

CONST-010

Brussels, 10 December 2002

RESOLUTION

of the

Committee of the Regions

of 21 November 2002

In preparation for the Copenhagen European Council

The Committee of the Regions,

HAVING REGARD TO the decision of its Bureau of 14 May 2002, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to instruct its Commission for Constitutional Affairs and European Governance to draw up a resolution on this subject;

HAVING REGARD TO the presidency conclusions of the Laeken European Council of 14 and 15 December 2001, and in particular the Laeken Declaration on the future of the Union;

HAVING REGARD TO its draft resolution (CdR 123/2002 rev. 1) adopted on 4 October 2002 by the Commission for Constitutional Affairs and European Governance (rapporteur: **Mr Fons Hertog** (NL-ELDR), Mayor of Velsen);

WHEREAS at the European summit in Copenhagen a number of important decisions must be taken on the future of the European integration process and two issues are of central importance: enlargement and institutional reform of the European Union;

WHEREAS the Committee of the Regions wishes to take the opportunity on behalf of European local and regional authorities to inform and advise the leaders of government on the above issues in this resolution;

adopted the following resolution by a unanimous vote at its 47th plenary session (meeting of 21 November 2002):

The Committee of the Regions,

1. Institutional reform

1. **expects** reform of the European Union to bring the European institutions closer to citizens, to make citizens identify more with the process of European integration and feel closely involved with the European Union, but without having to renounce their national identity and regional and local diversity;
2. **stresses** that democratic legitimacy is not solely a question of changing structures and procedures, but just as much a question of political culture and attitudes. Only if citizens identify with the European integration process will the democratic legitimacy of the EU really be guaranteed. The EU must be based on integration of people, not just of institutions;
3. **believes** that where the overall objective is to bring Europe's ideals and actions more into line with the needs and expectations of European citizens, the Union must enhance the role of local and regional democracy; after all, local authorities are for citizens the first and most important contact point within the social structure and system of democratically elected government. Of particular importance here are the tiers of government with legislative powers;
4. **notes** that institutional reform of the European Union is necessary for enlargement, but certainly also to increase citizens' confidence in the European Union;
5. **believes** that citizens' confidence in the European Union will increase if they experience a dynamic Union that takes decisions that are easy for them to understand;
6. **also sees** the inclusion of the Charter of Fundamental Rights in a constitutional treaty as an important step towards strengthening the bond with citizens. The rights that are the basis for shared values in the Member States must be anchored in the EU treaty; this applies above all for human rights and civil rights. In many Member States, economic and social rights fall within the remit of local and regional authorities and should therefore remain political objectives at European level and not be established in the treaty as basic rights;
7. **notes** that since subsidiarity – enshrined in Article 5 of the Treaty and therefore one of the most important principles of the Community – requires that decisions should be taken at the closest possible level to citizens, the institution that represents the closest existing administrative tier to the citizen is given a special role in overseeing and observing this principle;
8. **notes** that an increasing amount of European legislation applies to, and must be implemented by, decentralised authorities;
9. **urges** the Member States and the applicant countries to involve those authorities in the policy-making process for new legislation and in the evaluation of existing legislation;
10. **draws** the attention of the Member States and the applicant countries to the crucial importance of national government informing decentralised authorities about the implications of European legislation for them and involving them therein;
11. **reiterates** the importance of strengthening the Committee of the Regions in the decision-making process and increasing the involvement of decentralised authorities in that process at European level, in accordance with the proposals made by the European

Commission in its White Paper on Governance;

12. **suggests** that the role of the Committee of the Regions could be enhanced by giving it a right of veto over issues on which it must be consulted under the Treaty, so that differences of opinion between the Council, the Commission, the Parliament and the Committee can be settled within a three- or six-month period;
13. **must be allowed** to appeal to the Court of Justice to have Community legislation that has not been referred to it, in breach of the referral obligation, declared invalid;
14. **proposes** that if the Council, Commission or European Parliament ignore an opinion issued by the Committee they should have to provide an explicit reason;
15. **asks** the leaders of government to notify their representatives in the Convention of the above points, so that the Convention can already take account of them in its work;
16. **proposes** that the Committee of the Regions be granted the right to submit written and oral questions to the European Commission;
17. **sets** considerable store by the Convention's work and assumes that its recommendations will represent a substantial part of the subsequent Intergovernmental Conference, **expresses** its concern in this respect on the decision not to set up a local and regional authorities working group, and **notes** that the documents that have been submitted so far in the framework of the Convention contain hardly any recognition – or none at all – of the role of local and regional authorities in the structures of the European Union.

2. Enlargement

1. **considers** that preparations for enlargement will be the most important issue in 2003. The Committee of the Regions supports the European Commission's initiatives. However, it is very important that attention be paid to strengthening government at local and regional level. From this perspective, too, it is important that local and regional authorities in the applicant countries should be involved in preparations for accession and that they thus become aware of the implications of accession to the Union at local and regional level;
2. **believes** lack of information and discussion to be the perfect breeding-ground for fear of the unknown and xenophobia. A climate of fear and mistrust could be fateful for enlargement. The Committee of the Regions therefore thinks it is very important that citizens in the Member States should be well informed;
3. **notes** that enlargement will also affect the Union's spending policy, including spending on the Structural Funds. The Committee believes that the ceiling fixed in Berlin on spending for the period up to and including 2006 must be maintained. At the same time, the Committee thinks that the financial framework agreed in Berlin must be adapted to the enlargement situation, on the assumption that ten new Member States will soon be joining the Community;
4. **believes** it very important to consider carefully whether the adjustment of this financial framework has too many negative implications for the regions, both in the current and in the future Member States;

5. **is very aware of** the need for further reform of the Common Agricultural Policy, taking into account the role of the agricultural sector as an economic pillar of the countryside and of the factors farmers in areas with natural problems have to contend with, but at the same time endeavouring to replace current agricultural methods with sustainable and environment-friendly approaches;
6. **is aware** that the policy to strengthen economic, social and territorial cohesion contributes to the success of the European integration process and that the accession of the applicant countries will cause development disparities within the Union to widen to an unprecedented extent, so that the Union will have to work very hard to close the development gap of the new Member States, without neglecting the needs of the current Member States whose development lags behind;
7. **therefore points out** that if the objectives or procedures for structural aid are adjusted or tightened up, it is necessary not just to consider the situation in the applicant countries but also to look at the structural problems in the current Member States, including renewal of the countryside and the problems of urban areas;
8. **points** to the importance of achieving more decentralisation of regional government, with the aim of enhancing at local and regional level the role of the partnership principle, i.e. cooperation between the different tiers of government and social players. In this connection it notes that partnerships at local and regional level and with local and regional stakeholders are of crucial importance to the success of regional development strategies;
9. **points out** again finally that cross-border, interterritorial and transnational cooperation between local and regional authorities of the existing Member States, the applicant countries and third countries is very important for shaping further integration and enhancing economic cohesion;
10. **asks** its President to present this resolution to the Union presidency, the members of the European Council, the Presidents of the European Parliament and the European Commission and the Chairman of the European Convention.

Brussels, 21 November 2002.

The President

The Secretary-General

of the

of the

Committee of the Regions

Committee of the Regions

Albert Bore

Vincenzo Falcone

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