



**EU regions with legislative powers:
Exploring the appetite, capacity and direction for
EU policy influencing and delivery**
REPORT



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Executive summary

This study explores if and how EU regions with legislative powers can amplify their presence through the RLEG initiative. Made up of 16 regions with legislative powers, this joint initiative aims to make a specific, value-added contribution to the EU's regulatory policy. RLEG is committed to bringing citizens closer to the EU, such that a stronger 'line of sight' is generated between them and the EU's multilevel governance system. This requires that the role of regions with legislative powers is better acknowledged by key partners in the EU's multilevel governance system. Currently, that recognition is not present. This impacts the role RLEG can play in EU decision-making.

This report recommends that RLEG improves the positioning of their agenda for greater coherence and visibility. This could increase the scope for improved dialogue with key EU stakeholders. This suggested 'reset' is necessary to foster improved dialogue with decision-makers – an essential first step in what will clearly be a long-term endeavour for RLEG.

Due to timing constraints, the study should be understood **as a 'work in progress', requiring a more comprehensive evidence base, including the views of key stakeholder groups beyond the regional perspective.**

The study found that **there is significant potential to strengthen the connectivity between citizens in the regions with legislative powers and EU regulations, policies and related investments.** This could revive interest and engagement in many aspects of the 'EU project' at regional and/or local levels. Furthermore, these efforts could contribute to the future of the EU's multilevel governance system, in recognising the rights and responsibilities of the regions with legislative powers and optimising their potential value.

This endeavour relies upon engendering positive engagement and dialogue across all relevant EU stakeholder groups when reviewing the growing tendency towards more centralisation of EU regulatory, policy- and decision-making processes. How these efforts are mobilised and communicated matters a great deal. In the past, this specific debate – and its sensitive, political nature – has not always encouraged constructive exchange. This affects key EU institutional actors' and decision-makers' willingness to engage with this agenda.

The RLEG initiative is made up of approximately 20% of the total group of EU regions with legislative powers. To increase its visibility and capacity, it should reach out to this wider group to explore the possibility for collaboration. **RLEG should also adopt a more collaborative approach to working with other EU regional networks.** The political 'weight' of regions with legislative power could create greater leverage in areas of mutual interest for all EU regions.

This does not imply that RLEG has the same objectives as these networks. RLEG regions have a specific focus on the EU's multilevel governance system and their role within it. Therefore, the 'proximity' they seek to this differentiates them from EU regions *without* legislative powers, insofar as their rationale for improved engagement is based on their legislative powers.

Member regions of RLEG have a wide range of skills and technical expertise, which could be better mobilised for mutual support across the initiative. In particular, these regions are frequently confronted with EU decision-making structures that limit their contribution to and/or influence over EU discussions and decisions, even where they possess specific competences in the policy and legislative area under review.

The issues and challenges they face are usually highly specific to their domestic contexts. This limits the extent to which

the wider RLEG network can become directly involved. **More dynamic and tailored channels of support can be generated through member-to-member advice, capacity building and mentoring support.**

In addition, **there is clear scope to optimise RLEG’s internal resource base as a means to improve dialogue and collaboration with EU institutions**, to improve the functioning

and effectiveness of the EU’s legislative and policymaking architecture.

The study outlines a **strategic ‘framework’** for the RLEG initiative to apply when upgrading its aims and direction, and shifting towards a more strategic and impactful pathway. Proposed **activities and actions** include:

- **Establishing a new momentum to create an inter-institutional forum.**
The most ambitious and – currently – least certain of the proposed actions to underpin RLEG’s direction, this effort would require to be championed at the highest political levels across RLEG regions.
- **Strengthening the internal capacity between individual RLEG members and their respective member states to respond to domestic issues.**
A strong ‘internal’ orientation to this effort could boost mutual support and advice and generate an evidence base of the types of issues and solutions which RLEG members face.
- **Improving strategic tracking of the EU’s legislative and policymaking timeline to optimise structural dialogue.** This action would signal RLEG’s strategic credibility and capacity, focusing on strong analysis of how ‘fit for purpose’ the EU’s multilevel governance system is, with respect to the provisions which facilitate the full engagement of regions with legislative powers.
- **Identifying specific policy opportunities where RLEG can demonstrate its expertise and capacity to engage with and optimise policy developments.** Ideas include the current debate concerning European Semester governance, the EU’s better regulation agenda and the European Commission’s commitment to introduce Territorial Impact Assessments.

RLEG needs stronger political leadership to create its desired presence, profile and credibility. The initiative’s forthcoming high-level event in January 2022 offers an opportunity to signal a strong, strategic commitment to positive

consultation and dialogue across key stakeholder groups. These include the wider group of regions with legislative powers, member states, the European institutions and the EU’s regional network community.

Introduction

This study was commissioned by the Delegation of the Basque Country to the EU, with the aim of exploring the appetite and potential for a refreshed, collaborative effort across EU regions with legislative powers. Correspondingly, the study also explores if and how this effort could support the aim of reducing the democratic distance between European citizens, EU policies and legislation.

The study focuses on the views and efforts of EU regions with legislative powers. The RLEG initiative was established in 2018 but draws on a much longer regional collaborative effort between regions with legislative powers. It should be noted that the initiative does not incorporate the entire group of EU regions with legislative powers. Rather, it is a voluntary endeavour driven by a specific group of 16 regions.¹

Objectives

This study has four objectives:

- to illustrate that an increasingly strong, member state-led approach to EU decision-making affects the 'voice' and visibility of EU regions, particularly those with legislative powers;
- to reinforce that a 'one size fits all' approach to regional engagement in the EU project – from policy development to demonstrating policy impact – does not reflect the reality of how EU regions function in relation to their roles and powers at domestic levels;
- to explore the potential for the RLEG initiative's greater involvement in the EU's policy and legislative decision-making; and
- to advise the RLEG initiative on strengthening the evidence base to support a refreshed collaborative effort across all EU regions with legislative powers.

Assignment method

This assignment was undertaken over a short period (October-December 2021) and involved desk research, a consultation programme and an invitation-only workshop event. A number of key principles were applied in this assignment to promote engagement while also respecting the sensitive nature of the exercise and

acknowledging the different identities across the regions involved in the RLEG initiative. These differences also relate to their legislative powers and the wide range of arrangements in their respective member states with regard to transposing and implementing EU policies and legislation. The study was also underpinned by the following principles:

1. **The importance of the domestic context:** How powers are shared and governance systems and processes operate differ across member states with regions possessing legislative powers. This is important to acknowledge to understand RLEG's collective ambitions.
2. The study sought to **avoid a narrow focus on EU Regional and Cohesion Policy.** Many EU regional networks tend to focus their interests and efforts on this specific policy area. RLEG is committed to working across a wider raft of EU policies and legislation relevant at the regional level (e.g. agriculture, innovation, health, transport).
3. **Improving EU democracy across RLEG territories and their respective member states:** Through their legislative powers, RLEG aims to improve the effectiveness of EU multilevel governance to improve the impact of EU legislation and policy 'on the ground'. This is based on optimising the transparency of EU decision-making processes and encouraging greater citizen engagement with these processes.

Study limitations

This study does not include a legal analysis of the legislative powers of the regions in question, nor does it scrutinise EU laws and treaties with specific regard to provisions for regions with legislative powers. Due to timescale limitations, the assignment adopts a focused and selective approach to the literature review, prioritising sources concerning how EU regions engage with the EU's multilevel governance systems. The consultation exercise was based on a pragmatic approach to undertaking a programme of 13 interviews during October, with a workshop in November, which was attended by a wider group of stakeholders.

The timescale made it difficult to engage all targeted consultees. Some stakeholder groups showed a stronger willingness to engage in the assignment than others. It proved challenging to engage national level stakeholders from member states with regions with legislative powers. It also proved to be very challenging to engage especially the European Commission. This reluctance to engage is likely

- regions with legislative powers that are not currently engaged with RLEG;
- regions without legislative powers;
- stakeholders from regions with legislative powers (from e.g., regional government administrations, legislatures and assemblies);
- member states with both regions with legislative powers and without; and
- EU institutional actors from the European Parliament and Commission.

With the above limitations in the consultation programme, this report draws on examples, opinions and ideas presented by a small consultee group of 13 individuals and organisations² – but is by no means exhaustive. Furthermore, the regions taking part in the consultation programme cannot be assumed to represent the entire group of EU regions with legislative powers since consultations were undertaken with a sub-group of 6 regions from a

Main findings

The desk research and related analysis tracked a number of themes that set out the wider

related to a driving principle of RLEG – to promote change in EU legislative and policymaking processes, which better reflects the status of regions with legislative powers. As such, RLEG presents a challenge to the status quo, and this affects how some stakeholder groups engage with the initiative.

This report recommends that **RLEG's image, supporting narrative and outreach efforts be refreshed by adopting a more collaboration-driven direction.**

Given that a pragmatic approach had to be taken to deliver the consultation programme, the vast majority of the interviews took place with RLEG members and EU regional networks (9 out of 13 interviews). This generates **a bias in the views represented.** For a more comprehensive perspective of how RLEG is perceived and to create a greater spectrum of insights and ideas, a wider consultation exercise with a much broader range of actors should be undertaken. The actors should include:

total of 71. An interview schedule (see Annex 1) was shared with the consultees ahead of the discussions. During interviews, the schedule was used flexibly, and adjusted according to the interviewee's specific interests, roles and views. All interviews were undertaken online, with a strong non-attributable, open-ended and qualitative emphasis. The interviews sought to explore views on the RLEG initiative: its value and visibility, and ideas for future direction.

historical context of regions with legislative powers. The study also draws on the evidence and literature linked to

the complex relationship between EU multilevel governance, subsidiarity and a direction of 'distance' between these and EU citizens. The analysis focuses particularly on the Union's current institutional approach, and perceptions of an increasingly centralised and one-size-fits-all direction to legislation and policymaking processes.

The RLEG initiative can and should play a key role in tracking the direction of EU legislative and policymaking processes and structures, with a focus on how multilevel governance and

subsidiarity principles are implemented and respected.

The relationship between how these principles are enacted and the specific rights and responsibilities of regions with legislative powers requires careful monitoring and review. This is precisely because these regions' effective engagement in EU legislative and decision-making processes can play an important role in upgrading the EU's multilevel governance system in a way which takes better account of 'grassroots' needs and issues. In turn, this can help reduce the 'distance' EU citizens report in their proximity and access to the European Union.

1. AN OVERVIEW OF THE EU'S DIVERSE TERRITORIES AND ASSOCIATED REGIONS

Across the EU, there are considerable regional differences, ranging from societal to territorial heterogeneity. This diversity is often accompanied by disparities that affect levels of development across different EU geographies and regions. These disparities are present not only between but also within EU member states, for example, in terms of regional GDP performance or health outcomes. This diversity implies that different EU geographies have different policy needs.

Indeed, EU legislation and policies can affect different territories in various – and, sometimes, rather detrimental – ways. Regional realities (in terms of their specific social, territorial and economic challenges) mean that the implementation of legislation or policy

does not follow homogeneous pathways. EU Cohesion Policy was established to respond to these differences and support the 'convergence' of those regions with the most complex challenges, to catch up to EU average GDP. However, its focus is not only economic; the Policy's three pillars – social, economic and territorial – recognise the extent of diversity across the EU's different geographies.

Beyond the role played by Cohesion Policy, the European Commission acknowledges persistent inequalities across the EU's territories and an increase in regional disparities.³ Current priorities seek to address this imbalance, with the call that "No person, no region, no Member State should be left behind."⁴

2. EU REGIONAL ORGANISATIONS AND ASSOCIATIONS

The multitude of EU regional representative networks and platforms is a testament to the many ongoing interests and concerns of

EU regions. By way of illustrating this spectrum, some examples are noted below:

- **The Committee of the Regions (CoR):** Established by the Treaty of Maastricht, the CoR is an advisory body, recognised by the EU institutions. It is composed of 329 members (including regional presidents, mayors and elected representatives from member states). Its purpose is to represent EU local and regional authorities and advise “on new laws that have an impact on regions and cities”.⁵ As well as being a membership body, the CoR is an official institution that is part of the EU’s institutional architecture.
- **The Conference of European Regional Legislative Assemblies (CALRE):** Composed of presidents of European regional legislative assemblies and parliaments,⁶ CALRE aims to (i) connect with the “democratic and participative principles within the framework of the EU”, (ii) “defend the values and principles of regional democracy”, and (iii) “reinforce links among Regional Legislative Assemblies.”⁷
- **The Conference of Peripheral Maritime Regions (CPMR):** The CPMR brings together more than 150 regions from 24 states (including some from outside the EU). It represents around 200 million citizens, with the purpose to campaign “in favour of a more balanced development of the European territory.”⁸

The RLEG initiative aims to have a distinct voice and profile within this landscape of EU regional representation. It will therefore be

important to outline its specific objectives as well as review the scope for collaboration across this landscape.

3. EU REGIONS WITH LEGISLATIVE POWERS

There is a subset of EU regions with exclusive legislative powers and competences. These powers and competences are not homogeneous; they are specific to each region's national, internal political structures. Furthermore, these regions have strong, historical identities based on cultural and linguistic specificities. Different organisations, particularly REGLEG and, more recently, the RLEG initiative, have represented the interests

of these regions. However, not all regions with legislative powers are, or have been, involved with these representative bodies. Identity appears to be a very strong distinguishing factor for RLEG regions. It is not clear if this characteristic is perceived in the same way across the wider group of regions with legislative powers. This is an area that merits further exploration, in understanding how best to define RLEG.

3.1. REGLEG, the precursor to RLEG

The first Conference of Presidents of Regions with Legislative Powers, set up by the Council of Europe's Chambers of Regions, was held in Barcelona in 2000. It focused on the position of regions in terms of European unification and globalisation. In the second Conference, held a year later in Liège, 52 presidents of European regions with legislative powers approved the creation of REGLEG (Conference of European Regions with Legislative Power). It represented 74 regions with shared values and principles from 8 member states, each with their own government and directly elected parliament with constitutional law-making powers.

REGLEG "quickly emerged as a major territorial lobby", going as far as to question the national composition of the European Convention on Human Rights.⁹ It was critical of (i) the power imbalance caused by multilevel governance, claiming that technocratic decision-making mechanisms increased the distance between policymaking and EU citizens, and (ii) the centralisation of power within EU institutions. They pledged to engage in a systematic and structured dialogue with EU institutions and other relevant organisations.

The main requests of REGLEG can be summarised through the following, with the second and third deriving from the first:

1. recognition of their 'Associated Region/Partner of the EU' status,¹⁰ and the preservation of said status;
2. consultative powers and direct involvement in the early stages of EU legislature; and
3. direct access to the European Court of Justice.

3.2. A brief history of RLEG

Following a period of relative inactivity from REGLEG, a 2018 revival effort resulted in the RLEG initiative, which comprises 16 regions holding legislative powers as a result of national political and constitutional structures. They are the Åland Islands, the Azores, the Balearic Islands, the Basque Country, Carinthia, Catalonia, Flanders, Lower Austria, Madeira, Piedmont, Salzburg, Tyrol, Upper Austria, the Valencian Community, Vorarlberg and Corsica

(as an observer). According to their website, "Almost 45% of the EU population relies on these regional governments to develop and deliver environmental, economic and social benefits provided by the EU."¹¹ This figure appears to refer to all EU regions with legislative powers and not only those involved in RLEG.

The RLEG initiative has undertaken regular meetings since 2018. The group agrees that transnational

interdependence is fundamental to the future governance of the EU (RLEG 2018: 3). According to the initiative, power-sharing across different levels of governance gives greater legitimacy to the EU integration process and achieves “higher levels of efficiency

1. finding common ground between the involved regions;
2. enhancing its relationship with EU institutions; and
3. promoting its added-value (by e.g. demonstrating its legitimacy, effectiveness, expertise).

RLEG also views the active involvement of its member regions in EU decision-making processes as a route to reducing the distance between EU institutions and on-the-ground realities, thus making the EU more understandable and accessible

and consistency in the development of common public policies” (ibid).

Over the course of their meetings, RLEG has agreed on a number of key areas for development, including:

to European citizens. RLEG believes that its active involvement in EU decision-making can encourage greater democratic involvement in public policymaking.

4. THE LISBON TREATY: A STEP FORWARD IN REPRESENTING EU REGIONAL INTERESTS?

The role of regions within the EU treaty process has evolved, with pro-regional voices, such as former Member of the European Parliament Alain Lamassoure, claiming that EU regions are the “real partners of the EU”.

The 2007 Treaty of Lisbon signalled a change in the EU’s legislative and policymaking architecture because it clarified the exclusive, shared and supporting competences of the EU and explicitly acknowledged regional and local self-governance within member states. While this explicit recognition of EU regions was seen by many as a breakthrough, it also raised questions and concerns about how the spectrum of regional powers, with different state-level processes, could be specifically applied and implemented in the EU’s legislative and policymaking architecture.

How regional interests were represented in the discussions and debates that led to the Lisbon Treaty has been a source of discontent for many EU regions. This undercurrent of dissatisfaction tends to prevail despite the European Commission’s successive attempts to revitalise the narrative that seeks to bring EU citizens closer to the European Union. Some EU regions and

their associated networks and platforms claim that the EU institutions’ “rhetoric of ‘bringing Europe closer to the citizen’ appears not to have made much impact on their propensity to champion the interests of territorial actors”.¹²

A broader question also prevails concerning whether and how the ‘voice’ of EU regions is truly represented at the EU level during consultation processes relating to the EU’s governance systems and the future of Europe. This question is contentious, with different perspectives from different institutional actors.¹³ Furthermore, the regions with the loudest voices in public fora tend to express particular dissatisfaction. In turn, this can generate an impression that the issues being raised are relevant to and shared by *all* EU regions: “only those that have a particular grievance, a specific interest or resources will engage” in the process, which can give the institutions “a skewed reflection on the reality at subnational level.”¹⁴ This suggests a significant need to improve the effectiveness of channels for exchange and dialogue across all EU stakeholder groups, with the aim of better understanding different perspectives to work towards mutually beneficial solutions.

5. INSIGHTS INTO EU MULTILEVEL GOVERNANCE

5.1. The challenge of connecting EU citizens to EU policy and legislative structures

Global and EU trends in socio-economic development, technological progress and democratic processes have tended to improve the capacity of citizens to engage in civic life: “more rights, better education, greater access to information, and the ability to easily organise themselves in order to resist state authority, demand political participation and deliberate issues”.¹⁵ However, only 11% of EU citizens believe that they can influence decisions made at the EU level.¹⁶ According to the most recent Eurobarometer study commissioned by the CoR, 64% of local politicians believe that regions, cities and villages do not have enough influence on the future of the EU. Of these same politicians, 87% believe that it is important for their region or city to have greater influence over EU policymaking.¹⁷

This perceived gap of influence and lack of representation risk undermining the democratic legitimacy of the European Union.

The reasons why certain EU citizens can feel disconnected from the EU are complex and multi-layered. Reviewing the role and potential of EU regions with legislative powers, this study focuses on ways to improve the ‘line of sight’ between this specific group of regions and EU policy and legislative processes. By doing so, it highlights some of the prevailing factors that contribute to citizens’ growing sense of ‘dislocation’ from the European Union, as well as setting out some directions and ideas for addressing this challenge, with particular

reference to the efforts of the RLEG initiative.

Reinforcing the processes and structures which support EU multilevel governance could help reduce the ‘distance’ between EU citizens and EU institutions. This requires: a ‘citizen-focused’ orientation; evidence of stated needs, concerns and aspirations; and the support of those organisations and entities with a democratic and legal mandate to support engagement of EU citizens. The relative ease with which EU citizens can take steps and make efforts to engage with EU democratic structures and processes could be considered a key factor (but far from the only one) in influencing their perceptions of ‘distance’ to the EU and how they can ‘connect’ to EU institutional decision-making.

Regions with legislative powers have a clear role in demonstrating to their citizens how they can connect them to these EU structures and influence the nature of EU legislative and policy processes. How citizens engage with these processes matters (e.g. the extent and effectiveness of two-way communication between these regions and their citizens; public engagement in EU consultations, initiatives and actions, facilitated by regional administrations). This can influence the role and effectiveness of multistakeholder, collaborative efforts to reach these goals and promote added value by making the EU’s structures and processes more accessible to citizens.

5.2. The role of multilevel governance

EU competences imply a power transfer from the national level to the EU institutional level, thus empowering the latter while reducing the autonomy of the former. Arguably, this transfer to the EU level impacts the regions with legislative powers more

directly than those regions without, precisely because of their powers and associated rights and responsibilities.

The relative influence of regions with legislative powers is not identical. Some powers are very specific and relate to a few policy areas. For other regions,

powers are extensive, inferring both rights and responsibilities for wide-ranging legislative and policy matters.

Several regions in the consultation programme expressed that they are closely connected to – and feel responsible for – EU policy and legislative processes because of these rights and responsibilities. **The need for strong oversight in areas connected to their legislative powers was felt**

5.3. EU centralisation by default rather than design

The EU faces a number of global trends and challenges, including international trade tensions, defence and security concerns, migration, climate change, and the current, pervasive challenge of responding to (and recovering from) the global health pandemic. Where the EU27 faced accusations in the past of failing to generate agreement and action to respond adequately to challenges and crises (i.e. the 2008 global, financial crisis), this dynamic has been replaced in some instances by faster and more cohesive responses. The mobilisation of the EU's financial response to COVID-19 through the Next Generation EU Recovery and Resilience Facility (RRF) is a case in point. It was driven by the need to reach conformity rapidly in the Council and received broad support across all levels of the EU's governance system.

However, this collective and decisive action is often accompanied by a stronger, 'top down' orientation, more akin to a centralising approach from the member states and the European Commission. RLEG regions are not alone in noting growing concerns that this direction could become a default feature in how EU decisions are taken in the future, which presents a threat to the established principle of multilevel governance.

An EU approach to legislation and policymaking that adopts a centralised orientation by default rather than by design risks undermining the legal role of – and effective engagement with – EU sub-state territories, especially those with

to be frequently challenged by the EU's multilevel governance system, which does not have sufficient regard for their rights and responsibilities. For some RLEG regions, this has been a persistent source of discontent because they believe that their powers are often undermined or ignored by EU institutional actors (mainly member states but also the European Commission).

legislative powers. This could exacerbate the frustrations of a growing contingent of EU citizens who feel disconnected from national and EU policy- and decision-making processes.

While there is no doubt that the EU's decision-making approach to underpin the financial response to the pandemic was essential, it should not become the automatic standard for decision-making in the future. On 19 October 2021, European Commission Vice-President Valdis Dombrovskis stated that the EU's governance model underpinning the RRF could inspire the current economic governance review.¹⁸ This implies that the RRF's governance structure – which is strongly concentrated on member states and the European Commission – could be used as the 'standard' to design the EU's future economic governance model.

The highly unique circumstances that led to the RRF's centralised governance structure generated a number of concerns about insufficient engagement and consultation with sub-state EU governments. Failing to learn from this exercise – ahead of advocating for this top-down approach to the EU's new model for economic governance – is not likely to engender strong support from EU regions at a time when demand is increasing for improved 'place-based' sensitivity to EU legislation and policymaking. The RLEG regions have expressed particular concern about this direction.

A top-down and more centralising approach to national and EU

policymaking and legislation is also strongly associated with regional discontent, where the 'places left behind' – characterised by a sense of having been ignored or overlooked by policymakers – feel increasingly disenchanted with national governments and the European Union.¹⁹ In response to this challenge, place-based approaches to policymaking are gaining ground at national and EU levels.

This matters for all EU territories. Nonetheless, for those with

legislative powers, there is a *legal* imperative to ensure that EU legislation is 'fit for purpose'. Failing to consider how EU legislation and policies can affect different EU territories can result in perceived or actual infringements of the rights and legal responsibilities of regions with legislative powers. In turn, this can create citizen discontent and wider negative effects regarding perceptions of the EU and the extent to which it promotes inclusive engagement in contributing to the dialogue about its future.

5.4. The flaws of a one-size-fits-all approach to EU legislation and policymaking

An absence of place sensitivity is also associated with a perceived one-size-fits-all approach to EU legislative and policymaking processes. Given the EU's territorial, geographical and developmental diversity, this approach is potentially very detrimental to the needs of different EU regions. Indeed, **policymaking that pays insufficient attention to the social, economic and/or territorial needs of different geographies can perpetuate a perception of a strong disconnection between EU policies and territorial realities.** The RLEG initiative has intimated concerns about this direction of travel, not least as it contradicts and threatens their rights and responsibilities as regions with legislative powers.²⁰

The European Commission's 2022 Work Programme states that it is necessary to 'assess' the social and economic issues in different regions.²¹ This would increase the Commission's 'knowledge' and understanding of the regions, thereby resulting in improved and more targeted policy responses.²² This is a welcome development as a step towards embracing place-sensitivity in the processes underpinning EU legislation and policymaking. Territorial Impact Assessments offer a measurement tool to support this effort and have been listed in the new Work Programme as an area for review and development. There could be significant scope for RLEG to play a role in the development of such an instrument.

6. THE VOICE AND INFLUENCE OF EU REGIONS WITH LEGISLATIVE POWERS

6.1. The inconvenient truth

The RLEG initiative is committed to overseeing improved scrutiny of the “impact of EU policy and regulations on RLEG, including budgetary and administrative impact”.²³ However, studies tend to point to rather limited success in these regions having their specific status acknowledged and valued. This is linked to a view that “strong legislative regions ultimately failed to be recognized as key actors in EU policy-making – in part because not all regions are united, and in part because it is arguably politically impossible.”²⁴

The differences between regions with legislative powers tend to define their status rather than unite them. However, the stated ‘political impossibility’ of better aligning these regions to EU decision-making structures signals that this issue is often perceived as a political ‘redline’ at national and EU levels. This does little to engender a more positive debate concerning how these regions might be better integrated into EU legislative and decision-making processes.

This redline appears to be based on an EU institutional preference to prioritise reduced complexity in EU decision-making processes over the rights and responsibilities of these specific regions. **A tension exists, therefore, between efficiency** (i.e. the demand for streamlined and simplified processes) **and respecting the legal rights and**

6.2. EU subsidiarity, a partial response

To acknowledge regional self-determination and the reciprocal role of EU institutions, the principle of *subsidiarity* (TEU Art.5) determines the division of competences between the different levels of governance.²⁶ The Union’s legitimacy relies on the involvement and participation of actors at all levels – including “institutions, central government, regions, cities, and

powers of these regions. The situation is further complicated by the following: “how to create a channel of interest representation for regions without (a) increasing the complexity of the already complex EU political system, and (b) a channel that reflects the status of strong legislative regions on the one hand and local authorities and weak administrative regions on the other.”²⁵

There continues to be limited appetite across EU institutional actors to review the effectiveness of EU decision-making processes because of a fear that this would introduce further complexity into the system. Furthermore, there appears to be a strong perception among these institutional actors that managing a two-tier system of EU regions is unacceptable to the regions and member states where legislative powers are held centrally. While these represent real concerns and challenges, **the current solution to suppress more open debate and ‘push back’ on the concerns of the regions with legislative powers signals a level of inflexibility that is not consistent with EU values relating to managing diversity across the EU’s territories.**

In the context of ‘creeping centralisation’, it seems all the more important that honest discussion and debate about these complex issues is not constrained at EU and national levels for reasons of potential political discomfort.

civil society in the current and future Member States.”²⁷

However, each of these levels has differing – and sometimes conflicting – interests and needs. This creates confusion regarding how to implement the principle of subsidiarity.²⁸ By generalised illustration, EU regions tend to view subsidiarity as a means to ensure that decisions are taken as close as possible to citizens via national,

regional and local levels. However, EU institutions tend to interpret this principle as meaning that, "by reason of the scale or effects of the proposed action, [action is] better achieved at Union level." (TEU Art.5) This tension persists and – on occasion – can become a defining feature of the EU institutional and territorial power-sharing relationship.

These complex issues are at the heart of RLEG's agenda and rationale. Opposing and sometimes rather entrenched views of these challenges (and proposed solutions – can make positive dialogue and exchange difficult to sustain across different interest groups. RLEG is building internal commitment to refresh and reset this agenda, implying new and different efforts from within the initiative as well as an 'external' dimension to generate new momentum for long-term consultation and engagement with critical stakeholder groups

Complex modern-day issues (e.g. how EU citizens engage with democratic processes at all levels of EU policy and decision making), global trends (i.e. climate change, new international trading dynamics) and the COVID-19 recovery all demand a constant review of the principles and processes underpinning EU legislation and policymaking. It is therefore essential to monitor and evidence the (negative) impacts of increasingly centralised approaches that tend to adopt a simplistic, one-size-for-all orientation. Failing to do so can have a detrimental (and 'place-blind') impact on EU territories, not least on those territories with specific rights and legal obligations in EU legislative and policy matters. The RLEG initiative could play an added value role in championing more inclusive and citizen-focused approaches to EU multilevel governance.

7. Key findings and analysis: Consultation exercise and workshop

Despite the time limitations for the consultation exercise, a rich evidence base was generated, largely drawing on the views, insights and ideas of a sub-set of the regions involved in the RLEG initiative and other EU regional networks and platforms (see Annex 2). All interviews were conducted in October 2021. Most interviews (9 out of 13) were with representatives of regions with legislative powers or involved wider

- How is the RLEG 'brand' perceived by both its members and wider audiences?
- How can RLEG generate a cohesive, strategic direction in the context of a high degree of differentiation across member regions?
- How could RLEG 'reset' its direction, create a new and positive narrative for collaboration, and refresh direction for improved exchange with a wide range of EU stakeholder groups?
- What are the specific themes and actions which should underpin RLEG's strategic direction?

7.1. Insights into RLEG: How its members and others see the initiative

From within and beyond the regions involved in the RLEG initiative, the 'brand', including its website, is perceived as having very limited visibility. Some consultees had never heard of RLEG. Some suggested that to increase the visibility and credibility of RLEG, there would need to be **evidence of wider demand from all 71 EU regions with legislative powers in order to scale-up the initiative beyond the current membership base of 16**. This should be a priority for action.

Figure 1 illustrates how some RLEG members define themselves in terms of regional powers and how this influences their identity. These 'labels' cannot be assumed for all RLEG members or the wider group of EU regions with legislative powers. However, they do offer an insight into the importance that (at least) some regions assign to their specific legislative status.

Not only are the regions with legislative powers different from EU regions without, but they are also different from

EU regional networks and platforms. As such, very limited views have been expressed from those operating 'outside' of these perspectives. This report contains **a heavy concentration of the regional perspective**. This should be rebalanced through a more expansive evidence base at a later stage.

The following questions are explored in this section:

each other. Regional identity was a core theme emphasised throughout the consultation exercise. **Regions were keen to reinforce that any collective actions of RLEG must take full account of – and not undermine – individual regional identities**. In reality, these regions have specific needs and priorities regarding the changes they seek in EU legislative processes, linked to technical processes and relations with state-level stakeholders (i.e. their respective member states). Attempts to define these demands more generally across RLEG regions can lead to very generic statements which are not readily understood by (or meaningful to) an external audience. This is an important point when seeking to refresh the identity, aims and supporting narrative of RLEG

It will be important to better understand if EU regions with legislative powers that are not part of RLEG also share the importance of identity, and if this is deemed to be central (or otherwise) to any decision to join forces with RLEG.

Fig. 1

HOW RLEG REGIONS IDENTIFY THEMSELVES



Furthermore, the consultation programme revealed a wider set of insights regarding RLEG regions' perceptions of challenges and future ambitions. The statements in the first column of Table 1 reveal that while there is some broad commonality in views concerning RLEG's role, further internal discussion to agree on a shared narrative is still necessary. Importantly, the second column reveals a core sense of injustice, ineffectiveness and opposition to the current EU legislative and policymaking processes. There was more commonality concerning what does not work well rather than the solutions, perhaps reflecting the history of RLEG (and its predecessor, REGLEG) that was more focused on a 'grievance agenda'. While these grievances should not be ignored or avoided, their central focus on shaping RLEG's identity could be off-putting to a wider group of actors and stakeholders. The discontent expressed must be further shaped in a more

positive direction towards solutions that would address these grievances. In other words, there is **a need to work towards a more positive and future-oriented narrative that sets out a collaborative direction for change** and benefits all stakeholder groups.

The third column of Table is important because it has an outcome and impact focus. It reveals both perceived flaws (e.g. in how subsidiarity works in practice, the growing disconnect between sub-state geographies and the EU project) and their impacts (e.g. how ineffective governance limits consultation and generates suboptimal knowledge and evidence about policy needs and outcomes). **RLEG could have a very important role** in gathering evidence and analysis about the impacts of these 'flaws', not least **in evidencing how ineffective subsidiarity and multilevel governance processes impact the**

lives of EU citizens. While several anecdotal examples were revealed during the consultation programme, it is clear that these data are not collected systematically at the regional level or even across RLEG members.

Such data collection could become a crucial and powerful focus for RLEG to

adopt a championing role in upgrading consultation mechanisms and engagement routes that underpin EU legislative and policymaking processes. While this effort could benefit all EU regions, it also has particular relevance to RLEG because of the legislative powers its members possess.

Table 1. Insights from RLEG members

What should RLEG do?	What does RLEG want to change?	What is the impact of limiting regions with legislative powers from greater participation in EU decision-making processes?
"promote the value and importance of subsidiarity"	"We are treated like children at a separate table from the adults."	"The problem is that no one has the overall picture across the member state."
"focus on reinforcing cooperation between the regions"; "avoid isolation"	"No region should feel neglected or left behind."	"Subsidiarity is different in theory than in practice."
"the sphere of interest and engagement matters"	"We're opposed to EU engagement only through the member state."	"I need to use my lobbyist hat when I should have systemic access to channels."
"The regions with legislative powers should be seen as part of the inner circle of regional representation."	More engagement in EU decision-making processes: "We have to transpose legislation – we are closer to the detail and its impacts."	"Now in the EU, the interests of (only) the state are the interests of the Union."

7.2. Promoting RLEG's visibility and collaborative spirit through stakeholder consultation

The findings from this exercise – while rich and important – are limited due to the challenge of engaging a wider set of stakeholders over a short period. For this reason, this study should be positioned as a 'work in progress' which requires a more comprehensive evidence base. This should include the views of key stakeholder groups like the EU institutions, member states, and actors at government administration and assembly levels from regions with legislative powers. While the consultation exercise revealed somewhat limited knowledge of RLEG beyond the member regions, there was also an element of non-engagement from some institutional actors and member states, that appears to be related to the overall image of RLEG. This perhaps reflects an

historical image of this regional group characterised by confrontational undertones and a somewhat negative stance, and which is especially linked to its predecessor, REGLEG.

The frustrations of actors representing regions with legislative powers regarding long-standing perceptions of unfairness and injustice in how EU policymaking and legislative processes operate has contributed to a rather negative dynamic. Currently, this currently appears to limit fruitful collaboration and engagement outside of the initiative. **There is a need to address this as a priority and shift outreach communications to a more positive footing, which would allow for improved dialogue across key stakeholder groups.**

7.3. Core RLEG concern: Dissatisfaction with the effectiveness of the EU's multilevel governance system

RLEG regions revealed a high sense of dissatisfaction and disappointment with a perceived lack of consultation related to both EU legislative and policymaking processes. While these concerns are shared beyond RLEG members, there are specific concerns and consequences for regions with legislative powers, precisely because of their rights and responsibilities for approving, implementing, managing and monitoring EU policies across their areas of competence.

There are recent (and growing) perceptions of EU policy- and decision-making processes adopting a centralised tendency. This limits the role and influence of RLEG regions in shaping the direction and nature of EU policies and their related investments. 'Ownership' of

EU policies and regulations at the regional level requires greater attachment to, and support for, them. As 'boundary spanners' between EU institutional actors and the places where regulations and policies are implemented, **regions with legislative power hold considerable sway in promoting citizen acceptance of and engagement with EU interventions.**

Therefore, limiting the role and influence of these regions in EU decision-making processes can reduce their incentives to 'champion' EU interventions within their territories. In short, the influence of the regions with legislative powers matters in their own jurisdictions and beyond because the EU's multilevel governance system can either facilitate or impede the democratic 'line of sight' between these regions, their citizens and the EU.

7.4. The pitfalls of a consultation deficit in the EU's policy and investment framework

RLEG regions referred to both the European Structural and Investment Funds (of EU Cohesion Policy) and National Recovery and Resilience Plans (as part of the new EU Recovery and Resilience Facility) as sources of tension in the practical application of EU multi-level governance. They described poor involvement of and consultation with RLEG regions at both national and European Commission levels, to agree on specific objectives and to target related EU funds: "We are all confronted by a centralising tendency in the EC". Here, centralisation refers to what is perceived to be rather closed consultation processes between member states and the European Commission.

Indeed, concerns were expressed in the consultation programme about limited evidence being collected from national or European Commission levels, concerning specific, territorial needs. This rather limited approach to involving these regions in strategic planning and investment processes was perceived to carry risks concerning effective targeting of policies and funds at regional levels,

with a corresponding impact on regional commitment and 'ownership'.

This mirrors broader concerns raised by a number of key sources in recent months concerning how all EU regions have experienced limitations in engaging with national investment planning processes for NRRPs,²⁹ and the possible negative impacts on different EU territories as the EU grapples with an uneven COVID-19 recovery trajectory.³⁰

For RLEG regions – with specific rights and responsibilities to deliver these policies and investments in their territories – these gaps represent particular challenges and risks where this impacts on the ability of these regions to exercise their responsibilities.

The consulted RLEG regions expressed an additional grievance concerning **long-standing dissatisfaction with a perceived lack of general consultation from the national level.** RLEG members are convinced that they are being undermined at the domestic level and that their expectations of how regional powers should be exercised are unmet. This negatively impacts trust.

RLEG members tend to perceive that democratic processes are undermined in pursuit of more streamlined and speedier decision-making mechanisms in EU policymaking processes.

Furthermore, the position of member states in these tense contexts was generally considered to be further strengthened by a perceived rigidity at the European Commission level to take into account the regional perspective. While the Commission is unlikely to adopt a 'refereeing' role to address domestic tensions, **RLEG members strongly perceived that the Commission often adopts a stance that resists acknowledging the extent of this problem and its impact on EU policy and legislative processes.** This position was felt by RLEG members to create barriers to engaging with and improving upon policy and funding decisions within their regions.

This perceived lack of engagement from the European Commission was felt by some consultees to have become a stronger feature of how the institution engages with regions with legislative powers in recent years. Growing resistance was felt from both officials and Commissioners (through their respective cabinets) to engage with the regions with legislative powers. Furthermore, this was felt to be the case not only in instances where national tensions exist but much more generally. It is likely that the historical image of this group of regions has contributed to this stance, but it is clearly not

conducive to rebuilding relations and positive collaboration.

This suggests the need for a systemic review of the role the EU institutions can play in supporting a more collaborative and engaging process to avoid or reduce tensions between member states and their regions with legislative powers. After all, speedy and efficient legislative processes – characterised by expressions of deep mistrust and disenchantment from key partners – cannot be assumed to generate optimal outcomes.

Despite these frustrations, RLEG's ambitions for change must be balanced with the current reality of the EU's agenda and priorities. At a time of global uncertainty, the EU faces no shortage of challenges. This is important for the RLEG regions to acknowledge, in understanding the relative, current importance of their specific priorities.

This is not to undermine the relevance of RLEG's ambitions but rather to acknowledge that **its tone, narrative and approach matters when incentivising positive dialogue**, especially on topics that have proven to be very sensitive and challenging. Where there are negative and confrontational dynamics, this can have counterproductive impacts, with, for example, EU institutions and member states withdrawing from dialogue. In turn, this can perpetuate a locked-in position of resistance to change and/or discourage otherwise mainstream partners (e.g. other EU networks) from lending their active support.

7.5. Acknowledging RLEG's baseline: A reality check on common purpose and capacity

The RLEG initiative is committed to building internal capacity to become a strong force for positive change in upgrading EU policy and legislative processes, thereby improving the 'line of sight' between the European Union and the regions with legislative powers. However, there are a number of challenges in translating this agenda into clear and cohesive action. These largely stem from capacity constraints

(the network has a relatively small membership base) and key differences in opinion between members concerning how to activate efforts.

RLEG regions are primarily characterised by a high degree of differentiation. Indeed, they acknowledge that their unique identities and status can make it difficult to generate a specific narrative and approach which effectively promotes

their 'common cause' beyond the broad request to EU institutions to recognise this category of regions. A hierarchy of objectives was not revealed during the consultation programme or at the post-consultation workshop session. It was frequently noted during the consultation programme that "we are not homogeneous".

Together with its capacity constraints, this has made it **challenging for RLEG to generate a clear, cohesive and consensual strategic plan with clear aims and actions to support its direction**. As a matter of priority, RLEG should engage in an internal discussion to create a strategic framework that could underpin its future, joint effort.

In addition – and because of their specific powers and relationships with their respective member states –, there is a need to better understand how the RLEG initiative can respond to specific issues which arise between a region (or related regions) and their member state in relation to particular EU legislative or policy matters. It was noted during the consultations that "there are some

things we can't solve together". This suggests that significant joint efforts in this area could detract from wider RLEG objectives. Furthermore, **any-negative connotations linked to specific 'domestic' tensions could impact negatively the RLEG brand if the 'public space' and visibility of these topics become the dominating focus in how others perceive it**.

These 'domestic tensions' should be dealt with on a case-by-case basis, with RLEG delivering an internally driven, strategic advisor and capacity-building support role to the region(s) in question. Certainly, there is significant technical and tacit knowledge and expertise across RLEG regions concerning how to respond to these types of challenges. Efforts could be mobilised to respond to specific internal 'calls' for support without these issues having to play out on a public platform. In addition, the nature and extent of these tensions and challenges should be monitored and captured to improve the overall evidence base of the specific issues the RLEG regions face and the solutions to address them.

7.6. Upgrading RLEG's aims, objectives and direction: An outline framework

As noted above, RLEG should, as a priority, undertake a collaborative, internal exercise to better define

its future direction. The following areas offer an outline 'framework' to support such an exercise through key themes for internal and external consultation:

- **Position a clear and distinct RLEG 'voice' within a collaborative EU regional network landscape.** There is a strong core of commonality concerning the role and value of EU regions, which is shared across a number of EU regional networks and platforms. RLEG is, however, still relatively unknown in this space. Internal discussions should create a clear narrative that positions the initiative on a more constructive and consultative footing in the wider EU regional network landscape.
- There is also a need to **undertake outreach efforts with wider EU regional networks to raise awareness about RLEG** and signal willingness to cooperate on shared areas of interest. This effort should aim to dispel any perceptions of competition (over e.g. time and resources of member actors, shared or conflicting interests). Furthermore, it will be critical to review options and appetite within this wider 'ecosystem' for collaboration on issues of common interest. This could help to avoid duplication and fragmentation of efforts.
- **Review capacity, scale challenges and opportunities for strategic alignment with others.** To address RLEG's capacity challenges, it was suggested in the consultation programme that CALRE (the Conference of Regional Legislative Assemblies of the EU) – as the legislative and assembly 'mirror' to the administrations of regions with legislative powers – could become a strategic

partner for RLEG. This would lend influence and political 'weight' to common issues for action.

- **Revitalise RLEG aims, purpose and direction.** This is essential to create visibility and awareness across many relevant stakeholder groups.
 - **Create 'internal coherence'.** This will not necessarily be straightforward, given the different character of regional and federal state powers and objectives across RLEG. However, upholding this principle will be critical for the sustainability and credibility of the initiative.
 - **Agree on a set of core principles to frame a future strategic direction.** The consultation programme revealed a number of key demands from RLEG members, including strengthened collaboration, increasing political commitment, becoming a trusted partner in the EU framework, and maximising efficiency and effectiveness ("We need to deploy efforts to be more efficient"). These demands offer a sound basis upon which core principles can be agreed.
 - **Decide on key areas of focus and related resourcing for RLEG's evidence base.** It emerged during the consultation programme that RLEG actors are keen to better share and systematically collect information about both gaps in the functioning of the EU's multilevel governance system and the regional impacts of these gaps. This is strongly linked to evidencing the need for improved 'line of sight' between the citizens of RLEG regions and the European Union. If RLEG is to champion this topic, there is a need to ensure that claims and commitments can be substantiated regarding 'proximity' to EU citizens (i.e. that RLEG can provide strong evidence of regional needs and demands, which is otherwise not available through more 'top-down' processes of data collection / analysis is national and EU levels). This relates to both positive and negative data and evidence.
 - **Prioritise positive and appealing messaging.** RLEG members should acknowledge that domestic challenges that come with a strong sense of frustration, can – if shared on public fora –discourage wider interest or engagement from key stakeholder groups.
 - **Focus on the political 'weight' of RLEG to strengthen the EU's multilevel governance system.** Aims and messaging should be generated concerning the 'boundary spanner' role that regions with legislative powers can deliver in this architecture, and the political commitment to improve the 'line of sight' between the European Union and the citizens of RLEG regions.

7.7. What types of activities and actions should RLEG invest in?

The themes outlined below arose during the consultation programme and were further discussed during the post-consultation workshop. The actions and their related investments are highly interlinked in practice but are separated into different 'channels' for action in the analysis below. RLEG would

need to decide the relative emphasis of each, paying careful attention to capacity, political commitment and coordination of efforts with other networks and fora. These activities must be strongly aligned to RLEG's 'narrative' concerning aims, priorities and commitments:

- **Establish a new momentum towards the creation of an inter-institutional forum.** Of all the activities that RLEG could invest in, this is the most strategic, complex and challenging given that the current appetite for this, across all institutional actors, seems to be rather limited. This signals the long-term nature of this ambition and the political backing it requires. It would need to be

underpinned by a timeline for key actions and milestones and a regular review of progress. Furthermore, the highest political levels across the RLEG regions would need to champion it.

Core themes for early consideration are purpose, members, status, alignment to existing structures, and evidencing the added value this could generate compared to the status quo. Early planning should also take into account the scale of investment and effort such a forum implies. A possible theme for further exploration in this setting could be linked to 'enhanced cooperation'. TFEU Article 20 explicitly applies such cooperation to member states, but this has been challenged as having possible wider resonance and value to the regions with legislative powers. A European Parliament resolution reflects several points on this matter, including "that the next revision of the Treaties should explore the possibility of regions or sub-national entities playing a role in enhanced cooperation where the latter relates to an area of exclusive competence of the level in question, with due respect for national constitutions".³¹

- **Strengthen RLEG regions' internal capacity to respond to domestic issues with their associated member states.** This area of internal support was detailed earlier, with the strong recommendation that related efforts have a strong 'internal' orientation to boost mutual support and advice and generate an evidence base of the types of issues and solutions RLEG members face.
- **Improve strategic tracking of the EU's legislative and policymaking timeline to optimise structural dialogue.** RLEG should be ready to engage with prioritised areas of focus at the earliest opportunity, signalling their strategic credibility and capacity. It was even noted during the consultation programme that RLEG should begin planning efforts ahead of the strategic debate linked to the EU's post-2027 Multiannual Financial Framework. This could involve efforts to capture evidence, analysis and recommendations linked to the future direction for EU legislative and policymaking processes. Particular vigilance could be assigned to monitoring how 'fit for purpose' the EU's multilevel governance system is, with respect to its capacity to facilitate the full engagement of regions with legislative powers, as well as recommending change where the system has proven to be ineffective.
- **Identify specific policy opportunities where RLEG can demonstrate its expertise and capacity to engage with and optimise policy developments.** A number of examples emerged during the consultation process which offer RLEG specific opportunities to reach out to EU institutions and play a highly influential role in the policy development process, drawing on its regional powers and expertise. These include:
 - **The new EU debate concerning the future of the European Semester.** Pre-pandemic, an attempt was made to increase the place-based dimension to the European Semester through Annex D evidence in the European Commission's country reports.³² This effort fell significantly short of the expectation of many EU regions. RLEG could champion efforts to revive Annex D (or similar) not only through RLEG but also in collaboration with wider EU networks where this issue is highly relevant.
 - **Territorial Impact Assessments.** There is currently very little detail concerning how these will operate and be integrated into EU evidence to support future policy and legislation. RLEG could play a leading role in supporting the piloting of this tool, with specific reference to the possible impacts on the regions with legislative powers.
 - **Foresight.** The European Commission recently advocated strongly for the uptake of foresighting activities and investments as a means to generate

earlier awareness of and engagement and dialogue in EU policy and legislative processes. RLEG could encourage a stronger 'bottom up' orientation of applying this mechanism, to inject a stronger place-based dimension to the functioning of this tool at different EU governance levels. This could help to 'shine a light' on trends and issues which might have particular implications in regions with legislative powers.

- **Better Regulation.** Regions with legislative powers can add significant value to the EU's Better Regulation agenda, given their specific, technical expertise and know-how in generating granular, regional evidence across a wide range of topics (e.g. in education, research and innovation, climate change, the social agenda). This could improve the quality of EU and is a topic of particular significance to many EU regional networks, including the Committee of the Regions.

7.8. RLEG's upcoming high-level event: Communicating the initiative's refreshed approach

RLEG's high-level event in January 2022 offers a new opportunity to reset the initiative, not least because it will be supported at the highest political levels across member regions. Sharing the approach to and process behind RLEG's internal review could generate new visibility and

momentum, in demonstrating commitment to reach out to partners and stakeholders as part of this process. This should be understood as a 'relaunch' moment, given that a great deal of effort is required across a raft of areas to boost the initiative's direction and momentum.

7.9. RLEG's engagement with the Conference on the Future of Europe

Since 2018, RLEG has sought to position its cause within the debate on the future of Europe. Despite efforts earlier this year to generate a specific role for RLEG in the proceedings of the Conference on the Future of Europe (CoFoE) – a letter signed by 17³³ Presidents from the RLEG initiative was sent to CoFoE organisers, there has been limited institutional attention paid to this request. There are lessons to learn from this effort, which were discussed and revealed during the study consultation programme.

It was felt by some consultees that RLEG's visible engagement with the CoFoE to influence its direction came too late in the process and might have been perceived by organisers to be too 'isolated' from the efforts of wider EU regional fora. The Conference Plenary will include 18 regional representatives. The Executive Board will decide on the final outcome on the basis of the recommendations they receive from the final Plenary early next year. Therefore, there is still scope – albeit now rather limited – to influence the outcome of the Conference. This implies, of course, that RLEG could rapidly

mobilise and coordinate domestic efforts through the multilingual digital platform of the Conference, which is aligned with events or ideas and proposals linked to the CoFoE agenda.³⁴ Should RLEG take up this opportunity, its input should not go beyond the topics already set out in this agenda. Therefore, while engagement is still possible, the scope for leverage on the outcomes of the Conference is likely to be rather limited.

Some also noted that RLEG's forthcoming high-level event should not invest too much effort in seeking to influence the final deliberations of the CoFoE since the 'distance' between RLEG and the CoFoE is now too great to be able to make any real impact. Until now, some RLEG members have been involved in local CoFoE events, but these have been focused on very specific topics. It is not clear if any intended or actual alignment with RLEG's objectives was foreseen in these events. Overall, there is a need to manage expectations across key stakeholders from RLEG concerning if and how the January event could influence CoFoE outcomes.

Conclusion: Resetting the RLEG initiative

Despite the short timescales for this study, a rich evidence base was generated, offering important insights into RLEG's role, challenges and potential added value. With significant gaps in the stakeholder evidence base, this study should be positioned as a 'work in progress', with a particular focus on further outreach efforts to consult with a number of key stakeholder groups (e.g. regions with legislative powers not involved in RLEG, member states, the European Commission).

RLEG should prioritise an internal exercise across its member base to generate agreement for a longer-term and more strategic effort, to make the initiative more visible. Efforts should pay particular attention to internal capacity, building a positive and engaging ethos for collaboration, and setting out the need for engagement at the highest political levels in the RLEG regions. The study proposes an outline 'framework' to support this process.

There is a tendency towards 'creeping centralisation' of EU legislative and policymaking processes, together with an inclination by both member states and the European Commission to sideline the views and input of regions with legislative powers in favour of expediting EU policy and legislative processes. This report reviews the relationship between this centralising approach and a one-size-for-all ethos that can emerge when there is insufficient sensitivity to the needs of distinct EU territories. This risks both undermining the Commission's stated, revitalised commitment to place-based policymaking, and generating policy responses and targeting investments that are not aligned to domestic needs. RLEG could play a strong championing

role in the future, to encourage greater institutional dialogue about this agenda, evidencing the value of a greater 'line of sight' between regions with legislative powers, their citizens and the European Union.

This report identified specific actions and directions for RLEG's efforts, with the aim of mobilising a more coordinated approach to internal support, strategic policy monitoring and gathering of evidence that supports the core of RLEG's vision. Overall, this aims to improve the functioning of the EU's multilevel governance systems. The regions with legislative powers can play a significant, added-value role in championing the EU's direction at the domestic level.

Both the literature review and the consultation findings revealed a clear connection between the trend of citizens feeling 'disconnected' from the European Union and the extent to which regions with legislative powers can play a strong 'boundary spanner' role between the two. Therefore, RLEG has a key role in supporting efforts to increase the 'proximity' between citizens and the tools and mechanisms that drive EU legislative and policy processes. This role is derived from the specific rights and responsibilities of these regions through their legislative powers.

RLEG's upcoming high-level event in January 2022 is an opportunity for the initiative to demonstrate its political commitment and revitalise efforts to champion the positive role and value of regions with legislative powers. This event could revitalise positive collaboration with all key stakeholder groups and emphasise the ambition of the initiative to generate a long-term, strategic agenda to underpin its future efforts.

Annex I. Interview schedule

Consultation exercise: Exploring the appetite and potential for a refreshed, collaboration effort across EU regions with legislative powers

An outline of key consultation questions:

1. What legislative powers (vis-a-vis EU legislation, regulation and/or policy) do these regions have? Provide examples of their use / under-utilisation.
2. How could these powers be better utilised? What prevents this?
3. How can this be addressed?
4. What benefits and added value could be achieved and generated?
5. What is the appetite to revitalise a support network of these (specific) regions in Brussels? What are the obstacles and sensitivities?
6. How could such a network function?
7. What would be needed to make this effective; at home, in Brussels and at the EU level?
8. What should be the key objectives of this effort?
9. What could be achieved from this effort that is different and/or better than the status quo (at local, national and EU levels)? Could the objectives of the network be achieved in other ways?
10. How could this help and/or impede the wider efforts of all EU regions to amplify their voice and influence at the EU level?
11. For RLEG member regions: The Conference on the Future of Europe has provisions for regions to set up events. Did your region take up this offer? If so, was this done in collaboration with others?

Annex II. Organisations involved in the consultation and / or workshop

Regional offices:

Åland (FI)

Azores (PT)

Basque Country (ES)

Bavaria (DE)

Corsica (FR)

Catalonia (ES)

Flanders (BE)

Madeira (PT)

Piemonte (IT)

Salzburg (AT)

Wales (UK)

Member states:

Spain

Finland

European Parliament

European Commission

References

- ¹ The 16 members are the Åland Islands, the Azores, the Balearic Islands, the Basque Country, Carinthia, Catalonia, Flanders, Lower Austria, Madeira, Piedmont, Salzburg, Tyrol, Upper Austria, the Valencian Community, Vorarlberg and Corsica (as an observer).
- ² The consultee group consisted of 6 RLEG member regions, 3 regional networks, 2 member states, 1 Member of the European Parliament and 1 European Commission official.
- ³ European Commission (2020a), [Commission Work Programme 2020: A Union that strives for more](#), COM(2020) 37 final, Brussels, p.5.
- ⁴ European Commission (2020b), [Europe's moment: Repair and Prepare for the Next Generation](#), SWD(2020) 98 final, Brussels, p.1.
- ⁵ *European Committee of the Regions*, "[About](#)" (accessed 01 December 2021).
- ⁶ Although its website claims that the group consists of 74 presidents, it has not been updated and still includes the UK (i.e. the National Assembly for Wales, Northern Ireland Assembly, and Scottish Parliament) in its list of members. See *Conference of European Regional Legislative Assemblies*, "[Members](#)" (accessed 01 December 2021).
- ⁷ *Conference of European Regional Legislative Assemblies*, "[Organization Rules](#)" (accessed 01 December 2021).
- ⁸ *Conference of Peripheral Maritime Regions*, "[Who We Are](#)" (accessed 01 December 2021).
- ⁹ Pasquier, Romain (2006), "[Regional Lobbying and the EU Constitutional Treaty: An Assessment](#)", Zaragoza: Foundation Manuel Giménez Abad for Parliamentary Studies and the Spanish State of Autonomies, p.8.
- ¹⁰ See Lamassoure, Alain (2002), [Report on the division of competences between the European Union and the Member States](#), 2001/2024(INI), European Parliament.
- ¹¹ RLEG, "[About RLEG](#)" (accessed 01 December 2021).
- ¹² Bourne, Angela K. (2006), "[Bringing Europe Closer to the Citizen? Regions, Stateless Nations and the European convention](#)", *Regional & Federal Studies*, Volume 16, Issue 1, p.16.
- ¹³ Fabbri, Sergio; John Erik Fossum; Magdalena Góra; and Guntram B. Wolff, "[The Conference on the Future of Europe: vehicle for reform versus forum for reflection?](#)", *Bruegel Blog*, 15 June 2021.
- ¹⁴ Pazos-Vidal, Serafin (2017), [Submission to Discussion paper No. 1 and Discussion Paper No 2: The participation of local and regional authorities in the preparation and follow-up of Union legislation](#), European Commission, p.5.
- ¹⁵ Stratulat, Corina (2021), "[Forging a new democratic frontier in Europe](#)", Brussels: European Policy Centre, p.7.
- ¹⁶ European Parliament (2021), [Socio-demographic trends in national public opinion – Edition 7](#).
- ¹⁷ Ipsos European Public Affairs (2021), [Flash Eurobarometer: Local politicians of the EU and the future of Europe. Report](#), European Committee of the Regions, pp.5, 8. These statistics represent averages and do not reflect the spectrum of politicians' views across the EU. For instance, to compare the two most extreme results, 12% of local Greek politicians think that regions and cities do not have enough influence over the future of Europe, while in Hungary, this is 86%.
- ¹⁸ Dombrovskis, Valdis, [Opening remarks by Executive Vice-President Dombrovskis at the press conference on the relaunch of the review of EU economic governance](#), Strasbourg, 19 October 2021.
- ¹⁹ See e.g. Widuto, Agnieszka (2019), [Regional inequalities in the EU](#), PE 637.951, European Parliamentary Research Service.
- ²⁰ RLEG, "[RLEG calls for a greater involvement of regions with legislative powers in the policy-making and implementation process in the EU](#)", 07 May 2021.
- ²¹ European Commission (2021), [Commission Work Programme 2022: Making Europe stronger together](#), COM(2021) 645 final, Strasbourg.
- ²² European Commission (2020c), [Commission Work Programme 2021: A Union of vitality in a world of fragility](#), COM(2020) 690 final, Brussels.
- ²³ [Contribution From Regions With Legislative Powers To The Task Force Subsidiarity And Proportionality, Doing Less More Efficiently](#) (date unknown), European Commission, p.2.
- ²⁴ Högenauer, Anna-Lena (2021), "[Progress at Snail's Pace? Regional Involvement and Treaty Change since 1990](#)" in Gabriele Abels (ed.), *From Takers to Shapers? Challenges for Regions in a Dynamic EU polity*, Tübingen: Europäisches Zentrum für Föderalismus-Forschung Tübingen, p.17.
- ²⁵ *Ibid.*, p.21.
- ²⁶ Article 5 of the Treaty: "in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level."

²⁷ European Commission (2001), [European Governance — A White Paper](#), COM(2001) 428 final, p.2.

²⁸ Pazos-Vidal (2017), *op.cit.*, p.5.

²⁹ See e.g. Valenza, Alessandro; Anda Jacob; Clarissa Amichetti; Pietro Celotti; Sabine Zillmer; and Jacek Kotrasinski (2021), [Regional and local authorities and the National Recovery and Resilience Plans](#), Brussels: European Committee of the Regions. Lleal Fontàs, Eugènia (2021), [“CPMR analysis on the National Recovery and Resilience Plans”](#), The Conference of Peripheral Maritime Regions.

³⁰ Hunter, Alison and Marta Pilati (2021), [“Recovery and reform in the EU’s most vulnerable regions”](#), Brussels: European Policy Centre.

³¹ European Parliament (2019), [Implementation of the Treaty provisions concerning enhanced cooperation](#), 2018/2112(INI), Strasbourg, para.38.

³² See Hunter, Alison and Marta Pilati (2020), [EU lagging regions: state of play and future challenges](#), PE 652.215, Brussels: European Parliament.

³³ One other region with legislative powers joined RLEG in this effort

³⁴ See *Conference on the Future of Europe*, [“Topics we’re talking about”](#) (accessed 02 December 2021).