

# Chapter 5

## The Committee of the Regions and the Challenge of European Governance

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### A. Premise

Since its establishment in 1994, the Committee of the Regions (hereinafter referred to as CoR) was vested with two main political roles: to involve local and regional authorities in the European decision-making process and to make good the EU democratic deficit. This is in accordance with the needs that have emerged during the progressive widening of the Union's role and the consequent greater impact of EU law on local and regional policies in Member States.

The CoR's activity is inspired by three principles, subsidiarity, proximity and partnership, each of which appears to offer an adequate response (or currently, perhaps, the sole conceivable answer) to the needs mentioned above. The EU also relies on these principles to promote a more tangible sense of belonging among European citizens.

Given that the CoR shares its responsibility with the other institutions, in the following analysis we will focus our attention on the elements which best highlight the rules governing the nature, role and functions of the Committee, and the coherence of its activities. This is analysed in relation to the fundamental principles on which the work of the Committee is based and the reform of Union governance.<sup>1</sup> The issues resulting from the Treaty of Lisbon (hereinafter referred to as ToL) will also be examined.

The following analysis adopts the concept of Governance as defined in the 2001 White Paper: "rules, processes and behaviour that affect the way in which powers are exercised at the European level". This is a wide and generic definition which embodies a number of principles: "openness, participation, accountability, effectiveness and coherence". From the Commission's perspective, the European

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<sup>1</sup>See *European Governance – A white Paper*, COM (2001) 428 of 25 July 2001, available at [http://europa.eu/documents/comm/white\\_papers/index\\_en.htm](http://europa.eu/documents/comm/white_papers/index_en.htm) (last checked on 15 June 2010).

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governance includes “multilevel governance”: the 2001 White Paper also represents an attempt to confirm and foster the role of regional and local authorities in the EU institutional equilibrium.

## B. Role and Legal Nature of the Committee

As mentioned above, the CoR came into being in 1994, with the Maastricht Treaty, as a consultative assembly of a political nature aimed at the representation of regional and local interests. On the one hand, the CoR would have had to ensure the participation of regional and local levels of government in the EU decision-making process, given the growing involvement of those levels in the implementation and application of EU Law. On the other hand, the CoR would have had to allow citizens to become more involved in the EU and in its decisions through regional and local authorities, since these levels of government are closer to the people.

The CoR came into being during a period of great transformation in the European Community; a period in which the European Union and European citizenship were established, and in which the principles of subsidiarity, proximity to the citizens and transparency were affirmed as the cornerstone of the Union. The CoR has the aim of expanding democratic guarantees in the exercise of Union powers, beyond the representation of the “European citizens” in the European Parliament.

Therefore, the Maastricht Treaty, in providing for the CoR, introduced a new Community body endowed with autonomy, taking the place of the Consultative council of local and regional authorities, an advisory body to the Commission.<sup>2</sup>

The CoR does not have the status of a Union institution. Nevertheless, the Committee is involved in the decision-making process of the Union and contributes to the inter-institutional equilibrium within the EU. The Committee performs an advisory function for the benefit of the EU institutions responsible for legislation: the Commission, the Council, and the European Parliament. The CoR is allowed to intervene in the overall legislative activity of the EU, even if its intervention may have a different weight depending on the subject of the decision and the manner in which the CoR participates in the decision-making process.

The practical impact of the CoR can be appreciated by clarifying the nature of the CoR and the extent of its advisory functions provided for by Art. 307 of the Treaty on the Functioning of the European Union (TFEU) (ex 265 EC).

According to Art. 307, § 1, TFEU, the CoR is an advisory body to the European Parliament, the Council and the Commission in their adoption of legislation “where

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<sup>2</sup>See N. PARISI, *Art. 263 EC*, in Pocar (2001), p. 893. The 42 members of the Council were appointed by the Commission: see Commission Decision of 24 June 1988, No. 487, Art. 3, § 2, in O.J.C.E., L 247, of 6 September 1988, pp. 23–25.

the Treaties so provide”. In particular, there are subject matters (e.g. Economic and Social Cohesion or Environment; for a list of all the subject matters, see § 5 below), in which “consultation” of the CoR is mandatory. In such cases, the Commission and the Council are bound to request the opinion of the Committee. In the absence of such a request, the legislative act may be regarded as illegal on the grounds of the infringement of an essential procedural requirement. However, the Commission and the Council may come to the conclusion of the decision-making process without actually examining the opinion of the CoR. This may happen if they set a deadline within which the Committee will have to issue its opinion.<sup>3</sup> The rationale for this provision is that, in its absence, the Committee would have the power to endlessly delay the adoption of an act. In any case, it seems reasonable that the Committee does not lose the power to submit its opinion following the expiry of the time limit, where the Committee considers this opinion as useful in order to reach a decision. It must be underlined that the CoR’s opinions are never binding on the institutions.<sup>4</sup> Even in those situations in which the opinion of the CoR is “mandatory” (i.e. it must be requested), this opinion is nonetheless non-binding and the institutions can depart from it.

The ToL gave the Committee the power to bring an action before the Court of Justice for the purpose of protecting its prerogatives (Art. 263, § 3, TFEU; ex 230 EC). This means that the advisory tasks of the CoR are judicially enforceable in case of mandatory opinions. The new version of the Rules of Procedure regulates actions that the CoR can bring in the case of a failure to carry out obligatory consultation of the Committee.<sup>5</sup>

Apart from those cases in which the opinion is “mandatory” by express provision of the Treaty, the CoR is entitled to issue an opinion on its own initiative (Art. 307, § 4, TFEU<sup>6</sup>), or on discretionary request coming from an institution. In fact, according to Art. 307, § 1, TFEU, the CoR “shall be consulted by the European Parliament, the Council or by the Commission where the Treaties so provide and in all other cases, in particular those which concern cross-border cooperation”, but only if “one of these institutions considers it appropriate”.

Finally, the Committee has to be informed about every request for an opinion which the institutions submit to the Economic and Social Committee, to assess if any issue of “specific regional interest” is involved that might require an opinion of the CoR (Art. 307, § 3, TFEU).

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<sup>3</sup>According to Art. 307, § 2, TFEU, the time limit “may not be less than one month from the date on which the President receives notification to this effect”, and “Upon expiry of the time limit, the absence of an opinion shall not prevent further action”.

<sup>4</sup>N. PARISI, *Art. 265 EC*, in Pocar (2001), pp. 901–902.

<sup>5</sup>Art. 54 of the Rules of Procedure. The latest version of the Rules of Procedure of the CoR was adopted in 2010 (following the entry into force of the ToL): see *Rules of Procedure – Committee of the Regions*, in O.J.E.U., L 6 of 9 January 2010, pp. 14–31.

<sup>6</sup>Art. 307, § 4, TFEU, provides: “[The Committee] may issue an opinion on its own initiative in cases in which it considers such action appropriate”.

## C. Composition

The Committee of the Regions currently consists of 344 members and 344 alternate members. Its members must be “representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly” (Art. 300, § 3, TFEU). They are appointed for 5 years (Art. 305, § 3, TFEU, ex 263 EC). The regional or local electoral mandate/accountability requirement was originally introduced by the Treaty of Nice in order to affirm and strengthen the democratic role of the Committee as a body representing the citizens. This rule limits the discretionary power of the Member States to influence the composition of the Committee.<sup>7</sup>

Neither the Treaties nor the Rules of Procedure of the Committee establish sufficient criteria to provide an equilibrium among regional and local authorities. The composition of the CoR does not take into account the difference between authorities with or without legislative power, or between regional and local authorities. Before the ToL, it was the EC Treaty that established the actual number of members of the CoR for each Member State.<sup>8</sup> Currently the composition of the Committee and the allocation of the representatives between the Member States (Art. 305, § 2, TFEU) is left to a unanimous decision by the Council upon a proposal from the Commission (in actuality, this is an agreement between the Member States).

The rationale for the existence of the Committee lies with the growing regional and local decentralisation of the Member States of the EU. The introduction of the CoR reflects the acknowledgment by the EU of the relevance of regional and local levels of government. It also reflects the obvious inadequacy of the original Community institutional setting which responded exclusively to the needs of national sovereignty and did not consider sub-state entities. From this point of view, the CoR may provide a significant opportunity for the EU to overcome its “Landesblindheit” (regional blindness).<sup>9</sup>

The large number of Committee members reflects the multitude of regional and local authorities in Europe and also the differences in their status in the Member States. This allegedly heterogeneous and plethoric composition may be seen as an

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<sup>7</sup>Before the Treaty of Nice, legal scholarship was very critical of the previous text of Art. 263 EC extending the discretionary power of the Member States to the designation of “representatives of local and regional bodies”, thus leaving unresolved the question regarding the necessity for an electoral mandate or for political accountability. See, e.g. Huici Sancho (2003), pp. 160–164.

<sup>8</sup>This is the allocation under former Art. 263, § 3, EC: Austria 12, Belgium 12, Bulgaria 12, Cyprus 6, Czech Republic 12, Denmark 9, Estonia 7, Finland 9, France 24, Germany 24, Greece 12, Hungary 12, Ireland 9, Italy 24, Luxembourg 6, Lithuania 9, Malta 5, Netherlands 12, Lettonia 7, Poland 21, Portugal 12, Romania 15, Slovakia 9, Slovenia 7, Spain 21; Sweden 12, United Kingdom 24.

<sup>9</sup>This is the view of Domenichelli (2007), p. 8. On the concept of “regional blindness” see Ipsen (1966), p. 248 ff.

advantage or a disadvantage depending on the activities the CoR performs. For instance, when adopting an opinion, it may be an obstacle to the achievement of a majority. At the same time, it allows the emergence of the interests of different sub-national levels of government.<sup>10</sup>

Art. 305, § 3, TFEU, regulates the procedure for the appointment of the CoR's members and provides that the members of the Committee and an equal number of alternate members shall be appointed by the Council in accordance with the proposals of each Member State. This ensures that the national procedures of selection are respected. In practice, each State proposes two lists of candidates, members and alternate members, and the Council does not make a real choice, but merely provides ratification for national decisions. In addition the Council approves the appointment of Committee members *by qualified majority* rather than unani- mously as was the case in the past until the Treaty of Nice. It has been argued that the Council has substantially lost its power of appointment to the advantage of the growing autonomy of the Member States in this field. However, an intervention by the Council would be useful in order to ensure the general equilibrium of the Committee's composition (e.g. to ensure the proportion of local and regional bodies represented, or compliance with the principle of equal opportunities between men and women).<sup>11</sup>

The autonomy of the Member States in appointing the Committee members seems to be adherent to the principles of proximity and democracy. There appear to be two main reasons why this is the case. First, it would be contradictory to give the Council the task of democratic control given that the Council consists of representatives of the Executives of the Member States. Second, the discretion of the Member States when choosing the Committee members is limited by the provision (Art. 300, § 3, TFEU) according to which the Committee members must hold an electoral mandate at regional or local level or be politically accountable to an elected assembly.

As regards the independence of Committee members, Art. 300, § 4, TFEU, makes the following provision: "The members of the Committee of the Regions shall not be bound by any mandatory instructions. They shall be completely independent in the performance of their duties, in the Union's general interest". Such "independence" differs from the similar provision defining the status of the EU Commissioners according to Art. 245 TFEU (ex 213 EC). The Committee members have a democratic mandate and the fact that they are not bound by any mandatory instruction is a further recognition of the political nature of this body.

In conclusion, the rules governing the composition of the CoR seem to ensure respect for the principles of proximity and subsidiarity. This is a starting point in the effort to overcome the democratic deficit within the EU.

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<sup>10</sup>See Domenichelli (2007), p. 21, for a summary of the opinions in the literature on this issue.

<sup>11</sup>Huici Sancho (2003), pp. 154–155.

## D. Organisation

The Committee has full autonomy in relation to its internal organisation. Art. 306 TFEU (ex 264 EC) provides only for the CoR's President (called "chairman"), allowing the CoR to organise itself freely. Moreover, following the Amsterdam Treaty the Committee now has the right to pass its own Rules of Procedure without any external intervention by the Council.

According to the Rules of Procedure, the constituent bodies of the CoR are the Plenary Assembly, the President, the Bureau, and the commissions. We should also note that the national delegations and the political groups originally emerged in the functioning praxis of the Committee and are now provided for by the Rules of Procedure. The internal organisation of the CoR thus resembles that of a parliamentary assembly, suggesting the idea of a chamber of representatives of the local and regional interests. This is in addition to the representation of the people in the European Parliament. As in many other assemblies, the President, who is appointed for two and half years, takes a pre-eminent institutional role. He directs the work of the Committee and is the Committee's representative.

The Plenary Assembly (PA) is primarily a deliberative body, whose main tasks are the adoption of opinions, reports and resolutions. The PA also approves the draft estimates of expenditure and revenue of the Committee and the CoR's political programme. The PA is responsible for: the election of the President of the Committee, the first Vice-President and the remaining members of the Bureau, the setting up of the various commissions of the CoR, the adoption and amendment of the Rules of Procedure, and also for bringing cases before the ECJ upon a proposal by the President of the Committee<sup>12</sup> (see § 2 and § 7.7 on the right of the CoR to bring a direct action for annulment before the ECJ).

The activity of the PA in relation to the adoption of its main acts (opinions, reports, and resolutions) is supported by the commissions. They are internal bodies aimed at organising the work of the Committee according to the principle of specialisation. Indeed each CoR commission is vested with a particular field of action.<sup>13</sup> The commissions debate the EU policies and draw up the draft versions of the opinions, reports and resolutions, before the final discussion and vote take place in the plenum.<sup>14</sup> Each CoR member must belong to at least one commission

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<sup>12</sup>Art. 13 of the Rules of Procedure.

<sup>13</sup>The CoR commissions are: COTER-Commission for Territorial Cohesion; ECOS-Commission for Economic and Social Policy; DEVE-Commission for Sustainable Development; EDUC-Commission for Culture, Education and Research; CONST-Commission for Constitutional Affairs, European Governance and the Area of Freedom, Security and Justice; RELEX-Commission for External Relations and Decentralised Cooperation. There is also the Committee for Administrative and Financial Affairs and an ad hoc Temporary Commission on the European Budget Review.

<sup>14</sup>Art. 47 of the Rules of Procedure. Art. 26 of the Rules of Procedure provides for "Simplified procedures" for the approval of opinions and reports. It establishes that draft opinions or reports can be submitted to the Plenary Assembly for approval without change if adopted unanimously by a lead commission. In this case a debate can still take place in the Plenary Assembly. The lead

(but to no more than two) and the composition of the commissions must proportionally reflect the national (but not necessarily the political) composition of the Committee.<sup>15</sup>

The element of nationality, in addition to featuring in the composition of the Assembly and the commissions, is also important for another reason. The previously consolidated provision for national delegations (which were considered as an almost “natural” element of the internal organisation of the Committee) gives each national delegation a particular role.<sup>16</sup> The national delegations offer an important opportunity in strengthening the subsidiarity principle. In fact, they can become an internal forum that may foster the punctual representation of the different regional and local authorities of a Member State. They may also assist in the resolution of potential conflicts of interest among local and regional bodies of a Member State on a subject dealt with by the CoR and so promote collaboration between the different levels of government.

All Committee members are entitled to express their political orientation. This explains the presence of political groups within the Committee and is consistent with the principle of democracy. The political groups<sup>17</sup> are freely constituted by the members and alternates of the CoR, which “may form” groups according to the conditions laid down in the Rules of Procedure. These establish criteria to guarantee the proportion between the number of members of each group and the number of Member States represented in the same group (cf. Art. 9, § 2, of the Rules of Procedure).

The provisions of the Rules of Procedure regarding national delegations and political groups have put an end to a rather heated debate about their existence. This debate originally arose from the fear of a possible alteration of the role of the Committee and of an overlap with the representative role of the European Parliament.<sup>18</sup> The Rules of Procedure contain a remnant of this debate where they prescribe that “National delegations and political groups shall help in a balanced way with the organisation of the Committee’s work” (Art. 7 of the Rules of Procedure). As a consequence, delegations and groups have to contribute to ensure an adequate representation of regional and local interests within the Committee.

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commission can propose that the approval of an opinion by the Plenary Assembly takes place without preliminary debate. This is only possible if the lead commission is of the view that the Plenary Assembly would not raise any objections.

<sup>15</sup>Art. 45, § 2, of the Rules of Procedure. Art. 45, § 3, confirms the proportionality of the commissions when it stipulates that “Exceptions [to the belonging of each Committee member to at least one commission but no more than two] may be made by the Bureau for members belonging to national delegations which have fewer members than the number of commissions”.

<sup>16</sup>Art. 8 of the Rules of Procedure provides that “The members and alternates from each member State shall form a national delegation”.

<sup>17</sup>There are four political groups: European People’s Party (EPP), Party of European Socialists (PES), Alliance of Liberals and Democrats for Europe (ALDE), Union for Europe of the Nations – European Alliance (UEN-EA).

<sup>18</sup>On this debate, see huici Sancho (2003), p. 180 ff.

All the aforementioned bodies are involved in the work of the Bureau. The Bureau is composed of the President, one first Vice-president, one Vice-president per Member State, the chairs of the political groups, and 27 members divided among the national delegations.<sup>19</sup>

The duties of the Bureau are fundamental for the functioning of the plenum and of the Committee in general. The Bureau establishes its policy programme and submits this to the Plenary Assembly. It then monitors its implementation and, at the end of its term, submits a report on the implementation of the programme to the Plenary Assembly. It also organises and coordinates the work of the Assembly and adopts the commissions' working programme. The Bureau is also responsible for financial, organisational and administrative matters concerning members and alternates, and in general for the internal organisation of the Committee. In particular, the Committee is assisted by a Secretariat-General with executive tasks and the Bureau is responsible for the organisation of the Secretariat-General "in such a way that it can ensure the efficient functioning of the Committee and its constituent bodies" (see Art. 66, § 3, of the Rules of Procedure).<sup>20</sup>

Finally, in the organisation of the CoR, the principle of partnership between different Regions is recognised, where the Rules of Procedure provide that "Members and alternates may form interregional groups".<sup>21</sup> However, the role and function of such groups are not further specified in the Rules of Procedure but in a Committee decision (CdR of 13 February 2007, No. 23). The interregional groups are composed of at least ten members of the CoR belonging to at least four national delegations or belonging to a group of Regions working on the basis of an international agreement promoting trans-border cooperation. Each group is approved by a decision of the Bureau. Since then the Bureau has approved eight groups: "Saar-Lor-Lux", "Wine", "Regions with Legislative Power", "Baltic Sea Regions", "Mediterranean", "Danube", "North Sea" and "Crisis in the car industry". Some groups are set up in order to coordinate the different Regions in the development of the European policies (e.g. the group "Saar-Lor-Lux" or the group "Baltic Sea Regions", or also the group "Mediterranean"). Some groups are set up in order to achieve specific goals. An important example of the latter is the group "Regions with Legislative Power". The aim of this group is to take the initiative in

<sup>19</sup>See Art. 28 of the Rules of Procedure.

<sup>20</sup>Moreover the Bureau may (Art. 36 of the Rules of Procedure):

- (a) "Set up working groups of Bureau members or of Committee members to advise it in specific areas" and "invite other members of the Committee, by virtue of their expertise or mandate, and persons not belonging to the Committee, to attend its meetings".
- (b) Engage the Secretary General and the officials and other servants listed in Rules 69.
- (c) Submit the draft estimates of expenditure and revenue to the Plenary Assembly in accordance with Rule 72.
- (d) Authorize meetings away from the usual place of work.
- (e) Draw up provisions for the membership and working methods of working groups and of joint committees with applicant countries.

<sup>21</sup>Art. 10 of the Rules of Procedure.

order to promote better EU legislation and European multilevel governance, with specific attention to the monitoring of the implementation of the subsidiarity principle. Some groups have more of a circumscribed impact, e.g. the group “Wine” which promotes the monitoring of wine policy in the interest of wine-producing regions, or the group “Crisis in the car Industry” (set up in April 2009). The interregional groups do not replace the political groups. The latter bring the CoR members together and coordinate their actions in accordance to their political orientation. One may argue that they are a direct expression of the principle of democracy. Instead the interregional groups bring the CoR members together and coordinate their activities on the basis of their territorial belonging. This is an expression of the principles of subsidiarity and proximity.

## E. Tasks

It is appropriate, after describing its composition and organisation, to analyse the tasks of the CoR. The non-binding force of the CoR’s opinions, together with its right to intervene in every subject matter it considers appropriate, urges us to focus our attention on the praxis rather than the rules. We must do so in order to evaluate the effectiveness of the role played by the CoR in the inter-institutional equilibrium within the European Union.

The Treaty on the Functioning of the EU requires an opinion of the Committee in relation to the following policies: Transport (Art. 91, § 1); Employment (Art. 148, § 2, and 149, § 1); Social policy (Art. 153, § 2); Education, Vocational training, Youth and Sport (Art. 165, § 4, and 166, § 4); Culture (Art. 167, § 5); Public health (Art. 168, § 4); Trans-European networks (Art. 172); Economic, social and territorial cohesion (Art. 175, § 3, 177, § 1, and 178, § 1); Environment (Art. 192, §§ 1, 2, and 3). All the aforementioned subjects were within the sphere of competence of the CoR before the entry into force of the ToL. The ToL increased the number and the range of policies in which the opinion of the CoR is required. To the areas detailed, the ToL added the following: Sea and air transport (Art. 100, §2, TFEU; within the framework of the Transport policy); a number of measures aimed at protecting public health (Art. 168, § 5, TFEU; within the framework of the Public health policy); extension of the ordinary legislative procedure to some areas of environmental protection (Art. 192, § 2, TFEU; within the framework of the Environment policy); and Energy policy (Art. 194, § 2. TFEU). In these fields, the Union acts in the exercise of shared competences; therefore, according to Art. 5 of the Treaty on European Union (TEU; ex Art. 5 EC), the subsidiarity principle plays a decisive role.

In addition to the specified fields, the CoR has a residual area of intervention. It is entitled to submit an opinion in any other area on its own initiative or on the basis of a discretionary request from an EU institution. This may happen whenever local and regional interests are involved. In this area (which potentially includes all Union policies), the CoR’s intervention may take forms other than providing an opinion and it may consist of the adoption of resolutions and in the drafting of

reports.<sup>22</sup> More specifically, resolutions are adopted only on issues of “topical interest” (Art. 43, § 1, Rules of Procedure). For example, the CoR adopted a resolution on the financial crisis (CdR 379/2008) and another on the climate change (CdR 179/2008).

The field of intervention of the CoR is therefore potentially unlimited. This fact represents both great opportunity and great risk. On the one hand, the CoR can intervene in every Union policy of significant impact on regional and local interests, allowing the CoR to make the most of its role as a representative of local and regional authorities. On the other hand, its potentially unlimited field of intervention may represent the CoR’s weakness, if the Committee fails to take action or to achieve tangible results in the interest of regional and local authorities.

In relation to the role of the CoR in the context of multilevel governance, it must be highlighted that the 2001 White Paper’s main objective is to strengthen the relationship between the Commission and the sub-state entities. The rationale is to overcome part of the democratic deficit of the EU through stronger involvement of the regional and local authorities in the EU decision-making process. Primarily, this goal is pursued via the introduction of direct communication between the Commission and the regional and local authorities. This is essentially the consultation of these authorities before the formulation of legislative proposals and policies by the Commission. Direct channels of communication are more specifically: the consultation of the associations of regional and local authorities by the Commission, the promotion of the “structured dialogue”, and the experimentation of tripartite contracts.<sup>23</sup> The White Paper’s (that is the Commission’s) preference for a “direct” approach did not emerge suddenly; in fact, regional and local authorities (and their associations) have developed several forms of direct communication with the EU institutions over time.<sup>24</sup> With its role of institutional consultation and its representative nature, the CoR rather constitutes a means of “indirect communication” completing the model of multilevel governance designed by the 2001 White Paper.

The existence of direct channels between EU institutions and local and regional levels of government operate in parallel to the intervention of the CoR. This situation urges the Committee to extend its field of intervention beyond institutional consultation and to re-think its overall role in order to prevent a deprivation of its authority. The following analysis of the activities of the CoR will show that the CoR is fully aware of the risk of its exclusion from the EU decision-making process.

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<sup>23</sup>The tripartite contracts are binding agreements among the Union, a State and a local or regional authority for the achievement of specific goals, especially in the field of the environment or of social and economic cohesion (see Communication of the Commission COM (2002) 709 of 11 December 2002). The use of tripartite contracts has not proven very successful so far.

<sup>24</sup>There are various organisations of regional and local authorities: general, such as the Council of European Municipalities and Regions or the Assembly of European Regions, or sector-based, such as the Conference of European Regions with Legislative Power, or the Conference of European Regional Legislative Assemblies. For an overview see Domenichelli (2007), p. 31 ff. In addition it must be highlighted that there are the regional liaison offices in Brussels.

## F. Political Priorities

The CoR's activities are based on its "political priorities".<sup>25</sup> Therefore, before analysing the activities of the CoR, it is appropriate to introduce this concept. The political priorities are adopted by means of a Resolution of the Plenary Assembly and cover a period of 3 years. They consist of a list of fields of intervention, each followed by specific goals. This list of priorities is notified to the Commission, the European Parliament, the Council and every President of the Union in the period concerned. These general criteria of orientation are the basis for the definition of the agenda of the commissions, of the Bureau and of any other internal organisational body of the CoR.<sup>26</sup>

The transparency of this operation may contribute to ensuring that the actions of the CoR have a more effective impact by focusing the attention of the institutions on the CoR's priorities and by compelling the members of the Committee to share some general goals. In addition the CoR may also take into account some "further topics which may be considered relevant to its priorities following the EU and EU presidencies agenda".<sup>27</sup>

## G. Activities

### *I. Cooperation with Associations of Local and Regional Authorities*

According to the indications of the 2001 White Paper on European Governance, a key role of the CoR is to improve collaboration with some of the major European associations of local and regional authorities. To that end, since 2003, the CoR has

<sup>25</sup>See the document Committee of the Regions (2010).

<sup>26</sup>The political priorities for the period 2008–2010, are the following: "• Implementing the Lisbon agenda's goals for growth and jobs through the involvement of RLAs and making their voice heard by the European Council; • facing the challenge of climate change and diversification and sustainable use of energy resources; • participating in the inter-institutional exercise for the EU budgetary review stressing the need for reorganising the CAP – making it possible to maintain sustainable agriculture and food autonomy, and shaping the economic, social and territorial cohesion policy beyond 2013 – emphasising its leverage effect; • improving the quality of life of citizens, including facilitating cross-border cooperation for civil protection and access to better quality health services; • giving the necessary platform to RLAs to promote solidarity, intercultural and interfaith dialogue, as well as promoting all forms of regional culture and traditions; • taking part in the European debate towards a common policy on immigration and asylum and in particular exchanging the best practices on integration; • proposing a modern single market with a strategy to promote the quality of social services; • assisting and cooperating with RLAs of candidate and pre-candidate countries on their journey towards the EU": see Committee of the Regions (2010), p. 6.

<sup>27</sup>See Committee of the Regions (2010), p. 6.

adopted “Action plans”. The “Action plans” are agreements between the CoR and single associations defining areas of collaboration with the CoR.<sup>28</sup>

## ***II. Debate Europe***

This activity started following the Commission’s *Plan D for Democracy, Dialogue and Debate* (2005) and the Commission’s *White Paper on a European communication policy* (2006). These were both adopted in the context of the reflection period, opened by the institutions after the failure of the ratification of the Treaty establishing a Constitution for Europe. The CoR has been vested with the important role of promoting EU proximity to European citizens, involving the local and regional authorities in the framework of a renewed model of communication based on Decentralisation (a fourth “D” in addition to Democracy, Dialogue and Debate). Indeed, the CoR, often in partnership with the Commission, has organised many communication events<sup>29</sup> in municipalities or in regional or other local authorities’ sites in the Member States.

## ***III. Lisbon Strategy***

In 2006, after the launch of the Lisbon Strategy for Growth and Jobs, the CoR created the Lisbon Monitoring Platform (LMP), the purpose of which is to assess the contribution of local and regional authorities to the Lisbon Strategy. The involvement of the CoR aims to ensure that local employment and development policies are taken into consideration at national and EU level. The instruments of the European cohesion policy are strictly linked to the objectives of the Lisbon Strategy. Both in the political priorities of the CoR and in its activities there many elements which reflect the aims of the Lisbon Strategy.

For the achievement of the Lisbon Strategy’s goals, the CoR created a network for local and regional levels of government by promoting thematic workshops and by creating a “virtual community” through the use of a website (<http://lisbon.cor.europa.eu>). This network monitors the opinions of more than 100 local and regional

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<sup>28</sup>The report for 2007, available from the web site of the CoR <http://cor.europa.eu> (last checked on 15 June 2010), p. 1, lists the areas of cooperation as follows: “Involvement of association expertise in selected task forces set up by the CoR in order to support the work of the rapporteurs, cooperation in the dialogue between the European Commission and the Associations, participation in joint conferences, cooperation in Subsidiarity monitoring, cooperation on Regional Policy, Territorial Cooperation and the Lisbon Strategy, joint activities in Communication”.

<sup>29</sup>For a list, see the web site of the CoR <http://cor.europa.eu/pages/EventTemplate.aspx?view=folder&id=1bc1444b-9a12-4411-a559-aea8aaf1a3a1&sm=1bc1444b-9a12-4411-a559-aea8aaf1a3a1>. Last checked on 15 June 2010.

members about the impact of the Lisbon strategy on their employment and development policies. It also allows the collection and exchange of experiences and best practices in that domain.

#### ***IV. Multilevel Governance***

“Multilevel governance” is an initiative of the CoR laid down in the CoR’s political programme for 2008–2010. The objective of the Committee is to take on a leading role in researching and promoting models of European governance by involving the local and regional authorities at an early stage of the EU decision making. This is expected to bring about improved proximity between citizens and European institutions.

In June 2009, the CoR published the *White Paper on Multilevel Governance*.<sup>30</sup> The strategic goals of the *White Paper* are twofold: to promote participation in the EU decision-making process and to strengthen the effectiveness of Union action. “Multilevel governance” is defined as “coordinated action by the European Union, the Member States and local and regional authorities, based on partnership and aimed at drawing up and implementing EU policies”.<sup>31</sup> In this document, the CoR outlines its role as a political player representing regional and local authorities. The most important objective of multilevel governance is not the preservation of the existing distribution of competences between the different levels of government. Instead, it is the creation of a system of European governance characterised by the participation of all levels of government in the definition and implementation of Union policies. Multilevel governance emphasises the interaction between the competences whereas the principle of subsidiarity is concerned with their rational allocation.<sup>32</sup>

In the CoR *White Paper*, the theme of participation of local and regional authorities in the European governance is complemented by the proposal of “responsibility being shared between the different tiers of government”.<sup>33</sup> The CoR envisages a profound transformation in the way EU policies should be formulated. According to the CoR, local and regional authorities should be involved in the definition of the political priorities at EU level. This is the only way to improve the definition of these political priorities and is ultimately the best way to enhance the efficiency and effectiveness of EU action. This is why the *White*

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<sup>30</sup>Committee of the Regions (2009).

<sup>31</sup>*White Paper on Multilevel Governance*, p. 1.

<sup>32</sup>*White Paper on Multilevel Governance*, p. 7.

<sup>33</sup>*White Paper on Multilevel Governance*, p. 1.

*Paper* devotes a great deal of attention to this problem.<sup>34</sup> To this purpose, old and new proposals have been submitted by the CoR; from monitoring subsidiarity to implementing territorial cohesion, from evaluating the territorial impact of EU policies to establishing “European territorial pacts”. The *White Paper* recommends the adoption of policies by the Union in line with the practical experience gained by local and regional authorities.<sup>35</sup> If put into practice, the *White Paper*’s recommendations would enhance the proximity of the Union to its citizens and promote better governance.

## V. *Structured Dialogue*

The idea of Structured Dialogue is founded on a Commission communication adopted in 2003 following the White Paper on European Governance and the Commission’s consequent initiatives to promote a culture of consultation and dialogue.<sup>36</sup> This Communication lays down “the frameworks, goals and modalities governing this dialogue with associations of regional and local authorities”. From this act, Structured Dialogue emerges as a particular consultation method complementary to the institutional EU decision-making process. The purpose of the Structured Dialogue is to produce a systematic and immediate collaboration between the Commission and the associations of regional and local authorities. This is “to give the parties in question the opportunity to express their views” face to face at an early stage of the definition of the EU policies, before the decision-making process starts with the presentation of a legislative proposal.

The Communication gives the CoR the task of identifying (according to the established criteria) which associations of regional and local authorities the Commission should consult. This is to avoid the failure of the consultation process due to inappropriate and/or excessive participation. It is then within the responsibility of the Commission to organise dialogue meetings with the associations admitted. The Commission has the right to consult other associations in addition to those selected by the Committee.

This new task of the CoR led to the development of stronger ties between the Committee and regional and local authorities. However, the Committee’s role appears a fairly formal rather than an active one. In fact, it is limited to putting the Commission and the regional and local authorities in contact with each other.

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<sup>34</sup>*White Paper on Multilevel Governance*, pp. 18–34.

<sup>35</sup>*White Paper on Multilevel Governance*, p. 18.

<sup>36</sup>Commission’s Communication “Dialogue with associations of regional and local authorities on the formulation on European policy”, COM(2003) 811, 19 December 2003.

## ***VI. The European Grouping of Territorial Cooperation***

In accordance with Art. 175 TFEU (ex 159 EC), the CoR has actively promoted and supported the EU initiative to establish “European groupings of territorial cooperation” (hereinafter referred to as EGTCs). This is the final result of the efforts of the CoR to find a tool capable of improving regional cooperation. As such it is based on the longstanding experience of the Committee with supporting activities.<sup>37</sup>

EC Regulation No. 1082/2006 of the European Parliament and the Council of 5 July 2006 lays down the rules for the establishment of an EGTC. An EGTC may be composed of regional and local authorities, central governments, bodies governed by public law and associations from at least two Member States; its objective is “to facilitate and promote cross-border, transnational and/or interregional cooperation . . . with the exclusive aim of strengthening economic and social cohesion”. Its role is primarily linked to “the implementation of territorial cooperation programmes or projects co-financed by the Community through the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund”, but it may also carry out “other specific actions of territorial cooperation between its members in pursuit of the objective” mentioned above “with or without a financial contribution from the Community” (thus, for example, also for European Resources and Development programmes). Moreover, an EGTC is vested with legal personality, which is acquired after the registration and/or publication of its statute (Art. 1 of EC Regulation No. 1082/2006).

According to Art. 5, § 1, of the Regulation, the members of an EGTC shall inform the CoR of the agreement and of the registration and/or the publication of the statute. The CoR has a special consultative role in the matter of territorial cooperation as per Art. 175 TFEU. The Committee monitors the implementation of the Regulation and the practical experiences of EGTCs established in the Member States.<sup>38</sup>

## ***VII. The Committee and the Principle of Subsidiarity***

The CoR is actively involved in the implementation of the principle of subsidiarity with the aim of establishing a real “subsidiarity culture” in Europe. With the entry into force of the Treaty of Lisbon, the CoR consolidated its role as “subsidiarity watchdog”. In addition to its consultative role in the EU legislative process, the CoR has now the right to challenge an EU legislative act on grounds of an

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<sup>37</sup>For more information about the supporting activities of the CoR, see the website <http://www.cor.europa.eu> (last checked on 15 June 2010).

<sup>38</sup>For further information on the creation of EGTCs see the web page <http://www.cor.europa.eu/egtc> (last checked on 15 June 2010).

infringement of the principle of subsidiarity (Art. 8 § 2 of the *Protocol on the Application of the Principles of Subsidiarity and Proportionality* annexed to the Treaty of Lisbon, hereafter Subsidiarity Protocol). This only applies to those EU legislative acts for whose adoption the consultation of the Committee is mandatory.

Yet the CoR does not seem to have a great deal of confidence in the effectiveness of judicial control. This is because the CoR regards subsidiarity as a political principle and as such judicially unenforceable. As Barber suggests, the view of the CoR is that “to make use of subsidiarity . . . runs against the spirit of the Court” as “the broad ethos of the Court is to favour action at the Community [now the Union: Ed.] level over action at the Member State level”.<sup>39</sup>

But such self-restraint could be abandoned by the ECJ now that the ToL is in force. The CoR’s power to react to an infringement of the principle of subsidiarity could encourage the ECJ to develop judicial control. In addition, the “early warning procedure” (Arts. 6–7 of the Subsidiarity Protocol) could also persuade the ECJ to depart from its traditional “light touch” approach.<sup>40</sup>

At the same time, the CoR’s right to bring an action for infringement of the subsidiarity principle adds new life to the consultative role of the CoR. The CoR stated that “adding in CoR’s opinions a specific reference to subsidiarity and proportionality would, where possible, strengthen the possibilities of success of eventual legal action before the Court of Justice”.<sup>41</sup> The close link between the participation of the CoR in the legislative process and the action for infringement of the subsidiarity principle is further highlighted by the Rules of Procedure (Art. 53 § 1): “The President of the Committee or the commission responsible for drawing up the draft opinion may propose bringing an action before the Court of Justice”. The Plenary Assembly has the final decision on whether or not to bring an action for infringement of subsidiarity.<sup>42</sup>

When performing its consultative role, the CoR has the duty to express its point of view on the compliance of a legislative proposal with the principle of subsidiarity.<sup>43</sup> The CoR’s opinions help the law-making institutions to produce legislation which is respectful of this principle. For this purpose the CoR has “vested the

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<sup>39</sup>See Barber (2005, p. 199).

<sup>40</sup>On the “early warning procedure” see the thorough analysis by Piet Van Nuffel in Chap. III of this book.

<sup>41</sup>See <http://www.cor.europa.eu>, under “Subsidiarity Monitoring for COR rapporteurs” (last checked on 15 June 2010).

<sup>42</sup>If the Plenary Assembly is not able to convene in time to decide whether or not to bring a case, this decision is taken by the Bureau and it requires confirmation by the Plenary Assembly. If the Assembly does not confirm the decision of the Bureau, the application for judicial review will be withdrawn (cf. Art. 53 of the Rules of Procedure).

<sup>43</sup>Art. 51, § 2, of the Rules of Procedure states: “Committee opinions shall contain an explicit reference to the application of the subsidiarity and proportionality principles”. At § 3 the same article states that: “The opinions and reports shall also, wherever possible, address the expected impact on administration and regional and local finances”.

Bureau with the power to check that legislation proposed by the Commission in areas where consultation of the CoR is mandatory is compatible with the principles of subsidiarity and proportionality”.<sup>44</sup> It has also prepared the “Subsidiarity Grid”, a sort of pro forma providing guidance on how to analyse the Commission’s proposals and made this available to its rapporteurs (whose task is to draw up draft opinions and reports on behalf of a commission: see Art. 56 of the Rules of Procedure). One of the sections of the “Grid” requires the rapporteurs to examine whether the proposals have taken the regional and local interests sufficiently into account and requires them to assess the extent and depth of the consultations made by the Commission.<sup>45</sup>

The CoR pursues the objective to “focus its action on the pre-legislative phase and act in advance, mainly through early consultation”.<sup>46</sup> In relation to this, the CoR promotes contacts between the regional and local authorities and the Commission when legislative proposals are being drafted.

In 2005 the CoR created an interactive website called “Subsidiarity Monitoring Network” (SMN) “in order to facilitate the exchange of information between local and regional authorities of the European Union as regards the various policy documents and proposals of the European Commission”.<sup>47</sup> The SMN is a sort of public forum available to regional and local authorities which gives them an opportunity for continuing consultation prior to the adoption of any EU act potentially affecting them. The project was launched in two trial phases in 2005 and 2006<sup>48</sup> and has been operative since 2007. The SMN confirms the existence of a “procedural” facet of the principle of subsidiarity characterised by early consultation of all the levels of government concerned. The same “philosophy” is the basis of the “early warning procedure”. It is submitted that the principle of subsidiarity would be best implemented through “procedures” which ensure consultation and, if this is the case, agreements between the different levels of government. Agreements would be of particular importance when the application of the principle leads to the attribution of a competence to the Union. These agreements would ensure that the

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<sup>44</sup>See CoR’s Opinion of 16 November 2005, *Guidelines for the application and monitoring of the subsidiarity and proportionality principle*, CdR 220-2004\_fin\_ac\_en\_doc, of 16 November 2005, par. 3.13, p. 9, available at <http://www.cor.europa.eu> (last checked on 15 June 2010).

<sup>45</sup>See “Subsidiarity & Proportionality Assessment Grid”, Section 5, available at <http://www.cor.europa.eu> (last checked on 15 June 2010).

<sup>46</sup>See the CoR’s Opinion on *Guidelines for the application and monitoring of the subsidiarity and proportionality principles*, footnote 39, at p. 3.

<sup>47</sup>See the document CoR’s Annual Activity Report 2007 (p. 7) available at <http://www.cor.europa.eu> (last checked on 15 June 2010); the SMN took off on the basis of two of the CoR’s opinions: Opinion on *Better lawmaking 2004*, CdR 121-2005\_fin\_ac\_en\_doc, of 12 October 2005, and the CoR’s Opinion on *Guidelines for the application and monitoring of the subsidiarity and proportionality principles*, footnote 39.

<sup>48</sup>See the Report on the first test of the SMN, Executive summary, CdR 5-2006\_fin\_ac\_en\_doc, and the Report on the second test of the SMN, CdR 2-2007\_fin\_ac\_en\_doc, in [www.cor.europa.eu](http://www.cor.europa.eu).

attribution of a competence to the Union is “accepted” by the other levels of government and is not “imposed” on them.<sup>49</sup>

The Subsidiarity Protocol confirms the importance of direct consultation at an early stage of the decision-making process by affirming that “Before proposing legislative acts, the Commission shall consult widely”.<sup>50</sup> Moreover the new definition of the subsidiarity principle in the Treaty on the European Union is complemented by the stipulation that: “National Parliaments ensure compliance with the principle of subsidiarity in accordance with the procedure set out in that Protocol [that is, the Subsidiarity Protocol]”.<sup>51</sup> This is the foundation of the “early warning” procedure regulated by the Subsidiarity Protocol. Art. 6 of the Protocol allows any national parliament to send a reasoned opinion on draft legislative proposals within 8 weeks from the transmission date of the draft “stating why it considers that the draft in question does not comply with the principle of subsidiarity”. Those regional parliaments with legislative powers may be consulted on the initiative of the national parliament. If the quorum of at least one third of all the votes allocated to national parliaments (two votes for each parliament) is achieved, this procedure obliges the Commission to reconsider the draft legislative act. However, the Commission is not obliged to withdraw the proposal and it would still have the option to amend it or to maintain it in its current form.<sup>52</sup>

## H. Impact Analysis of the Action of the Committee

In order to foster the achievement of its goals, the CoR monitors its activity by drafting reports aimed at the assessment of its political influence. These documents show in detail each activity or initiative taken by the Committee, outlining their themes, objectives and results. The reports offer an account of the impact that the opinions of the CoR have had in the decision-making process. They provide details on whether the EU institutions acknowledged the issues raised by the Committee.<sup>53</sup> For example, they state that members of the Commission have pledged to follow the opinion of the CoR on a given matter. They detail official documents of the European Parliament reacting to the CoR’s opinion or highlight the total lack of

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<sup>49</sup>Consultation and agreements are required in Italy in order to allow the exercise of competences of the Regions by the State on the basis of the principle of subsidiarity. This “procedural” solution to the application of the principle of subsidiarity was for the first time envisaged by the Italian Constitutional Court in the Ruling No. 303 of 1 October 2003.

<sup>50</sup>Art. 2 of the Subsidiarity Protocol.

<sup>51</sup>Art. 5, § 3, subparagraph 2, TEU.

<sup>52</sup>Art. 7, § 2, of the Subsidiarity Protocol.

<sup>53</sup>See the Assessment of political influence of the CoR and the various *Impact Assessment Report(s)* in <http://www.cor.europa.eu> (last checked on 15 June 2010).

reaction by an institution.<sup>54</sup> Overall, there seems to be a reasonable degree of consistency between the reports on the activity of the CoR and its stated political priorities. The reports clearly demonstrate the engagement of the CoR in performing its consultative role at a very early stage in the decision-making process.

Furthermore, the CoR may adopt opinions on matters of general interest on which the Commission has yet to decide its own position (“outlook opinions”). In these specific cases, it is not easy to assess the immediate impact of the consultative action of the CoR. Theoretically, the outlook opinions provide a good opportunity for the CoR to influence the EU decision-making process.<sup>55</sup>

## I. Final Remarks: The Role of the Committee in the European Governance

The 2001 *White Paper on the European Governance* acknowledged the relevance of the regional and local authorities by promoting the development of direct channels of communication between them and the Commission. In fact these direct channels were developed prior the 2001 *White Paper*.

The 2001 White Paper highlighted that the sole institutional tasks of the CoR are not sufficient in offering regional and local governments the opportunity to express their point of view in the EU decision-making process. The advisory tasks of the CoR should be the final stage in a wider consultation process directly involving regional and local bodies and EU institutions. It is submitted that the effectiveness of the opinions of the CoR may be fostered by this process of direct consultation. The CoR should therefore find a new role as promoter of a “multilevel network” in the context of the European governance.

The Committee’s desire to play a role in the European governance can be seen in several initiatives linked to the 2001 White Paper (namely, the activity “Multilevel Governance”, started in 2008, and “Structured Dialogue”, expressly mentioned in

<sup>54</sup>E.g. see, *Review of the CoR Political impact*, 2008, available at <http://www.cor.europa.eu>, p. 2 (last checked on 15 June 2010).

<sup>55</sup>See Domenichelli (2007), pp. 136–137. The topics of the outlook opinions in the last reviews of political impact of the CoR are: *Multilingualism*, Outlook Opinion, CdR 6-2008\_fin\_ac\_en\_doc; *Education and Awareness-Raising Promoting Sustainable Development*, Outlook Opinion, CdR 127-2007\_fin\_ac\_en\_doc; *Common Agricultural policy Health Check*, Outlook opinion, CdR 197-2007\_fin\_ac\_en\_doc; *Future of the single market and stocktaking of European Society*, Outlook Opinion, CdR 339-2006\_fin\_ac\_en\_doc; *Success Factor for Local and Regional Restructuring Strategies*, Outlook Opinion, CdR 340-2006\_fin\_ac\_en\_doc; *The situation of Migrant women in the European Union*, Outlook Opinion, CdR 396-2006\_fin\_ac\_en\_doc; *The Contribution of Local and Regional Authorities to the European Union’s Sustainable Development Strategy*, CdR 85-2007\_fin\_ac\_en\_doc, all available at <http://www.cor.europa.eu> under “Opinions and Resolutions” (last checked on 15 June 2010).

the Commission's White Paper). This desire also materialises as a recurring objective to establish "networks" between regional and local authorities ("horizontal network") and/or with the EU institutions ("vertical network") in almost all the Committee's activities. It is apparent that the Committee is departing from its traditional image as a "chamber of the regions" with an advisory role in the decision-making process.

The CoR favours the involvement of regional and local authorities in the EU decision-making process at an early stage. This should happen in the phase of the elaboration of Union draft acts through the promotion of direct consultation by the Commission with these authorities. This form of involvement is important in order to ensure respect for the subsidiarity principle by the lawmaking EU institutions and in order to compel these institutions to achieve an acceptable equilibrium between the powers of the EU, the Member States and the sub-state entities.

The CoR is an epiphany of participatory democracy. All the activities which form the real core of the CoR's action pursue the goal to provide the decision of the institutions with the broadest possible degree of inclusion and legitimacy. This is the case of the promotion of communication and collaboration between the sub-state authorities among themselves ("horizontal cooperation") and with the EU institutions ("vertical cooperation"). The consultative tasks of the CoR have the same objective.<sup>56</sup> It is true that there are elements of representative democracy in both the composition and the organisation of the CoR: for example, the presence of political groups within the Committee and the requirement of an electoral mandate for membership of the CoR.

The development of forms of communication and collaboration between sub-state entities and EU institutions is not sufficient for the creation of a fully democratic Union.<sup>57</sup> More specifically the proximity of the EU to its citizens is still far from having been achieved if one is measuring it by the allegiance of the citizens to the Union and/or by their comprehension of and participation in its decisions. This is despite the effort by the ToL to strengthen the CoR's ability to promote the principle of proximity.

In the *White Paper on Multilevel Governance* the CoR appears to suggest an adjustment of European governance through the proposal of "shared responsibility". The involvement of local and regional autonomies is expected to bring about a more effective democratic participation of EU citizens in the life of the Union. However the CoR is merely an "indirect" channel for the establishment of Union-citizens proximity. It would be an excellent result if future action of the CoR contributes to making Union policies more respondent to the needs of sub-national communities. But it is doubtful whether this result alone would be sufficient to "convey" the Union to its citizens in a way that ensures that Union political decisions are perceived by the citizens as "their own".

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<sup>56</sup>On the possible development of participatory democracy after the entry into force of the ToL see Cuesta Lopez (2010), p. 123 ff.

<sup>57</sup>On the difference between European governance and democracy see Tsakatika (2007), p. 867 ff.

## Selected Bibliography

- Barber NW (2005) Subsidiarity in the draft constitution. *Eur Publ Law*:197–205
- Blanke HJ (2002) Der Ausschuss der Regionen. Normative Ausgestaltung, Politische Rolle und verwaltungsorganisatorische Infrastruktur. Europäisches Zentrum für Föderalismus, Tübingen
- Calonge Velasquez A, Sanz Rubiales I (2000) El comité del las regiones: análisis de una futura institución? Granada, Comares
- Committee of the Regions (2009) White Paper on Multilevel Governance, 17–18 June 2009. <http://www.cor.europa.eu>. Accessed 15 Jun 2010
- Committee of the Regions (2010) Political Priorities for the Period 2008–2010. <http://www.cor.europa.eu>. Accessed 15 Jan 2010
- Cuesta Lopez V (2010) The Lisbon treaty's provisions on democratic principles: a legal framework for participatory democracy. *Eur Publ Law*:123
- Domenichelli L (2007) Le Regioni nella Costituzione Europea. Elogio delle virtù nascoste della consultazione. Giuffrè, Milano
- Ipsen HP (1966) Als Bundesstaat in der Gemeinschaft. In: Caemmerer EV et al (eds) Probleme des europäischen Rechts. FS Hallstein, Frankfurt, p 248
- Moreno Vasquez M (2001) Comité de las regiones y Union Europea: su incidencia en las Comunidades Autonomas. Tirant lo Blanch, Valencia
- Pankiewicz AW (2001) Realtà regionali ed Unione Europea: il comitato delle regioni. Giuffrè, Milano
- Pocar F (ed) (2001) Commentario breve ai Trattati dell'Unione Europea. CEDAM, Padova, p 893
- Sancho LH (2003) El Comité de Las Regiones: su función en el proceso de intergración europea. Universitat de Barcelona, Barcelona
- Staub BP (2004) Il ruolo del comitato delle Regioni alla luce del nuovo Trattato Costituzionale Europeo. *Parlamenti Regionali*:134
- Tsakatika M (2007) Governance vs. Politics: the European Union's constitutive 'democratic deficit'. *J Eur Public Pol*:867
- Warleigh A (1999) The committee of the regions: institutionalising multi-level governance? Kogan Page, London
- Ziller and Jeffery (2006): Le Comité des régions dans la mise en oeuvre et le contrôle des principes de subsidiarité et de proportionnalité à la lumière de la Constitution pour l'Europe, European university Institute, Florence