



COMMISSION OF THE EUROPEAN COMMUNITIES

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**COMMUNICATION FROM THE COMMISSION**

**Dialogue with associations of regional and local authorities  
on the formulation of European Union policy**

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#### INTRODUCTION

In response to the wishes expressed by regional and local actors in the consultation process for its White Paper on European Governance<sup>1</sup>, the Commission committed itself to establish "a more systematic dialogue with European and national associations of regional and local government at an early stage of policy shaping". When adopting its report on European Governance<sup>2</sup> and its communication on a reinforced culture of consultation and dialogue<sup>3</sup> on 11 December 2002, the Commission announced the adoption of a communication laying down the framework, goals and modalities governing this dialogue with associations of regional and local authorities.

In March 2003, to prepare this communication, the Commission adopted a staff working paper<sup>4</sup> which defined the scope of the dialogue. Between 28 March and 23 May 2003 this paper was published on the Internet as part of a process of public consultation, eliciting comments and reactions from a large number of European and national associations of regional and local authorities<sup>5</sup>. The richness and quality of these contributions were an important support for the Commission in drafting this communication.

In the light of the results of the public consultation, this communication:

- stresses that this dialogue is additional and complementary to all the other methods it uses to consult regional and local authorities;
- more clearly sets out the role the Committee of the Regions is to play in the proposed dialogue;
- establishes a reference framework for identifying the associations that may participate in the dialogue.

This dialogue is complementary to the other consultation processes laid out in the Treaty and secondary legislation and the Commission communication on a reinforced culture of consultation and dialogue. In accordance with the principle of proportionality, the Commission has also taken care that the proposed measures will in no case generate disproportionate administrative workloads or budgetary expenditure.

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<sup>1</sup> COM(2001) 428 final of 25 July 2001.

<sup>2</sup> COM(2002) 705 final of 11 December 2002.

<sup>3</sup> COM(2002) 704 final of 11 December 2002.

<sup>4</sup> C(2003)927 of 27 March 2003

<sup>5</sup> All the reactions received by the Commission during the public consultation stage can be found at [http://europa.eu.int/comm/regional\\_policy/consultation/territorial\\_fr.htm](http://europa.eu.int/comm/regional_policy/consultation/territorial_fr.htm)

The goals of the new dialogue are as follows:

- to involve regional and local actors - via European and national associations of regional and local authorities - by giving them the opportunity to express their views on the European policies they help to implement before the formal decision-making processes start;
- to ensure a better understanding of the policy guidelines of the EU and European legislation, thereby making the activities of the Union more transparent and meaningful to the public.

The proposed systematic dialogue will be based upon a presentation of:

- the Commission's annual work programme, and
- the major policy initiatives that have a significant direct or indirect regional and local impact.

To achieve these goals, it is necessary to:

- identify the aims of the dialogue;
- identify the participants;
- decide the subjects to be covered;
- set the rules of the dialogue.

## **1. PURPOSE OF THE DIALOGUE**

The Commission is seeking to make more systematic the dialogue it already carries out in an ad-hoc manner with associations of regional and local authorities prior to the decision-making process.

The dialogue will complete and deepen the consultation process, in accordance with the general principles and minimum consultation standards already established by the Commission, enabling it to implement the principles of good governance set out in the *White Paper*. These principles are **openness, participation, coherence and effectiveness**.

### **1.1. Openness**

The principle of openness stems from the Commission's desire to ensure improved information and ownership of its political position and of Community legislation.

To better explain Community activities it is not sufficient to improve the Commission's communication and information activities, though this is clearly necessary. Since they are democratically elected and close to the ground, regional and local authorities are well placed to provide the citizen with the information he needs to gain a better understanding of European policies and decisions. It is important, therefore, that these authorities are able to play an active role in

formulating EU policy. Their activities will raise the Union's profile with its citizens and increase their support for its policies.

## **1.2. Participation**

In its *White Paper on European governance*, the Commission stressed that *"the quality (...) of EU policies depend(s) on ensuring wide participation throughout the policy chain, from conception to implementation"*. The Commission has therefore committed itself to an approach that seeks the participation of all in conceiving and implementing EU policy. This implies the broadest consultation possible on its main policy initiatives.

Highlighting the increased role of local and regional government in implementing Community policy, the Commission's White Paper stresses that *"[...] At EU level, the Commission should ensure that regional and local knowledge and conditions are taken into account when developing policy proposals. For this purpose, it should organise a systematic dialogue with European and national associations of regional and local government, while respecting national constitutional and administrative arrangements. The Commission welcomes ongoing efforts to increase co-operation between those associations and the Committee of the Regions [...]"*.

It is this principle of participation that the Commission intends to apply by establishing the dialogue proposed in this communication.

## **1.3. Coherence**

The consultations undertaken for the preparation of its *White Paper on European Governance*, and various studies and reports commissioned or drawn up by the EU institutions, allowed the Commission to understand the need to better assess the effect at regional and local level of Community policies in areas such as transport, energy and the environment.

The Commission has already established an integrated impact-assessment method that integrates *"all the sectoral analyses of the direct and indirect implications of a proposed measure [to form] one comprehensive instrument, thus moving away from the existing situation of a number of partial and sectoral assessments"*<sup>6</sup>. This instrument will also allow the Commission to establish a dialogue and debate with the various interested parties.

In this way, impact assessment can contribute, on the one hand, to informing the community actors of the effects of Community activities, and on the other hand, to guide and prepare national, regional and local actors for the adoption of the measures necessary for an optimal implementation of Community decisions.

In addition, the Commission has adopted a set of general principles and minimum standards for consulting non-institutional parties that have an interest in the main political initiatives it proposes. Where relevant, Commission services involved in preparing a new policy, for which an impact assessment is required, will launch such consultations.

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<sup>6</sup> COM(2002) 276 final of 5 June 2002.

This communication proposes to complement these provisions for specific consultations, by adding regular hearings with European and national associations representing regional and local authorities, and calls on the Committee of the Regions to play a role of intermediary in this dialogue. Employing this approach will enable the Commission to incorporate the specific needs and experiences of regions and local areas more consistently into its policy proposals.

#### 1.4. Effectiveness

It is at territorial level that certain Community policies are implemented or have the greatest effect. Regional and local authorities are therefore well placed to assess the coherence and effectiveness of policies that have a marked regional and local impact.

If the Union wants to improve the effectiveness of its activities, in terms both of coherence and of the public's perception of its political position, it must be able to get informed about the regional and local impact of its activities at the earliest possible stage, before they are implemented. This will put it in a position to better identify the nature and intensity of the measures to adopt, and to assess the outcome and future impact of activities that will ultimately affect regions and local areas.

By establishing the tools for a dialogue with the associations representing local and regional government, allows the Commission to improve the involvement at the right time – i.e. prior to the formal decision-making process - of authorities that help implement or which are affected by policies decided at EU level

## 2. PARTIES TO THE DIALOGUE

The choice of participants in this dialogue, which will take the form of hearings, will have to take account of the following elements:

- the current Treaty provisions, in particular the subsidiarity principle;
- the Union's institutional architecture (e.g. the Commission's right of initiative, the legislative powers of the European Parliament and the Council, the new consultative role of the Committee of the Regions following the signing of the cooperation protocol with the Commission);
- the principle of respecting the constitutional autonomy of the Member States, which order their relations with regional and local authorities in different ways.

In addition, the post-enlargement Union will include some 250 regions and 100 000 local authorities.<sup>7</sup> In the interests of effectiveness, and as pointed out in the *White Paper on European Governance*, this means that **the appropriate partners for a dialogue prior to the formal decision-making processes can only be the national and European associations of regional and local authorities.** Attention will have to be paid to the representation of all the interests of regional and local authorities in this dialogue, to reflect the diversity of situations on the ground throughout the EU.

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<sup>7</sup> Source: Committee of the Regions.

The experience gained over many years in regional policy and policies such as the environment, transport, research and rural development could help identify the 'target groups'<sup>8</sup> for the dialogue, without, nevertheless limiting participation along sectoral lines. The input and specific contributions of the various sectoral organisations can justify several associations grouping together and presenting a common position in the meetings, where a theme generates a common interest.

The Commission considers it important that the new dialogue should serve to the ties between the Committee of the Regions and the regional and local authorities it represents. To this end, in accordance with the recommendations in the *White Paper on European Governance*, it calls on each of the regional and local authorities and their associations to strengthen their respective ties with the Committee of the Regions.

The Committee of the Regions already plays an essential role in consulting these actors, as envisaged in the Treaties. Its function as intermediary between the local and regional authorities and the EU institutions has been enhanced by the cooperation protocol it has signed with the Commission, under the terms of which the Commission may call on the Committee to hold consultations.<sup>9</sup> The proposals made in this communication are without prejudice to the arrangements for these consultations.

As regards the rules for selecting associations, therefore, the Commission considers that the Committee of the Regions is best placed to help it identify which associations have an interest in which policies, and, for each meeting, to propose indicative lists of European and national associations relevant to the subjects to be discussed. However, the Commission reserves the right to invite whichever associations it sees fit to the various dialogue meetings, amending and/or adding to the lists proposed by the Committee of the Regions.

In this way the Commission seeks to contribute to enhancing the intermediation role played by the Committee of the Regions between it and the regional and local authorities, thereby increasing its cooperation with the associations of regional and local authorities.

It is the task of the Committee of the Regions to co-operate with the different associations in order to establish the selection criteria. In any case, such organisations must be representative bodies that are able both to deliver a jointly agreed opinion from their members and to pass on to them the Commission's proposals and policy guidelines. The associations that are selected will be required to ensure that they are represented at the highest level. In addition, their selection procedures should be transparent, clear and in compliance with the minimum standards of consultation that apply in the Commission.

Thus the associations that should participate in the dialogue are those:

- concerned by the policy in question;

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<sup>8</sup> Information on local-government associations in the EU can be found in the CONECCS database at [http://europa.eu.int/comm/civil\\_society/coneccs/index\\_fr.htm](http://europa.eu.int/comm/civil_society/coneccs/index_fr.htm). This is not, however, an exhaustive list.

<sup>9</sup> Cooperation protocol concerning the arrangements for cooperation between the European Commission and the Committee of the Regions, signed in Brussels on 20 September 2001.

- whose members are involved in implementing the policy;
- and which, given their own aims, have a direct interest in the policy.

Furthermore, the following aspects should also be borne in mind:

- the possible need for specific experience, expertise or technical know-how;
- the need to keep a fair balance among associations representing different categories of regional and local authorities.
- any contributions made by participants in previous consultation rounds on the same policy, although this should not prevent newly created associations from taking part;
- the number of associations selected must remain operable and be coherent with the effectiveness goal pursued by the dialogue.

### 3. SCOPE AND CONTENT OF THE DIALOGUE

The dialogue will start prior to the formal decision-making process. It will, however, be different from the contacts made by the Commission with the representatives of civil society.

The dialogue will be without prejudice to the specific consultation provided for in the Treaties (for example, the consultation of the institutional advisory bodies<sup>10</sup>, or social dialogue within the meaning of Articles 137-139 of the Treaty) or in other Community texts, as part of “comitology” procedures<sup>11</sup>. Furthermore, the consultation arrangements described in this document will complement, without replacing, the provisions adopted by the Commission on 11 December 2002 in its communication on general principles and minimum standards for consultation.<sup>12</sup>

Finally, this new process will not replace the *ad hoc* contacts or consultation arrangements between the Commission and the associations. As a complement to these contacts, the dialogue allow for the enrichment of Commission proposals because it will be regular, more organised and more political.

It is hereby proposed that a systematic dialogue be instituted based on the presentation of :

- (1) the Commission's **annual work programme**
- (2) the **major policy initiatives** that have a direct or indirect territorial impact (economic and social cohesion, regional policy, social policy, employment policy, transport, energy, environment, technology research and development,

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<sup>10</sup> In particular as regards the Committee of the Regions and the European Economic and Social Committee, the dialogue proposed in this document will be without prejudice to their new consultative role (outlook opinions, exploratory opinions, etc.) under the cooperation protocols concluded with the Commission in September 2001.

<sup>11</sup> Under Council Decision 1999/468/EC.

<sup>12</sup> COM(2002) 704 final of 11 December 2002.

common agricultural policy, trans-European infrastructure networks, health, education and culture, vocational training, justice and home affairs, consumer policy, etc.).

#### 4. RULES FOR AND ORGANISATION OF LOCAL AND REGIONAL DIALOGUE

Responsibility for organising and holding the meetings will rest with the Commission. It intends to make this dialogue a process of mutual exchange. Interaction between the dialogue and the Community policy agenda could take the following form:

- (1) through an annual meeting at which political dialogue would be initiated at the highest level between the President of the Commission and/or the vice-presidents and the representatives of the associations. Alongside the Commission's presentation of the annual work programme to the Committee of the Regions, this extra meeting will be an opportunity for in-depth discussion with the representatives of the regional and local authorities' associations on the planned guidelines of EU actions;
- (2) through meetings with the Commissioners responsible for policies that have an impact at territorial level. These meetings, which could be on a yearly basis, where justified by the work programme, would be an opportunity to discuss the major initiatives proposed for the policy in question.

The agenda of these meetings will thus be determined by the Commission's general work programme, as well as by the timetable of those initiatives likely to have a marked regional and local impact. The list of associations participating in these meetings will be decided by the Commission for each meeting on the basis of proposals made by the Committee of the Regions and depending on the specific initiative in question.

In the interests of transparency and to ensure associations' participation, the Commission should ensure that the dates of the meetings are fixed six weeks in advance. It will also provide the associations with all the necessary documents.

#### 5. CONCLUSION

The Commission's approach in proposing to introduce a more systematic political dialogue with regional and local associations is **to give the parties in question the opportunity to express their views** without undermining the decision-making process. It seeks to allow the Commission to sound out their views on those Community policies which they help to implement and which ultimately will have an impact at regional and local level, before the formal decision-making processes get started. Additionally, the proposed working method will help strengthen the ties between the Committee of the Regions and the various associations of regional and local authorities.