

Europäisches Zentrum für
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(EZFF)

Justus Schönlau

Balancing Democracy and Information:

**The European Committee of the
Regions' Contribution to EU Multi-
Level Governance**

Herausgeber: Europäisches Zentrum für Föderalismus-Forschung
Tübingen (EZFF)

Anschrift: Haußerstraße 43
D-72076 Tübingen
Telefon: +49 (0)7071-29 77368
E-Mail: ezff@uni-tuebingen.de
Internet: www.ezff.de

Vorstand: Prof. Dr. Gabriele Abels (Sprecherin)
Prof. Dr. Jochen von Bernstorff, LL.M.
Prof. Dr. Cecilia Bruzelius
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Koordination: Thomas Klöckner, M.A.

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Balancing Democracy and Information: The European Committee of the Regions' Contribution to EU Multi-Level Governance

Justus Schönlaui¹

1. Introduction

On 18 and 19 March 2024 the European Committee of the Regions (CoR) organised the 10th Summit of Regions and Cities in the Walloon city of Mons, supported by the Belgian EU Presidency-in-office. The event focused on 'Global challenges, local solutions', 'Cohesion, well-being and sustainability', 'Local means innovation' and 'Cities and regions at the heart of democracy' (CoR 2024b). In the year of the 30th commemoration of the first CoR plenary session in 1994, and just months before the 10th European elections in June 2024, the CoR thus highlighted the important role of sub-national authorities in delivering the results of democratic decisions in the European integration process. To achieve this goal, the Committee built on previous efforts to strengthen its role under the EU Treaty as a "voice" of regions, cities and municipalities as part of its advisory activities, but also beyond its 'mere consultation' (Schönlaui 2017). In an environment of growing geopolitical tensions and threats to democratic structures, including within the EU, the Committee is trying to explore different avenues to promote exchange and cooperation between and across different levels of the EU's *multi-level governance*-system in the transition to sustainability in a wide sense.

In these efforts, the CoR faces similar challenges as it did at its creation 30 years ago, although the context has significantly changed and evolved since then: As an "advisory body" (Art. 300 TFEU), which is "consulted" by the EU institutions (Art. 307 TFEU), the CoR needs to work as closely as possible with these institutions. At the same time, the Committee faces different and sometimes conflicting expectations from its institutional partners as it seeks to increase its influence by referring to the democratic legitimacy of its elected members on the one hand (Piattoni/Schönlaui 2015) and, on the other hand, by providing in particular the European Commission with expertise and information on the needs and activities of cities and regions. In this context it is important to note that the CoR signed renewed and enlarged cooperation agreements with both the European Parliament and the European Commission in 2024, which consolidate a number of new forms of cooperation in this dual logic of democracy and information (see below).

This paper explores different examples of how the CoR tries to combine the 'political' and the 'factual' elements of its contributions to EU policy-making. An examination of

1 The author is a member of the Secretariat of the Party of European Socialists' Group in the European Committee of the Regions. The content of this article represents the author's personal opinion. An earlier version ("*Der Europäische Ausschuss der Regionen: mit 30 aktiv bei der Gestaltung eines nachhaltigen Mehrebenensystems in der EU*", published in the "Yearbook of Federalism 2024") greatly benefitted from comments and suggestions by Stefan Gänzle, Matthieu Hornung, Bert Kuby, Wolfgang Petzold and Inês Roseta. The author is grateful to numerous colleagues in the CoR administration who have provided information for this article.

the CoR's activities on the implementation of the *European Green Deal* and *Better Regulation* illustrates how the Committee manages the competing and sometimes conflicting demands – from its members, as well as from its institutional partners and other stakeholders in EU policy-making – for political legitimacy and factual information about the effects of European integration on the ground in the EU's territories. By constantly balancing these elements within the framework of its formal mandate and limited resources, the CoR tries to contribute to the overall sustainability of the EU's democratic system.

2. Formal and informal involvement in the European decision-making processes

The Committee of the Regions was created by the Maastricht Treaty (1992/93) as a consultative body based on the model of the European Economic and Social Committee which had been created by the Treaty of Rome (1957/58), and thus shared its task to provide 'information' on, and voices for, a particular set of stakeholders. It was this function that the European Commission was mainly interested in at the outset (Piattoni/Schönlau 2015: 33f.; Wassenberg 2020 28ff.). Yet at the same time, some of the more powerful sub-national entities which were pushing for the creation of a new EU-level body to promote their interests, (notably the German *Länder*), did so on the strength of their own claim to democratic legitimacy and representation (Wassenberg 2020). Thus, the very origins of the CoR were characterised by diverging expectations, which continue to shape the (self-) perception of the institution and its members.

These varying expectations and the limited resources of both the 658 CoR members² – who have to carry out their activities in the Committee in addition to their office at local or regional level – and the relatively small CoR administration make it essential to develop creative ideas to continuously balance the different forms of participation in the decision-making process (Schönlau 2017). In order to maximise the influence of the CoR and that of local and regional authorities more generally in EU decision-making, it is necessary, on the one hand, to maintain and – wherever possible – improve the CoR's *formal* monitoring of new EU policies or legislative proposals through opinions while pushing for more formal competencies for the Committee at the relevant inter-institutional junctures, and, on the other hand, to permanently develop and review the effectiveness of its *informal* or "extra-curricular" activities (Hönnige/Panke 2016). These attempts to influence the institutional partners and thus the integration process take the form of a large variety of networks, information-gathering, events, communication and exchange activities.

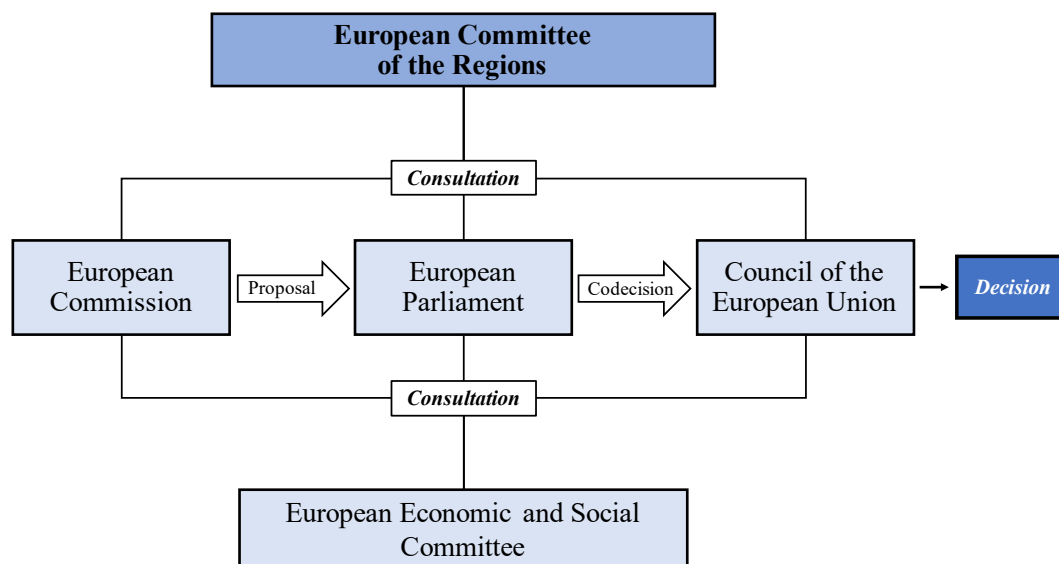
2.1 The CoR's formal role in the EU legislative process

In the fulfilment of its institutional role, the CoR's 'core business' is still the adoption of 'opinions' which, in most cases, respond to consultations by the European Commission,

2 Following Brexit, the CoR currently has 329 full and 329 alternate members.

the European Parliament or the EU Council of Ministers and its rotating presidency. These opinions provide suggestions on draft legislation or policy initiatives, ideally as early as possible in the inter-institutional negotiation process.

Fig. 1: The CoR and EU decision-making



Source: Own image; based on [“Welcome to the Committee of the Regions”](#) (Aug 29, 2014).

Another important prerogative of the CoR in this context is, of course, the right to issue opinions of its ‘own-initiative’ which allow the Committee to put certain issues of concern to its members on the EU agenda. Following discussions in the early part of the CoR’s existence on the ‘ideal’ number of opinions per year and on how to avoid an ‘inflation’ of opinions (Piattoni/Schönlau 2015: 70), the overall number of opinions has been relatively stable in recent years. The number of own-initiative opinions follows the EU’s institutional cycle: when the CoR receives fewer consultations (as is the case, for instance, when the legislative activity of the Commission and Parliament slows down due to upcoming European elections), the number of own-initiative opinions increases. In the CoR’s current term of office 2020–2025, the available figures so far are:

- 2020: 13 own-initiative opinions out of 56
- 2021: 11 own-initiative opinions out of 69
- 2022: 08 own-initiative opinions out of 63
- 2023: 19 own-initiative opinions out of 53 (CoR 2024c)

In this context, it is also important to note that own-initiative opinions have been subject to growing political control through successive amendments to the CoR Rules of Procedure (RoP).³ These rules were progressively tightened to ensure the political/

3 For the current version of the CoR Rules of Procedure (November 2024) see Official Journal EU 2024c.

institutional relevance of proposals for own-initiative opinions before the CoR commissions and rapporteurs start working on them. In 2004, the threshold for launching an own-initiative in the CoR Bureau was increased from a simple to a two-thirds majority. Furthermore, a requirement for such proposals to be politically approved first by the relevant CoR commission (and to be supported by the rapporteur's political group) before being formally validated by the CoR Bureau was introduced in 2006. More recently, the 2021 revision of the RoP stipulated that the responsible commission must first adopt the proposal for an 'own *political* initiative opinion' by a two-thirds majority before the CoR Bureau then approves it by simple majority (Rule 45), thus giving more weight to the political discussions about a given proposals in the commissions.

Beyond these procedural considerations to ensure the political relevance of its own-initiative opinions, the CoR has also made a clear effort to increase the 'usefulness' of its formal political work for stakeholders in the EU co-decision process. Over the years, the CoR has continued to align its political work as much as possible with that of the European Parliament, recognizing that it can best influence EU legislation if the EP committees take up CoR proposals as their own position in the co-decision process. An important step in this regard was the introduction of the requirement that opinions on legislative proposals must contain concrete amendments to the text proposed by the European Commission, which was anchored in the RoP in 2007 (see Rule 55.3 of the current RoP; Decoster et al. 2019). This step was taken in order to ideally allow Members of the European Parliament to take over CoR recommendations directly, even at the risk that the origin of any such ideas would not always be attributable to the Committee.

In the most recent reform of the Committee's internal rules (adopted in June 2024 and entered into force on 15 August 2024; see Official Journal EU 2024c), important new steps have been taken to emulate the European Parliament and thus, on the one hand, to reinforce the CoR's self-image of being a 'political' institution, and, on the other hand, to make cooperation as smooth as possible. For instance, the new RoP contain a new category of 'urgent opinions' with specific procedural arrangements (Rule 44) to allow the CoR to react more flexibly to requests for input from other institutions. Moreover, the new rules also formalise a previously informal category of 'outlook opinions' where the other institutions consult the CoR 'on future Union policies before action is taken at Union level or on the implementation of a policy' (Rule 41d). In line with practices in the European Parliament, the CoR rules now also describe in more detail (in their *vademecum* part) the role of 'shadow rapporteurs', i. e. representatives from other political groups accompanying the official CoR rapporteurs in their preparation of an opinion. This is intended to increase the number of political channels between CoR and EP members. Last but not least, the CoR Bureau, the Conference of Presidents and the CoR commissions now also have the formal opportunity to adopt 'political declarations' (Rules 37, 48 and 51 respectively) in order to give the Committee yet another tool to contribute its political ideas to the EU debate. While it remains to be seen how these instruments will be used and how effective they will be in creating visibility for the CoR and its messages, they clearly underline the ambition to be a fully-fledged player in the inter-institutional game.

In order to further strengthen the political weight of its opinions, it is of course essential that the CoR lives up to its claim of democratically representing a particular group of stakeholders. In this context, it is significant that the 2024 RoP reform makes a strong point in trying to improve gender equality in the CoR, given that only around 26 % of CoR members were women in 2024.⁴ While this is clearly a weak point for the Committee's claim to representativity, it has to be noted that CoR membership is decided upon by the national associations of the different levels of sub-national government in the EU Member States. In addition to calling on the Member States to improve the gender balance of their respective delegations⁵, the CoR is also using its internal rules to increase pressure and create incentives for a better gender balance: The 2024 changes to rules on speaking time in the plenary (Rule 20), the composition of the CoR Bureau (Rule 31), the composition of joint consultative committees and working groups with non-EU countries (Rule 37-*vademecum*), the composition of CoR commissions (Rule 49) and on the nomination of rapporteurs (Rule 62) now all feature explicit references to the goal of gender equality.

The most significant new instrument for the CoR – from an institutional perspective – may, however, prove to be the newly introduced Rule 58 on 'participation in trilogues'. This new rule, by which the CoR authorizes its own Secretary General to ask the EU institutions for 'access to trilogue documents related to specific legislative proposals that fall within the Committee's competences', must be seen in the context of the negotiation of new cooperation agreements between the CoR and the European Parliament and the European Commission respectively. Getting access to the tri-partite negotiations of EU legislative files had been a key demand of the CoR. While this request was not met through either of the bilateral cooperation agreements in 2024, the new rule (which also foresees the possibility of appointing CoR 'observers' to the trilogues in its second paragraph) can be seen as a preparation for future changes in this domain. By anticipating, for instance a revision of the current inter-institutional agreement on better law-making, the Committee thus tries to push the boundaries of its own Treaty-based mandate and to stake claims for future developments in its relations with the Parliament and the Commission.

The most recent changes to the RoP can therefore be seen as a continuation of the institutional activism which had already driven the gradual development of the CoR's internal rules observed in earlier phases.⁶ They contribute to further expanding the CoR's formal tools to shape the EU policy process and EU-level debates, within the confines of the existing legal and institutional system.

4 Figure referring to the situation in October 2024, in view of the discussion of "Taking Forward the CoR Gender Equality Action Plan State of Play" at the CoR Bureau on 7 October 2024 (CoR 2024c).

5 The CoR President wrote to the Secretary General of the Council of Ministers as well as to the heads of national delegations asking them to improve the gender equality in the nomination of their respective CoR delegation (see *ibid.*).

6 For changes between 1994–2014, see Piattoni/Schönlau 2015: 59ff.

2.2 *Extra-curricular activities and information*

In parallel and in addition to these formal institutional developments, the CoR has – over the past three decades of its existence – also experimented and deployed a wealth of networks, initiatives and tools to harness the different experiences and competences of local and regional authorities at EU level in various thematic areas (Schönlau 2020). CoR members, but also the CoR administration had to be creative and innovative to find additional formats to bring issues of relevance on the ground into the Brussels debates at an early stage. To be successful and become effective, however, such efforts always depend on a minimum of openness and willingness on the part of the European Commission and the Parliament. This has most often been the case so far in those thematic areas where the CoR or local and regional authorities have obvious competencies, for example in the field of EU regional or cohesion policy. Here the CoR has for a long time been actively involved in the long-term development and defence of the very concept of EU cohesion policy and its specific principles, not least in the recurrent negotiations of the seven-year Multiannual Financial Framework (MFF) (Schönlau 2016; Wobben 2022).

The so-called *Cohesion Alliance*, initiated with other associations and institutions at different levels of government, is an interesting example of the type of activity that the CoR has undertaken “beyond” its work on opinions. The Alliance was jointly initiated in 2017 by the CoR and the territorial associations AER, AEBr, CALRE, CPMR, CEMR and Eurocities to promote a specific vision and design for the EU cohesion policy in the negotiations on the MFF 2021–27. Since then, the network has continuously promoted a comprehensive cohesion policy, open to all EU territories, as a key pillar of integration. The Alliance currently brings together more than 12.000 individuals, 140 regions and more than 50 associations, and in 2022 adopted a renewed declaration which sets out key elements for the debate on the future of EU cohesion policy (CoR 2022) in the run-up to the political discussions on the future MFF (2025–32). The political messages of the Alliance declaration also informed the CoR opinion on the Future of Cohesion Policy by CoR President Vasco Alvares Cordeiro (PES) and COTER chair Emil Boc (EPP), which turned them into concrete and detailed proposals to EU legislators (CoR 2023a).

Another important CoR initiative – which started rather informally in the same thematic area, but which has become quite formalised over the years – is the annual *European Week of Regions and Cities* (EWRC). The project began as the “Open Days” in 2003 at the initiative of the CoR, to create links with the Brussels-based regional representation offices. Since 2004, the event has been organised jointly by the CoR and the European Commission’s Directorate General for Regional and Urban affairs (DG REGIO) and was re-named ‘European Week of Regions and Cities’ in 2016 (Andersson/Cook 2019). The week nowadays consists of more than 200 events and workshops and is no longer based only in Brussels, but also involves activities within the territories of regional partners across the European Union under a different general theme each year. In 2023, the EWRC’s events were attended by more than 10.000 participants (on-site and online) with a specific interest in EU regional and urban matters (CoR 2024c: 20). This occasion provides visibility not just for the CoR and its members, but also for local and regional

officials and their respective projects, and helps building networks between them and the EU institutions (Neascu/Petzold 2015). By becoming 'institutionalised' to a certain degree, the EWCR illustrates the CoR's ability to draw on, and to further develop, its networks for information from the ground, in exchange for access to the EU-level decision-making structures. It is significant that the EWRC involves local and regional stakeholders far beyond the cohort of CoR members, thus providing another kind of response to the dual 'information and legitimation' expectations.

2.3 Cooperation with other EU institutions

While it is not possible to precisely quantify and compare the impact of the different forms of influence, it is clear that one condition for, and measure of, their success or failure must be the willingness of other EU institutions to cooperate more closely with the CoR. Again, this cooperation within the Brussels policy-making process comprises different, more or less formalized elements. As far as more formal cooperation with the two main target institutions for the CoR's political work is concerned, the above-mentioned renewal and expansion of the cooperation agreements with the European Commission and the European Parliament in 2024 constitute important progress for the CoR in both its political and its information-providing role: The renewed agreement with the Commission strengthens the CoR's role by officially recognising the concept of *active subsidiarity* as a central element of the CoR's contribution (see below) to better regulation and confirms the Committee's role in gathering information and developing common thematic priorities with the EU executive. The agreement also explicitly mentions *new* forms of cooperation (Official Journal EU 2024b: § 22f.) which have yet to be developed, thus underlining the dynamic understanding of the relationship between the two bodies.

The extended basis for cooperation with the European Parliament similarly emphasises the adaptation of the formal cooperation modalities to practical developments of recent years, but also contains a recognition of the concept of active subsidiarity (CoR 2024d: § 26). Like the European Commission, the EP welcomes the CoR's work in areas such as *Territorial Impact Assessment* (TIA) and subsidiarity monitoring, each based on the information that the CoR can communicate from the local or regional levels to the EU institutions via its members and networks (ibid.: § 27). Beyond these elements, however, the revised Cooperation Agreement also underlines the importance of enhanced *political* communication, not least in view of the 2024 European elections and beyond. The agreement thus acknowledges the political/democratic importance of sub-national levels of governance and their representatives, and the EP and CoR commit to closer cooperation in communicating EU policies and priorities towards EU citizens.

The cooperation agreement also makes explicit references to associating elected representatives of sub-national levels beyond the limited number of CoR members with EU policy making, for example through the CoR's *Network of Regional and Local EU Councillors* (ibid.: § 33). This network was initially launched as a pilot-project by the CoR in 2021 in order to reach a larger number of the (estimated) 1,2 million represen-

tatives elected at local or regional level across the EU.⁷ The network (which counts currently close to 4000 members) can be joined by any elected politician at sub-national levels and offers targeted information resources and online-trainings on EU matters and CoR activity, as well as the possibility to feed in or raise questions via surveys run among the network participants. Curiously, in parallel a similar initiative called *Building Europe with Local Councillors* (BELC) was launched in 2022 by the European Parliament with the support of the European Commission.⁸ This BELC-initiative was set up as a response to a recommendation from the *Conference on the Future of Europe* (CoFoE) and is focused on building a network to help local councillors exchange views on EU matters. Following intense negotiations between the CoR, the EP and the European Commission, the three institutions agreed to merge both projects in order to avoid duplication and confusion among the target audiences. The political guidelines of European Commission President von der Leyen of July 2024 explicitly refer to cooperation with the CoR and its network of “more than 3000 local councillors” in order to improve “citizen engagement” in this sense (European Commission 2024a: 24).

These examples illustrate how the CoR has, at different levels, established itself as an institutional actor over the past 30 years even without the formal status of an EU institution. It has done so by combining its traditional advisory role with more far-reaching, innovative and independent initiatives in strategically important areas.

3. Multi-level governance for Sustainability and Better Regulation

In the following, two specific areas of policy activity of the Committee of the Regions are presented, in which it seeks – through a combination of formal instruments (in the sense of the CoR’s EU Treaty-stipulated role, i. e. opinions) and informal activities (such as the creation of networking structures, events and information gathering) – to advance the sub-national perspective and views of its members, thus strengthening its own position. The examples of the CoR’s response to the European *Green Deal* package on the one hand, and its engagement with the wider and evolving *Better Regulation* agenda of the EU on the other, are particularly illustrative of how the Committee addresses topics in the wider EU debates by offering the specific experiences and expectations of the local and regional levels, together with the political authenticity and associated (or hoped-for) legitimacy of its members, to the other EU institutions.

7 See *European Network of Regional and Local Councillors. Bringing Europe to local communities*. <https://cor.europa.eu/en/our-work/cooperations-and-networks/european-network-regional-and-local-councillors> (08.01.2025).

8 See *Building Europe with Local Councillors. A network of EU local councillors, working together to communicate on EU-related topics*. https://building-europe-with-local-councillors.europa.eu/index_en (08.01.2025).

3.1 *A Green Deal from below*

One area where the CoR's engagement and the interest of the EU institutions in cooperating with cities and regions has increased significantly in recent years is the response to climate change and sustainable development. The recognition that a socially just, democratically legitimate and territorially balanced transition to sustainability across a whole range of policy areas – including energy, transport, agriculture, the environment and climate change adaptation – would also require close dialogue with representatives of the sub-national levels has led to new forms and levels of cooperation. Reminiscent of the CoR's work in general, the link between democratic legitimacy from the bottom-up and the search for better information flows between EU and the local/regional level are both challenges and driving forces for political activity in this field.

As early as 2006, the European Commission had started to explore the idea of anchoring the emerging EU climate policy at the level of individual cities, with the help of prominent mayors, in the hope of increasing citizens' acceptance of the fundamental transformations required (Schönlau 2020: 200). The initial approach of bringing together Europe's 20–30 largest and most advanced cities with an interest in active climate policy became the *European Covenant of Mayors* from 2008 onwards, a network which currently comprises more than 11.500 cities, municipalities and regions (Melica et al. 2018; Domorenok et al. 2020).⁹ While the CoR did not take up the role of becoming the organiser of the Covenant as initially proposed by the Commission (Di Martino 2019), the Committee has been an active political supporter of this forum, promoting the growing awareness of the sub-national dimension of climate policy at EU and global levels. These efforts also include close cooperation between the CoR and *Local Governments for Sustainability* (ICLEI)¹⁰, aimed at bringing the voice of EU local and regional authorities to the UN Climate CoPs, to which delegations of the Committee are regular participants. Yet, the Covenant of Mayors, with its emphasis on the municipal and urban perspective, is only one element of the CoR's localisation strategy for EU climate policy.

Not least at the CoR's insistence, the *European Green Deal* (European Commission 2019) recognises the importance of a close partnership between different levels of governance: the text explicitly refers to the local and regional dimension of various measures, including the *Renovation Initiative*, the air quality plans and the *Horizon-Programme* for research. Moreover, the Green Deal stresses the role of local and regional authorities in shaping the proposed *Climate Pact* to involve citizens in the transformation processes (ibid.: 22f.). In response, and in line with its political priorities for the 2020–25 term of office, the CoR launched its *Green Deal Going Local* programme in June 2020; consisting of a package of measures and initiatives aimed at promoting the integration of the different content aspects of the Green Deal horizontally (between CoR working areas and commissions) and vertically (between the EU and the local level).¹¹

9 See *Covenant of Mayors – Europe*. <https://eu-mayors.ec.europa.eu/en/home> (08.01.2025).

10 See *Local Governments for Sustainability. About us*. https://iclei.org/about_iclei_2/ (08.01.2025).

11 See *Green Deal Going Local. Achieving climate neutrality, leaving no one behind*. <https://cor.europa.eu/en/our-work/political-priorities/green-deal-going-local> (08.01.2025).

To this end, the CoR also created a horizontal political working group of thirteen CoR members, chaired by the President-in-Office of the *Commission for the Environment and Climate Action* (ENVE), to steer and coordinate the various activities in this context. The Green Deal Going Local Working Group (GDGL) is a novelty for the Committee as it brings together members from all six thematic commissions and all political groups, reflecting the holistic approach of the Green Deal itself to achieve the fundamental transitions to sustainability. One of the key tasks of the Group is to “ensure a coherent and consistent strategy with regard to the different political projects and related opinions”, across the activities of the different CoR Commissions and their respective opinions on different legislative elements of the Green Deal.¹² At the same time, the horizontal discussions in the GDGL also provide the political validation for a wide range of activities developed by the CoR administration in cooperation with institutional partners and local and regional authorities.

To this end, the Working Group developed the *Green Deal Going Local campaign* with four main objectives:

- *Accelerating* the absorption of EU funds by local and regional authorities and increasing EU support for sustainability projects at local level;
- *Empowering* European local and regional leaders on climate action;
- *Showcasing* the leading role of the sub-national level in the EU in the fight against climate change; and
- *Changing* EU policies to strengthen the sub-national level to enable it to actively contribute to the implementation of the Green Deal.

The campaign proposes ten actions for local and regional authorities in the EU (Green Deal Going Local Campaign 2021). More specifically, the package includes political lobbying with the EU institutions to raise their awareness of local and regional concerns, as well as concrete support for local and regional authorities in the implementation of sustainability projects. This involves mainly the provision of information, whether in the form of a manual and regular updates on calls for application to EU funding programmes, or through events and platforms for the exchange of best practices. These offers, which are aimed not only at CoR members themselves but also at representatives of other local and regional authorities at working or political level, are part of the Committee’s follow-up to the legislative and political framework for the implementation of the Green Deal.

In addition, there are a number of *ad hoc* as well as more long-standing cooperation activities, such as the aforementioned participation of CoR delegations in the CoP climate or biodiversity negotiations in cooperation with ICLEI and other organisations or climate change-related events in the context of the *Summit of Regions and Cities* – all aimed at drawing attention to the important contribution of the subnational level to climate change mitigation and adaptation efforts. These are combined at the formal level with strategic own-initiative opinions, such as the one by the current chair of the Green Deal Working

¹² Ibid.

Group and ENVE Commission, Rafał Trzaskowski (Mayor of Warsaw, EPP) and the 1st ENVE Vice-Chair, Kata Tüttö (Vice-Mayor of Budapest, PES) on 'A global Green Deal: Harmonisation of global frameworks for climate action, biodiversity and sustainable development' (CoR 2024a). This opinion sets out concrete proposals to UN member states and organisations, as well as to the EU institutions, to better involve cities and regions in climate action at all levels, thus underlining a global multi-level governance approach to these challenges.

In the area of climate change there is thus a growing awareness of the need for inclusive responses to complex problems and the usefulness of engaging even with a formally weak institution such as the CoR. This approach is also reflected in the academic debate, in which increasing attention is being paid to the formal and informal roles of different levels of government in the fight against climate change (Jørgensen et al. 2015; Core 2023). Even though there is only little precise measurement of the impact of the specific CoR activities in this context thus far (Messina 2021), the other EU institutions are increasingly interested in deepening their cooperation with a body representing sub-national authorities— not least due to the growing opposition of certain stakeholders to the Green Deal and its concrete impact. The President-in-Office of the Council of the EU in the first half of 2024, Belgium's Prime Minister Alexander De Croo, said at the CoR Summit on 19 March 2024:

"From climate change, to the digital transition, regions and municipalities are those who provide answers to citizens' needs and tackle divides. In this time, they are therefore decisive to face populism and the idea that politics is far away from citizens, as they can increase transparency of political decisions and proximity" (CoR 2024b).

In this political situation, and also in view of certain centralisation tendencies in sensitive EU policies such as the *NextGenerationEU* recovery plan (Zeitlin et al. 2023), the CoR may thus have additional arguments to consolidate or even increase its influence and that of its members. The profound transitions imposed by the need to achieve climate neutrality by 2050 and the challenges of reaching the UN's Sustainable Development Goals create new political pressures at the different levels of governance. These, in turn, provide incentives to test new forms of participation and information transmission. An interesting initiative in this regard is the link which the CoR has made between the local/regional perspective on the Green Deal and innovative tools in policy-making such as *strategic foresight*: In close cooperation with the European Commission's *Joint Research Centre*, the CoR organised an interactive workshop "*Towards a Green Deal 2.0 with the support of strategic foresight*" (CoR 2023e) in November 2023, where CoR members, with the assistance of EU officials, developed different future scenarios for the transition to sustainability and climate neutrality. This example and similar initiatives offer the opportunity for the CoR to turn the competing expectations it faces – as a level of political legitimisation for EU policies on the one hand and as a provider of expertise on the local specificities in different EU territories on the other – to its advantage by promoting a wider acceptance of long-term policies with the help of concrete experiences and proposals from the local and regional level.

3.2 “Bottom-up” better regulation

The CoR’s activities to further develop EU governance and, in particular, ‘better regulation’ are moving in the same direction, albeit in a policy field which is somewhat less visible. The ‘better regulation agenda’ was launched by the European Commission to improve the effectiveness and thereby also the legitimacy of political action at EU level (European Commission 2021, 2023). In its contribution to this debate, the CoR builds on its formal role in monitoring compliance with the principle of subsidiarity (Nicolosi/Modelt 2020). The CoR and the principle of subsidiarity were both enshrined in the EU Treaties at the same time, with the Maastricht Treaty. The Committee’s role in safeguarding and implementing subsidiarity was significantly strengthened by the Lisbon Treaty which bestowed on the Committee the right to appeal to the European Court of Justice when the former is of the opinion that the subsidiarity principle has been breached. On this basis, the CoR has developed its own vision on subsidiarity and on better regulation more broadly. As in other domains, the CoR has to strike the delicate balance between formulating general political demands and at the same time providing concrete information on possible difficulties in the day-to-day implementation of EU legislation. Interestingly, as with the Green Deal, the Committee seems to have succeeded in seizing opportunities in the inter-institutional sphere by promoting its specific knowledge and its structural attributes – representing different levels of sub-national government – as a constructive contribution to the integration process. In the ongoing debate on how to make the EU more efficient and bring it closer to its citizens at the same time, the CoR is yet again taking a two-pronged approach:

On the one hand, the CoR seeks to give concrete meaning to its own concept of *active subsidiarity* from the point of view of the sub-national levels of the EU. This deliberate expansion of the subsidiarity concept is meant to help move the debate beyond the already long and ultimately inconclusive debate on the ‘right’ distribution of competences between different levels in the EU system, which, in the CoR’s view, suffered all too often from a rather narrow focus on the relationship between the EU and the Member States. The Committee therefore tried for a long time to develop a more dynamic and constructive understanding of ‘subsidiarity’. The CoR’s approach to this issue is rooted in previous initiatives on multi-level governance (Piattoni/Schönlau 2015: 49f.; Pazos-Vidal 2019) but came to real fruition during the participation of three CoR representatives in the *Task Force on Subsidiarity* created by Commission President Juncker in 2018 (Lambertz 2018; Schneider 2019) as part of his attempt to launch a new discussion on the future of Europe.

The work of this Task Force, which was chaired by then Commission Vice-president Frans Timmermans and in which the European Parliament significantly decided not to participate, provided an opportunity for the CoR representatives to feed a number of their own conceptual ideas and concrete proposals into the European debate. The absence of MEPs in the Task Force allowed the three CoR members additional space and visibility, and the solid support they received for their participation from permanent CoR staff gave them some advantages over the representatives of national parliaments with whom they were discussing (Lambertz 2018). While the longer-term implications of the final report

of this Task Force and its proposals, which were shaped to a significant degree by the CoR representatives, may not yet be fully foreseeable (Calliess 2023), they mark an important step in the ongoing inter-institutional debate on EU governance. In fact, the Task Force report certainly helped to prepare the ground for the next major institutional exchange on central questions of this kind: A number of the Task Force proposals, mainly aimed at strengthening the involvement of local and regional interests in the EU decision-making process, found their way into the final report of the 2022 Conference on the Future of Europe – once again with the active involvement of the CoR and its representatives (Petzold 2022; Abels 2023).

While political and academic debates are still ongoing on the eventual fate of the 49 proposals and more than 320 measures recommended by the Conference¹³, the imprint of the 18 CoR members and the 12 other representatives of regional and local authorities, who were informally supported by the CoR as part of its delegation in CoFoE is quite clear: Proposals for the strengthening of the role of the CoR as such (proposal 39.2) and the better involvement of regional parliaments (proposal 40.2), as well as the explicit recognition of *active subsidiarity* and the multi-level governance system (proposal 40.1.), were developed in the CoFoE Working Group on European Democracy, chaired by then CoR President Apostolos Tzitzikostas (Petzold 2022: 69). In this enlarged and much more politicised context of the Conference – involving not only representatives of the EU institutions and national governments, but significantly also randomly selected EU citizens –, the CoR could rely on its previous political work in the Task Force and its well-developed networks in the EU institutions, notably the Parliament and the Commission, but also on its members' territorial links throughout the EU to promote its own ideas.

These connections have been built in the area of 'better regulation' over a number of years and through concrete initiatives. Since 2018, the CoR has developed, as its original contribution to improving the available information in the policy-making process – and thereby the results of said process – a network of so-called *Regional Hubs* (RegHubs). This network currently encompasses a group of 46 regions and 10 observers who, under the coordination of the CoR, provide information on the implementation of EU legislation at sub-national level (Schönlau 2020).¹⁴ Initially launched as a pilot project by the CoR, the network was formally integrated by the European Commission into the then newly created *Fit4Future* platform in 2020 which is the Commission's high-level expert group to simplify EU regulation and reduce unnecessary administrative burden in the context of its *Regulatory Fitness Program*.¹⁵ Since 2021, the Committee has been present with three

13 The European Parliament has made available a dedicated website in March 2024 to make the follow-up to the CoFoE recommendations transparent (see *Follow-up to the Conference on the Future of Europe*. <https://conference-followup.europarl.europa.eu/en/home>). However, no specific follow-up to the proposals mentioned below was listed at the cut-off date of the present contribution (08.01.2025).

14 See *Network of Regional Hubs. Assessing EU law from the ground*. <https://cor.europa.eu/en/our-work/cooperations-and-networks/network-regional-hubs> (08.01.2025).

15 See *REFIT – making EU law simpler, less costly and future proof*. https://commission.europa.eu/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof_en (08.01.2025).

members in the platform's sub-group "governments", which is furthermore composed of representatives from the 27 Member States.¹⁶ This arrangement can be seen as an institutional recognition of the CoR's added value to multi-level governance by the European Commission. Based on the annual work programme of the Fit4Future Platform, the CoR selects a small number of priority topics on which the CoR members then take the lead in drafting reports for the other platform members, taking into account the information gathered from the consultation of practitioners implementing EU legislation at regional level, channelled through the RegHub network. The Fit4Future reports are then discussed among the platform members, who then present recommendations on how to simplify EU legislation – not only, but also from a regional and local perspective. In 2021, three of the then 15 Fit4Future platform reports were led by CoR members, two out of ten in 2022 and two out of eight in 2023.¹⁷ Key topics from a sub-national point of view included, for example, the public procurement rulebook (2023)¹⁸, the *European Interoperability Framework* (2022)¹⁹ or issues of cross-border healthcare (2021).

The CoR is also trying to raise the other institutions' awareness of sub-national concerns or to close gaps in the activity of other actors in other areas of the growing field of better regulation activities. One such element are impact assessments which are routinely part of the Commission preparations for new legislation: Since 2013, the CoR has demanded that the impact assessments of new or revised EU legislation do not only take into account the possible economic, environmental or social consequences, but also the (potentially very diverse) *territorial* impact. In this context, the Committee, together with partner regions, institutions and networks, has produced a set of *Territorial Impact Assessment* (TIA) tools and guidance. These are based on the CoR TIA strategy which was last renewed in 2023.²⁰ This strategy includes, *inter alia*, the commitment to produce 3–5 assessments of the possible impact of specific legislative proposals on different EU territories per year, which the CoR makes available to the other EU institutions. This work, in close consultation with the relevant services of the European Parliament and the European Commission, is now enshrined in the revised cooperation agreements with the two institutions: the CoR commits to examine future EU initiatives with regard to their possible asymmetric impacts on different territories, thus enabling the Commission to then provide further analysis of likely effects and possible countermeasures (Official Journal EU 2024b: § 27).

16 See *Fit for Future Platform – The Government group*. https://commission.europa.eu/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof/fit-future-platform-f4f/composition/fit-future-platform-government-group-0_en (08.01.2025).

17 See *Fit for Future Platform (F4F)*. <https://cor.europa.eu/en/better-regulation-and-active-subsidiarity/fit-future-platform-f4f> (08.01.2025).

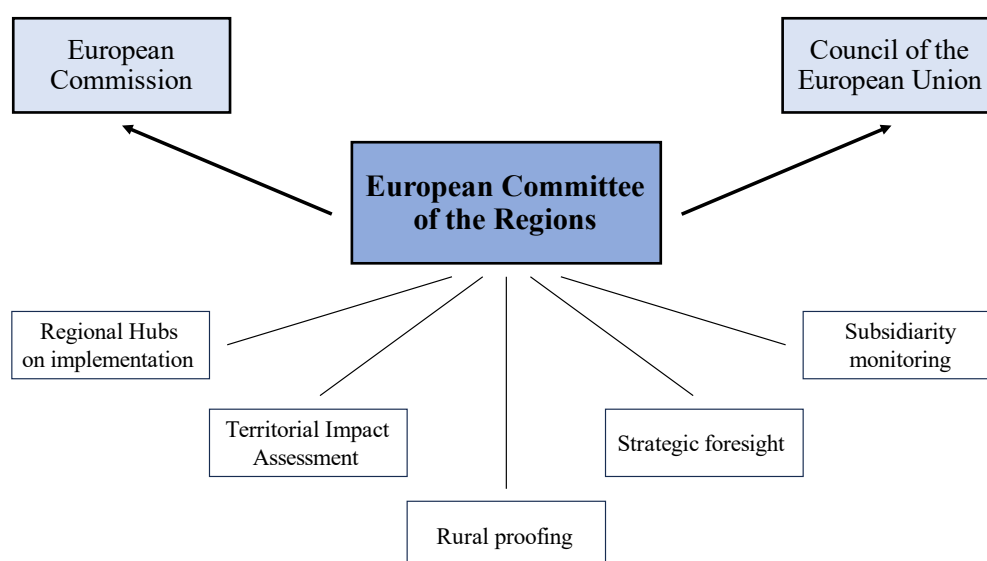
18 See *Fit for Future opinion on Public procurement*. <https://cor.europa.eu/en/better-regulation-and-active-subsidiarity/fit-future-platform-f4f/fit-future-opinion-public-procurement> (08.01.2024).

19 See *Fit for Future opinion on a Governments Interoperability Strategy*. <https://cor.europa.eu/en/better-regulation-and-active-subsidiarity/fit-future-platform-f4f/fit-future-opinion-governments-interoperability-strategy> (08.01.2025).

20 See *Territorial Impact Assessment*. <https://cor.europa.eu/en/our-work/commissions/coter/territorial-impact-assessment> (08.01.2025).

As a final building-block of its developing 'life-cycle approach' to EU legislation, the Committee has also been working increasingly on longer-term *strategic foresight* in recent years, which had become increasingly relevant to the EU institutions over the past decade and a half (OECD 2019), and which was formally incorporated into the Commission's revised *Better Regulation Tool Box* in 2021 (European Commission 2021). In fact, since 2015 the CoR has been participating at the level of its secretary general in the inter-institutional *European Strategy and Policy Analysis System* (ESPAS), which aims to exchange and promote *foresight* activities of the EU institutions and publishes the so-called *Global Trends Report* every four years before the European elections.²¹ Since the CoR lacks the institutional capacity and human resources – at least so far – to carry out its own strategic foresight, its contribution to the inter-institutional foresight activities is focused on mapping and pooling existing activities of cities and regions for comprehensive future planning with a time horizon of 10 or 20 years, as well as promoting the added value of such long-term perspectives and the necessary tools and skills among its members and staff.

Fig. 2: The CoR's contribution to 'better regulation'



Source: Own elaboration.

Through the ESPAS network, which brings together the main EU institutions (European Parliament, European Commission, Council of Ministers) with the European External Action Service, the European Investment Bank, the European Court of Auditors, the European Economic and Social Committee and the EU Institute for Security Studies, the CoR is directly involved in the further development of *strategic foresight* as an element of making future-proof and resilient EU policies and legislation. In the CoR itself, the political responsibility for strategic foresight has been given to the Conference of Presi-

21 See ESPAS – at the heart of EU foresight. <https://www.espas.eu/> (08.01.2025).

dents (i. e. the highest political level consisting of the CoR President, the 1st Vice-Presidents and the Chairs of the six political groups). In 2023, an own-initiative opinion on “Strategic foresight as an element of EU governance and better regulation” was adopted (CoR 2023b) to set out the political and institutional commitment to this activity. The opinion is partly based on an internal survey among CoR members and alternate members from 2021 which revealed strong interest in long-term foresight, but also showed that many local and regional authorities had little knowledge of and/or very different approaches to this method, and very few of them were actively using strategic foresight systematically in their policy-making. In this situation, the Committee seeks to raise awareness among its members for the developments in *foresight* as a tool and to strengthen the links between foresight and the other elements of better regulation at EU level.²² Significantly, the revised cooperation agreements with both the Parliament and the Commission explicitly recognize the inter-institutional cooperation on strategic foresight (CoR 2024d; Official Journal EU 2024b: § 27).

It is also noteworthy that, similar to the example of the Green Deal Working Group cited above, the need for political coordination of activities across different CoR commissions has also been recognized with regard to better regulation specifically. This is why the *Better Regulation and Active Subsidiarity Steering Group* (BRASS-G) was created by the CoR Bureau in 2022, consisting of 11 CoR members who represent different CoR activities throughout the life-cycle of EU legislation. The BRASS-G is an extension of the original 5-member *Subsidiarity Steering Group*, underlining once again a new, more holistic approach of local and regional authorities to improve EU regulation: from the original rather reactive and often politically controversial use of subsidiarity as a ‘defence’ against too much EU-interference to an inclusive and circular understanding of *active* subsidiarity. This approach includes

- the forward-looking identification of problems and possible scenarios on how the EU could respond to them (*foresight*);
- the active participation in the legislative and implementation process respectively (through formal opinions and *ex ante* impact assessments, notably on possible territorial impacts and, more recently, ‘rural proofing’²³);
- the analysis of the effectiveness of adopted regulations and measures after their enactment (*ex post* evaluations of implementation by consulting the RegHub network);
- recommendations for simplification and adaptation (through the CoR’s contributions to the Fit4 Future Platform and its outlook opinions).

Through these activities, the CoR tries to further strengthen its credibility as a provider of specialized information to the European Commission and the European Parliament,

22 See, for example, the collection of library resources prepared for CoR members on foresight. <https://cor-europa.libguides.com/c.php?g=709419&p=5117777> (08.01.2025).

23 This refers to an impact assessment with a specific focus on urban-rural relations and consequences on rural areas.

while combining this with its political contribution to the democratic and regulatory sustainability of EU governance as a whole (Panara 2016).

4. Conclusion

The European Committee of the Regions met for the first time in 1994 as a new representative assembly of the EU's regional and local authorities, created by the Maastricht Treaty. Since its inception as an advisory body with a limited number of topics on which its consultation was enshrined in the EU Treaty, the Committee has sought to widen its influence on the political process of decision- and policy-making within the European Union: on the one hand, by expanding its formal competencies in the Treaty reforms of the 1990s and 2000s, but also by developing and making strategic use of its own-initiative opinions and other instruments to capitalise on the experience, creative ideas and democratic legitimacy of its members for the integration process.

Clearly, the CoR is, first and foremost, a reactive body: It follows the political agendas set by the other institutions to whose proposals it formally responds (notably the legislative proposals by the European Commission) and it also reacts to general political developments. Like the entire EU system, the CoR's activities in recent decades have been constantly shaped by the need to respond to new political challenges and crises, namely the 'permacrisis' (Rayner et al. 2024) constituted by the financial turmoil of 2008–12, the ongoing migration challenge, the COVID-19 pandemic and its aftermath, the war in Ukraine and its geopolitical repercussions²⁴, and the underlying climate crisis. The CoR's approach has been to highlight, first, how profoundly all these events impact the roles and opportunities of democratically elected representatives at the local and regional levels, and second, to what extent these levels can and have to come up with specific solutions that accommodate and reflect the diversity of the EU's territories. In taking up these challenges, the CoR is also trying to make use of the political opportunities inherent to them and to expand the scope of its institutional role in representing the sub-national levels in the EU.

Important elements of these efforts are communication-related initiatives which seek to present a coherent narrative about the role of sub-national authorities and the CoR in the European integration process. A flagship project in this respect is the CoR President's response each autumn to the Commission President's annual 'State of the Union' address to the European Parliament: Since 2017, the CoR president delivers a speech on the 'State of Regions and Cities' during the *European Week of Regions and Cities*.²⁵ While this idea to create a direct 'dialogue' between the two institutions' presidents may, so far, not have come to full fruition, the CoR decided to further boost this speech with the publica-

24 In this context, reference should also be made to the CoR's activities on cooperation with Ukraine's local and regional authorities in the context of Russia's war of aggression and with a view to the country's future reconstruction and EU accession; see *CoR Stands in Solidarity with Ukraine*. <https://cor.europa.eu/en/our-work/political-priorities/cor-stands-solidarity-ukraine> (08.01.2025).

25 The first of these speeches was delivered by then President Karl-Heinz Lambertz (PES/BE) on 10 October 2017, see CoR 2017.

tion of an annual report on the state of cities and regions since 2020 (see, for example, CoR 2024e). This report builds on both internal and external sources of information, and is aimed at the wider EU policy community. It illustrates how the Committee seeks to bolster its claim to provide both exclusive first-hand information about the situation on the ground and politically legitimated advice on how the EU institutions should use this information in their policy-making. The fifth edition of the report (2023) thus states in its foreword:

“Local and regional leaders have the highest degree of trust from their citizens, and this is why, as we look at the future of our European Union, we can only reinforce the legitimate role of regions and cities in the EU’s architecture so that it becomes more efficient, more grounded and closer to the people. The 2023 EU Annual Report on the State of Regions and Cities is a flagship publication of the European Committee of the Regions, including its annual Regional and Local Barometer produced in partnership with IPSOS. It tells you stories of the incredible strength and commitment of local and regional authorities in Europe” (CoR 2023d).

Considering the range of different initiatives of the CoR described above, it is also interesting to note that it has recently received renewed academic attention from new perspectives: These revolve around, *inter alia*, questioning whether the CoR could be considered a ‘new actor of EU para-diplomacy’ (Blavoukos/Oikonomou 2024) or whether it can be analysed as a special example of a ‘double-hatted administration’ (Trondal et al., *forthcoming*). Others focus on the CoR’s contribution to the EU Green Deal, multi-level climate policy (Messina 2021) or the extent to which it can contribute to the ‘democratic legitimacy of the EU’ as a whole (Baçal 2022). The recent formalization of cooperation between the CoR and the European University Institute in Florence (through a Memorandum of Understanding)²⁶ may also be significant in this respect, as it may direct more scientific interest to the CoR and its institutional role, while at the same time facilitating the CoR’s access to academic expertise on a whole range of EU related research.

Having presented a number of examples of the CoR’s formal and informal activities in expanding its role and visibility in EU policy-making, notably in the field of the *European Green Deal* on the one hand and in the field of *better regulation* on the other, this contribution has traced how the CoR accentuates the central role of municipalities, cities and regions in implementing EU policies and in creating acceptance for the fundamental transformations towards sustainability. In order to reinforce its cooperation with the European Parliament and the European Commission, the CoR launches initiatives that go beyond its purely consultative role while trying to use to a maximum the important potential of elected representatives of the sub-national levels and the political legitimacy they provide. The above-mentioned revisions of the CoR’s cooperation agreements with the European Commission and the European Parliament in 2024 consolidate some of the activities that have emerged over the years and provide new opportunities to develop creative ideas to advance multi-level governance in the EU.

In the inter-institutional negotiations that led to these deepened frameworks for cooperation, the CoR could also draw on the outcome of the Conference on the Future of Europe, in which representatives from the Committee had been able to give an important

26 Formalised on 22 November 2024; see European University Institute 2024.

impetus to greater involvement of the local and regional levels in the EU system, and thus to strengthen the European multi-level system as a whole. In the European Parliament's and European Commission's new terms of office from mid-2024 onward, the question of what institutional or political changes may be needed in the aftermath of the CoFoE and in view of future EU enlargements will continue to be relevant. One demand that the CoR will certainly formulate in this context is the need for greater involvement of local and regional authorities and the CoR itself, not least to address the crisis of conventional representative democracy in many Member States, at EU level and in strategic global partner countries. The CoR will continue to argue that multi-level democracy is a unique feature of the European Union that needs to be strengthened in order to ensure the sustainability of the integration project. Nevertheless, the financial and human resources at the CoR's disposal – an annual budget of around 122 million € in 2023 and less than 500 permanent staff members (Official Journal EU 2024a) – still set clear limits to the realistic ability of reaching and representing more than 90.000 entities of sub-national governance across the EU.

The European Committee of the Regions, as it heads into its fourth decade and its 2025–2030 term of office, will therefore continue to need its creativity and ingenuity to fulfil and expand its dual role as an additional layer of legitimacy for EU policies and as a two-way information link between the EU and its diverse local and regional levels.

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About the author

Justus Schönlau is a member of the Secretariat of the Party of European Socialists' Group in the European Committee of the Regions, Brussels. He holds a PhD from the University of Reading, England, and regularly teaches and publishes about EU multi-level governance, EU democracy and the European Committee of the Regions. He is co-author of 'Shaping EU Policy from Below – EU Democracy and the Committee of the Regions' with Simona Piattoni (2015).

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- Asien-Orient-Institut (AOI)
- Abteilung Sinologie und Koreanistik
- Geographischem Institut
- Institut für Politikwissenschaft (IfP)
- Juristischen Fakultät

Die Mitglieder des Vorstandes stimmen in der Auffassung überein, dass föderale, regionale und dezentrale Strukturen einer zentralistischen Ordnung hinsichtlich erfolgreicher Ausgabenerledigung sowie der Gewährleistung demokratischer Legitimation überlegen sind.

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 - Die Reihe **Occasional Papers** (OcP); erscheint im Selbstverlag (bisher 44 Titel).
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Europäisches Zentrum für Föderalismus-Forschung Tübingen (Hrsg.): Jahrbuch des Föderalismus 2024. Föderalismus, Subsidiarität und Regionen in Europa, Baden-Baden, 2024, 441 Seiten.

Das Jahrbuch ist „als ein thematisch breit angelegtes Kompendium konzipiert, das den Leserinnen und Lesern – primär in Politik und Verwaltung, in Wissenschaft und Forschung, Lehre und Studium sowie in der interessierten Öffentlichkeit – fortlaufend ohne erheblichen eigenen Rechercheaufwand einen aktuellen, verlässlichen und zusammenfassenden Überblick über die verschiedenen Aspekte föderaler und regionaler Struktur und Politik bieten soll“.

Diesem Anspruch, der bereits in der ersten Ausgabe im Jahr 2000 formuliert wurde, wird auch die 25. Jubiläumsausgabe des Jahrbuchs gerecht: Neben altbekannten Rubriken wie „Themen der Forschung“, „Beiträge zum deutschen Föderalismus“ und „Europäische Länderberichte“ widmen wir uns schwerpunktmäßig einem der großen Themen unserer Zeit: „Klimawandel – föderale Antworten auf eine globale Herausforderung“. Eine Reihe von Beiträgen untersucht dabei, wie Klimaschutz in verschiedenen Ländern gestaltet wird und inwieweit föderale Gebilde mit ihren komplexen Mehrebenen-Strukturen für Klimapolitik förderlich oder eher hinderlich sind.

Schriftenreihe des Europäischen Zentrums für Föderalismus-Forschung

Martin Große Hüttman/Christine Probst-Dobler (Hrsg.): Europäische Union als Prozess. Festschrift für Rudolf Hrbek. Band 53, Baden-Baden, 2023.

Gabriele Abels (Hrsg.): The Conference on the Future of Europe. National and Regional Participation in an Innovative Reform Process. Band 52, Baden-Baden, 2023.

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