

**CONFERENCE
OF THE REPRESENTATIVES
OF THE GOVERNMENTS
OF THE MEMBER STATES**

Brussels, 27 July 2007

CIG 7/07

COVER NOTE

from : Presidency of the IGC

dated : 27 July 2007

to : Intergovernmental Conference (IGC)

Subject : **IGC 2007**

Opinion of the Committee of the Regions entitled "Relaunching the process of reforming the European Union in anticipation of the European Council of 21 and 22 June 2007"

Please find attached the opinion of the Committee of the Regions entitled " Relaunching the process of reforming the European Union in anticipation of the European Council of 21 and 22 June 2007".

EUROPEAN UNION



Committee of the Regions

CONST-IV-011

70th plenary session

6 and 7 June 2007

**OPINION
of the
Committee of the Regions
on
RELAUNCHING THE PROCESS OF REFORMING
THE EUROPEAN UNION
IN ANTICIPATION OF THE EUROPEAN COUNCIL
OF 21 AND 22 JUNE 2007**

THE COMMITTEE OF THE REGIONS

- supports the EU Presidency in its commitment to the process of reforming the European Union and the need to preserve the substance of the Constitutional Treaty signed by all heads of state or government on 29 October 2004 in Rome;
- calls on heads of state or government, at the European Council of 21 and 22 June 2007, to commit to working towards bringing the Treaty reform process to a conclusion without going back on the advances obtained by and for local and regional authorities, inter alia with respect to the principles of subsidiarity and good governance, and to the territorial cohesion of the European Union, and calls for these provisions to be retained in their entirety in any future Treaty;
- asks to be consulted on the road map to be proposed by the European Council for continuing the process of reforming the European Union, and would like to be involved in the negotiation phase;
- believes that the absence of a Constitutional Treaty would be detrimental to the recognition of the virtues of the model of European integration, which seeks to respect and foster diversity within the EU, and notes that with no Constitutional Treaty, the European Union would not benefit either from the recognition of regional and local autonomy as a pillar of the democratic system of the European Union, or from a relevant capacity to act to guarantee territorial cohesion and strengthen Community solidarity;
- reiterates that it is convinced of the urgent need to promote, via a decentralised communication policy, debate based on shared values, the achievements of European integration and Community policies, and the challenges for the future of the European Union, and to adopt a two-way approach, as communication with local and regional authorities is currently too unilateral and top-down;
- believes that the European Union's communication policy will become more coherent and effective if the European institutions find a legal framework or basis conducive to the implementation of a properly targeted programme based on this policy and backed up by sufficient financial resources.

CdR 398/2006 fin FR-EN-PT/HA/HR/MAL/PM/ss

Reference documents

- Commission staff working paper: The cost of the non-Constitution, 21 November 2006
- *Plan D – Wider and deeper debate on Europe*, Information note from Ms Wallström to the Commission, 29 November 2006
SEC(2006) 1553

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. supports the EU Presidency in its commitment to the process of reforming the European Union and the need to preserve the substance of the Constitutional Treaty signed by all heads of state or government on 29 October 2004 in Rome;
2. welcomes the Berlin Declaration of 25 March 2007, which recognises, fifty years after the signature of the Treaties of Rome, the goal of achieving a renewed common foundation for the European Union before the elections to the European Parliament in 2009, and is pleased that it enshrines the recognition of the territorial dimension of the EU and the principles and values it holds dear;
3. restates its determination, expressed in its Declaration for Europe adopted on 23 March 2007 on the occasion of the celebration of the 50th anniversary of the Treaties of Rome, to work for an ever closer union of the peoples of Europe, strengthened by its freedoms, its values and its principles of solidarity and responsibility, and developing common policies and joint actions whilst respecting local and regional diversity, identity and autonomy, in keeping with the principles of subsidiarity and good governance;
4. calls on heads of state or government, at the European Council of 21 and 22 June 2007, to commit to working towards bringing the Treaty reform process to a conclusion without going back on the advances obtained by and for local and regional authorities, inter alia with respect to the principles of subsidiarity and good governance, and to the territorial cohesion of the European Union;
5. would therefore support the earliest possible calling of a new Intergovernmental Conference with a precise mandate and timetable so as to provide the European Union with a new Treaty that preserves the substance and the balance of the Constitutional Treaty signed in 2004 and enjoys the broadest possible support in the EU;
6. recognises that for many citizens the purpose of the EU in the 21st century is no longer clear and, in the spirit of Plan D, believes that the EU must recognise that citizens cannot be expected to read lengthy technical treaties and that the EU must be able to explain its "raison d'être" in a clear and concise manner to today's citizens and to future generations; therefore, calls on EU leaders to give the Union an official one-page Mission Statement, valid for the long-term, which would complement any future treaty and which the EU institutions could pro-actively bring to the attention of citizens, now and in the future;
7. asks to be consulted on and fully involved in the next stages of the process of reforming the European Union, based on the road map to be proposed by the European Council; would like to be involved in the negotiation phase for a future IGC, as its involvement would be conducive to a more inclusive result, which would benefit the public;

The CoR's contribution to analysing the political cost of the non-Constitution

8. supports the Commission's approach as regards to the symbolic impact of a Constitution in terms of strengthening the sense of ownership of European citizenship by the EU's citizens, based on shared values and ambitions;
9. believes that, with no Constitutional Treaty, the European Union would deprive itself of significant advances in representative and participatory democracy within the European Union, and would have neither a relevant legal framework nor decision-making mechanisms conducive to strengthening the Union's ability to act, in particular by the extension of qualified majority voting, and its capacity to take in new candidate countries;
10. stresses that with no Constitutional Treaty, the EU would deprive itself of a legal personality and of a common foundation for its fundamental rights in the form of a binding charter, which would provide a real legal and democratic guarantee for the citizens of the European Union;
11. notes that with no Constitutional Treaty, the European Union would not benefit from the recognition of regional and local autonomy as a pillar of the democratic system of the European Union;
12. believes that the absence of a Constitutional Treaty would be detrimental to the recognition of the virtues of the model of European integration, which seeks to respect and foster diversity within the EU;
13. recalls that with no Constitutional Treaty, the Union would deprive itself of a clearer definition of competences and of a political and judicial system that strengthens the implementation of and compliance with the subsidiarity and proportionality principles, inter alia as regards the explicit recognition of the local and regional dimension, thus renouncing greater recognition by the Union of the competences of regional and local authorities, greater involvement of the latter in the decision-making process, thanks to their systematic involvement in the pre-legislative consultation phase; and the legal guarantee of this participation, inter alia thanks to the granting to the Committee of the Regions of a right of appeal to the Court of Justice, which would strengthen transparency and democracy in the Union;
14. notes that, with the Constitutional Treaty, the European Union would have a relevant capacity to act to guarantee territorial cohesion and strengthen Community solidarity;
15. stresses that, with no Constitutional treaty, Europe would deprive itself of a common asylum policy and concrete tools to fight illegal immigration, which are of particular relevance to local and regional authorities who have to provide for the reception of immigrants in their regions and cities;

16. recalls that, with no Constitutional Treaty, the Union would not be able to develop a broad energy policy; this would, inter alia, penalise the commitment of local and regional authorities to renewable energy and energy efficiency as part of efforts to reduce climate change;

Taking account of the regional and local dimension in the institutional settlement

17. asks that, in any case, the following provisions be retained in any future Treaty:
- the importance attached to the EU's aims, to values and fundamental rights, and in particular to respect for local and regional self-government and recognition of cultural and linguistic diversity, (Articles I-3, I-5 and Preamble of the Charter of Fundamental Rights);
 - the new definition of the principle of subsidiarity, (Article I-11(3));
 - consideration of the effects of Community legislation on local and regional authorities (protocol on the application of the principles of subsidiarity and proportionality);
 - recognition of the principle of consultation, and consequently, closer cooperation between local and regional authorities in drawing up, implementing and evaluating Community policies (protocol on the application of the principles of subsidiarity and proportionality);
 - the possibility for regional parliaments with legislative powers to be involved in the early warning process of ex-ante monitoring of the application of the principles of subsidiarity and proportionality (Article 6 of the protocol on the application of the principles of subsidiarity and proportionality);
 - the CoR's right to bring an action to defend its own prerogatives (Article III-365) and for infringement of the principle of subsidiarity (Article 8 of the protocol on the application of the principles of subsidiarity and proportionality);
 - bringing the term of office of members of the Committee of the Regions in line with those of members of the Parliament and of the Commission (Article III-386(2));
 - a new system governing the number and the appointment of its members and alternates, replacing the current system and moving towards a system based on political or territorial criteria (Article III-386);
 - the acknowledgement of the importance of grassroots democracy in the Union, (Article I-46);
 - the new provisions on participatory democracy, which call upon the institutions of the Union to give representative associations, including local and regional associations, the

opportunity to make known and publicly exchange their views on all areas of Union action and hold a regular, open and transparent dialogue with them (Article I-47).

- the inclusion of territorial cohesion among the objectives of the Union (Article I-3) and the commitments made by Member States with respect to the promotion of economic, social and territorial cohesion (protocol on social, economic and territorial cohesion);
 - recognition of the special status of the outermost regions (Article III-424);
 - the inclusion of the regional and local dimension in matters relating to civil protection (Article III-284).
18. therefore requests that the protocol on the application of the principles of subsidiarity and proportionality be included in any new treaty or maintained as Protocol 2 immediately after Protocol 1 on the role of national parliaments;
19. recognises the need to take into account the following areas: climate change, energy, the European Social Model in the context of demographic change and globalisation¹, migration policy, inter alia as regards the fight against illegal immigration, economic policy in the Euro area, and stresses that EU action in these areas can only be effective if it draws on and is supported by local and regional authorities; therefore asks that any new Treaty provide for it to be consulted in these new areas of EU action;
20. points out that, in addition to the EU communication problems which have been identified time and again, the public wants the EU and the Member States to provide policies which are more geared towards its interests. The public's question "What do I get out of the EU?" is legitimate, and European politics must provide convincing answers to these questions.
21. asks, if the mandate of the IGC provides for the re-examination of the legal bases contained in Part III of the Constitutional Treaty, that provision be made for it to be consulted on measures relating to civil protection (Article III-284), tourism (Article III-281) and administrative cooperation (Article III-285);

Continuation of the CoR's commitment to Plan D for Decentralisation

22. notes that a consensus has emerged since the beginning of the reflection period on the need to discuss Europe at the level closest to the people, and to target information and give it a local and regional slant;

¹

Draft report on the roadmap for the Union's Constitutional Process (2007/000(INI)), Committee on Constitutional Affairs of the European Parliament, Rapporteurs: Enrique Barón Crespo, Elmar Brok, pt 8.

23. reiterates that it is convinced of the urgent need to promote, via a decentralised communication policy, debate based on shared values, the achievements of European integration and Community policies, and the challenges for the future of the European Union;
24. stresses that by adding a fourth "D" – Decentralisation – to Plan D (Democracy, Dialogue and Debate) proposed by the European Commission, it wanted to draw attention to the relevance of the political and public debate on proximity and to the need to promote a decentralised communication policy across Europe;
25. recalls that it is developing a programme of major events in Brussels (Open Days/European week of cities and regions, forums, thematic weeks), thus giving the European institutions involved in their organisation a real platform for communicating with representatives of regional and local authorities, regional and local media, and the editors of the publications of European and national associations of local and regional authorities;
26. also welcomes all the initiatives taken by its political groups and local and regional authorities in the area of communicating Europe, listed in its first two progress reports on the implementation of Plan D for Decentralisation², thus promoting the creation of a public space for dialogue and debate via the local and regional press;
27. therefore reiterates the need to adopt a two-way approach, as advocated by the European Commission in its White Paper on European information policy; communication with local and regional authorities is currently too unilateral and top-down;
28. commits, in the current context of prolongation of the Commission's action, to continuing the territorial approach already developed with Plan D for Decentralisation and, with the aim of consolidating a decentralised communication policy, calls for:
 - the creation of a network between the press offices of local and regional authorities which, by giving a local slant to news on European events, would make for easier and more effective use of information on Europe by local and regional media;
 - the organisation in the various Member States, in cooperation with national associations of local and regional authorities, of seminars for regional and municipal representatives to discuss subjects of key national interest to them;
 - local and regional councils to hold special sessions, open to Members of the European Parliament and the Committee of the Regions coming from the same constituency, dedicated to the achievements of European integration and the process of EU institutional reform, for instance on Europe Day (9 May);

²

Communicating Europe in Cities and Regions – Implementing Plan D for Decentralisation, First progress report (October 2005-October 2006).

- the holding of conference-debates in connection with Plan D on the margins of its commissions' external meetings, so as to develop a dialogue between its members and the public targeting particular themes;
 - the publication of a standard text on Plan D for Decentralisation on the websites of European municipalities, cities and regions, outlining the priorities of the Communication on Europe; and best use to be made of the links to those sites on its *Going local* website and on that of the European Commission, thus promoting the spread of good practice in the area of communication and information about the EU at local and regional level;
29. welcomes the step the European Commission took in holding the Berlin Conference on 18 and 19 January 2007 with a view to developing a partnership between the European institutions and local and regional authorities in the area of communication;
30. draws particular attention to the proposals contained in the conclusions of that conference, inter alia the need to:
- guarantee an increase in the budgetary resources available to local and regional authorities to enable them to play their part in a renewed information and communication policy;
 - include European civic education classes in school curricula;
 - encourage candidates for election at local and regional level to include European themes in their manifestos by means of appropriate information;
 - and spread good practice on information within Member States at local and regional level;
31. agrees with the Commission's view about future targeting of communication to specific population groups, inter alia women and young people;
32. believes that the European Union's communication policy will become more coherent and effective if the European institutions find a legal framework or basis conducive to the implementation of a properly targeted programme based on this policy and backed up by sufficient financial resources; local and regional authorities and their networks should be eligible for Community funding under these future programmes; welcomes in this context the guidelines for the European Parliament's 2008 budget procedure calling for greater involvement and new action plans for communication oriented to the local and regional media;

33. notes that both the Commission³ and the European Parliament⁴ recognise the need for cooperation between the EU institutions to give the public a consistent message about Europe, and welcomes the fact that cooperation with regional and local institutions has been relaunched with a view to demonstrating the relevance and impact of the EU's decisions in citizens' lives;
34. supports the European Parliament's proposal regarding an interinstitutional agreement setting out the common principles that might govern cooperation between the institutions in the area of communications, and asks that it be involved in drafting and implementing this agreement⁵;
35. supports the European Parliament's proposal on the evaluation of the activities of the Interinstitutional Information Group (IIG) to establish whether there is scope for improvements and whether a group responsible for coordinating the implementation of the guidelines set by the IIG should be created, and would be willing to participate in such an evaluation⁶;
36. also welcomes the addendum to the cooperation agreement with the European Commission, signed in November 2005, relating to information and communication policy, which strengthens this dimension of interinstitutional cooperation in favour of a genuine decentralised communication policy;
37. supports the communication activities of regional parliaments, and requests the participation of its members and of regional parliaments and their representative associations in the *Inter-parliamentary forums on the future of Europe*;
38. welcomes the European Parliament's initiative proposing the creation of a European journalism fund aimed at making European themes relevant to regional and local circumstances⁷;

³ SEC(2006) 1553, *Plan D – Wider and deeper debate on Europe*, Information note from Mrs Wallström to the Commission, 29 November 2006.

⁴ European Parliament resolution on the White Paper on a European communication policy (2006/2087(INI)), 16 November 2006.

⁵ 2006/2087(INI), pt. 9.

⁶ 2006/2087(INI), pts. 44 and 48.

⁷ 2006/2087(INI), pt. 33.

39. instructs its President to forward this opinion to the members of the European Council, the Council, the European Parliament, the Commission and the European Economic and Social Committee.

Brussels, 6 June 2007.

The President
of the Committee of the Regions

Michel Delebarre

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

II.A. PROCEDURE

Title	Commission staff working paper: The cost of the non-Constitution, 21 November 2006
References	-
Legal basis	Own-initiative opinion (Article 265(5))
Procedural basis	-
Date of Bureau decision	12.2.2007
Commission responsible:	Commission for Constitutional Affairs, European Governance and the Area of Freedom, Security and Justice (CONST)
Rapporteur	Mr Paiva , Mayor of Tomar (PT/EPP)
Analysis	CdR 12/2007
Discussed in commission	27.2.2007
Date adopted by commission	3.5.2007
Result of the vote in commission	Adopted by a majority
Date adopted in plenary	6.6.2007
Previous Committee opinions	Opinion CdR 250/2005 of 13 October 2005 on <i>The period of reflection: the structure, subject and context for an assessment of the debate on the European Union</i> , rapporteurs: Mr Schausberger (AT/EPP) and Lord Tope (UK/ALDE) ⁸ .

⁸ [OJ C 81 of 4.4.2006, p. 32.](#)

II.B. PROCEDURE

Title	Plan D – Wider and deeper debate on Europe
References	SEC(2006) 1553
Legal basis	Own-initiative opinion (Article 265(5))
Procedural basis	-
Date of Bureau decision	12.2.2007
Commission responsible:	Commission for Constitutional Affairs, European Governance and the Area of Freedom, Security and Justice (CONST)
Rapporteur	Mr Paiva , Mayor of Tomar (PT/EPP)
Analysis	CdR 12/2007
Discussed in commission	27.2.2007
Date adopted by commission	3.5.2007
Result of the vote in commission	Adopted by a majority
Date adopted in plenary	6.6.2007
Previous Committee opinions	Opinion CdR 52/2006 of 15 June 2006 on the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on <i>The Commission's contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate</i> (COM(2005) 494 final) and on the White Paper on <i>A European communication policy</i> (COM(2006) 35 final), rapporteur: Ms Bresso (IT/PES) ⁹ .

⁹ [OJ C 229 of 22.9.2006, p. 67.](#)