

## European Parliament Resolution on the Committee of the Regions (18 November 1993)

**Caption:** European Parliament Resolution of 18 November 1993 on the participation and representation of the regions in the process of European integration: the Committee of the Regions. In this Resolution, Parliament deals with the principle of subsidiarity and the participation of the regions in the drawing up and implementation of Community policies.

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**European Parliament Resolution on the participation and representation of the regions in the process of European integration: the Committee of the Regions (18 November 1993)**

A3-0325/93

The European Parliament,

having regard to the Final Declaration and the resolutions adopted by the Second European Parliament/Regions of the Community Conference of 27 to 29 November 1991 and in particular the resolution on representation of the regions and their participation in drawing up, implementing and assessing structural policies and common policies and the resolution on a Charter of the regions of the Community,

having regard to its previous resolutions on Community regional policy and the role of the regions, in particular its resolution of 18 November 1988 (<sup>1</sup>),

whereas the Treaty on European Union marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen (Article A),

having regard to the resolutions adopted by the regions and the organizations representing them,

having regard to its resolution of 23 April 1993 on the Committee of the Regions (<sup>2</sup>),

having regard to Rule 148 of its Rules of Procedure,

having regard to the motions for resolutions tabled by:

<par1>(a) Mr Heinz Fritz Köhler on setting up a Committee of the Regions (B3-0273/92),

(b) Mr Raffarin on the establishment of the Committee of the Regions (B3-0916/92),

(c) Mrs Pack and others on the Committee of the Regions (B3-1067/92),</par>

having regard to the report of the Committee on Regional Policy, Regional Planning and Relations with Regional and Local Authorities and the opinion of the Committee on Institutional Affairs (A3-0325/93),

A. whereas the Treaty on European Union changes the Community, extending its responsibilities, i.e. instead of a system of practical powers based on purely economic objectives it will have a general political role,

B. whereas in parallel with the process of European integration the Member States have seen a profound restructuring of the territorial distribution of power which has led in some states to a federal or strongly regionalized structure, has expressed itself in others in a growing tendency towards decentralization, and has resulted in all in the recognition of the autonomous role of local authorities,

C. having regard to the objectives of the Treaty on European Union, in particular those concerning the promotion of balanced and sustainable economic and social progress, the strengthening of economic and social cohesion and the protection of the rights and interests of citizens,

D. whereas the constitutions of certain Member States empower their regions to exercise certain legislative competences and endow local authorities with the autonomy necessary for the exercise of their specific functions,

E. whereas the above objectives can be achieved more effectively where there are autonomous regional bodies endowed with sufficient

t powers and resources,

F. whereas in some Member States the regions have political autonomy and therefore share legislative power with the central structures of the state,

G. whereas the Treaty on European Union provides for the inclusion of local and regional bodies in the legislative process by setting up the Committee of the Regions as a consultative body,

H. having regard to the problems concerning the implementation of Community policies caused by the fact that the regions, which are in certain Member States responsible for the implementation of those policies, are subject to Community requirements in their spheres of competence, while, in the final analysis, the Member States have exclusive political and legal responsibility *vis-à-vis* the Community institutions,

I. whereas the radical extension of the Community's sphere of activities under the Treaty on European Union means that there is an even greater risk than before of interference in the powers of regions and municipalities; whereas it is therefore vital to involve them appropriately in the Community institutional framework in the interests of the effectiveness of Community policies,

J. whereas the extension of the Community's sphere of activities under the Treaty on European Union, including certain areas of regional policy, is accompanied by measures aimed at encouraging participation by the regions in the Community's decision-making processes with regard to those areas and by the affirmation of the principle of subsidiarity, according to which decisions should be taken at the closest level possible to the citizen,

K. whereas the absence of regional authorities in certain Member States complicates the picture,

L. whereas regions and local authorities are a highly significant form of civic participation; whereas such participation is a cornerstone of democracy,

M. whereas the Treaty on European Union, in so far as it establishes European citizenship sets up the Committee of the Regions, allows the regions to take part in the Council through the governmental delegations and recognizes the principle of subsidiarity, is an initial response to the need to include the regions and local authorities in the process of European integration,

N. having regard to the revision of the Treaty scheduled for 1996 and with a view to a constitution for the European Union,

1. Considers that the political recognition of the regional dimension embodied in the Treaty on European Union represents an encouraging advance from the viewpoint of both the involvement of local and regional authorities in the construction of Europe and the possibility of improving the effectiveness of the structural policies of the Union;

2. Welcomes the integration of the regional and local authorities into the Community's decision-making process, and regards in particular European citizenship, the Committee of the Regions, as provided for in the Treaty, and the principle of subsidiarity as a first step which should be developed and built upon with the revision envisaged in 1996;

<it>The principle of subsidiarity: a new dimension for the regions</it>

3. Considers that the principle of subsidiarity in the broad sense as defined in the preamble and Articles A and B of the Treaty on European Union, i.e. the principle whereby decisions are taken as closely as possible to the citizen, must be one of the principles which inspire both decisions and the implementation of Community policies, and therefore calls on the Community institutions to adapt their action to this principle, respecting the internal political and administrative structures of the Member States;

4. Considers that Article 3b of the EC Treaty, which defines the principle of subsidiarity as a criterion for the exercise of powers shared between the Community and the Member States, does not refer only to the central structures of the state;

5. Considers that, in accordance with the principle of subsidiarity, Community policies must be implemented and managed at the most decentralized administrative level possible, taking account of the powers of the regions and local authorities and the political and administrative organization of the Member States;

6. Considers that, in accordance with the principle of subsidiarity, the Union should intervene in those areas not falling within its exclusive field of responsibility only to the extent that the objectives of the intended action can not be adequately achieved by the Member States;

<it>Participation of the regions in the European institutional framework</it>

7. Stresses the need to involve in the decision-making process, right from the stage when Community policies are defined, those who are called upon to carry out those policies, in order to guarantee their effectiveness;

8. Welcomes the establishment of the Committee of the Regions as a first step towards integrating the regions in the Community decision-making process and reiterates that it must be seen as an important element in the process of establishing European Union; considers that Parliament and the Commission must examine, in the light of the experience acquired in relation to the operations and activities of the Committee, future possible amendments to the Treaties to ensure that it functions on the most effective and representative basis possible;

9. Insists, in accordance with its above-mentioned resolution of 23 April 1993, that the following conditions must be met when the Committee is established:

it should be guaranteed that its members, whether full members or alternates, should be elected representatives at immediate sub-central government level and/or that they should derive direct democratic legitimacy from a regional or local assembly,

in those Member States with a predominantly regional structure

each one of the constitutionally recognized regions should be represented in it,

there should be representation of regional and local authorities commensurate with the recognition they enjoy in the institutional system of the Member States,

the structure and operation of the Committee of the Regions should be equal to the tasks and powers entrusted to it;

the Committee should be allocated adequate funding and staff, and its establishment plan and budget should be fully self-sufficient;

also recalls its firm intention to establish direct and permanent contact with the Committee of the Regions and calls for the opinions of the Committee to be forwarded to Parliament officially and not sent only to the Council and Commission;

10. Considers that members of the national parliaments and governments of the Member States should not simultaneously be members of the Committee of the Regions;

11. Calls on the Member States which, because of their constitutional provisions, have regions with exclusive legislative powers, to facilitate the participation of representatives of these regions in meetings of the Council when matters falling within their competence are being considered;

12. Considers that a legal person entitled to institute proceedings within the meaning of the fourth paragraph of Article 173 of the EC Treaty is to be understood as including regions and regional authorities;

13. Stresses that all Community institutions must strictly observe the rights conferred on the Committee by the Treaty and the Committee must also have the means of ensuring that its rights are observed;

<it>Participation of the regions in the implementation of Community policies</it>

14. Is convinced that greater decentralization in the execution of Community policies would lead not only to their being brought closer to the citizen but also to improved effectiveness and control of policies;

15. Recalls that the Committee of the Regions must not become an assembly participating in the drawing up of Community legislation as part of a bicameral system;

16. Considers that, where constitutional provisions permit, the Community and in particular the Commission should be able to delegate tasks of implementing Community policies directly to the regions, with the corresponding assumption of responsibilities by the regional authorities;

17. Considers it necessary, following the recent reform of the Structural Funds and on the basis of experience from the previous phase, to improve application of the principle of cooperation with regional and local authorities, a key principle for improving the effectiveness of the planning, monitoring and control of structural policies;

18. In connection with the reform of the Structural Funds, calls for further direct management of programmes by the Commission and the regions (or, in countries without regions, the local authorities), as in the case of the Recite programme;

19. Urges the Community institutions to give more impetus and drive to inter-regional and, especially, cross-border cooperation in those areas where regions and municipalities share common interests;

<it>The regions in a constitutional perspective</it>

20. Considers that the draft European constitution currently being drawn up should provide for a mechanism for the adoption of a pro

vision defining the institutional role of the regions, when progress towards closer integration of the Union justifies it;

21. Calls on the Commission and Council to begin a constructive dialogue with a view to drawing up a joint declaration on relations between the Community and regional and local authorities based on the Joint Declaration of 18 June 1984 and the Community Charter for Regionalization annexed to its above-mentioned resolution of 18 November 1988 and, in particular, the resolutions adopted by the second European Parliament/Regions of the Community Conference;

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22. Instructs its President to forward this resolution to the Commission, the Council, the parliaments and governments of the Member States and to the Assembly of European Regions and the Council of European Municipalities and Regions.

<nbp>(<sup>1</sup>) OJ No C 326, 19.2.1988, p. 289.

(<sup>2</sup>) OJ No C 150, 31.5.1993, p. 329.</nbp>