

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 118 (2002)¹ on regions with legislative powers – assessment and prospects of the Conferences of Presidents of Regions with Legislative Powers held in Barcelona (2000) and Liège (2001)

The Congress, bearing in mind the proposal of the Chamber of Regions,

1. Convinced of the importance of the phenomenon of regionalisation in Europe;
2. Dedicated to the principle of subsidiarity as adopted for the first time in an international legal instrument in the European Charter of Local Self-Government (Article 4, paragraph 3);
3. Aware of the specific situation in Europe of regions with legislative power whose prerogatives are directly affected by acts of European institutions, notably by the directives of the European Union;
4. Reiterating that this specific situation is in no way incompatible with the necessary solidarity between all European regions constantly stressed in the Congress and particularly in its Chamber of Regions;
5. Thanking the President of the Generalitat of Catalonia and the Minister-President of the Walloon region as well as the Belgian Presidency of the European Union for their substantial contribution to the success of the first two conferences of Presidents of regions with legislative powers held in Barcelona in November 2000 and in Liège in November 2001;
6. Endorsing the conclusions of those two conferences (CPR (9) 5 addendum);
7. Having regard to the report submitted to the Chamber of Regions at the 9th session of the Congress by Mr Llibert Cuatrecasas (Spain, R) (CPR (9) 5 Part II);
8. Recommends that the Committee of Ministers of the Council of Europe:
 - a.* take account of the specific situation of regions with legislative powers in its work by consulting them, through

the Chamber of Regions of the Congress, whenever international instruments affect their prerogatives;

b. urge the conferences of specialised ministers to do likewise when dealing with problems falling within the competence of these regions;

c. devote special attention to regions with legislative powers when resuming examination of the draft European charter of regional self-government, in particular with regard to the models annexed to the charter;

d. encourage the Congress to pursue its work in fostering regionalisation, particularly in South-eastern Europe and in the Caucasus, where well-managed regionalisation, using generalised legislative powers or special status accordingly, may prevent or resolve conflicts, help to rebuild trust between different communities and thus strengthen democratic stability;

9. Recommends that the competent bodies of the European Union:

a. take into consideration the conclusions of the conferences held in Barcelona in November 2000 and in Liège in November 2001 (CPR (9) 5 addendum) in any work that might affect regions with legislative powers;

b. involve and consult the regions, particularly the regions with legislative powers, in the activities of the Council of Ministers where these affect regional prerogatives;

c. transform the Committee of the Regions into a body which has effective capacities, in which the regions with legislative powers may play an important role;

d. incorporate in the Community *acquis* the principles of the European Charter of Local Self-Government and the future European charter of regional self-government, and apply the principle of subsidiarity not only in relations between the European Union and its member states but also in relations between the European Union, regions and local authorities;

10. Recommends in particular that the Convention on the Future of the European Union, chaired by Valéry Giscard d'Estaing, take account of the aforementioned proposals and the conclusions of the Barcelona and Liège conferences as a whole in its work to prepare a constitutional framework for the European Union, both for the Intergovernmental Conference in 2004 and with a view to enlargement.

1. Debated and approved by the Chamber of Regions on 5 June 2002 and adopted by the Standing Committee of the Congress on 6 June 2002 (see Doc. CPR (9) 5, draft recommendation presented by Mr L. Cuatrecasas, rapporteur).