



DUNICOP

Deepening UNiversity Cooperation Osijek-Pécs

LAW – REGIONS – DEVELOPMENT

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REPRESENTATION AND POSSIBILITIES OF REGIONS IN THE EUROPEAN UNION

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DUNCOP
Conference

Pécs,
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I. THE COMMITTEE OF THE REGIONS AND THE PRINCIPLE OF SUBSIDIARITY

1. THE COMMITTEE OF THE REGIONS

- Set up by the Maastricht Treaty (1993)
- Political assembly of holders of a regional or local electoral mandate
- Advisory body
- 344 Members
- Non-binding opinions
 - Mandatory consultation
 - Optional consultation
 - Own-initiative reports



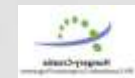
2. THE COR AND SUBSIDIARITY

- „Custodian of the principle of subsidiarity”
- Lisbon Treaty: reference to local/regional dimension
+ Protocol on subsidiarity & proportionality
- 2007: Subsidiarity Monitoring Network
 - 143 different partners (e.g. regional parliaments with legislative powers; local authorities without legislative powers; associations of local/regional authorities, etc.)
 - 1) *Impact assessment consultations*
 - In the pre-legislative phase in cooperation with COM, to assess the territorial impact of certain proposals; identifying subsidiarity issues at a very early stage
 - 2) *Targeted consultations*
 - May be launched via the SMN in the actual legislative phase
 - 3) *Open consultations*
 - Regarding any EU initiative by SMN members; sent to CoR rapporteurs if they relate to initiative regarding which the CoR is preparing an opinion at the time
- REGPEX website



3. ACTION FOR ANNULMENT BY THE CoR

- Since the Lisbon Treaty: CoR is a quasi-privileged applicant (Art. 263 TFEU)
- Reasons for action:
 - a) to protect its own institutional prerogatives; or
 - b) against EU legislative acts breaching subsidiarity (lack of competence)
 - Only if mandatory consultation of the CoR was necessary
- CoR may also intervene
- CJEU: criteria-system regarding subsidiarity
 - No act has been annuled yet for subsidiarity infringement





II. EXAMPLES OF REGIONAL AND CROSS BORDER COOPERATION

ACTORS OF REGIONAL REPRESENTATION IN OSIJEK-BARANJA COUNTY

The Regional Development Agency of Slavonia and Baranja

- Established : 21 December 2005
- Agency Director : Mr. Stjepan Ribić
- Encompasses five counties of Slavonia



Representation of Slavonia and Baranja

- Bruxelles
- founded in 2007
- The main objectives
 - to assure strong representation
 - to provide information about the ongoing processes in Brussels
 - to establish horizontal connections with EU institutions and regions

OSIJEK BARANJA COUNTY - BARANYA COUNTY

- 1995 - “Agreement on mutual cooperation between Osijek-Baranja County in the Republic of Croatia and Baranya County in Hungary
- 1996 - Agreement on the cooperation and friendship between the border municipalities of Osijek-Baranja County and Baranya County
- 2005 -Agreement on cooperation in the field of protection and rescue from natural accidents and disasters”



OSIJEK-BARANJA -HUNGARY

- 87 project
- Total value : 361 407 92.61 euros
- 67 projects on which data is currently available
- 15 of those projects, the county Baranya or entities in the county Baranya were partners
- No NEW Bruxelles connection after 2005
 - Closing of the Baranya office in Brussels





CONCLUSION

COR

- The Committee of the Regions - relatively weak institution
 - modest influence on the actual decision-making institutions
- The CoR is quite active in the pre-legislative monitoring of subsidiarity



LISBON - COR

- The Lisbon Treaty provided the CoR with the **right to bring legal actions** before the CJEU (annulment proceedings)
 - Extending the otherwise rather weak armory of the CoR
 - Effective tool
 - Gives more weight to its pre-legislative options
- Lisbon: positive effect on the institutional position of the CoR – more power



LISBON – DIRECT REGIONAL REPRESENTATION

- The Lisbon Treaty did not have an impact, either positive or negative on the work of the Regional Representation of Slavonia and Baranja in Brussels.
- that Lisbon changes neither improved nor deteriorated the process of direct regional representation.

