subsidiarity issued by regional parliaments.

Prof. Dr. Klemens H. Fischer presented the Austrian approach to subsidiarity monitoring. He explained that the Austrian regional parliaments have influence at national level via resolutions, which are presented to the federal parliament as well as to the federal and regional governments. Regional parliaments in particular would support the position of their respective regional parliaments at federal level. The Austrian constitution empowers the regional governments to bind the federal level to their EU position, which puts the regional governments in quite a strong position. Prof. Dr. Fischer stressed that for subsidiarity monitoring to be efficient, it is indispensable to follow draft legislation from early on. In this respect, the Austrian regions are supported by the Austrian Permanent Representation to the EU, which provides information and assistance. He concluded that the Austrian approach to subsidiarity monitoring is particularly marked by its inclusiveness and its drive to inform and use all available channels to influence and generate maximum legitimacy for its citizens.



Raffaele Cattaneo



Pierre Schmitt



To generate legitimacy for the people, we need every parliamentary level we can afford."

Klemens H. Fischer

In the discussion the working group raised the question of having a common definition and application of the subsidiarity principle. **Professor Abels** explained that the German understanding of subsidiarity was very legalistic and that subsidiarity was often confused with proportionality. **Dr Fischer** confirmed that for him subsidiarity was a question of law. Since there was no fixed catalogue of the European Union's powers, there was room for interpretation, which in his view was necessary in order to retain the necessary flexibility. **Mr Schmitt** agreed that subsidiarity was a subjective concept, but he saw the need for a harmonised understanding of the principle if people and institutions were to work together. He called upon the CoR to lead a discussion on a common definition of subsidiarity.

Wrapping up the session, **Dr Schneider** argued that people had to be patient with regard to subsidiarity monitoring and that a lot had been achieved at regional and at CoR level. Nevertheless, he noted that subsidiarity monitoring often failed because of a lack of participation due to a missing cross-linking of information and the outcomes of subsidiarity-related activities by regional parliaments. For him, the CoR could solve this exercise problem by gathering and forwarding information and raising awareness of subsidiarity monitoring.



Klemens H. Fischer

Cooperation and communication: inter-parliamentary relations and EU institutions

Working group 3 looked at existing forms of inter-parliamentary cooperation and communication and future challenges. By increased communication with EU institutions and other parliamentary assemblies, parliaments can counter information asymmetries and improve their policy impact. The session was chaired by **Pilar Rojo Noguera**, president of CALRE, and included the following participants: **Dr Peter Bußjäger**, director of the Institute of Federalism, Innsbruck, **Dr Karolina Borońska-Hryniewiecka**, assistant professor in the Institute of Political Science, University of Wrocław and **Dorthe Christensen**, European Commission, Deputy Head of Unit in the Secretariat-General, responsible for relations with national parliaments, the EESC, the CoR and the Ombudsman.



Working group 3

Dr Peter Bußjäger focused on the horizontal cooperation of parliaments, which entailed interregional cooperation, cooperation within a country, with the CoR or within the Conference of European Regional Legislative Assemblies (CALRE). He acknowledged that CALRE had played a major role in the formulation of the subsidiarity principle and the Early Warning System but there were also structural deficits: the fact that CALRE was only an informal organisation working in a consensus mode often led to formal compromises. CALRE lacked resources and did not have a secretariat in Brussels, which would allow for effective lobbying. Concerning the case of Austria, Dr Bußjäger explained that all opinions approved by the Bundesrat (second parliamentary chamber) had until now been based on the initiatives of three regional parliaments (Vienna, Vorarlberg and Lower Austria). This demonstrated that only a few regional parliaments possessed the necessary resources and powers; this needed to change in the future. Furthermore, their Europe-wide organisations should be strengthened and they should become active in Brussels themselves, since the regional liaison offices already existing in Brussels were focused solely on the executive level.

Dr Karolina Borońska-Hryniewiecka divided parliamentary relations into two types: horizontal and vertical, as well as political and technical cooperation. The first could be intra-state, meaning cooperation between regional parliaments of the same country, or extra-state, meaning relations between regional parliaments from different countries. In contrast, the intra-state dimension of vertical cooperation included cooperation with national parliaments, whereas the extra-state dimension encompassed connections with the EU institutions, such as the European Commission or the European Parliament. Afterwards, Dr Borońska-Hryniewiecka demonstrated contextual factors behind parliamentary cooperation strategies, such as the institutional context in which parliaments operate, their resources, attitude towards the EU as well as exposure to Europeanization, and presented the results of her studies of regional parliaments in the following five countries: Germany, Spain, Italy, Belgium and the United Kingdom. She underlined that the actual system of cooperation was fragmented and influenced by contextual factors and that in general regional parliaments could be characterised as weak networkers, where the technical prevailed over political cooperation. Concerning the Subsidiarity Monitoring Network of the CoR, which was used by 42 out of 74



Peter Bußjäger

regional parliaments, she had come to a mixed evaluation due to the many passive members, the heterogeneity, or the perceived unnecessary workload. Therefore, extra-state collective channels and the entrepreneur role of the CoR in particular should be strengthened in the future.

Dorthe Christensen described the Commission's relations with regional parliaments in the light of its relations with national Parliaments. Even though it was up to the national constitutional system to decide how regional parliaments were consulted by the national parliaments in the context of subsidiarity monitoring, she made it clear that regional parliaments were expected to be consulted where relevant and that the Commission encouraged the involvement of subnational chambers. Nevertheless, the Commission could not interfere with national set-ups. She emphasised that the Commission encouraged national Parliaments to implement Protocol No 2 as regards the involvement of subnational chambers; the fact that until now only two "yellow cards" had been issued under the Early Warning System and should also be seen on the basis of the thorough preparation process. Ms Christensen stressed that the political dialogue established since 2006 by President José Manuel Barroso had been a success, and that all actors were invited to communicate at an early stage with the Commission in order to have an impact. However, the Commission did not possess the resources to establish a formal political dialogue with regional parliaments in the same manner as that which already existed with national parliaments. Concerning the eight-week deadline, Ms Christensen pointed out that the Commission was bound by the treaties and therefore could not extend the deadline.

In the debate that followed, **Ms Christensen** pointed out that the Commission had set up an alert system for public consultations that could also be used by regional parliaments. Furthermore, she pointed out that the "orange card" in the context of the Early Warning System had not been used yet; the question raised by a number of national Parliaments of whether or not the threshold was too high remained open. **Gregor Raible**, the Brussels-based "observer" for the Bavarian Landtag, stated that the Early Warning System fulfilled an important communication function and that the Bavarian Landtag forwarded its subsidiarity resolutions directly to the Commission, which usually answered within three months. In his final statement, **Dr Bußjäger** described the main challenges for regional parliaments, which should act faster and more efficiently, while CALRE had to evolve as well. **Ms Borońska-Hryniewiecka** agreed that CALRE needed a clear vision and concrete tools, and **Ms Christensen** underlined that an early preparation was also essential for regional parliaments. **Pilar Rojo Noguera** closed the session by emphasising that regional parliaments were the closest to the general public and should therefore be heard by the EU institutions.



Karolina Borońska-Hryniewiecka



Dorthe Christensen



Pilar Rojo Noguera

EU economic governance: what role for regional parliaments and executives?

*Working group 4 discussed how the current changes in economic governance affected the role of the regions at EU and Member State level, and to what extent and in which ways regional parliaments participated in economic policy-making in the EU multi-level governance system. The working group was chaired by **Thomas Wobben**, director for horizontal policies and networks at the Committee of the Regions. The panel included **Professor Iain Begg** from the European Institute at the London School of Economics and Political Science (LSE), **Nicholas Brookes**, director at the Conference of Peripheral and Maritime Regions (CPMR), as well as **Dr Neil McGarvey** from the University of Strathclyde. **Thomas Wobben** opened the session by explaining that fiscal activities at EU level had a direct impact at regional level and on a regional parliament's right to manage a budget. However, in the financial and economic crisis national governments had been in the driving seat for decisions on key reforms. He hoped that the working group would be able to give an insight into how regional governments and parliaments participated in EU economic governance.*



Thomas Wobben

Professor Iain Begg reflected on the four sets of reforms carried out regarding monetary policy, intensified surveillance and discipline, new regulations and new tasks for EU level institutions. He observed that in all these reforms, the regions had no paths of action except via lobbying their government. The consequences of the reforms included less room for manoeuvre for domestic actors and new challenges for legitimacy, since national parliaments were hardly and regional parliaments not at all mentioned in the proposal for a genuine economic and monetary union. In fact, a general shift towards more executive powers for EU institutions was recognisable. Further, Professor Begg identified an inevitable tension between regional responsibilities for regional needs and top-down obligations arising from the EU's key priorities. He concluded that "living with less" in terms of resources for the economy might be the new norm in the aftermath of the crisis. Because the explicit role of the regions in EU governance was limited, there was a need to use other channels and the scope for bottom-up initiatives.

"In EU economic governance regional participation is missing except via lobbying the national government."

Iain Begg

Nicholas Brookes discussed the effects of the European Semester, which in his view left subsidiarity aside as the recommendations covered policies which were traditionally the province of local and regional governments. He would welcome any arrangements to allow regional characteristics and challenges to be fed into the Annual Growth Survey and eventually the Country-Specific Recommendations. Furthermore, he had noted an inconsistency between EU Cohesion Policy and the rules of EU economic governance: structural funds relied on matched funding from national or regional sources, but national public investments were bound by the obligations of the Stability and Growth Pact and the ambition of the EU economic governance to safeguard sound public finances. He welcomed the introduction of investment clauses to exclude certain "priority" investments from the limits of the Stability and Growth Pact and would like to see these reinforced in the future.

Dr Neil McGarvey presented how Scotland participated in economic governance. He explained that macro-economic policy instruments and taxation powers lay at UK level, so that the Scottish government's social policy spending was dependent on UK fiscal transfers. The Scottish government had a positive approach towards the EU and had realigned its economic strategy with the Commission's thematic priorities. The Scottish government published an annual Scottish National Reform Programme, which was referenced in the UK government's Europe 2020 National Reform Programme. Moreover, Dr McGarvey showed that parliamentary scrutiny in cognisance of the growing trend towards intergovernmental approaches in key economic policy areas was extended to consider the Europe 2020 agenda, the Scottish government's action plan and the Commission's work programme. He stressed that the prism of the Scottish independence referendum in September 2014 structured all political debate in Scotland today, and that economic governance and EU membership had been two of the key issues.

In the discussion, **Andrea Forti** from the Committee of the Regions raised the question of how Europe 2020 could contribute to the European Semester. **Professor Begg** explained that since Europe 2020 was a short-term programme it would be absorbed into the long-term European objective of growth and jobs. Further, **Mr Wobben** asked if it was a new perspective for regions when the European Semester included specific recommendations to regions. **Professor Begg** explained that a focus on regions might resemble one-way-traffic, since a governance response from the regional level would be needed, but it was questionable whether it would be done or heard. **Mr Brookes** added that the European Semester amounted to a centralisation process applying a one-size-fits-all-approach. **David R. M. Melding** replied that regions had potential as an economic player, especially when it came to the creation of cohesion in the European Union. **Thomas Wobben** focused in his conclusion on the European Semester and explained that the Country-Specific Recommendations focused on areas in which the European Union did not have any terms of reference, so they touched upon those of the regions. He pointed out that the CoR was in favour of a territorial chapter in the Annual Growth Surveys as well as a territorial dialogue of the CoR with the European Council and the European Commission.



Iain Begg



Nicholas Brookes



Neil McGarvey

Wrap-up session

The wrap-up session summarised the main results of the four working groups. The session was chaired by **Dr Michael Schneider** who was supported by the three chairs of the workshops: **Thomas Wobben**, **Pilar Rojo Noguera** and **David R. M. Melding**.



David R.M. Melding, Michael Schneider, Pilar Rojo Noguera, Thomas Wobben

David R. M. Melding focused on the practical outcomes of Working Group 1, which dealt with scrutinising regional governments on EU affairs by highlighting that the deadline for producing a reasoned opinion within the framework of the Early Warning System should be extended from eight to twelve weeks. Moreover, regional parliaments should become involved at an early stage of the EU legislative process, arrangements should be established where members of the CoR reported back to regional parliament members and joint sessions between the CoR and the European Parliament could be established. Problems still persisted concerning the information overload and a better coordination between the parliaments and governments of the regions.

Thomas Wobben reported from Working Group 2 on EU economic governance. He explained that the EU economic crisis had led to a new governance model. The reforms initiated were having an increasing impact on regional authorities due to the budgetary rules of public investment and to the Country-Specific Recommendations, which touched upon the powers of regional authorities. Until now, it had been one-way-traffic without the active participation of particularly local or regional authorities. A possible solution at regional level had been presented with the Scottish example, since the Scottish government and parliament had developed a specific regional reform programme which strengthened the dialogue with the UK and EU level. At EU level, the CoR could advocate a stronger territorial dimension in Europe 2020 and in the Annual Growth Surveys and enter into a structural dialogue with the European Council and Commission. He concluded that up to now there had been no clear approach regarding how economic and monetary governance could be linked with regional parliaments; researchers needed to identify a more practical way for the future.

Pilar Rojo Noguera summarised four key points from Working Group 3, which addressed the cooperation and communication of regional parliaments. First, horizontal and vertical cooperation needed to be strengthened, which was an area where CALRE in particular could play an important role. Secondly, the institutional capacities of regional parliaments had to be improved. Thirdly, one needed to recognise that the structures of regional parliaments were different in each country, which required better recognition at European level. Last but not least, regional and national parliaments played a crucial role, especially in the political dialogue that had been set up by the European Commission.

Dr Michael Schneider presented the results of Working Group 4 on the participation of regional parliaments in subsidiarity monitoring. He described how regional parliaments had initially welcomed the introduction of the Early Warning System, but over the years they had become increasingly disappointed because of the technical obstacles and the extreme complexity of the procedure. That is why interaction and networking between regions in the EU needed to be improved, in order to exchange information and avoid duplication. The CoR could provide a platform for these tasks. The Austrian example showed that the Austrian regional parliaments had developed a sophisticated system which gave them quite a lot of influence at national level on EU processes. Regarding the activities of the CoR, all participants recognised the progress made in the CoR's subsidiarity strategy, but they also made some recommendations on REGPEX or political networking. The working group also discussed whether the eight-week deadline should be extended to twelve weeks. A wider discussion had developed on how subsidiarity needed to be interpreted. Dr Schneider referred to the motto of the EU, united in diversity, which expressed what subsidiarity should be about.

The future of European integration and the challenges for regional assemblies

The final round table brought together leading politicians from different regional parliaments and representative institutions with academic scholars. The discussion focused on the broader issues concerning the place of regional assemblies in European integration and identified the challenges ahead and the possibilities available for dealing with them. The round table was chaired by **Professor Dr Gabriele Abels** from the University of Tübingen. The panel consisted of **Michel Lebrun**, president of the Committee of the Regions, **Peter Friedrich**, Minister for Bundesrat, European and International Affairs in the state of Baden-Württemberg and alternate member of the Committee of the Regions, **Professor Dr Andreas Maurer** from the University of Innsbruck, **Pilar Rojo Noguera**, president of CALRE, **Raffaele Cattaneo**, president of the regional council of Lombardy, chair of the CALRE working group on subsidiarity and member of the European Committee of the Regions as well as **Isolde Ries**, deputy speaker of the regional parliament of the Saarland and alternate member of the European Committee of the Regions.



Round table panel

Michel Lebrun argued that the results and turnout of the elections of the European Parliament had shown that politics needed to be brought back closer to the general public. He explained what the CoR was doing to fulfil this task. The CoR had adopted a Charter for Multilevel Governance in Europe, which aimed at the recognition of a role for local and regional authorities in Europe and cooperation between all levels, making multilevel governance a reality on a day-to-day basis. The CoR would continue to work for the respect of the subsidiarity principle in the pre-legislative as well as in the legislative phase by strengthening cooperation with other EU institutions and stakeholders to achieve the best forms of legislation. Finally, the CoR would aim to strengthen vertical synergies between the EU and its regions. Mr Lebrun stressed that an increased participation of local and regional authorities would upgrade democratic legitimacy and enrich the European level with regional expertise.

“Regional parliaments can bring expertise to and enrich discussions at European level.”

Michel Lebrun



Michel Lebrun

Professor Dr Andreas Maurer raised a critical point by claiming that regional parliaments did not make full use of their existing powers in EU affairs. He observed that regional parliaments concentrated on reactions in the Early Warning System, but rarely engaged pro-actively in EU Affairs. He referred to the Barroso initiative, which invited parliaments at all levels to contribute to a political dialogue. Professor Maurer warned that if they focused solely on subsidiarity monitoring, regional parliaments might fall into a trap of antagonism, where regional parliaments, as the monitors of subsidiarity, would be seen as “the goodies” and the European Union would be “the baddies.” However, this would not be a fair reflection of reality since European initiatives always represented a compromise between the different levels. He also reminded those present that some hierarchical order in Europe was necessary because if all the actors were constantly involved in all the political stages, this would inevitably result in duplication and anarchy. He concluded that this hierarchical order required some transparency and democratic control, but certain institutions must be able to take the final decision.

Peter Friedrich explained that in the EU different degrees of integration existed and would continue to exist for some time to come. For him, a eurozone parliament would not be conducive to avoiding a fragmentation of parliamentarism. Instead, the European Parliament should be strengthened in all areas of integration. He reminded everyone that low turnouts were not necessarily a sign that trust was lacking, since in local elections the turnout was rather low also, but trust in local politics was rather high. He added that citizens needed to be able to trust politics, and this required institutions that functioned properly and legitimation through procedures. Trust would be diminished if federal and subsidiary structures were annulled, as had happened with the European Fiscal Compact. Mr Friedrich believed that regional offices in Brussels were important as they lobbied for regional interests in EU affairs, but also as a means of working together with other regions, for example in passing common resolutions. He advised the CoR to focus its work more closely on Commission initiatives instead of passing general resolutions and to start some further activities in addition to providing regional support for the Early Warning System.



Andreas Maurer

Pilar Rojo Noguera started by describing CALRE as an association of all 74 legislative assemblies with legislative capacities from eight EU Member States. Since it was a voluntary association, CALRE did not have a pre-existing structure or budget, but was sustained by a desire for cooperation and high personal commitment. CALRE aimed to support European democracy by defending regional principles of democracy and linking regional assemblies closer with each other. Ms Rojo Noguera believed that Europe should be constructed in a bottom-up way, which would require a more efficient inclusion of regional politics for better and more effective governance. She also explained that CALRE was not constructed in opposition to the European Parliament; on the contrary, cooperation with the European Parliament would have the potential for a mutual reinforcement of democracy. She reported that CALRE had signed the CoR's Charter for Multilevel Governance. However, she pointed out that regional assemblies were not very well represented in the CoR; instead, CoR members tended to be representatives of regional executives.



Peter Friedrich

Raffaele Cattaneo declared that a stronger political dialogue between regions and the EU was absolutely necessary. He believed that it was time to leave old habits behind and recognise regions not just as an audience, but also as protagonists in the EU: the participation of regional parliaments should not just be reduced to a procedure. "United in diversity" meant that the EU was not striving for uniformity, but for a symphonic approach that allowed European regions to contribute to the whole by playing their own distinctive instrument. To achieve this objective, true multilevel governance must be established. This required the creation of dialogues between regional and national parliaments, between national parliaments and the European Commission as well as between the regional parliaments themselves. Mr Cattaneo declared that the long-term objective would be a European Senate of the Regions as a third chamber representing local and regional authorities and territorial interests at EU level.



Pilar Rojo Noguera

"The regions are not just an audience for European decisions, but rather are protagonists, especially when implementing European policies."

Raffaele Cattaneo

Isolde Ries explained – in reply to Professor Maurer – that the involvement of regional parliaments in EU affairs was not just a question of willingness, but also highly dependent on the availability of resources and trained staff. Because of such limitations regional parliaments were forced to concentrate on key responsibilities and capabilities. She pointed out that decisions in the European Union often seemed remote to the general



Raffaele Cattaneo



Isolde Ries

public. Subsidiarity monitoring and the use of channels for institutional dialogue could enable regional parliaments to participate in EU affairs, thus bringing European issues and instruments closer to the public. Regional parliaments should communicate more with their voters to generate trust in European legislative procedures. She concluded that technical procedures within the regional parliaments were still not up to scratch but hoped this could be solved with support from the CoR, which she hoped could be an even stronger catalyst for boosting political consciousness in the future.

In the debate, **Mr Wobben** asked when would be the ideal point in time to start proactive action to influence Commission initiatives. **Professor Maurer** replied that the Commission work programme should be closely monitored both by parliaments and by COSAC and CALRE so that they could identify priority initiatives and be able to exert some influence on their development. However, it would also be important to take declarations of the European Council more seriously and to hold governments accountable at an early stage before the Commission drew up initiatives. **Dr Bußjäger** asked about the tasks and responsibilities of the CALRE working group on subsidiarity. **Mr Cattaneo** explained that the working group identified priority initiatives in the Commission work programme and created an exchange of best practices and experiences with subsidiarity monitoring. He advocated closer cooperation with the CoR. Since the CoR maintained the right to bring an action before the European Court of Justice on the grounds of infringement of the subsidiarity principle, **Mr Lebrun** saw a special obligation for the CoR to organise the subsidiarity procedure. A further debate developed on the utility of territorial impact assessments. **Professor Maurer** expressed concern about a possible division of the internal market if regional safeguards were introduced into European legislation. **Mr Wobben** argued that for sensitive issues of European legislation, the territorial effects must be clear and this would be the first step towards better regulation.

Professor Abels concluded that during the day some remarkable ideas and initiatives had been developed by the participants. She noted that plenty of expectations had been placed in the CoR, but reminded those present that resource problems were being encountered not just by regional parliaments but also by the CoR. Professor Abels closed the conference by thanking the speakers, organisers and participants for making the event such a success.



Strengthening the role of regional parliaments in EU affairs

On 2 July 2014, the European Committee of the Regions and the holder of the Jean Monnet Chair at Tübingen University, Gabriele Abels, jointly organised a conference on the role of regional parliaments in EU affairs in Brussels. Attracting about 100 practitioners from regional parliaments' administrations, officials from regional representation offices in Brussels, representatives of EU institutions and experts and Brussels-based think tanks with an interest in regional affairs, the conference highlighted the challenges facing regional parliaments in the context of subsidiarity control, economic governance, cooperation and communication.

These proceedings as well as speeches, presentations, photos and videos can be found at: www.cor.europa.eu/regparl



Organisers

Prof Dr Gabriele Abels
Jean Monnet Chair
Eberhard Karls University Tuebingen
Institute of Political Science
Melanchthonstr. 36
D-72074 Tübingen
Germany
Telephone: +49 70 71 – 29-7 83 69
Mail: gabriele.abels@uni-tuebingen.de

Committee of the Regions
Rue Belliard 99–101
B – 1040 Brussels

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