

EUROPEAN PARLIAMENT

Resolution on Community regional policy and the role of the regions and
Annexed Community Charter for Regionalization

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3. Community regional policy and the role of the regions

— Doc. A2-218/88

RESOLUTION

on Community regional policy and the role of the regions

The European Parliament,

- having regard to its resolution of 13 April 1984 on the role of the regions in the construction of a democratic Europe and the outcome of the Conference of the Regions ⁽¹⁾,
- having regard to the Joint Declaration of 18 June 1984 ⁽²⁾ by the Council, the Commission, and Parliament on the need to involve the regions in the Community decision-making process,
- having regard to the final communiqué of the first Conference of the Regions, convened by Parliament in 1984,
- having regard to Article 130a of the EEC Treaty,

⁽¹⁾ OJ No C 127, 14.5.1984, p. 240.

⁽²⁾ OJ No C 72, 18.3.1985, p. 59.

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- having regard to the Draft Treaty on the European Union, of February 1984, the preamble to which stressed the need to enable local and regional authorities to participate in European integration,
- having regard to the outcome of the conciliation procedure of 20 June 1988 with the Council and Commission on the regulation on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾,
- having regard to the six reports of the Committee on Regional Policy and Regional Planning in the context of the Major Topic (Doc. A2-218/88) ⁽²⁾,
- having regard to the setting-up of a Consultative Council of regional and local authorities approved by the Commission on 24 June 1988 ⁽³⁾,
- having regard to the work on behalf of regionalization carried out by the Standing Conference of Local and Regional authorities of the Council of Europe, and by the European Regional Associations (the Assembly of the European Regions, the Council of European Municipalities and Regions and the various sectoral associations),

I. Community regional policy has so far failed to bring about a gradual narrowing of the disparities between the Community's regions

1. Points out that while regional disparities narrowed in the first phase of Community integration, the alignment process has not only subsequently come to a halt, but has even been reserved; the scale of regional disparities is now close to what it was in 1970;
2. Points out in addition that Spanish and Portuguese accession has led to a further, serious widening of these disparities, with the result that over 20 % of the Community population now lives in backward regions;
3. Notes, moreover, that regional disparities have widened perceptibly in the last ten years with regard to unemployment, which has particularly affected the less developed regions and declining industrial regions;
4. Believes that these developments have resulted from the insufficient degree of economic integration attained so far and, likewise, from the limited scope both of the policies implemented by the Community and of the instruments of assistance under those policies;
5. Points out that Community regional policy came into being very late and that its appointed purpose was to seek to 'offset' the disadvantages caused by the other Community policies rather than to direct economic growth as a whole towards convergence;

⁽¹⁾ OJ No L 185, 15.7.1988, p. 9.

⁽²⁾ Report 1: Community regional policy and the regional impact of structural interventions

— Rapporteur: Mr Musso.

Report 2: The Member States' regional policies and the extent to which they are consistent with the Community's regional policy

— Rapporteur: Mr Vandemeulebroucke.

Report 3: The physical planning programmes, development programmes and programmes for the improvement of the socio-economic situation of the regions

— Rapporteur: Mr P. Beazley.

Report 4: Regionalization in the Community as a factor of regional development

— Rapporteur: Mr O'Donnell.

Report 5: Democratization of regional policy in the Community and the creation of a Council of the Regions

— Rapporteur: Mrs André.

Report 6: Relations between the Community institutions and regional and local authorities

— Rapporteur: Mr Arbeloa Muru.

(Coordinating rapporteur of the resolution: Mr De Pasquale).

⁽³⁾ OJ No L 247, 6.9.1988, p. 23.

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6. Points out, more particularly, that the results achieved in the past under the structural funds have been extremely modest and believes that the main reasons are to be sought, inter alia, in the fact that:

- (a) the resources earmarked for the Community structural funds have been extremely meagre, accounting for no more than about 0,12 % of Community GDP;
- (b) the objectives assigned to the funds have been too many, too diverse, and too vague;
- (c) Community aid has been spread over too wide a geographical area;
- (d) the share-out of contributions has extended to too many projects, with the result that the efficiency and aims of the proposed projects have not been considered in sufficient depth and the dispersion of aid has detracted from its clear-cut effectiveness;
- (e) virtually all of the funding has been channelled into infrastructures, whereas productive investment has been very limited;
- (f) Community aid has very often taken the form of 'refunds' to the Member States and there has been no clear and apparent 'additionality' in relation to national assistance;
- (g) at the operational level, regional development programmes, which could have allowed assistance to be planned in accordance with predetermined priorities, have proved too vague and all-embracing to achieve the desired effect, namely selection of projects on the basis of their impact on a region's economic development;

II. The next stages of European integration (single market and monetary cooperation) demand fresh progress towards economic and social cohesion

7. States categorically that liberalization of the markets, consolidation of the EMS and of monetary cooperation, and the pursuit of technological innovation call for a wider and more complete concept of regional policy and of a strategy of cohesion which, by mobilizing greater resources, appropriately combines the objective of a fairer share-out of resources with redistribution of the benefits deriving from the single market and Community policies;

8. Stresses that a policy of convergence and of reduction of regional disparities cannot be implemented in the absence of an overall economic policy to promote growth and generate employment;

9. Urges the Community institutions to implement as soon as possible the 'cooperative strategy for more employment-creating growth' already agreed upon by the Council of Ministers on 20 December 1985⁽¹⁾;

10. Shares the view that the faster GDP growth rate resulting from completion of the internal market is not sufficient in itself to reduce regional disparities; it must therefore be regarded as 'additional' to the boost to growth that can be brought about by specific economic policy measures; these must seek to modify the relationship between growth and employment and the relationship between productive efficiency and the geographical siting of investment without, however, abandoning the commitment to technical progress, which must, on the contrary, be encouraged;

11. Warns that, unless the enlargement of the market is carried out under the conditions referred to above, it may lead to a further and extremely serious widening of regional disparities;

⁽¹⁾ 85/619/EEC — OJ No L 377, 31.12.1985.

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12. Calls, therefore, on the Commission to consider, in the context of the completion of the internal market, what measures could be taken at regional level to prevent any adverse effects on backward or declining regions; in other words, the aim would be to establish a system for encouraging investment in the weakest regions by means of fiscal, financial, legislative and administrative measures; in this connection the European Parliament has, for example, advocated a 'regional preference' when public contracts are opened up to free competition;

III. Proposed changes to community regional policy

13. Is convinced that substantial progress in bringing development and income levels in the Community regions closer together can be achieved only if Community regional policy is not confined to action taken by the various funds but is considered as an integral part of all Community policies and is taken into account when defining their objectives; it is therefore essential regularly to examine the compatibility of such policies with regional development;

14. Stresses that, in order for the process of restoring balance between the Community regions to get under way, it is essential to coordinate the Member States' economic policies so as to channel development to those areas where it is most needed and where there is the largest labour supply, either in regions suffering from structural under-development or in areas and sectors in industrial decline, to be identified on the basis of objective criteria established at Community level;

15. Confirms its view that further improvements in the effectiveness of the regional policy instruments are essential and should relate to the following aspects:

- (a) the regional development programmes should form the basis for all operations; they should be defined at regional level and should indicate clearly the economic development guidelines and the options chosen with regard to sectors and areas; these priorities and the detailed arrangements for their implementation will be the subject of consultation between the regional authority, the state concerned and the Commission (partnership) which will lead to the conclusion of a programme-contract;
- (b) the contribution from the structural funds and from any other Community instrument, as well as the element of additionality with respect to the national contribution will be set out clearly in the programme; wherever possible, the resources should preferably be spent in an integrated fashion, and in any event efforts should be made to prevent a redefinition of the measures and subprogrammes according to the terms of reference of, or constraints on eligibility for aid from, each fund;
- (c) the criteria which the Commission will use to assess the programmes and the monitoring and control system it will use in following the implementation of the programmes by the regional authorities will need to be defined;
- (d) the financial resources must be subject to regular and substantial increases; a global figure, intended as a guide and covering a period of several years, will be laid down for each region on the basis of social and economic criteria and of estimates and forecasts concerning general economic, sectoral, employment, etc. trends;
- (e) operations in the context of supraregional programmes are admissible if they are justified by regional planning policy, transfrontier or inter-regional cooperation, environmental impact, etc.;
- (f) to balance the relationship between infrastructures and productive ventures greater weight will need to be given to increases in risk-capital and to measures connected with indigenous productive and service operations, the provision of professional project planning and management services and investment required to provide essential services for industry where these are not already available;

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16. Approves the principles underlying the reform of the funds, such as the concentration of objectives and contributions, the financing by programme, the coordination of the financial instruments and the partnership between the Commission, the Member States and the regions, but considers that the basic conditions needed to enable these principles to be implemented through the Community's structural policy have not yet been met;

17. Points out that, in order to be followed up in practice, all the innovations adopted and the proposed changes put forward by the European Parliament with regard to regional policy require that recognition be given to the fundamental role which the regions must play and hence to the need for the process of regionalization in the Community to be carried further;

IV. Regionalization in the Community: a factor in development and economic cohesion, in the democratization of Community integration and in the enhancement of cultural characteristics

18. Points out that the most appropriate geographic and institutional level for drafting and applying a regional policy based on programming and regional planning should be NUTS II (regional level ⁽¹⁾) because:

- the resident population must be sufficiently large to permit adequate economies of scale in the setting up and management of the principal infrastructures and services;
- the level which in many Member States corresponds most closely to existing institutional structures and to experiments in programming carried out in the past is the regional level;
- at this level the quality and availability of the necessary statistical data are at their best;

19. Points out that this does not prevent operational and sectoral programmes, Community measures, etc., from being applied in smaller areas; they should, however, form an integral part of the plan for the region;

considers that regionalization will, in particular, make it possible to:

- (a) define the economic policies of the Member States and of the Community and to make them consistent and hence to enable backward regions or those in industrial decline to recover by channelling to them sufficient resources for development;
- (b) adapt assistance to local and regional requirements and hence to activate the potential for indigenous development;
- (c) increase the involvement of local and regional productive and social forces by guaranteeing assistance and support for the launching of productive initiatives;
- (d) coordinate all public and private assistance in an integrated fashion in the context of the regional programme;
- (e) report the emergence of new problems in the economy and to adjust the regional development programme accordingly;

20. Points out that there are still Member States in which the process of regionalization has not yet begun;

21. Considers that the strengthening of the Community's responsibilities and the gradual transfer of power to the Community institutions must be accompanied by the decentralization of certain tasks — not only of an administrative nature but also in relation to joint decision-making and joint management — to regional authorities which represent the will of the people; the relationship thus established between the Community and the regions would make it possible to:

(1) Nomenclature of Territorial Units for Statistical Purposes.

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- inform European citizens about, and involve them in, Community policies, in the belief that the path to European political unity cannot confine itself to cooperation between national structures but must also be based on regional communities and on the recognition and enhancement of their autonomy;
 - ensure respect for the powers assigned to the regions by the internal legislation of the various Member States;
 - achieve greater effectiveness in the implementation of Community measures and optimum allocation of public functions on the basis of common objectives;
22. Considers it essential for the European cultural identity that the specific regional characteristics existing within each Member State be given scope for expression, by making the most of their specific characteristics and thus respecting the interests, aspirations and historical, linguistic and cultural heritage of each region; and by facilitating transfrontier or interregional linguistic and cultural cooperation in the case of common historical, linguistic and cultural heritages which extend beyond existing administrative divisions;

V. Final observations

23. Considers that, despite the in some cases profound differences between the legal and institutional traditions of the various Member States, it is necessary and valuable to extend the process of regionalization in the Community with a view to achieving closer political, economic and social integration between the various European regions;
24. Calls, therefore, on the Member States to respond positively and practically to the European Parliament's appeal for regionalization so that those countries which do not yet have a regionalized system take, as soon as possible, the steps needed to establish one and those countries already organized in regions recognize and respect the powers of the regions so that the latter can carry out the tasks relating to political, economic, social and cultural development which will ensure cohesion and regional balance within the Community;
25. Approves the Commission's creation of a Consultative Council of Regional and Local Authorities which should give its opinion not only on Community regional policy measures but also on Community policies with a significant regional impact and on those matters which are the responsibility of the regions;
26. Acknowledges the important role which the associations of regions and local authorities have played in Europe within both the Community and the Council of Europe with a view to developing an awareness of the need to establish the regions in the European context and as regards harmonizing the powers assigned to the regions in the various Member States;
27. Calls on the Commission to promote, wherever possible, the establishment of working relations with individual regions; also asks that, with regard to regional policy, the regions should always be recognized as the ultimate targets of Community measures in this field and as active participants in the drafting and management of the programmes;
28. Requests its President to establish an institutional structure for consultation of the regions by European Parliament bodies by providing for:
- regular working meetings between its Committee on Regional Policy and Regional Planning and representatives of the Consultative Council of Regional and Local Authorities;
 - an annual meeting between the members of the Consultative Council of Regional and Local Authorities and a European Parliament delegation led by its President to discuss the principal themes of the Community's activities;
 - the organization of at least one conference of the regions, similar to that held in 1984, during each European electoral period;

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29. Considers it essential that any planned progress towards European unity should open up the possibility of institutionalizing the democratic representation of the regions and should assign to the regional and local authorities the necessary powers to enable them to participate actively in the achievement of European political, social and economic unity;

30. Believes that it would be desirable to ensure that all processes of regionalization in the Member States should start at a certain minimum institutional, financial and jurisdictional level so as to avoid setting up units that are 'regional' merely in name and would simply help create new layers of bureaucracy or even run counter to the regional communities' desire for autonomy;

31. Believes that all such regionalization must reflect the will of the population concerned, be carried out within the national legal framework and with the agreement of the State, and satisfy the following basic principles:

- (a) the regions shall enjoy the highest possible institutional status within the national legal order;
- (b) they shall possess institutions democratically elected by their inhabitants;
- (c) they shall have powers at least to organize their own institutions and to promote and manage their economic development and the preservation of their cultural and linguistic traditions;
- (d) they shall enjoy financial autonomy and sufficient own resources to allow them fully to exercise their powers;
- (e) the State and the regions shall establish distribution mechanisms to compensate for the unequal distribution of tax revenue and above all for the imbalance between the regions;
- (f) the regions shall have capacity to participate actively in transfrontier cooperation, especially at interregional level;
- (g) by means of information and cooperation mechanisms to be established in each Member State the regions shall take part in formulating the position adopted by their respective Member States in the Community bodies in so far as this lies within their sphere of authority or when the subject is one directly affecting their interests, but without detracting from the efficacy of legislative system of the Community;

On the basis of these minimum basic principles, calls on the Member States to regionalize their internal structure. A Community Charter for the Regions is annexed to this resolution as a reference document and a basis for future work;

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32. Instructs its President to forward this resolution and the six reports of its committee to the Commission, the Council, the Council of Europe, the governments of the Member States, who are requested to inform their regional and local authorities thereof, and to the Consultative Council of Regional and Local Authorities.

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ANNEX

Community Charter for Regionalization

Chapter I

Regions: definition, institutional arrangements, and frontiers

Article 1

1. For the purposes of this Charter the word region shall be taken to mean a territory which constitutes, from a geographical point of view, a clear-cut entity or a similar grouping of territories where there is continuity and whose population possesses certain shared features and wishes to safeguard the resulting specific identity and to develop it with the object of stimulating cultural, social and economic progress.
2. 'Shares features' shall be taken to mean language, culture, historical tradition and interests related to the economy and transport. It is not necessary that all of these elements be present in every case.
3. Variations in nomenclature and in the legal and political character of these bodies from one Member State to another (Comunidades Autónomas, Laender, Nationalities, etc.) shall not exclude them from the provisions set out in this Charter.

Article 2

The Member States of the European Community are called upon, taking due account of the popular will, historical tradition and the need for effective administration capable of meeting the demands placed on it (particularly with regard to economic development planning) to establish — or, where appropriate, maintain — on their territory the institutional structures required by regions, as defined in Article 1 of this Charter.

Article 3

1. The institutional structure of the regions shall be governed by provisions within the internal national legislations of the Member States.
2. Such provisions shall as far as basic principles are concerned be enshrined in the text of the constitution, or, where appropriate, at the highest possible legal level of the internal legislation of each Member State.
3. The regions shall have full legal personality.

Article 4

1. The wishes of the population shall be taken into account when defining the frontiers of the regions.
2. In order to ensure that the regions are able to carry out the tasks required of them, minimum figures shall be established both for numbers of inhabitants and geographical area when the frontiers of the regions are drawn.
3. Democratic mechanisms shall be provided in order to allow regional frontiers to be altered in accordance with such new circumstances as may arise and, above all, with the wishes of the inhabitants.

Chapter II

Regional institutions

Article 5

1. Regional Statutes shall constitute the legal basis of the institutional structure of each region and shall form part of national legislation at the highest possible legal level. They shall at the very least contain provisions governing the regional institutions and their areas of jurisdiction.

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2. The reform of the Regional Statute shall require, at the very least, the agreement of the State and the regional institutions, in accordance with the procedure to be laid down in the Statute itself.

Article 6

As a minimum, each region should possess the following institutions:

- (a) a Regional Assembly,
- (b) a Regional Government and President.

Article 7

1. The Regional Assembly shall be elected in its entirety by free, universal, direct, egalitarian and secret ballot.
2. The Regional Assembly may possess legislative power, within limits laid down by national legislation.

It shall also exercise such powers as shall be provided for in the Regional Statute, particularly control of the regional executive and approval of the regional budget.

Article 8

1. The Regional Government shall have an executive and administrative function, and be headed by a President.
2. The Regional Government or its President shall be politically answerable to the Regional Assembly.
3. The Regional Governments shall possess their own administration, resources and personnel.

Article 9

The President of the Regional Government shall be elected directly, by the Regional Assembly or by the members of the Regional Government.

Article 10

The Regional Statute may provide for the setting up of other regional organs of a consultative nature (cultural councils, social councils, economic planning councils, etc.) or concerned with monitoring the executive. Where such organs exist, the Statute shall lay down provisions governing their composition, the extent of their authority and their relationship with the regional institutions.

Chapter III

Authority

Article 11

1. The regions shall have the right to administer their own affairs.
2. The authority of regions which possess legislative powers shall fall into three categories:
 - (a) full authority, in which the regions enjoy legislative and executive power;
 - (b) authority to develop and implement legislation on the basis of existing state laws;
 - (c) executive authority.

Article 12

1. The regions shall possess sufficient authority to organize their own institutions, to promote and arrange for their economic development and to intervene in matters relating to services provided for individual citizens. This authority shall relate in particular to areas such as regional policy, regional planning, agriculture, transport, tourism, public works, social welfare, crafts, culture, sport and leisure, education, health, water policy, etc.

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2. In the case of regions which possess legislative power, this authority shall be exercised in full (within the meaning of Article 11(2)) but subject to the powers held by the supranational institutions. Depending on the powers of the state, the regions may share their authority with the state or exercise it concurrently.

3. The authority referred to in the first paragraph shall be assigned to the regions subject to respect for the powers of the local authorities, in accordance with national law and the principles of the European Charter of Local Self-Government (a Council of Europe Convention) (1).

4. The Member States shall be invited to sign and ratify the European Charter of Local Self-Government.

Article 13

1. The Member States' internal legislation, and preferably their Constitutions, shall lay down and define those areas of authority which because of their special character shall be retained by the state.

2. Over and above the areas of authority listed in Article 12 of this Charter, the Regional Statute may incorporate all those not expressly reserved by the state under the terms of the foregoing paragraph.

Article 14

1. In order to prevent duplication and lack of coordination between one administration and another, it is recommended that a principle of regional implementation be established for those matters under the authority of the state whose nature so permits.

2. Respect for the principle of decentralization makes it advisable for the regions to have extensive recourse to the various legal provisions for delegating to local authorities, and for the state to do likewise to the regions.

Article 15

Conflicts of authority between the state and a region or between one region and another must be resolved by courts which are independent of and unconnected with both parties, preferably of a jurisdictional nature and of the highest level. In Member States where there is a Constitutional Court, this court shall resolve such conflicts and rule on the constitutionality of regional laws.

Article 16

1. General and/or sectoral mechanisms for conciliation and cooperation between state and regional authorities shall be established to prevent possible conflicts of interest and to coordinate the activities of the various administrations.

2. These mechanisms shall be used only when it is imperative to do so, and their number should not be excessive.

Chapter IV

Finance

Article 17

The regions shall enjoy financial autonomy and sufficient own resources in order to be able to exercise their authority fully.

Article 18

1. The regions' financial resources may basically consist of own taxes and levies, taxes ceded by the state either in whole or in part, surcharges on state taxes and state transfers. Although it would be desirable for all of these to coexist, as a minimum there must be at least two.

(1) This Convention was opened for signature in October 1985.

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Article 27

1. The regions shall take an active part in the consultative or other bodies set up by the Community institutions to this specific end.

2. Until such time as the Treaties establishing the European Community are revised, the Member States shall endeavour as far as possible to allow the regions and their specialists to be represented on the Community's advisory, technical and management bodies ⁽¹⁾ as members of the national delegations. This procedure shall be followed only insofar as the nature of the Community bodies in question allows and the subjects being dealt with directly and specifically affect the regions' areas of authority or their interests.

⁽¹⁾ Advisory Committees (AC), Advisory Committees on the Management of Demonstration Projects (ACMDP), Advisory Committees on Programme Management (ACPM), Management Committees (MC), Advisory Committees on Management and Coordination (ACMC), Standing Committees (SC), Scientific and Technical Committees (STC), Technical Committees (TC), Joint Working Parties (JWP), Working Parties (WP) and Specialized Sections (SS).