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Regionalisation in Europe

Report
Committee on the Environment, Agriculture and Local and Regional Affairs
Rapporteur: Mr Lluís Maria de PUIG, Spain, Socialist Group

Summary

The report describes the trend of regionalism in Europe in recent years and gives an overview of the situation in the regionalised countries of Europe. It recommends that regional self-government should be regarded not as a problem or a danger but as an effective, unifying means of giving regions a say in political decision-making at both national and European level. It notes that regionalism is on the rise in Europe and that the regions are very interested in and committed to Europe. Regional autonomy must be perceived as a means of enhancing democracy and giving it a firmer foothold in our countries, in parallel with the European unification process and against the background of globalisation. Political trends in Europe do not make it possible to predict the future but it can be noted that the number of states is growing and that the principle of inviolability of borders is losing ground. In the face of this changing situation, regionalism, in its various forms, offers guarantees of greater political stability and greater respect for the Council of Europe's values, in particular as regards the spread of democracy. The draft recommendation calls on the member states, the Committee of Ministers, the Congress of the Council of Europe and the European Union to follow this avenue and support regionalisation efforts by fostering the principles of subsidiarity, proximity, good governance and active citizenship.

A.   Draft recommendation

1.   The Parliamentary Assembly considers that a majority of Council of Europe member states are federal, confederal or regionalised, with regions enjoying a high degree of self-government or at least considerable administrative decentralisation.

2.   It also considers that the regional political sphere is a highly relevant institutional reality as a sub-state level of government in a majority of Council of Europe member states, in so far as the region is the ideal level for exercising governance due to its size and proximity.

3.   The Assembly underlines that, on the basis of the political principles it promotes, the Council of Europe has always supported the development of a regional Europe, as an additional guarantee to democracy in the sense that it enhances citizens' opportunities to play an active role in political affairs.

4.   It points out that the Council of Europe also upholds regionalisation due to its political, administrative and financial efficiency, since it is a level of government that is closer to reality and to citizens than the state.

5.   It also points out that in recent years many European States have made considerable progress in developing or restructuring their federal, regional or self-governing systems.

6.   The Assembly notes that a majority of Council of Europe member states include communities with a strong cultural, political and historical identity, which are not mere regions but peoples and societies with a marked collective personality (whether they be described as regions, nations, nationalities, countries...) that did not establish their own state but retain visible differentiating features that inform a political will for self government.

7.   It considers that it is necessary to establish a solid sub-state level within member states, at the very least to ensure greater efficiency in the governance of states that might not be able to ensure permanent and effective state action throughout the entire territory.

8.   The Assembly notes the impetus that the regionalist movement is acquiring by virtue of its association with the idea of good governance, the need to apply the principle of subsidiarity and citizens' demands for organisation at regional level.

9.   It underlines the importance of regionalism to the European project, considering the European Union has established structural funds on a regional level and has designed thousands of projects implemented on this level, in order to achieve greater social and territorial cohesion.

10.   The Assembly also notes that there are some states that still appear apprehensive to any form of regionalisation, however limited, and persist in denying the existence of minorities within their borders.

11.   It firmly believes that a broad majority of citizens in member states wish to uphold the existence of the State as the basic institution where the political process unfolds, as the primary holder of rights in international politics and as the ultimate decision-making level within the European institutions.

12.   The Assembly notes, however, that in recent years a considerable number of new states has been established in Europe and we now face the appearance of new nations whose independence and statehood is recognised by the international community.

13.   It recalls the precedent established with, and the conditions demanded for, the independence of Montenegro, and bears witness to the path towards independence, apparently accepted by the international community, taken by Kosovo.

14.   It takes into account the fact that in a number of Council of Europe member states, within communities with a deep-rooted political awareness of their identity, there exist nationalistic minorities that further demand independence and accession to an own state.

15.   The Assembly recalls the existence of conflicts based on ethnicity or the existence of national, cultural/linguistic, religious or border-region minorities, and the need to arrive at a peaceful and lasting resolution of these issues that satisfy all parties.

16.   It is aware of the problems that the process of establishing new states can involve, including conflicts of all kinds, division within societies, struggles between minorities and the majority, between different minorities, between neighbouring countries and the risk of profound destabilisation of the European project.

17.   The Assembly insists on the democratic condition of European states, which requires that these situations always be resolved through democratic practice, by means of elections, referenda, constitutional and institutional reform, establishment of new entities; always counting on the participation of citizens, who are ultimately entitled to decide.

18.   It is convinced that most of these problems can find satisfactory resolution within the framework of an institutionalised sub-state power, in application of the principle of subsidiarity, of regionalism, of self-government and also of federalism.

19.   The Assembly notes that where regionalism has been established in Europe it has met considerable success, as the examples of Austria, Belgium, Germany, Italy, Spain, Switzerland or the United Kingdom reveal.

20.   It is further convinced of the virtues of regional governance, of the effectiveness of subsidiarity and of the democratic power of proximity, which brings citizens closer to the administration of public affairs.

21.   The Assembly believes that the exercise of minority rights is compatible with state actions, which must recognise these minorities and uphold their cultural, linguistic, religious and political rights.

22.   It acknowledges the role that regionalist organisations have played in Europe, particularly European institutions such as the Council of Europe Congress or the European Union Committee of the Regions, as well as associations such as Conference of European Regional Legislative Assemblies (CALRE), which represents European regionalism at the parliamentary level.

23.   The Assembly supports the Council of Europe Congress initiative to draw up a new draft text on regional democracy, to be adopted in May 2008, which will provide flexible and realistic solutions within a document likely to earn the acceptance of a majority of member states.

24.   It welcomes the success of the first Conference of European National Parliaments and Regional Assemblies, which it hosted jointly with CALRE in Strasbourg on 12 September 2007.

25.   The Assembly wishes to continue its co-operation with European regional institutions, in particular with the Council of Europe Congress and its Chamber of Regions, in order to develop a shared approach and to explore the huge potential of regionalism for tomorrow's Europe.

26.   It also wishes to develop its links with regions that exercise legislative powers and with the organisations that represent them, such as REGLEG, on the level of regional governments, or CALRE, with regards to regional assemblies.

27.   It shall pay particular attention to establishing relations with CALRE and with the parliaments of regions that exercise legislative powers, in order to co-operate within the realm of parliamentarism and to compare the role of regional parliaments, state parliaments and international parliamentary organisations such as the Parliamentary Assembly.

28.   Consequently, the Assembly calls on the Committee of Ministers to recommend that member states:

28.1.   make firm progress towards the improvement, or establishment if it does not yet exist, in those countries where this would be appropriate, of a regional system as a sub-state level of governance, in order to bring institutions up to date with our times and with the demands of new political, economic and social challenges in the world we live in, in accordance with the principles promoted by the Council of Europe;

28.2.   use this path to resolve issues of institutional structure and claims raised by regions with national ambitions in order to provide them a satisfactory degree of self-government as a channel for their political realisation, in co-operation with the government and other state institutions and, if applicable, with the institutions of the European Union;

28.3.   remedy the situation of marginalisation suffered within the European institutions by large European regions and afford them the acknowledgement and standing that will allow them to play a role within the European project proportionate to their contribution, thus overcoming the existing sense of frustration.

29.   The Assembly also calls on the Committee of Ministers:

29.1.   to insist on scrupulous application of human rights, in particular the rights of minorities, which may find a model in regionalism to achieve full democratic recognition and application of said rights, in accordance with Council of Europe principles;

29.2.   to uphold a broad and flexible concept of regionalism, in such a way that one or other form of regional organisation shall never be imposed. No imposition: it shall be states which decide, come the time, what form of regionalisation suits their citizens best, since it is they who shall ultimately decide;

29.3.   to support European regionalist organisations, inter alia by giving the Council of Europe Congress a higher profile, in order to provide the regionalist movement with greater consistency and inspire it with a European logic, over and above the requirements of each state's specific case.

30.   The Assembly also calls on the Congress:

30.1.   to endeavour to develop the regionalist movement in all its forms, and in the most adequate to each situation, in order to shed light on the positive reality and good governance that the regionalised state represents;

30.2.   to continue its work on the new draft text on regional democracy, applying up-to-date and flexible criteria that will allow for its adoption both by the Committee of Ministers and by a majority of member states;

30.3.   to reserve membership of the Chamber of Regions only to representatives of regions in the member states where they exist, and of the Chamber of Local Authorities to those of intermediate or local authorities;

30.4.   to give regions that exercise legislative powers, in light of their particular political character, a specific profile and recognition and seek structural solutions that will allow them to debate and adopt decisions on their own level.

31.   The Assembly also calls on the European Union:

31.1.   to make it easier for large European regions to participate in common policies and in decision-taking processes, as well as in the implementation of Community regulations, by granting them appropriate recognition and status;

31.2.   to strengthen regions' role in the institutions of the European Union, inter alia by developing the powers and means of the Committee of the Regions;

31.3.   to acknowledge, in the context of the work on drafting the new amending Treaty to be prepared by the Intergovernmental Conference, the important role of regions and regional policy.

B.   Explanatory memorandum by Mr de Puig, Rapporteur

Contents

I.   Regions: a European reality

1.   During the last fifty years Europe has undergone a political change of a seemingly contradictory nature: the establishment of supranational European institutions and at the same time the institutionalisation of intermediate levels of government, that we shall designate by the general qualifier *regions*. They correspond to a sub-state level of regional self-government within the state. Regionalisation does not exist everywhere, nor is it applied in the same way or to the same degree. In some European countries regions have gained enormous political influence, whilst in others they perform mere administrative functions as a decentralised sub-division of the state. Some regions have been established purely as recipients of EU funds or in order to carry out European regional projects. However, despite its recent nature and its diversity, the regional phenomenon has clearly become a key political fact of life.

2.   Through a number of initiatives implemented over the years (establishing the Congress of Local and Regional Authorities and subsequently its Chamber of Regions, holding numerous debates and conferences, issuing reports, recommendations and also proposals for regional conventions), the Council of Europe has supported the European regionalisation process, taking into account the various historical developments, experience gained to date in this field and the general context. The Organisation is convinced that the trend towards regionalisation is an added guarantee of democracy in Europe. It offers a solution to the problems of minorities, brings public authorities closer to the citizen and fosters participatory democracy through greater proximity and pluralism.

3.   One of the main challenges in coming years will doubtless be the role of regions in the new Europe (the standard term region covers very different realities, but we shall use it here since is makes it possible to avoid other expressions such as country, people, nationality, nation, community or republic … thus defusing potential disputes over sometimes obscure concepts) as it will be a matter not only of accompanying the formation of regions and giving them legitimacy and substance, but also of avoiding the pitfall of a Europe in which regions do not feel recognised or fully involved in their state's political project, or the European political project.

4.   The "regional" issue is not of secondary importance; it is a substantial problem that concerns the very nature of the European democratic process and that is very closely linked to the enhancement of democracy in the member states, fully recognising and respecting minorities and bearing in mind the subsidiarity and proximity principles. These are values that will have to be acknowledged in future political organisation.

5.   This problem should be solved by conferring greater legitimacy on sub-state powers, giving them a bigger say in politics, in line with their ability to participate. Rejection of regionalism can only prove suicidal in the long run: any under-representation of the regions will be a problem in the making and claims and

conflicts that could have been avoided will come to the fore. European states and institutions (the Council of Europe and the European Union) must help to seek pragmatic ways of advancing the regionalisation process, with a view to solving visible conflicts and avoiding underlying problems.

6.   What we in Europe have termed "regions", with their different political and functional capabilities, nowadays constitute a decision-making power of enormous importance for the European institutional structure. It is clear that these self-governing bodies have a key role to play in the emergence of balanced states and of a politically coherent, well-organised Europe, which can be seen to be both desirable and essential.

II.   European regionalism, an overview

7.   This section of the report gives a brief overview of the state of regionalisation in Europe. It is, however, confined to a very general description of the concrete situation in each state under consideration, the aim being to show the great importance of regions and the gradual tendency for Council of Europe member states to adopt a regional organisation.

8.   Certain considerations must nonetheless be borne in mind. Firstly, owing to their very nature the small states (Andorra, Liechtenstein, Malta, Monaco, San Marino, etc.) are not divided into regions, which is moreover neither possible nor, no doubt, desirable. In addition, the diversity of regions must not be overlooked and therefore there must be no confusing their various facets (geographical, political, legal, identity-linked, administrative). Quite the opposite, these differences must be taken into account.

9.   At the same time, the policy governing distribution of the European Union's structural funds and projects has obliged some states to set up new regions, which are sometimes quite simply invented, in order to adapt their administrative organisation to EU rules. Many of these "regions" serve no other objective and are consequently not autonomous regions, such as those discussed in this report.

10.   Albania, Andorra, Armenia, Azerbaijan, Bulgaria, Croatia, Estonia, Greece, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Norway, Romania, San Marino, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia and Turkey have no politically autonomous regions, although some of them do have administrative sub-divisions of the state or sub-divisions which exist for statistical, planning or, in EU member states, structural fund allocation purposes. It is nonetheless interesting to note that in some of these countries a regionalisation process is now under way.

11.   Conversely, it can be seen that autonomous regions are very widespread in the larger European countries. Over twenty states have had to adopt some form of regional self-government, whether specific to a given geographical area or generally applicable, as in federal states.

12.   These countries' regions are extremely varied, with very diverse degrees of autonomy and very different legal and political characteristics. Although one cannot generalise, these states may have used different kinds of autonomous status to settle historical territorial claims to power or problems of cultural and political identity.

13.   Regionalisation has a firm foothold in the following states:

i.   Austria

14.   Austria is a federal state with nine "Länder" or autonomous regions. Each Land has an executive, which exercises all powers not expressly conferred on the federal government, and a parliament, which elects the executive and is authorised to legislate in all matters not constitutionally the preserve of the state.

ii.   Belgium

15.   Belgium is a federal state divided, from a territorial standpoint, into three regions: Brussels, Flanders and the Walloon region. These autonomous entities have their own legislature - a parliament made up of regional elected representatives. They are vested with many powers in economic, development, environment and energy matters and in European and international relations. However, it is the Flemish, French and German-speaking communities which are competent for culture, language and education, with an organisation and powers similar to those of the regions.

iii.   Bosnia and Herzegovina

16.   The Dayton Peace Agreement of 1995 established a highly complex system on account of the ethnic disputes and the outcome of the Balkans war. There are two entities: the Federation of Bosnia and Herzegovina (comprising 10 cantons) and the Republika Srpska. The Federation does not have a "regional" structure within it. It has many powers and responsibilities and exercises authority over local government, but on a power-sharing basis. In the Republika Srpska the situation is much clearer. It has a great degree of self-government, with only slight dependence on the state. The division into two entities reflects, but does not completely mirror, the presence of three ethnic groups.

iv.   Cyprus

17.   Cyprus is partitioned between two communities (Greek and Turkish). The United Nations proposes a federation as a solution to the dispute. In any case, the division into two ethnic and cultural entities is clear.

v.   Czech Republic

18.   Traditionally, the Czech Republic has three historical regions - Bohemia, Moravia and Silesia, but in 2002 a decentralisation process resulted in the creation of fourteen regions (Kraje) with a regional assembly elected by universal suffrage and a significant degree of autonomy. These regions enjoy some legislative powers. For the purposes of allocation of the EU funds, the country has been split into seven regions and the district of Prague.

vi.   Denmark

19.   Denmark has set up five new regions with effect from 2007, but they are not politically autonomous. However, the country has two territories of considerable political and geographical importance - Greenland, part of the American continent, and the Faroe Islands. Both enjoy home rule and have a legislature and very broad powers, mostly coordinated and negotiated with the High Commissioner representing the Danish government.

vii.   Finland

20.   There is no genuine regional tier of government in Finland, although there are nineteen subdivisions, termed regions, which are little more than federations or groupings of municipalities. For the purpose of the EU funds, four regional groupings have been set up. The Åland Islands nonetheless have autonomous status, with a parliament, enjoying wide legislative powers, and an autonomous government, which decides policy in a very large number of areas. The region of Kainuu also has own powers in the field of service provision.

viii.   France

21.   Recent reforms of France's traditional unitary system of government have led to the emergence of various forms of regionalisation. Mention can first be made of the autonomous status of the four overseas territories. France has also given Corsica special autonomous status and has implemented a general regionalisation process, leading to the creation of 25 regions without real autonomy or legislative powers. Attention should also be drawn to the significant role played by the "départements" with their elected "conseils généraux".

ix.   Georgia

22.   There is a regional level of government, comprising 12 entities with unclear status, not all of which enjoy the same degree of autonomy. The two autonomous republics of Abkhazia and Adjaria and the capital city, Tbilisi, differ from the rest. The Georgian government is also in dispute with the republics of Abkhazia and South Ossetia, which are pursuing separatist agendas and have so far rejected the possibility of a federation.

x.   Germany

23.   Germany is a federal state consisting of 16 "Länder" or autonomous states. Each has a legislative assembly empowered to elect an executive, with a large number of responsibilities. They enjoy huge financial autonomy and are represented by a federal organ, the Bundesrat.

xi.   *Hungary*

24.   Hungary is administratively subdivided into 19 counties (megye) deriving a degree of importance from the country's history and identity. They have some say in regional policy-making. Hungary has also set up seven statistical or spatial planning regions, which cover several counties and deal with regional development. However, they have no political autonomy.

xii.   *Italy*

25.   Italy currently has a constitutionally guaranteed decentralised system of government with 20 regions: five enjoying special status and fifteen ordinary regions. The country also has two autonomous provinces, which are largely self-governing. The regions have been vested with legislative powers. In 2001 a constitutional reform expanded the regions' autonomy, which is now very broad, and strengthened federal mechanisms.

xiii.   *Moldova*

26.   Moldova combines three kinds of regional subdivision in a state which is defined as administratively decentralised and includes an autonomous territorial unit, Gagauzia. A reform fraught with difficulties led to the replacement of the ten regions (judets) by 32 districts (rayony), whose autonomy has in fact been reduced. Gagauzia has its own executive and legislature enjoying broad powers.

xiv.   *The Netherlands*

27.   The twelve provinces correspond to a weak form of regionalisation, without legislative powers but with some own competences. One province, Friesland, has a somewhat distinct identity, which distinguishes it from the others.

xv.   *Poland*

28.   Following the transition to democracy a significant legislative reform modified the administrative division of the state, reducing the number of regions (voivodeships) from 49 to 16. However, these are not politically autonomous regions. Most have administrative powers, and some a degree of legislative power. They are responsible in particular for regional and cultural development.

xvi.   *Portugal*

29.   Portugal has a unitary system of government with unequal regionalisation. There are two autonomous regions with legislative powers and a special status - the Azores and Madeira. A regionalisation reform was rejected in 1998 but new proposals for sub-dividing the country into regions are currently again being examined. Mainland Portugal has five spatial planning regions.

xvii.   *Russian Federation*

30.   The federal constitution establishes different levels of sub-state authorities, such as the 21 republics, which have their own constitutions, the six territories (kraja), the 49 regions (oblasti), one autonomous region, ten autonomous districts and two federal cities (Moscow and St Petersburg). The result is very unequal regionalisation, since the republics have certain special rights and a number of the federal subjects have signed bilateral treaties with the federation, considerably enhancing differences in autonomy.

xviii   *Serbia*

31.   This republic is currently a state composed of two autonomous provinces: Vojvodina and Kosovo and Metohija. The former has many national minorities (26) although the majority of the population is Serb. Kosovo has a huge Albanian majority and became a de facto international protectorate at the end of the war. The international community is now debating the future status of this region, which many wish to see become an independent state, as was recently the case with Montenegro.

xix.   *Slovakia*

32.   The country has 12 (8) higher territorial subdivisions solely for the purpose of EU regional policy. There is an ongoing debate on this territorial organisation.

xx.   Slovenia

33.   Slovenia has passed legislation setting up regions, but they have not yet officially been constituted.

xxi.   Spain

34.   The Spanish Constitution of 1978 set up 17 autonomous regions. In general, the specificities of the various historical and political identities were respected. The Autonomous Communities have vast powers, excluding strictly federal powers retained by the state. They all have an executive and a parliament with broad legislative powers. However, they are not all equally autonomous; Catalonia, the Basque Country, Galicia and Andalusia have a status different from that of the other regions, and also from one another. The statutes of autonomy of the Canary and Balearic Island communities also differ. Similarly, the cities of Ceuta and Melilla under Spanish sovereignty in North Africa have their own autonomous status.

xxii.   Sweden

35.   Sweden has a decentralised tier of government in the form of 18 counties, which are more of the nature of local government authorities having some powers but not of a legislative nature.

xxiii.   Switzerland

36.   Switzerland is a federal state made up of cantons and half-cantons, which all have specific sovereign status (their own executive, legislature and judiciary). It constitutes a special case of virtually total regional autonomy vested in the 26 cantons, to the point where they can even conclude international treaties. Switzerland's system of referendums also guarantees self-determination at cantonal level.

xxiv   Turkey

37.   There is no regionalisation process. The country has seven geographical regions for purely statistical purposes. Despite exerting pressure, the Kurd community has not been granted autonomous status, apart from certain linguistic and cultural rights.

xxv.   Ukraine

38.   The country is subdivided into 24 regions (oblasts), which are purely administrative in nature and have no powers of self-management, plus the Autonomous Republic of Crimea. The latter has its own constitution and an independent legislature and executive, which are nonetheless subject to the laws of Ukraine and the authority of the President and the Constitutional Court of Ukraine. It is nonetheless vested with huge powers within its territory.

xxvi.   United Kingdom

39.   The United Kingdom has a unitary system of government. It recently went through a devolution process, conferring considerable autonomy on the historical nations of Scotland, Wales and Northern Ireland. Scotland and Northern Ireland have legislative powers. Wales has a strong executive, but no legislative powers. Furthermore, a regional reform of the fourth nation, England, is under way.

40.   To sum up, excluding the small states where the creation of regions is pointless, it can be seen that, in the majority of Council of Europe member states, regionalisation is either already firmly established or under way. Most of the larger countries of Europe have a well-developed sub-state level of government formed of regions enjoying considerable autonomy and legislative powers.

41.   It is true that some countries have adopted semi-regionalisation solutions, that is to say a sub-state level of government above the strictly local tier but without the legal or political strength conferred by regional autonomy. In many of these countries there is an ongoing debate on organisation of this level of government taking account of criteria of subsidiarity and proximity.

42.   Mention should also be made of the fact that a number of member states are confronted with linguistic, cultural and identity-related claims by ethnic groups, historical communities or national minorities, who are seeking to assert their right to a say in cultural and political matters. The best solution, at least in a number of cases, is probably a form of regional autonomy (where functionally feasible).

43.   At the same time, it is unrealistic to assume that these identity-based demands will diminish or die out. On the contrary, globalisation has caused people to seek a form of return to their roots and fostered a sense of belonging to a small home community, the closest local or regional group. In response to this trend to take refuge in the nearest, most local community, in one's mother tongue and traditional culture, there is a need for recognition of these cultural and political realities via a solution that is satisfactory for all concerned, which could in most cases be of a federal or regional nature.

III.   Both a problem and a solution

44.   The idea of establishing regions within a state or the European political process is not always regarded as positive. The concept of self-government is sometimes criticised because it is equated with a process of independence or a dilution of the state's power. However, the concept as described in this report must be understood in an opposite sense: the self-government we propose enables a minority group within a state to take action to defend its rights and manage many aspects of life within its territory with the necessary guarantees for state integrity. Self-government or regionalisation should not be equated with secession. Quite the opposite, attention must be drawn to the integrating nature of the regional system. Examples such as Germany, Austria, Belgium, Spain, Italy, the United Kingdom, Russia and Switzerland (in Europe) or, in the rest of the world, Canada and the United States show that respect for and recognition of diversity together with continuity of the state are necessary solutions to avoid any interethnic or separatist dispute.

45.   Whilst for some the growing presence of regionalism and its recent revitalisation pose a problem, others consider that an efficient, viable organisation of sub-state power can be a positive solution. Moreover, we are not naively suggesting this approach. We know the topic well and we are not unwilling to confront any of its aspects. We are aware of the sensitive nature of this issue and for this reason we wish to weigh all the alternatives and, as far as possible, foresee the difficulties.

46.   The greatest problem is not the need to divide each country into more or less artificial administrative units in order to allocate European funds; this can be done quite easily. The real problem for some states is satisfying the cultural or political demands of existing regions that are seeking recognition and their share of political autonomy. The issue becomes sensitive when such demands have separatist aims and entail the establishment of a new state. Such claims and the possibility that other regions with more moderate demands may follow the same path cause states to panic and make them reluctant to envisage any regional development.

47.   The rapporteur considers that anti-regionalism is a mistake. Firstly, because nationalist groups who have always aspired to independence and self-determination will continue to do so in future and, secondly, because it will be extremely difficult for such demands to strike a chord with the population in regions which have already reached an adequate level of self-government.

48.   On the contrary, appropriate organisation of European regionalism can create a balance between states and regions (recognised sub-state powers) necessary for a whole range of reasons. States must show that they stand for everyone, and if a state is plurinational, multicultural or multilingual it must acknowledge this at an institutional level. If there are minorities, they cannot be ignored, even if only for democratic or human rights reasons. Moreover, if they are ignored the state will eventually face insoluble conflicts.

49.   However, it must be acknowledged that regionalism is a complex issue, and the reality of our societies does not make it easier to handle. If we approach this issue from a European perspective, we are clearly faced with many failings. A first problem is the crushing weight of some states, as compared with others. Other differences stem from their constitutional structure and from the existence within some member states of communities, peoples, stateless nations, regions with their own identities, politics and economies, and the different treatment afforded to them according to the state's constitution and laws. All these situations raise questions as to how to organise the Europe of the future from the legal and political standpoints on the basis of a just, rational regime able to satisfy all European citizens as well as those with a patriotic allegiance to a specific community within a diverse state.

50.   Certain specific circumstances must be borne in mind here. For instance, it must be noted that some of what we call the small states are far tinier than many European regions. Nonetheless they are states and despite their limitations they are fully recognised as such and participate to a considerable extent in the EU and Council of Europe decision-making processes. These states, which are tiny from a geographical and demographic point of view, can play a direct role in European affairs, unlike bigger regions with political power, a vast territory and a much larger population, whose contribution to EU GDP is inversely proportional

and who are treated as secondary, minor entities, deprived of any possibility of participating in decision making. This is an indisputable reality.

51.   If we cannot find a solution to redress these two political paradoxes (politically privileged small states and neglected large regions), and if the state continues to be the sole means of political organisation of a community, the message conveyed to regions with a strong identity and political ambition will not be that we are striving for a politically effective, equitable, structuring system. We must be aware that, although that is not our intention (rather the contrary), if the message sent by states or the EU is that there can be no intermediate bodies and that within the EU or the Council of Europe there are no institutional possibilities for large regions, we will cause them to feel such frustration that they will seek other channels and assert other claims.

52.   At the same time, there are unitary and federal states. The most common structure is a composite one, with either a full federal system or a system based on self-governing regions or special statutes of devolution (Germany, Belgium, Spain, Italy, Portugal, the UK, Finland, Russia, Ukraine, amongst others, and obviously France with its statute of devolution for Corsica). However, regional policy approaches vary greatly, which makes it even more difficult for the governments to agree on the role of regions within Europe. In most cases this reluctance is linked to historical tradition, to the current distribution of competencies and even to the government's ideology or political programme, which may be more or less favourable to a regional presence.

53.   One feature, which is a source of difficulty, must not be overlooked - the diversity and plurality of European regionalism. Nowadays European social, political and institutional reality corresponds to an intricate mosaic of entities of different sizes and levels, some of which are strong in both institutional and administrative terms, including obvious geographical communities and cultural identities, and others which have a strong administrative role (départements, provinces, counties, merely administrative regions) but weaker political significance.

54.   The fact that regions differ so much from each other makes it even more complicated to find a general solution. Structural equality between regions, as mooted within some European regional institutions, is merely notional. There are all kinds of regions. Sometimes, existing nation states directly include significant national minorities, which for a whole series of reasons did not become a state at a given historical moment. They are now part of member states but cling to their own identity and political strength. In some cases, as we all know, these territories have their own language and culture, different from those of the state to which they belong.

55.   These regions cannot be compared to the European Union regions, which were established for reasons of cohesion and solidarity with a view to reducing inequalities through the regional policy instruments and are classified as objective 1, 2 or 3 regions according to their economic characteristics. The latter regions' political strength is weaker and they are more administrative or managerial in nature. They result from a mere decentralisation process or are useful in terms of distribution of EU regional funds. In view of the great difference between these two types of regions it is imperative to avoid any blanket approach equating regions with one another without taking account of subtle distinctions and differences. And it would be even less advisable to lump together regional and municipal or local policies, as has been the case in recent decades.

56.   We must also not forget that regions are more often than not the entities which have to apply decisions adopted by the EU or the Council of Europe, taking account of the binding need to respect each state's internal distribution of powers. In this connection, it has rightly been said that many regions are directly responsible for the development and implementation of European law. Where there are regions with significant political and legislative powers, it is they who implement such policies. It is therefore not surprising that they also want to be present and involved in the decision making process.

57.   In the early days of the European Communities the situation was different. There was only one truly decentralised country, namely Germany. However, things have changed enormously. The regional phenomenon has made huge advances over the past thirty years. Spain is not the only example. There have been changes in Belgium, British devolution, special forms of regional power in France, not to mention a degree of decentralisation in most countries. Mention must also be made of the states of eastern Europe with their deep-rooted federal tradition of sub-state tiers of government, not forgetting that Russia is a federation. To a certain extent, Europe has gradually accepted regional reality. The progress achieved since the 1980s must be acknowledged.

58.   Our Europe is therefore highly consolidated but does not grant equal treatment to new regionalisation processes and demands which go beyond the region and seek the establishment of new states, whether one is for or against such trends.

59.   This is of course a complex issue which gives rise to significant political disagreements and even ideological differences. Within the Council of Europe and the European Union there are advocates of unionism and supporters of an intergovernmental Europe, close to the old Jacobin tradition, who consider that states alone should have control over decision-making or political control of a European macro-state. There are also nation-states without a strong regional presence, whose governments are rarely interested in the issue since it does not concern their own territory.

60.   At the same time, there are regions that aspire to self government, where one can find federalists and separatists in favour of subsidiarity. The latter consider it extremely difficult to win support for their ideas despite the fact that all they want is to institutionalise European reality as it is. To be more precise, they want the institutional organisation of Europe to reflect the political, cultural and territorial specificities of European societies.

61.   Bearing in mind the difficulties mentioned, the advances made in this field by the member states of the Council of Europe are absolutely remarkable. In most member states regionalisation mechanisms have been implemented, and over the past twenty years this sub-state level has made extraordinary progress in quantitative and even qualitative terms. Moreover, the organisation of institutions conducive to European regionalism is gradually improving.

IV.   Regionalism in progress

62.   It is only recently that regionalism has gained momentum and made progress in the various countries of Europe, although the political and constitutional solutions adopted differ. Even the Council of Europe and the EU have had to devise policies with a view to implementing projects taking account of this new state of affairs.

63.   There is no questioning the fact that this process of institutionalising regions and self-government has been a great success, an extraordinary success. Let us take Spain as an example. Following the country's transition to democracy seventeen autonomous communities were set up. They have been in place for more than thirty years and have made a fundamental contribution to Spain's progress. The stability and well-being currently enjoyed in Spain would not have been possible without the enormous contribution of the autonomous regions.

64.   The European regionalist movements are deeply pro-European, and at the same time they all, with very few exceptions, assert their role without calling into question their membership of a given state. They want to be part of Europe with a view to enriching, reinforcing and legitimising the European project. In this sense, given that they represent the people, they are a guarantee of political pluralism and of the upholding of citizens' rights; they are accordingly an asset for democracy and a guarantee of support for the European project. Likewise, they give political expression to the will of the regions, constituting socio-economic development mechanisms for territories and their citizens.

65.   Apart from seeking to advance the *regional model*, they also wish to develop a European regional culture allowing regions to become effective *partners* in the integration process. To be more specific, their aim is to create the necessary conditions for regions' individual or direct participation in community policies in the relevant fields. They also aspire to a role in the process whereby the state determines its own views, decisions and representation. Lastly, they propose that the regions should have a joint role in the European institutions by means of organised regionalism within the Committee of the Regions, with clear differences for the so called constitutional or legislative regions.

66.   Through its policies the EU itself has generated a tendency in favour or regionalism. It has divided regions into different levels for planning purposes and, above all, with a view to distributing the structural funds. In many cases the regions established for the EU's purposes coincide with existing *political* regions or *administrative* divisions, whilst in others it has been necessary to establish divisions of a purely utilitarian nature on planning grounds or to collect funds from the European Union.

67.   Let us add that the European Union has established the Committee of the Regions, within which the member states' institutionalised regions are represented. It must also be acknowledged that the EU has not wanted to give the regional movement the importance and momentum it deserves. It need simply be pointed

out that the Committee of the Regions is also composed of local authorities. The Constitutional Treaty envisaged scarcely any progress concerning the regions. They were neglected in the European project. At the same time, we should also mention the development of the "*euro region*" concept, which has already been given tangible form in well-established projects and which, even if it is not linked to political regions and is mainly presented as an instrument to establish infrastructures and foster development, is still a regionalist project. As we can see, the EU has been compelled to acknowledge the existing regional reality, but has not been able to organise adequately, at European level, a regionalism more involved in community affairs.

68.   The revitalisation of European regionalism is an undisputable truth: only recently have we witnessed significant changes in this field in countries as different as Switzerland, which has reformed financial relations between the Confederation and the cantons, Germany, where there have been changes in the federal structure and the role of the Bundesrat, the chamber in which the Länder are represented, Belgium, with new federal powers transferred to the regions, Italy, where a similar process has been launched, and also Spain and the United Kingdom, as mentioned above.

69.   No one can deny that regionalism and the reinforcement of regional self-government are part of a process of democratisation of our states, especially since they bring decision-making authority closer to the citizen and strengthen involvement of territories and society in public affairs.

70.   The European regionalist movement has been gaining in importance over the years. From the initial regional organisations, such as the Congress of Local and Regional Authorities of the Council of Europe, the Council of European Towns and Regions and the Assembly of European Regions (to mention but the most important) we have arrived at a Committee of the Regions institutionalised in the EU and a Chamber of Regions within the Congress of the Council of Europe, along with the establishment of a not-insignificant lobby, the Regions with Legislative Power, or Constitutional Regions, who are seeking more recognition and a greater role in public affairs, in line with their weight in European politics and the European economy.

71.   Attention must also be drawn to the importance of the CALRE (Conference of European Regional Legislative Assemblies), the body representing regional parliaments, with which the Committee on the Environment, Agriculture and Local and Regional Affairs has been working practically since its establishment. CALRE makes the parliamentarians' voice heard and exercises oversight over regional governments, law-making capacity and legislative initiatives, notably those in favour of regional democracy. The Parliamentary Assembly welcomes and is pleased to monitor the work carried out on this parliamentary level, which has succeeded in carving out a place for itself among the European institutions.

72.   The regions' efforts to propose a federal mode of functioning tie in with a debate on federalism that is already under way, given the existence of federal states and also because regionalisation entails mechanisms of a federal nature, whether explicit or implicit. Clearly, any solution devised to endow Europe with a viable legal and political model, integrating the regions, applying effective subsidiarity and focusing on proximity to the citizen, must be federal and federalising, whether expressly designated by that name or implicit in nature, without adopting the precise designation.

73.   This debate is not new. The "unionism or federalism" question was raised in The Hague in 1948. One side believed in an essentially intergovernmental Europe, while the other believed in a merged, federated Europe. Your rapporteur believes that events bear out the significant progress made towards federalism, despite very stiff resistance, while it is also true that the term itself is far from meeting with acceptance. This issue was raised inter alia during the debate on the European Union's Constitutional Treaty.

74.   This new federalism would mean giving regions, territories and civil society organisations a role in the building of a united Europe. It calls for greater involvement of citizens in the European unification process, on the basis of genuine proximity. The possibilities are manifold: from those affecting the ways in which states interact with Europe to those that might lead to the establishment of a second chamber in the EU parliament or transform the Council of Europe into a body of territorial representation. There have been many suggestions along these lines and others will doubtless follow.

V.   States, regions, globalisation and Europe

75.   The history books show that over time Europe has organised itself in many different ways through a variety of institutional arrangements. Mention can be made of the dispersed tribes, the Greek "polis", the Roman Empire and its division into provinces, the emergence of feudal boroughs and counties, and later kingdoms, all the way up to the birth of the modern state, the great monarchies and the transition from

feudalism to capitalism, which paved the way for the "nation-states". The nation-state was the great institution underpinning industrialisation and free trade, and up to the 18th century set the stage for modern societies' political progress. This process, where states were in a dominant position, lasted throughout the 19th and 20th centuries. It need but be pointed out that over the past century Europe saw the establishment of more than twelve states.

76.   From the 17th to the 20th centuries the coherent development of societies and state institutions led to all sorts of territorial arrangements based on the idea that a *state is a nation and a nation is a state*, an idea that shaped some countries' concept of the state to the extent of taking them one step further: *the state can only be unitary* – ignoring the fact that the state can adopt a great many forms and that the compound state is the most common solution. Hence, in places where Jacobinism was the dominant doctrine, the unitary nature of the state left the existence of other communities, identities, nationalities and regions unacknowledged. These were integrated in their respective states with no chance of developing. Most were assimilated, while some remained latent for years. However, not all perished.

77.   From the end of the Second World War, this key institution, the state, entered into visible decline under the impact of the globalisation of markets, finance, communications, culture and all forms of trade. To a certain extent, no single state could face the new challenges on its own and guarantee its population sustained progress. Faced with this challenge, the traditional reliance on autarchy (closed national markets) was no longer viable, while at the same time imperialism was proving to be unsustainable and too hazardous in the long term. The old state began to show signs of exhaustion and gradually appeared unable to offer its citizens that which it had always provided: financial stability, a currency, ongoing progress, defence and an institutional presence.

78.   It was then that some Europeans who were well aware of their own states' weaknesses and their inability to master and control the processes underway (markets, politics and culture no longer confined to the national sphere; opening of physical, financial and political borders making autarchy pointless and counterproductive) became convinced that it was only by grouping together in sufficiently broad financial and political frameworks that states could face up to the financial, technological and geo-strategic challenges the future was sure to hold. The idea was *strength in union*, with the additional consideration that, as well as facing new economic, social and strategic threats *together*, there was a need to rid European states of the old policies that had led to two horrific World Wars.

79.   All this pushed European governments to establish new intergovernmental groupings of different types, including the Council of Europe, the Western European Union, the North Atlantic Treaty Organisation, the Organisation for Security and Cooperation in Europe and the European Communities, later the European Economic Community and finally the European Union, which implies an integration of States in a *multi-* and *supra-* state framework. We have thus reached a stage at which the nation-state has become obsolete as an institutional, political and economic framework capable of ensuring European societies' progress and cohesion.

80.   In essence the European Union is moving towards a more or less federative structure of states, which will culminate in a multi-state institutional and constitutional system. In the case of the European Union, the idea would be to establish a new community that could not be considered *national* (at least not for the time being and perhaps never), but could foreseeably become a political, legal, economic and institutional framework similar to a traditional state, enjoying pre-eminence over the member states, as it does today in many respects, especially financially.

81.   The European project, whether we like it or not, entails a weakening of states, however hard some may try to deny it. It must be added that the EU is a construction of the governments and states: therefore, they can hardly complain. However, the EU implies a massive transfer of sovereignty to Brussels, similar to that which preceded the establishment of NATO in the area of defence. States are no longer what they were: their field of action has diminished considerably.

82.   This report shows that the replacement of the traditional state by a much broader, more comprehensive system, together with globalisation, have generated a dual trend towards the emergence of a European regional reality. Firstly, the European states fears regarding globalisation can be seen to be so strong and so imprecise that they have felt the need to grasp on to something close and tangible, to roots, an identity and a historical culture. Secondly, the establishment of numerous geo-strategic and European superstructures has given rise to a need for policies and institutions focusing on proximity, subsidiarity and citizens' direct participation.

VI. New states or major regions?

83. One of the guiding principles of European post-war politics was the inviolability of borders, proclaimed in the Helsinki Declaration signed by the international community in 1975, which survived intact until the fall of the Berlin Wall. However, the collapse of the Soviet order brought about changes in a number of borders, the disappearance of various states (the USSR, Yugoslavia, the Democratic Republic of Germany, Czechoslovakia) and the appearance of new ones: Estonia, Latvia, Lithuania, Armenia, Georgia, Azerbaijan; the Russian Federation itself; Ukraine, Belarus, Moldova and the division of the Balkans with the establishment of Slovenia, Croatia, "the former Yugoslav Republic of Macedonia", Bosnia and Herzegovina, the new Serbia and Montenegro.

84. A further result of those changes was the peaceful separation of Slovakia and the Czech Republic. We later witnessed Montenegro's proclamation of independence, after a referendum on self-determination, and are now witnessing a process of independence in Kosovo, which has been virtually endorsed by the United Nations and the international community.

85. It is therefore undeniable that the principle of the inviolability of borders has not prevailed. The Europe covered by the Council of Europe, which in 1989 was made up of 35 States, today includes 49 (47 Council of Europe members plus Belarus and the Vatican). Fourteen new states have come into being. Most of these are republics formerly a part of a federation (the Soviet Union, Yugoslavia), though there were also other processes (the Czech Republic and Slovakia or German reunification). A final decision concerning Kosovo, which could raise the figure to 50 states - fifteen established within the past fifteen years - is pending.

86. We accordingly must know in which direction we are headed. Many people agree that a Europe with ten or twelve extra states (in addition to the existing fifty) is hard to conceive and would be even harder to manage. However, there is undoubtedly a driving force, the power of which we cannot gauge, that may bring us to this new structure in the near future. Globalisation and the very nature of the European project, as it has developed, are probably leading us in that direction.

87. I am not referring to a distant future. Nobody knows beyond a doubt what Europe will look like in fifty years' time. We have no way of foretelling, nor is it up to us to decide. It will be the Europeans themselves (our grandchildren and great grandchildren) who will decide if they wish to continue being Italian, French, Spanish, Belgian, Scottish, Basque, Catalan or European. Let them decide. My analysis is confined to what may happen in the near future. I believe that, in the light of historical events and political developments over the past twenty years, separatist aspirations will be on the rise unless we find the mechanisms to satisfy a majority of the citizens in the regions concerned.

88. My analysis is based on a demanding concept of the state governed by the rule of law, the exercise of democracy and the strictest observance of human rights. In this sense, I consider it very difficult, in democratic terms, to deny part of the population of a state the right to self-rule, once a majority of the population group concerned has come out in favour thereof in a voting process. I am thinking in particular of Montenegro, the Czech Republic and Slovakia, where an overriding majority of the population voted for separation. In such cases political pressure and the exercise of democracy are not only important, they are decisive. On the other hand, when in a democracy it is only a minority that aspire to a territory's independence, the international community is entitled to not recognise the new state.

89. This is not the place to go into a detailed review of the difficulties and issues at stake, the arguments for or against the creation of new states, a process which in most cases is practically impossible in the short term. We are all aware of the risk of confrontation, of destabilisation between neighbouring states, between minorities and majorities, of the loss of a minimum degree of cohesion in the societies concerned and the new challenges this would pose for the European project.

90. However, reality is tenacious, and when the EU decided to recognise Montenegro as a new state if its people came out in favour in a referendum, it established a precedent with important implications, not only because of the requirement that self-government had to be legitimised by a referendum, but also in terms of the conditions set: a minimum turnout of 50% and a minimum of 55% of voters "for" (turnout was 80% and 55.5% voted yes). Montenegro therefore obtained its independence by half a percentage point above the minimum score, in an election process that was irreproachably clean and legitimate.

91. The proliferation of new states, dreaded by some and welcomed by others, raises questions of huge political and historic importance. Are more states to be created in the near future? What are the conditions for an independence process leading to a new state within Europe? Should they be the same as were

applicable to Montenegro? Or should independence be conditional, as is suggested for Kosovo? Will there be more cases?

92.   These questions are not gratuitous or irrelevant. We are all aware of the existence in Europe of age-old claims to independence, to which events in Montenegro and Kosovo have given a new lease of life. In places as far from one another as Vojvodina, Chechnya, Abkhazia, Southern Ossetia, Transnistria, Turkish Kurdistan, Scotland, Wales, Flanders, Catalonia, the Basque Region, Galicia, the Alto Adigio, and other areas with pro-independence tendencies, the appearance of new states and the conditions required by the European Union (the case of Montenegro) are an encouragement to separatism. We have all seen the election results in Scotland and heard the announced intention to hold a referendum on home-rule by 2010, amongst other reactions. We cannot ignore the reality, or the potential future implications, of these claims.

93.   In the wake of the Montenegro precedent, if a new case were to arise (and here I am thinking of Kosovo), it appears unlikely that the European Union could vary the conditions previously set or be more demanding in terms of voter participation or the score in favour of secession. Why should one set of conditions apply to Montenegro and not to the others? We must accept that the EU leaders (all the member states endorsed the decisions and the conditions set forth) adopted the decision that was most favourable to the Montenegrin people's enjoyment of their rights and to fair and correct democratic practice, and that the decision was sufficiently weighed and thought-through to make the implications of this precedent acceptable. At least that is what I am inclined to believe.

VII.   The regionalist path

94.   As the Parliamentary Assembly in particular has upheld, acknowledgement of sub-state entities is the most effective means of finding solutions to ethnic, identity, cultural or political conflicts in Europe. It is the best solution, as recent history has shown.

95.   Sidelining or underrating Europe's regions would doubtless lead to growing disillusionment, which would, in the long term, be lethal to the European project and to the states themselves. Europe cannot be united if a considerable part of its population cannot identify with the shared project. We must not forget that many regions in Europe by essence represent the political will of citizens who recognise themselves in that identity. The sense of belonging to a territory, a culture or a national reality is often so strong that citizens want to be European only in so far as Europe recognises their identity. They have no interest in a Europe that tends towards uniformity and depersonalisation, that opposes the recognition of identities, subsidiarity and proximity. Historically, the time has come to uphold the idea that regions must be part and parcel of Europe's institutional framework.

96.   At the same time, it is clear that any return to Jacobinism or the denial of historic, linguistic, cultural or political rights would simply oblige national groups to demand a form of recognition in tune with separatist tendencies. The unitary state is history. States must where necessary recognise the diversity of their nature and translate this reality into democratic institutions. Between the centralist state and secession there are many solutions coming under what we in Europe call *regionalism*.

97.   Decentralisation can take many different forms, including the département, the province or the region... with the devolution of all sorts of powers, including legislative capacity and the independent exercise of powers traditionally the state's preserve. Within Council of Europe member states regionalisation will thus take different forms depending on their territorial makeup and their citizens' will. A generally applicable standardised system does not appear plausible. Each country is different and a single model would be impracticable.

98.   We have drawn attention to the existence of regions with a marked cultural and political personality, which must be offered a degree of institutionalisation in line with their identity. However, there is also a prior need to establish within each state subsidiarity and proximity mechanisms that entail adapting the regions to meet present-day requirements or creating sub-state institutions where they may not already exist.

99.   It is for each state (and its citizens) to decide on the degree of regionalisation they deem appropriate and possibly what type of regional organisation is to be established. In this connection the Council of Europe must set minimum (and optional) criteria that should not be imposed, but rather recommended, the only requirement being that the process be truly democratic, giving all citizens a say in the decision.

100.   Only when they obtain a degree of self-government, of sovereignty allowing them to govern jointly with the state, will the largest regions feel comfortable within their states and as players in the European

project. This third way, which consists in giving regions/peoples/nationalities or nations an important role as sub-state institutions, is the only way to satisfy nationalist claims which would otherwise, in the absence of an alternative, call for the creation of a new state.

101.   At this point in history your rapporteur believes that political realism demands we frame the issues as they truly are. If today on the one hand it appears that centralism and Jacobinism focused on the traditional unitary state would lead to unwanted conflict and we believe this path is obsolete, while on the other hand we wish to avoid the endless creation of new states, since their proliferation would make Europe unmanageable, the solution is to be found only in regionalism or federalism.

VIII.   The European Charter on Regional Democracy

102.   The need to establish a set of shared principles across Europe and to structure regionalism and ensure it is coordinated calls for a "European Charter on Regional Democracy", which the Congress of the Council of Europe and its Chamber of Regions have been relentlessly working to draw up. It is essential that Europe equip itself with a basic document on regionalisation that may serve as a political and legal benchmark accepted by all the member states, and that this document be pragmatic, convincing and representative.

103.   In 1997 the Congress of Local and Regional Authorities adopted a draft "European Charter of Local Self-Government" which established a range of responsibilities, powers and means of funding for Europe's regions. This draft, which was supported by the Assembly, was not endorsed by a majority of member states at the ministerial conferences held in Helsinki in 2002 and in Budapest in 2005. If we want a new Charter, we must overcome the objections raised by the states to the point of rejecting the draft.

104.   In the meantime the Congress has been working on a more realistic, more flexible version of the document, in order to define a regional level between local and central government taking into account the fact that most Council of Europe member states have recently implemented in-depth reforms of their regional systems.

105.   Whether they are triggered by globalisation, constitute a response to citizens' demands, represent a democratic reorganisation consistent with observance of minority rights in the new democracies, or result from European unification, regionalisation processes are undoubtedly under way, in the pipeline or the object of reforms in a number of member states, such as Italy, France, Spain, the United Kingdom and Portugal.

106.   The new document is therefore based on the assumption that developments are to be expected on a regional level in many Council of Europe member states, which makes sense if we bear in mind that today regional institutions are subject to the same pressures as central governments in terms of economic, social and structural changes. Moreover, the regions appear to be the ideal level at which to develop public responsibilities due to their proximity to the economic and social sectors and to their ideal scale for carrying out planning, implementation and monitoring tasks, amongst many other positive factors.

107.   The Congress and its rapporteur, Mr Jean-Claude Van Cauwenberghe, relaunched the work of drafting a new document on regional democracy, to which the rapporteur contributed as the Parliamentary Assembly's representative. On 1 June 2007, at its 14th plenary session, acting on a proposal by its Chamber of Regions, the Congress debated a report and adopted Resolution 244 (2007) on the principles governing regional democracy: proposals and strategy. This report sets out an initial proposal for a European Charter of Regional Democracy, as a basis for a more detailed draft to be debated at the Congress's 15th plenary session in 2008.

108.   This initial proposal for a European Charter of Regional Democracy is in three parts: Part I lays down a common core of minimum general principles of regionalisation. Part II offers three alternatives for each aspect considered, allowing each state to choose the alternative best suited to its degree of regional self-government. Part III stipulates the forms and conditions of implementation of regionalisation under a non-binding endorsement method which leaves each state the possibility of entering a large number of reservations.

109.   This new draft charter will open up many prospects for extremely varied forms of regional autonomy, ranging from the least to the most ambitious, and should be compatible with all existing constitutional arrangements. In view of the safeguards provided and subject to a final decision by the governments, who are free to sign and ratify this future new charter as they see fit, your rapporteur is convinced that reinforcement of the sub-state level is essential to Europe's stability and cohesion.

110.   The rapporteur consequently recommends that the Parliamentary Assembly should, when the time comes, enthusiastically endorse before the Committee of Ministers the new European Charter of Regional Democracy as drafted and adopted by the Congress of the Council of Europe.

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Members of the Committee: Mr Walter **Schmied** (Chairman), Mr Alan **Meale** (1^e Vice-Chairman), Ms Elsa Papadimitriou (2nd Vice-Chairperson), Mr Pasquale Nessa (3rd Vice-Chairman), Mr Ruhi Açikgöz, Mr Milos Aligrudić, Mr Gerolf Annemans, Mr Ivo Banac, Mr Tommaso Barbato, Mr Rony Bargetze, Mr Jean-Marie Bockel, Mr Ivan Brajović, Mr Mauro Chiaruzzi, Mrs Pikria Chikhradze, Mr Valeriu Cosarciuc, Mr Osman Coşkunoğlu, Mr Alain Cousin, Mr Taulant Dedja, Mr Hubert Deittert, Mr Tomasz Dudziński, Mr József **Ékes**, Mr Savo Erić, Mr Bill **Etherington**, Mr Nigel **Evans**, Mr Ivàn Farkas, Mr Adolfo Fernández Aguilar (alternate: Mr Julio **Padilla**), Mr György Frunda, Ms Eva Garcia Pastor, Mr Peter Götz, Mr Vladimir Grachev, Mr Rafael Huseynov, Mr Stanislaw **Huskowski**, Mr Jean Huss, Mr Fazail Ibrahimli, Mr Ilie **Ilaşcu**, Mr Mustafa Ilicali, Mrs Fatme Ilyaz, Mr Ivan Ivanov, Mr Bjørn Jacobsen, Mr Gediminas Jakavonis, Mrs Danuta **Jazłowiecka**, Mrs Liana Kanelli, Mr Karen Karapetyan, Mr Victor Kolesnikov, Mr Juha **Korkeaoja**, Mr Gerhard Kurzmann, Mr Ewald Lindinger, Mr François Loncle, Mr Aleksei Lotman, Ms Kerstin Lundgren, Mr.Theo Maissen (alternate: Mr John **Dupraz**), Mrs Maria Manuela **de Melo**, Mr José **Mendes Bota**, Mr Gilbert Meyer, Mr Vladimir Mokry, Mr Stefano Morselli, Mr Tomislav Nikolić, Mrs Carina Ohlsson, Mr Pieter Omtzigt, Mr Ivan Popescu, Mr Cezar Florin Preda, Mr Jakob **Presečnik**, Mr Lluís Maria **de Puig**, Mr Jeffrey Pullicino Orlando, Mrs Adoración Quesada Bravo (alternate: Mr Gabino **Puche**), Mr Kamal Qureshi, Mr Dario Rivolta, Mrs Anta Rugāte, Mr Fidias Sarikas, Mr Hermann Scheer, Steingrímur J. Sigfùsson, Mr Ladislav Skopal, Mr Christophe Spiliotis-Saquet, Mr Rainder Steenblock, Mr Vilmos Szabó, Mr Nikolay Tulaev, Mr Victor Tykhonov, Mr Tomas **Ulehla**, Mr Geert Versnick, Mr Rudolf **Vis**, Mr Harm Evert Waalkens, Mr G.V. Wright, Mr Mykola Yankovsky, Mrs Maryam Yazdanfar, Mr Blagoj **Zasov**.

N.B.   The names of those members present at the meeting are printed in bold.

Secretariat to the Committee: Mr Alfred Sixto, Mr Bogdan Torcătoriu and Mrs Marine Trévisan