



Welsh delegation response to Future of Committee of the Regions debate

This submission is from the Welsh delegation to the Committee of the Regions ('CoR'):

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It is fully supported by the Welsh Government.

Preamble

We welcome this opportunity presented by President Valcarcel to engage in this debate and we look forward to discussing the ideas presented with colleagues in a positive and engaging manner over the coming months.

After 20 years it is the right time to reflect on the role of the CoR within the EU. Substantive changes have taken place over this period in the EU in the dynamics and functioning of the EU Institutions, and further changes will take place in the coming years.

Similarly there have been significant changes within many Member States in the internal governance arrangements at the local and regional level, notably within the UK with the introduction of devolution from 1999 and the creation of legislative assemblies/parliaments and governments in Wales, Northern Ireland and Scotland.

The CoR must adapt and reform in light of these forces.

Point 1: Core role and added value

The core role of the CoR is to represent the interests of local and regional authorities (LRAs) in the EU policy and law-making processes in a timely, relevant and effective way.

It is the only 'institution' in the EU that provides a formal voice for LRAs in the EU decision-making process<sup>1</sup>, and as such it should in principle occupy an important place in making the EU democratically accountable and legitimate.

There are weaknesses in its internal rules, structures and functioning that prohibit this. There are also weaknesses in its formal position in the EU decision-making processes that need to be addressed if it is to have a meaningful role to play in shaping policy and legislation.

Point 2: Clarity on the main elements of this core role  
In fulfilling this role the CoR should primarily focus on:

- Influencing EU policy and legislation in the formulation stage: **delivered through 'outlook' or 'own-initiative' opinions**

The added value through early engagement is:

- Seeing off potential threats from new policy developments to the regional level, including any potential subsidiarity concerns ('nipping in the bud')
  - Ensuring strong evidence base at regional level informs proposals coming out of the EU ('informed policy')
  - Scope to influence opinion in the European Parliament
- Participating actively in the EU legislative process: **preparing 'legislative' opinions in response to draft proposals published by the European Commission**

The added value of involvement in the legislative process is:

- championing key local and regional concerns, and giving visibility to these in the European Parliament's discussions in particular
- **Defending the rights of 'subsidiarity' of LRAs:** as set out in the Treaty of Lisbon the right to take the EU Institutions to the European Court of Justice for legislation adopted which is considered to infringe 'subsidiarity'.

Point 3: Adoption of opinions is core function and should be maximised

Given the core role of the CoR is to adopt opinions/resolutions we do not support any moves to reduce the number of opinions adopted by the CoR.

On the contrary, every effort should be undertaken to ensure the CoR gives a view on all dossiers of interest to local and regional authorities.

Point 4: Refocusing the formal business of the CoR towards effective lobbying/influencing of decision-making

There needs to be a 'seismic' shift in the way 'opinions' are drafted, presented and subsequently used by the CoR in the EU decision-making process.

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<sup>1</sup> The exception to this is the role played by the regional governments of Belgium

At present the endgame is to adopt an opinion at a Plenary Session which sets out the view of the CoR. These opinions are primarily 'passive' documents, and there is no systemic approach in place to promote the key messages beyond contributions at conferences or events in Brussels or elsewhere.

The EU decision-making process in contrast is dynamic. To have any chance of influence the CoR focus needs to be shifted towards adopting 'dynamic' opinions, with clearly identified 'outputs' and 'messages', and lobbying the main EU Institutions, in particular the European Parliament and European Commission for these to be taken on board.

For 'legislative opinions' the CoR should adopt 'negotiating mandates' empowering the rapporteur to 'lobby' the EU Institutions on a number of key concerns.

For 'outlook opinions' similarly there needs to be a more active follow up to adoption at plenary, with focused lobbying of the European Commission and the European Parliament (and Council as relevant) to highlight the key concerns of LRAs, and to seek for these to be addressed in any future policy/legislative proposals.

Point 5: Ensuring high quality, evidence-based reports

A pre-requisite of effectively fulfilling the role described above is the preparation of high quality, relevant and evidence-based opinions by the CoR.

At present the quality is variable, with much hinging on the quality of the rapporteur and the expert, as well as availability of evidence of the impact of EU policies at the LRA level.

There is no dedicated 'Research Service' function within the CoR to support preparation of opinions. Such a function could provide a 'quality' control to the preparation of opinions, through provision of more structured support to the rapporteur and expert.

Point 6: Working effectively in partnership with other **bodies**...

The CoR has established good relationships with a number of the European Commission DGs (notably DG Regional Policy), and other bodies such as the OECD, European Investment Bank, and a range of EU networks.

These links can and should be developed further to ensure informed decision-making.

The CoR needs to be less 'territorial' when dealing with the EU networks (many of which include LRAs in their membership). Many of these EU networks undertake evaluation and monitoring of the implementation of EU policy and legislation on the ground, and seek to influence European Commission thinking through this work. The CoR should not seek to replicate or replace this role, but instead should more systematically draw upon such information to inform its own 'political' opinions/resolutions.

One area where the CoR can add value is through commissioning studies/research to ensure valid comparative data is available and research undertaken of the impact on LRAs of EU policies and legislation. This can be undertaken in partnership with organisations like the OECD as well as the European Commission, and use can be made of the many excellent universities in Europe's regions and cities to carry out this work.

Point 7: Responsibilities of members to report back to their local/regional authorities  
The CoR members can and should be an invaluable source of information on the impact of EU policy proposals on the ground.

A much stronger emphasis should be placed by the CoR on the responsibilities of individual members to demonstrate a two-way flow of information with their own local and regional authorities.

A pre-requisite to the CoR having democratic legitimacy is that it be comprised of elected representatives from LRAs who are able to represent, defend and act on behalf of interests at the sub-Member State level.

Point 8: Diversity a challenge requiring some special status  
There is enormous diversity in the layers of governance that exist at LRA level across the EU. This presents a challenge for the CoR in adequately representing these interests in its decision-making processes, taking account of democratic mandates, and respecting formal structures of decision-making with Member States.

The current system does not give sufficient status or importance to regional legislative assemblies or parliaments (of which there are 74 within eight of the EU Member States).

CALRE (and potentially also REGLEG) should have representation on the political bureau of the CoR, and there should be formal channels through which regional parliaments and governments can exert influence to ensure the political opinions and statements of the CoR adequately represent their interests and concerns, including on matters of subsidiarity.

Point 9: Strong role for political groups  
We strongly support the role of political groups within the CoR to retain the primary control over decisions regarding selection of rapporteurs. It is essential that there is co-operation at LRA level by representatives from different parts of Europe, and the political groups provide the most appropriate way of doing this.

Point 10: Not a brand, not an empire  
The CoR is a well established name within Brussels and across the EU so we would not support changing its name.

We would like to see a shift in approach in the CoR communications strategy away from seeking to promote itself as a 'brand' across the EU (and beyond). Instead its focus should be to support activities of CoR members in their constituencies that promote engagement and discussion on EU policy and legislative developments of relevance.

Point 11: **Engagement beyond the EU...**

The CoR does have a role to play in building links with non-EU countries, in particular those countries bordering the EU. This work needs to be focused, and should not be to the detriment of the CoRs' primary role in the EU decision-making processes.

Such engagement also needs to be sensitive to and where appropriate undertaken in

collaboration with other bodies active in this area, such as the Council of Europe's Congress of Local and Regional Authorities.

Point 12: Efficiency and cost-savings

Given the pressures on budget and austerity measures there is merit in exploring scope for efficiency savings within the various support functions in the CoR.

This could include: (i) exploring scope to share support services with the other EU Institutions, provided this does not compromise the CoRs' ability to deliver on its 'core' political role; (ii) reducing the number of CoR meetings held outside Brussels; and (iii) making savings through a reconfiguration of the internal structures in the CoR, including introduction of new support functions as suggested in this paper.

Point 13: Mandate for change

In order to deliver real change the CoR should give a mandate to the new Secretary General to drive forward the agreed reform agenda.

This means the review of the future must be adopted as a resolution of the CoR at full plenary, agreeing the core vision for a change agenda, and the parameters for the Secretary General to work in.

Point 14: Second chamber of the European Parliament

A longer term goal of the CoR could be to become a third legislative institution of the EU as a second chamber of the European Parliament, focused on defending and representing interests at the sub-Member State level. Such a change would require a radical rethinking around the way in which CoR members are appointed, the functions they undertake, the role and relevance (if at all) of national delegations, and the relationships between political groups between the two chambers. It would also require the question of representation from the sub-Member State level across the EU to be addressed more fundamentally.

Such a debate must be part of any future Convention established in the context of Treaty Reform. Wales is ready to be an active player in these discussions.