

The Selection Process of Members of the Committee of the Regions: Procedures in the Member States

Caption: This document explains the selection process of Members of the Committee of the Regions in each of the Member States.

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The Selection Process of COR Members : Procedures in the Member States

[...]

België/Belgique

The Belgian delegation consists of 12 full members and an equal number of alternates. The current distribution of seats, for full members and alternates, is as follows:

Belgian Delegation	Members	Alternates
Vlaanderen (Flanders)	5 ('94-'96) / 6 ('96-'98)	6
Région Wallonne/Communauté Française (Region of Wallonia/French Community)	4 ('94-'96) / 3 ('96-'98)	4
Région Hoofdstedelijk Gewest/Région Bruxelles Capitale (Brussels Region)	2	2
Deutschsprachige Gemeinschaft (German Community)	1	-

Legal Basis:

Article 168 of the Belgian Constitution of 5 May 1993 establishes that the Regions, Communities and the Federal governments must consult each other and work together on those European matters that affect them. The Ordinary Law of 5 May 1993¹ on the International Relations of Regions and Communities further established an Interministerial Conference on Political Affairs, which is composed of representatives from the Regional, Community and Federal governments, to coordinate the cooperation between Federal, Regional and Community governments in Belgian foreign affairs.

Procedure for Nomination:

The Interministerial Conference on Political Affairs decided on a list of candidates proposed by the Regions and Communities on the basis of geographical and political criteria, including a particular repartition among the Regional and Community governments. In each of the two groups (Flemish and French-speaking) a full member and an alternate seat is reserved for a representative of the respective communities in the Brussels Capital Region. It also decided that the seat assigned to the German Community should be made available by one of the two main Belgian Communities (Flemish and Francophone) on a rotating basis half-way through the Belgian COR delegation mandate.

Thereafter, the federal government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Belgian full members and alternates are directly elected representatives.

Particularities:

The Belgian delegation is the only one in which no member is a representative of the local level. However, there are local level representatives in the list of alternates.

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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Danmark

The Danish delegation consists of 9 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Amter (Counties)	4
Kommuner (Municipalities)	4
Copenhagen/ Frederiksberg	1

Legal Basis:

No legal basis for the nomination of the Danish COR delegation exists.

Procedure for Nomination:

The Danish Ministry of Foreign Affairs asked the Association of County Councils (Amtsråds-foreningen), the Association of Local Authorities and the Copenhagen/Federiksberg City Council to propose a list of 4, 4, and 1 candidates respectively (same number of alternates). Each association made its proposal on the basis of geographical/territorial and political criteria. Equal representation of men and women was also sought.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Danish full members and alternates are directly elected representatives.

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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Deutschland

The German delegation consists of 24 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Länder	21
Gemeinden (Municipalities)	3

Legal Basis:

Article 14 of the Fourth Law of 12 March 1993², on the cooperation between the Federation and the Länder on questions related to the European Union, states that the German Länder should designate a list of nominees that the Federal Government must then forward to the Council of Ministers. Article 14 also states that the Länder must ensure that the nomination procedure of the German delegation reserves 3 places to nominees selected by the Associations of Representatives of Local Authorities.

Procedure for Nomination:

The procedure for nomination was established by the Conference of the Presidents of the Länder (Ministerpräsidentenkonferenz) on 27 May 1993. The agreement has been published on 14 July 1993. In this agreement the Länder decided that of their 21 seats 16 should be distributed according to the criteria "one per Land", plus a corresponding alternate. The remaining 5 seats should be assigned in rotation on the basis of a Länder list ordered by population. Hence, the most populated 5 Länder should have, initially, one extra seat each. In the next round of selection, it was agreed that the following 5 most populated Länder would obtain one each of the remaining 5 seats. This rotating procedure on the basis of population will be thereafter always followed unless further agreement is reached. Furthermore, the Länder also agreed that the nominees chosen by the Associations of Representatives of Local Authorities should be elected representatives.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All German COR full members are directly elected or politically accountable to a directly elected Assembly. However, some of the German COR alternates are neither.

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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ESSDZ

The Greek delegation consists of 12 full members and an equal number of alternates. The current distribution of seats for full members and alternates is as follows:

Greek Delegation	Members	Alternates
Koinotites-Dimoi/ (Communes - Municipalities)	11	7
Nomoi (Prefectures)	1	5

Legal Basis:

No legal basis for the nomination of the Greek COR delegation exists.

Procedure for Nomination:

The procedure for nomination was based on a decision by the Ministry of the Interior. The Greek government established a list of nominees on the basis of geographical/territorial and political criteria. The Greek delegation is composed of mayors and prefects, the latter were for the first time directly elected in 1994. For the political criterion, the basis taken is the results of the local elections. Since 1994, the Greek delegation has changed its composition three times.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All but one Greek COR full members are directly elected representatives. However, some of the Greek COR alternates are neither directly elected nor politically accountable to a directly elected Assembly, due to having lost their electoral mandate.

Particularities:

Each time that there are elections in the country, the Greek delegation should change accordingly to reflect the new political map.

Possible revision expected for 1998:

No revision for 1998 is envisaged, though the Greek delegation will include more prefects, now that they are directly elected.

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España

The Spanish delegation consists of 21 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Comunidades Autónomas (Autonomous Communities)	17
Municipios (Municipalities)	4

Legal Basis:

Senate motion adopted on 20 October 1993.

Procedure for Nomination:

The Spanish Government established the composition of its delegation on the basis of a motion of the Senate, voted on 20 October 1993³. The Senate Motion states that 17 of the 21 seats of the Spanish COR Delegation correspond to the Spanish Regions and that the remaining 4 are reserved for local representatives. The motion also states that each full member and alternate shall be proposed by the region concerned and that the four representatives from the local authorities will be proposed by the Spanish Federation of Provinces and Municipalities (FEMP - Federación Española de Municipios y Provincias).

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Spanish COR full members are directly elected representatives and COR alternates, as political appointees, are politically accountable to a directly elected Assembly.

Particularities:

The Spanish Senate motion also stated that each member of the Spanish delegation to the COR should be elected or politically accountable to an elected Assembly, echoing in doing so the demands made by the European Parliament, the Assembly of European Regions and the Council of European Municipalities and Regions. All the Spanish regions comply with the recommendation.

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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France

The French delegation consists of 24 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Régions (Regions)	12
Départements (Departments)	6
Communes (Municipalities)	6

Legal Basis:

No legal basis for the nomination of the French COR delegation exists.

Procedure for Nomination:

The selection of the French COR delegation is made by the Prime Minister on the basis of a proposal from the Minister of the Interior after consultation with the French Federation of Mayors (AMF - Association des Maires de France), the Association of Presidents of General Councils (APCG - Association des Présidents de Conseils Généraux) and the Association of Presidents of Regional Councils (APCR - Association des Présidents de Conseils Régionaux). Both territorial/geographical and political criteria are taken into account in the nomination of the French COR delegation.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All French full members and alternates are directly elected representatives.

Possible revision expected for 1998:

Not known at present.

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Ireland

The Irish delegation consists of 9 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Local Authorities (Cities and County Councils)	9
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Legal Basis:

A legal basis for nominating the Irish COR delegation is set out in the Local Government Act, 1991 (Regional Authorities) (Establishment) Order, 1993.

Procedure for Nomination:

The Irish Government established the composition of the Irish COR delegation generally on the basis of geographical representation and the proposed list of members was sent to the Council of Ministers which appoints COR members.

All Irish COR full members and alternates are directly elected local representatives.

Possible revision expected for 1998:

Eight administrative regions were created in Ireland after 1993. These regions have limited powers and are composed of County/City Council representatives. The Irish delegation will be drawn from these regions.

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Italia

The Italian delegation consists of 24 full members and an equal number of alternates. According to a decree (see below), the distribution of seats is as follows:

Italian Delegation	Members	Alternates
Regioni a statuto speciale (Special Statute Regions)	5	5
Regioni a statuto ordinario (Ordinary Statute Regions)	8	7
Province (Provinces)	5	5
Comuni (Municipalities)	7	6

Legal Basis:

The Italian Government established the composition of its delegation in the decree of 6 August 1993, later modified on 24 September 1993⁴.

Procedure for Nomination:

The decree states that the members of the Italian Delegation are proposed respectively by the Conference of Regional Presidents (CPR - Conferenza dei Presidenti Regionali), the Italian Provincial Union (UPI - Unione delle Province Italiane) and the National Association of Italian Municipalities (ANCI - Associazione Nazionale dei Comuni Italiani), on the basis of a territorial/geographical distributional equilibrium. Regions with a Special Status according to the Constitution are always to be represented. Political criteria are also taken into account but, unlike the requirement for territorial distribution, there is no specific mention of it in the decree.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

It was a condition of the decree appointing Italian members, both full and alternate, that they be directly elected or politically accountable to an elected assembly. Although these conditions were fulfilled at the time of appointment, in some cases they ceased to be fulfilled when members lost their seats at subsequent elections.

Particularities:

Even though there is a tacit agreement no specific provision is made to oblige a Member to resign from his/her seat on the COR once his/her democratic mandate is finished (e.g. after electoral defeat).

Possible revision expected for 1998:

The current revision of the Italian Constitution may change the procedure. In the event that the new Constitution will not be ready by 1998, a new Governmental decree changing the nomination procedure for the Italian delegation to the COR may be envisaged.

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Luxembourg

The Luxembourg delegation consists of 6 full members and an equal number of alternates. All Luxembourg full members and alternates are local level representatives.

Communes (Municipalities)	6
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Legal Basis:

No legal basis for the nomination of the Luxembourg COR delegation exists.

Procedure for Nomination:

The selection of the Luxembourg COR delegation is made by the Government on the basis of a proposal submitted by the Luxembourg Union of Local Authorities (SYVICOL - Syndicat des Villes et Communes Luxembourgeoises) which federates all 118 municipalities of the country. Both territorial/geographical and political criteria are taken into account in the nomination of the Luxembourg COR delegation.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Luxembourg COR members proposed by the national government are directly elected representatives. Alternates who are neither directly elected nor politically accountable to a directly elected assembly will relinquish their posts when the COR delegation is renewed.

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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Nederland

The Dutch delegation consists of 12 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Provinces (Provinces)	6
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Gemeenten (Municipalities)

6

Legal Basis:

No legal basis for the nomination of the Dutch COR delegation exists.

Procedure for Nomination:

The selection of the Dutch COR delegation is made by the Minister of Interior on the basis of a proposal submitted by the Association of the Provinces of the Netherlands (IPO - Interprovinciaal Overleg) and the Association of Municipalities of the Netherlands (VNG - Vereniging van Nederlandse Gemeenten). Both territorial/geographical and political criteria (latest municipal and/or provincial elections) are taken into account by the IPO and VNG in the nomination of the Dutch COR delegation. They also ensure that women are adequately represented on the delegation.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Dutch COR full members and alternates are directly elected members of a provincial or municipal council, or are politically accountable to a directly elected provincial or municipal council (i.e. Queen's Commissioners for the provinces and/or burgomasters for the municipalities).

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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Österreich

The Austrian Delegation consists of 12 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Länder	9	
Städte und Gemeinden (Cities and Municipalities)		3

Legal Basis:

Article 23c, paragraph 4 of the Austrian Federal Constitution⁵.

Procedure for Nomination:

The selection of the Austrian COR delegation is made by the Federal government on the basis of a proposal submitted, on the one hand, by the Länder and on the other by the Austrian Federation of Cities and the Austrian Federation of Municipalities. The Constitution states that each Land must propose a nominee for the COR. Thus, the Länder propose 9 candidates while the remaining 3 are proposed by the Austrian Federation of Cities and the Austrian Federation of Municipalities (Gemeinde-und-Städtebund). The Conference of Land Presidents (Landeshauptmännerkonferenz) decided on 9 November 1994⁶, that each Land should be represented by its President. Both territorial/geographical and political criteria are taken into account in the nomination of the Austrian delegation.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Austrian COR full members are directly elected or politically accountable to a directly elected Assembly. However, these conditions are not fulfilled by all the Austrian COR alternates, although it is agreed that this circumstance should only continue for a short period until a new nominee is found.

Particularities:

There is an agreement that the head of the delegation should be a representative from the Länder. However, the local level is represented alongside the Länder in the bureau.

Possible revision expected for 1998:

No revision for 1998 is envisaged so far. In view of the renewal of the COR's membership at the beginning of 1998, the Landeshauptmännerkonferenz will discuss the selection procedure of the Länder representatives in the Austrian COR delegation.

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Portugal

The Portuguese delegation consists of 12 full members and an equal number of alternates. The current distribution of seats, both for full members and alternates, is as follows:

Regiões Açores/Madeira (Autonomous Regions)	2
Municípios (Municipalities)	10

Legal Basis:

No legal basis for the nomination of the Portuguese COR delegation exists.

Procedure for Nomination:

The Portuguese government established a list of nominees on the basis of geographical/territorial and political criteria. Two seats were reserved for the two Portuguese regions: Madeira and Azores. The remaining ten seats were distributed among the Portuguese political parties through the National Association of Municipalities, on the basis of the electoral results of the national legislative elections of 1993.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Portuguese COR full members and alternates are directly elected representatives or politically accountable to a directly elected Assembly.

Possible revision expected for 1998:

No revision for 1998 is envisaged.

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Suomi/Finland

The Finnish delegation consists of 9 full members and an equal number of alternates.

Finnish Delegation	Members	Alternates
Åland (autonomous province)	1	1
Maakuntien liitot (regional councils)	4	4
Kaupungit ja kunnat (cities and municipalities)	4	4

Legal Basis:

There is no legal basis for the nomination of the Finnish COR delegation. However, under the Åland Autonomy Act⁷, one of the Finnish delegates must come from the autonomous province of Åland.

Procedure for Nomination:

After the referendum on accession in October 1994, the Ministry of the Interior nominated the candidates of the Finnish COR delegation on the basis of geographical, territorial and political criteria. The basis used for the political criterion was the results of the local elections held prior to the nomination of members. As for the territorial criterion, it was decided to nominate 4 regional representatives, 4 local representatives and 1 representative from the autonomous province of Åland. As regards geographical balance, the members represented different parts of the country. The Swedish-speaking community and equal representation of men and women were also taken into consideration.

The national government then took a decision on the basis of the proposed list of members and submitted it to the ministerial council, which appointed the COR members.

All the Finnish full members and alternates are either directly elected or politically accountable to a directly elected municipal council. Regional representatives are politically accountable to a directly elected municipal council.

Possible revision expected for 1998:

No change in the nomination procedure is envisaged. However, it has been proposed that the Finnish government should formally recognize the possibility of allowing the Association of Finnish Local Authorities (Suomen Kuntaliitto), which currently assists the Finnish COR delegation, to propose nominees to the government.

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Sverige

The Swedish delegation consists of 12 full members and an equal number of alternates. All Swedish COR full members and alternates are local level representatives. The current distribution of seats is as follows:

Swedish Delegation	Members	Alternates
Landsting (County Councils)	5	3
Kommuner (Municipalities)	7	9

Legal Basis:

No legal basis for the nomination of the Swedish COR delegation exists.

Procedure for Nomination:

The Minister of the Interior nominates the candidates of the Swedish COR delegation according to proposals from the Association of Local Authorities (Svenska Kommunförbundet) and the Federation of County Councils (Landstingsförbundet), on the basis of balanced geographical and political representation.

Thereafter, the national government took a decision on the proposed list of members and sent it to the Council of Ministers which appoints COR members.

All Swedish COR full members are directly elected representatives with current representative mandates.

Possible revision expected for 1998:

No change in the nomination procedure is envisaged.

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United Kingdom

The British delegation consists of 24 full members and an equal number of alternates. Until now all British full members and alternates have been local level representatives since there are no regions as such in the UK. In terms of geographical composition their place of origin at the time of finishing this study is as follows:

British Delegation	Members		Alternates	
England	14		14	
Scotland	5		5	
Wales	3		3	
Northern Ireland		2		2

Legal Basis:

The European Communities (Amendment) Act, 1993 specifies that nominees for the COR must be members of a local authority at the time of their nomination. No further legal basis for the nomination of the British COR delegation exists.

Procedure for Nomination:

The LGIB represented the European and international interests of the main British local government associations; 1) for England and Wales: the Association of County Councils, the Association of District Councils, and the Association of Metropolitan Authorities; 2) for Scotland: The Convention of Scottish Local Authorities and 3) for Northern Ireland: The Association of Local Authorities for Northern Ireland. Initially, together with the LGIB, the different associations agreed on a list of nominees on the basis of a geographical and political balance.

Thereafter, the national government took a decision on the distribution to the four home countries of the UK.

The relevant Department - Scottish, Welsh, Northern, Ireland Office or Department of Environment then consulted the Association before drawing up their lists.

Not all British COR full members, nor all the alternates, are currently directly elected or are politically accountable to a directly elected Assembly. Some have lost their seat after election.

Particularities:

The Department of the Environment changed some of the names on the list of nominees proposed by the Associations, since the central government took a different view on the political balance in the COR.

In fact, the government was reluctant to accept that the delegation should be composed solely of elected members of local authorities. A strenuous campaign by the LGIB successfully persuaded the UK Parliament to amend the Bill needed to ratify the Maastricht Treaty. Thus it is now a legal requirement that only serving elected members can be nominated.

Possible revision expected for 1998:

Changes in the British local government structure since 1993, together with the devolution programme of the new Labour government may affect the procedure by which the British COR delegation is nominated.

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Conclusion

The various selection processes of COR full members and alternates in the European Union reflect the diversity of political and territorial systems encountered in Europe [...]. There are indeed no two Member States that have followed the same nomination procedure for their COR delegations, though in several countries, the government asked the associations of territorial collectivities to present them with a list of nominees.

Nonetheless, two main factors seem to particularly determine the type of procedure followed, namely: the existence of strong regional or local authorities and the political will and sensitivity (towards local and regional authorities) of the national government in office.

Thus, on the one hand, in those countries with federal or strong regional political systems, the representational role of the regions has been clearly acknowledged (i.e. Germany, Austria, Belgium, Spain, Italy and France). In these countries, with the exception of France, the national COR delegations are composed mainly of regional representatives whereas local ones are only marginally represented. On the other hand, in countries where there are no regional systems or where these are too weak, representatives are solely or predominantly local representatives (i.e. Portugal, Greece, United Kingdom, The Netherlands, Finland, Sweden, Denmark, Luxembourg and Ireland).

On the second point, i.e. the political will and sensitivity of the national government, the composition of each COR delegation is determined by the responsibility of nominations rendered to the associations of territorial collectivities by the national governments. Almost all national governments accept the list of nominees presented to them and approve it without alteration before sending it to the Council of Ministers.

In all, there are two criteria which all countries have taken into account in the selection process: political and geographical/territorial equilibrium. With respect to the demand for all COR full members and alternates to be directly elected or politically accountable to a directly elected Assembly, even though the requirement is not mentioned in the Treaty establishing the European Community, it is necessary to stress that except for a

few cases (especially concerning alternates), almost all COR delegations have been established according to this principle of democratic legitimacy. It is also important to note that more and more COR delegations are considering among the criteria of selection the equal representation of men and women.

Finally, and with respect to the next revision of the COR membership, most countries have decided to maintain the previous selection procedures. Only in those Member States where there have been changes in their territorial politics or where they are envisaged (e.g. United Kingdom, Ireland or Italy) may a new selection procedure be established.

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Annex

The Structure of Local and Regional Authorities in the European Union

België/Belgique

3 Régions/Regio's

3 Communautés/Gemeenschappen

10 Provinces/Provincies

589 Communes/Gemeenten

Danmark

14 Amter

275 Kommuner

Deutschland

16 Länder

426 Kreise

16068 Gemeinden

117 Kreisfreie Städte

ESSDZ

359 Dimoi

5562 Koinotikes

España

17 Comunidades Autónomas

50 Provincias

8098 Municipios

France

26 Régions

100 Départements

36433 Communes

Ireland

8 Regions

29 Counties

83 Municipalities

5 City Corporations

Italia

20 Regioni

95 Provincie
8066 Comuni

Luxembourg
118 Communes

Nederland
12 Provincies
633 Gemeenten

Österreich
9 Länder
2347 Gemeinden

Portugal
2 Regiões
18 Distritos
305 Municípios

Suomi/Finland
1 Itsehallintoalue/
Självstyrande region
19 Maakuntaa/Landskap
455 Kuntaa/Kommuner

Sverige
23 Landsting
288 Kommuner

United Kingdom
56 Counties
482 Districts

Source: *Regional and Local Government in the European Union*, The Committee of the Regions, July 1996.

¹ Moniteur Belge, 8 May 1993.

² BGBl. I S. 313/ 1993.

³ Boletín Oficial de las Cortes Generales, Senado, Serie I, nº34, 28 October 1993.

⁴ Gazzetta Ufficiale della Repubblica Italiana, 11 September 1993 and 4 October 1993.

⁵ B-VGN 1994 BGBl. 1013 Art I Z 9.

⁶ VST-2722/36 of 10 November 1994.

⁷ See Government Bill no. 138/1993 on the incorporation of provisions concerning the Åland Islands in the Constitution Act and the Parliament Act.