



Declaration of CARDIFF

Adopted by the 7th Conference of Presidents of Regions with Legislative Powers, 16 – 17 November 2006

Introduction

At the invitation of the First Minister for Wales, the Presidents and their representatives ofÅland, Aragón, Asturias, Açores, Bayern, Bruxelles-Capitale/Brussel-Hoofdstad, Burgenland, Catalunya, Euskadi, Extremadura, Galicia, Kärnten, Lombardia, Madeira, Niederösterreich, Nordrhein-Westfalen, Piemonte, Sachsen, Sachsen-Anhalt, Salzburg, Scotland, Sicilia, Thüringen, Tirol, Toscana, Valle d'Aosta, Vlaanderen, Wales, Wallonie, Wien....., all regions with legislative powers in the European Union, met in Cardiff on 16 and 17 November 2006 for their 7th Annual Conference.

Seventy-three regions within the European Union have governments and directly elected parliaments with law-making powers. Together, these regions with legislative powers cover nearly half of the total population of the EU. They are responsible for transposing and implementing EU legislation and policies, and in some cases constitute the only such level of government in a Member State. Some regions with legislative powers take part in the work of the EU Council of Ministers as part of their Member State delegations. Some bear a part of the financial contributions to the EU paid by their Member States.

By virtue of proximity and the capacity to deliver effective policy, the governments of regions with legislative powers are often closer to the citizens of their territories, the people who are affected by European policies, than national governments and the EU institutions. Thus the regions with legislative power have a particular legitimacy when voicing opinion about EU policies. Equally, the regions with legislative powers can help connect the EU more closely with its citizens by engaging actively in the European debate. Regional governments with legislative powers have expertise, political and technical, which is available for partnership working to strengthen EU policy. We pro-actively accept our responsibilities and are prepared to work with Member States and EU institutions to produce and implement, where appropriate, effective policy devised in the interests of the citizen.

The Policy Agenda

The Presidents

- Note the continuing period of reflection and analysis arising from the rejection of the Constitutional Treaty in France and the Netherlands. The Presidents continue to believe that the Constitutional Treaty includes important provisions that would

enhance the contribution of the regions with legislative powers to the democratic life of the Union. These provisions include explicit recognition of the role of the regions with legislative powers within Member States and the contribution that regions make to the national identity of Member States, strengthening the provisions on subsidiarity, introducing an early-warning mechanism and recourse to the European Court of Justice for the Committee of the Regions.

- Note that the gap between European citizens and institutions is now a persistent trend that will only diminish with real changes in the way that European Union institutions conduct their business. The regions with legislative powers can make an important contribution to delivery in a way that will put citizens at the heart of the EU's work, noting that citizens are more engaged when the EU demonstrates real benefits to growth, jobs and quality of life. Proper application of subsidiarity, consultation and dialogue, impact assessments and transparent decision making are among the main ways of doing so. They emphasize the role of Member States in this regard. They welcome the televising of Council proceedings as a step in the right direction of greater transparency.
- Call on EU institutions to respect the sphere of competence of regional governments.
- Believe that the early involvement of national parliaments, including regional assemblies and governments where appropriate, in European decision-making would help to improve EU legislation and make it more visible.
- Welcome the Commission commitment expressed in "A Citizens Agenda" to transmit all new proposals and consultation papers to national parliaments, inviting them to react. Moreover, the Presidents welcome the Commission's implementation of this commitment since September 2006. They further believe that commitments to subsidiarity should entail a developed subsidiarity package reflecting a full institutional balance. They emphasise that in some Member States regional parliaments act as components of national parliaments in respect of European Union competences. In other Member States regional parliaments have a vital role in transposing EU legislation and so should form part of any consultation appropriate to their competences.
- Welcome the European Commission's structured dialogue with local and regional authorities as a step in the right direction but regret the absence of sustained, direct consultation with the regions with legislative powers before proposing new legislation.
- Welcome and support the initiatives by the European institutions to promote better regulation in the interests of making legislation easier to understand for end users and to reduce the burden on business. Many regions with legislative powers have co-operated with impact assessments and they continue to offer the expertise of their administrations, as those who often implement Community law, in assessing the impact of new policy proposals (subject to subsidiarity monitoring).
- Welcome the establishment of the Committee of the Regions (CoR) Inter-Regional group: they believe this will enhance the effectiveness of the CoR as well as promote the visibility and effectiveness of regions with legislative powers. The REGLEG Presidents initiated this Inter-Regional Group following their conference in Munich in 2005, along with Conference of European Regional Legislative Assemblies (CALRE)

colleagues, for CoR members mandated by regional assemblies and parliaments with legislative powers. They regard its establishment as a significant development for REGLEG and propose to review its effectiveness at next year's Presidential conference.

- Note the constructive co-operation with CALRE in respect of establishing the CoR inter-group and welcome joint working towards common ends.
- Welcome the contribution of the Working Group "Regions with Legislative Powers" of the Congress of Local and Regional Authorities of the Council of Europe to the wider debate on strengthening regional self-government in Europe.

On the current political situation of the European Union

The Presidents

- Welcome the Conclusions of the European Council of June 2006 in respect of Europe's future and, in particular, the emphasis on delivering "the concrete results that citizens expect". They note that a report will be prepared by the Presidency during the first semester of 2007 assessing the state of discussion regarding the Constitutional Treaty and possible future options "based on extensive consultations with Member States". The Presidents call on the German Presidency and future Council Presidencies to encourage Member States to engage actively with legislative regions and other actors in this process so that the views coming forward are widely representative and command broad support. In this sense, we invite them to take into consideration the content of this Declaration as well as former Declarations adopted by REGLEG.
- Welcome the spirit of the Commission's attempts to communicate more directly but point out that governments of regions with legislative powers often have closer contact with citizens than national governments or European institutions. The Commission will limit its effectiveness in communication if it fails to engage constructively with regions; the Presidents offer their support to improving communication and dialogue on Europe with citizens and media at a regional level.
- Welcome the Commission's express recognition of the central role that regions have in delivering the re-launched Lisbon Agenda. Presidents of the legislative regions will offer their support to ensure that Europe delivers security, stability and economic growth for its citizens. But this will require systemic and effective co-ordination between the Union, Member States and legislative regions at all stages of the process.

Proposals

The Presidents call for

Subsidiarity

Having welcomed the Commission's commitment "A Citizens Agenda" to transmit new proposals to national parliaments, subject to the comments above, they note that this development represents a step forward in line with previously stated aspirations of the REGLEG Presidential conference and with the "Chair's Declaration" arising from the European Conference on Subsidiarity held under the Austrian Presidency at St Pölten (18/19 April). Nonetheless, the Presidents observe that the formal legal basis and the structured procedure as envisaged by the Constitutional Treaty would provide the national parliaments with a stronger position in controlling compliance with the principle of subsidiarity. Making subsidiarity work will bring Europe closer to its citizens and therefore create support for the achievements of the Constitutional Treaty. In the context of subsidiarity as outlined in "A Citizens Agenda", the Presidents encourage national parliaments to fully exploit this mechanism, where appropriate, in cooperation with the Conference of European Regional Legislative Assemblies (CALRE) and the Conference of European Affairs Committees (COSAC).

The Commission should, as a matter of principle, consult the regions with legislative powers directly before it proposes new legislation affecting their competences.

They call for the swift development and implementation of models for subsidiarity monitoring, within Member States, including the regions.

Better regulation

Welcome the European institutions' agenda for better regulation. They believe that, where legislation is necessary, it should be flexible enough to take into account local and regional circumstances. If legislation is needed, the Commission should make as much use as possible of framework legislation, leaving to national, regional and local authorities the choice of form and method for achieving the desired results. A systematic impact assessment should become a compulsory part of EU legislation in order to limit the regulatory burden on the economy, citizens and administrations to the minimum necessary level. The starting point must always be the assessment of whether new regulation is required at all, or whether the objective could also be achieved by other means taking into account principles of proportionality. Simple and proportionate legislation, after a clear case for legislation has been identified, is the best method of contributing to growth and jobs in Europe. The simplification and, if necessary, withdrawal of EU legislation will also benefit economic competitiveness. This approach will contribute to greater acceptance of EU policies by the public and greater recognition of the benefits to the quality of life arising from them.

Strengthening cooperation with the Committee of the Regions

The Presidents congratulate members of the CoR who draw their mandates from legislative governments or parliaments for successfully establishing an inter-group according to CoR rules, as mandated by the REGLEG Munich Declaration 2005. They encourage the inter-group to engage pro-actively to develop an effective voice for legislative regions within the CoR and to bring about co-operation between members on concrete proposals. At the REGLEG Presidential Conference of 2007, the effectiveness of the group should be reviewed, as determined by the Munich Declaration 2005. Legislative regions were prominent among the participants of the Committee of the Regions subsidiarity monitoring exercise (13 out of 21 participants were legislative regions) illustrating their real commitment to active participation in policy delivery.

The Constitutional Treaty

The Presidents

- Call for the debate on the Constitutional Treaty to be brought to resolution without loss of the positive developments secured for the legislative regions in the original text. The Presidents note that fifteen Member States have ratified the Treaty, two have been unable to do so and eight have still to complete the ratification process; they share the hope of the European Council that the process will be completed in line with the Council conclusions of June 2005.
- Welcome the Commission's contribution to the period of reflection and beyond: Plan D for Democracy, Dialogue and Debate (COM 2005)494 final, and call for the need to include a fourth dimension, that is, Decentralisation, in the Plan, as stressed in the Committee of the Regions opinion approved in the Plenary session of 14-15 June 2006. In accordance with the CoR opinion, the Presidents believe that external means of communication, such as forums of local and regional authorities, can be used to continue the debate on the future of Europe. Regional and local authorities have in fact, an important role to play in the debate on the future of Europe by motivating citizens in relation to issues that affect them closely and by organising debates with citizens and elected representatives.

50th Anniversary of Treaty of Rome

The Presidents note the European Council's intention to adopt in 2007 a political declaration commemorating 50 years of the Treaty of Rome, and call for the declaration to recognise the role of regions in forming the identity of Member States and to recognise the contribution of legislative regions to the democratic life of the Union.

Summary

The Presidents:

- Note the continued reflection on the Constitutional Treaty and call for the debate to be brought to resolution without loss of the important improvements offered to regions in the Treaty, specifically in relation to subsidiarity and the right of the CoR to appeal to the European Court of Justice (ECJ).
- Call for legislative regions to be consulted on the formulation of the proposed declaration to mark 50 years of the Treaty of Rome and for the declaration to recognise the role of legislative regions in the democratic life of the Union.
- The Presidents welcome the Commission's commitment expressed in a "A Citizens Agenda" to transmit all new proposals and consultation papers to national parliaments inviting them to react. Nonetheless, they observe that the formal legal basis and the structured procedure as envisaged by the Constitutional Treaty would provide the national parliaments with a stronger position in controlling compliance with the principle of subsidiarity.
- Welcome progress on better regulation, offer their resource in furthering this agenda at regional level, and support the principle of reducing the regulatory burden on business and citizens.
- Congratulate and support members of the Committee of the Regions who have formed an Inter-Regional Group as provided by CoR rules; the Presidents believe this will contribute constructively to the effectiveness of the Committee of the Regions as a whole.
- Welcome the Commission's Plan D as a genuine attempt to communicate more effectively with citizens but call for a greater emphasis on decentralisation and, specifically, utilisation of forums of local and regional authorities, as stressed in the Committee of the Regions opinion approved in the Plenary session of 14-15 June 2006.

The participants of the 7th Conference of Presidents of Regions with Legislative Powers (REGLEG) ask all partner regions to support these conclusions and recommendations at the national and the EU level. They ask the Presidency to transmit them also to the European Institutions.

Adopted in Cardiff on 16-17 November 2006