



2007-2009 ACTIVITIES REPORT

Socialist Group in the Committee of the Regions

Three years after the Porto Congress, this report can provide but a snapshot of the activities of the PES Group at the Committee of the Regions (CoR), the socialist and social democratic local and regional elected representatives at the European Union institutions. It cannot be regarded as final, especially since two of our priorities, namely the implementation of the Lisbon Treaty and the debate on the future of the cohesion policy are "just-in-time". This is especially true of the PES group at the CoR since we are on the verge of a new five year term-of-office for the CoR which will begin in February 2010 and perhaps see a socialist elected president.

(I) Since 2007, supporting the entry into force of the **Lisbon Treaty** has been one of the top priorities for the PES Group at the CoR, illustrated in particular by the chairmanship of the CoR CONST Commission by our colleague Claudio Martini, president of Tuscany, from 2008-2010. However, it is important to note that strengthening the territorial dimension of European integration, which the Treaty foresees, was not really a central theme of the debates on the Treaty. However, the Treaty of Lisbon enshrines the principles of local and regional autonomy, extends the principle of subsidiarity to the local and regional dimension and grants the CoR the right to bring actions before the EU Court of Justice to protect its own institutional prerogatives and in the event that the subsidiarity principle is infringed and finally introduces a new objective of territorial cohesion.

It is on the implementation of this final provision that the PES Group at the CoR has focussed its energy and has been able to make its mark on the debate, notably by adopting in February 2009 the CoR opinion presented by the president of the regional council of Brittany (France) Jean-Yves Le Drian¹, which focuses on two major points:

- Socialist elected representatives from the regions believe that the objective of territorial cohesion constitutes a legal guarantee that regional policy will remain at the fore for all Member States in the European Union and contrasts with vague suggestions that this policy should be renationalised.
- At the same time, the introduction of the territorial cohesion objective provides a legal basis for the requirement of carrying out territorial impact analyses prior to the presentation of EU legislation. This requirement should also lead to a qualitative leap forward in the work on the territorial impact analysis of EU legislation.

For progressive players, this understanding of the objective of territorial cohesion is all the more important given that there are significant analogies here with what many of us believe to be the *modus operandi* of the **horizontal social clause**², which has probably been insufficiently discussed to date.

Beyond the actual text of the Lisbon Treaty, the PES Group at the CoR has also made a major contribution to initiating the discussion on **multi-level governance**³ through the CoR's White Paper, of which its first vice-president Michel Delebarre (PES/FR) was the co-signatory. Eight years after Romano Prodi presented the White Paper on Governance and given that the European Union is now under the authority of a new treaty, a new Commission and a new European Parliament, the new responsibilities and competences should be put into practice in the exercise of power. However, the key issue in European policymaking is no longer simply *who does what* – which is stipulated in the Lisbon Treaty – or *what to do*, but rather *how to do it* and in particular how to optimise the analysis and consultation work carried out before legislation is presented. And multilevel governance should enable us to perceive regulation at EU level beyond the mere written

rules and procedures laid down in the treaties. It is a question of method, which takes on a particular dimension in the current context in which a need has emerged for new forms of EU regulation in the face of economic, financial, social and climate crisis we are experiencing.

(II) This crisis is also a pretext for attempts at political manipulation, notably in the area of the European Union's **cohesion policy** which is a constant priority for the Committee of the Region's socialist elected representatives.

Since mid-October 2009, the Commission's initial outline of the future budget perspectives has been circulating "covertly". This outline is based on the principle that the European Union's future budget must remain constant at 1% and in order to achieve this, the proportion of the budget earmarked for the Common Agricultural Policy must be reduced. As for the cohesion policy, the text calls into question objective 2 and proposes to concentrate funds on a national basis, not a regional one. According to initial calculations, the proposed policy would mean that two thirds of the European regions which currently benefit from the cohesion policy would be excluded: more than 200 regions out of 273. The regional policy would therefore no longer be European, but would become national.

The PES Group at the CoR, in partnership in particular with the S&D MEPs within the REGI Commission, have invested considerable effort over the last three years in opposing the supporters of renationalisation while promoting a budget that makes sense not only in the eyes of national finance ministers but also, and above all, in light of the reality on the ground and people's everyday experience⁴.

This subject was raised at a seminar at the PES council in Madrid on 1 December 2008 attended by Martin Schulz, president of the parliamentary group. Furthermore, following the extraordinary meeting of the PES Group in Malmö on 22-23 October 2009, Poul Nyrup Rasmussen, president of the PES and Mercedes Bresso, president of the PES Group at the CoR, wrote a joint letter to make President Barroso aware of the fact that the Commission should not yield to the siren voices calling for renationalisation of common policies, which, incidentally, contravenes the new rules of the Lisbon Treaty⁵.

Also noteworthy is the energy devoted by PES elected representatives at the CoR to the subject of territorial cooperation and, in particular, the establishment of the European Grouping of Territorial Cooperation (EGTC), on the subject of which Mercedes Bresso, president of the PES Group at the CoR and of the Piedmont region, had presented a CoR opinion in June 2008⁶. Initiated by the CoR, the EGTC now represents the most relevant legal instrument for local and regional authorities to create autonomous legal structures to manage directly their cooperation projects, without going via the central government, in particular local and regional cross-border cooperation projects (Euroregions). In the long term, the EGTC could, in the post-2013 programming period, become a tool for managing the funds allocated to objective 3 for territorial cooperation.

(III) The accent placed by the PES group at the CoR on the subject of **sustainable development** is illustrated by the fact that the PES Group's biggest annual meeting held in Malmö in October 2009 at the invitation of the mayor Ilmar Reepalu (PES) was devoted to "Smart green growth and job creation." This meeting, which was also attended by the S&D MEPs Jo Leinen, president of the European Parliament's ENVI Committee, Åsa Westlund, as well as the spokesperson of the Swedish social-democratic party on environmental questions, Anders Ygeman,

produced some very specific operational recommendations, in particular for the signposting of the Structural Funds on the basis of the future Lisbon Strategy 2⁷.

These recommendations also relay the positions that the CoR's socialist elected representatives have presented through CoR opinions on the White Paper on adapting to climate change⁸, the greenhouse gas emission allowance trading system of the Community⁹, on the TEN-T¹⁰, urban mobility¹¹ as well as biodiversity¹².

Special attention has been devoted to the question of energy efficiency, on the subject of which the PES Group at the CoR, in addition to producing a specific opinion on energy efficiency¹³, has become involved in the European Commission's recovery plan to extend the eligibility of energy efficiency measures to Structural Fund co-financing throughout the European Union and no longer only those Member States which joined on 1 May 2004.

It goes without saying that the PES Group at the CoR will continue to make the fruits of this work available to the PES network on climate change. The prospects for implementing an agreement at the COP 15 summit in Copenhagen¹⁴ and, in particular, the way this should play out in the Structural Funds give reason to assume that the local and regional dimension of tackling climate change will expand.

(IV) The dovetailing of sustainable development and the traditional commitment on the part of the CoR's socialist elected representatives to more **social Europe** was at the heart of a seminar held on 6 October 2009 as part of the 2009 Open Days on the subject of *Growth at all costs? Bringing the local back into the economy*, attended by Olivier De Schutter, special rapporteur of the United Nations on the right to food.

Previously, social Europe had been the subject of a seminar in Brussels in April 2008 as part of consultations for the PES manifesto for the European elections; in April 2009 it was the subject of another seminar in Palma (Spain) on the question of public health and cross-border care at the heart of the competences of a large number of local and regional authorities in Europe. In its conclusions presented by means of the CoR opinion on the proposed directive¹⁵, the PES/CoR group anticipated a certain number of positions defended subsequently by the parliamentary group concerning in particular an approach based more on public health (Article 152 TEC) than the single market alone (Article 95 TEC), as proposed by the Commission.

In addition to the call for more decentralised implementation of the Lisbon Strategy, the general line defended by the PES Group at the CoR that this strategy cannot come down to the sole objective of competitiveness is one of the key points articulated by the CoR opinion on the future of the Lisbon Strategy 2010 put forward by the member of the Welsh Assembly Christine Chapman (UK/PES) in December 2009. The CoR socialists will stand by the recommendations of the PES network on the Lisbon Strategy and consequently of the economic and financial network and the network on social Europe.

Another key area of activity for local and regional authorities as part of the commitment to a more social Europe is the protection of public services, which is now the subject of a specific protocol in the Lisbon Treaty. This unprecedented text should enable better account to be taken of the specific requirements of these services, which EU integration has tended to ignore in the past in favour of those of competition law. It is, to an extent, the outcome of public rallying in recent years, followed

up by Europe's progressive regional and local politicians with the support of the working group on public services set up by the parliamentary group, but also of significant developments in case law tending towards their recognition.

The protocol stipulates that Member States and local and regional authorities thus have "wide discretion [...] in providing, commissioning and organising services of general economic interest" (SGEI); on the other hand, the EU and the respective public authorities "shall take care that such services operate on the basis of [...] economic and financial conditions, which enable them to fulfil their missions". Furthermore, the Treaty now includes a certain number of European principles in respect of services of general interest (high level of quality, safety and affordability, equal treatment and the promotion of universal access and of user rights) and establishes a specific legal basis for the adoption of a cross-cutting text. Moreover, access to SGEI is considered an EU citizen's right under the Charter of Fundamental Rights. In the meantime, the Court of Justice is to take account of all of these new provisions;

Finally we would remind you that, still on the subject of public services, in 2007, the PES Group at the CoR fully supported the PES campaign *Putting Children First*, designed to raise awareness of the importance of providing for high-quality, affordable childcare, which more often than not is provided throughout the EU at local level. Access to childcare should, according to the CoR socialists, be considered as a right for every child regardless of his or her family make-up or economic and social background. By linking this right directly to children rather than their parents, childcare could undoubtedly become less discriminatory. In May 2007, the Group thus organised a one-day conference, the results of which have been published, followed up by best practices for implementing the Barcelona childcare objectives as close as possible to the local level.

Beyond the four priorities already mentioned, it goes without saying that the PES Group at the CoR has committed itself to continuing to defend horizontally the recognition of the territorial dimension in certain Community policies. The best illustrations are the continued commitment on the implementation of the Area of Freedom, Security and Justice¹⁶, the subject of non-discrimination¹⁷, the recognition of the distinct role in terms of civil society played by local and regional authorities in decentralised cooperation¹⁸, or else the support for the implementation of an integrated maritime policy at European Union level¹⁹.



This activities report cannot be concluded without making the general observation that there is growing recognition of the CoR Socialist Group within the PES and of the ever more fruitful cooperation with the different actors of the vast socialist family, such as PES Women, FEPS, ECOSY and Solidar. It is the result both of the more substantial contributions made by the CoR PES Group and the considerable attention paid by president Rasmussen and his team to the need for the PES to have greater presence and visibility vis-à-vis socialist elected local representatives, who often have a better base than parties at national level. This attention, which has become almost a reflex, goes hand in hand with strengthened bilateral cooperation with the S&D Group on specific dossiers (energy efficiency, urban mobility, preparation of the COP 15, public services, regional policy issues, etc.).

These measures constitute the basis for leaving a socialist mark on local and regional authorities and at the CoR and for ensuring that this institution actually represents added value for European integration rather than a sounding board for speeches over sovereignty or the resurgence of identity.

The mandate of the CoR's socialist elected representatives is to represent their towns and regions in Brussels, with a view to both expressing the hope of our constituents that European policies will give greater consideration to regional and local concerns, while at the same time helping to make European issues more real at local and regional level.

We are doing this enthusiastically and in the same spirit as the recent appeal by Jacques Delors: *"We are not building Europe purely for ourselves. We are building Europe because we have a certain view of its role in the world, of freedom, of peace. The EU has been true to its historical destiny. What has spoilt it for us is the difficult negotiations and the grumbling from some quarters. Nothing is achieved when people grumble. We must be more enthusiastic!"*²⁰

Brussels, November 2009

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- 1 See CoR opinion on the Green Paper on territorial cohesion presented by Jean-Yves Le Drian (PES/FR), CdR 274/2008.
 - 2 Article 9 of the Treaty on the Functioning of the Union, *"In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health"*.
 - 3 See CoR White Paper on multi-level governance presented by Luc Van Den Brande (EPP/BE) and Michel Delebarre (PES/FR) in June 2009, CdR 89/2009.
 - 4 See also the CoR own-initiative opinion "Reforming the budget, changing Europe", presented by Michel Delebarre (PES/FR) and Luc Van den Brande (EPP/BE) in April 2008, CdR 16/2008.
 - 5 http://www.cor.europa.eu/pesweb/pdf/lettera_Barroso_23_10_09.pdf.
 - 6 See CoR opinion on the European Grouping of Territorial Cooperation: new impetus for territorial cooperation in Europe, presented by Mercedes Bresso (PES/IT) in June 2008, CdR 308/2007.
 - 7 See <http://www.cor.europa.eu/pesweb/index.html>.
 - 8 CoR opinion, October 2009 prepared by Henning Jensen (PES/DK), mayor of Næstved, CdR 72/2009.
 - 9 CoR opinion, October 2008 prepared by Pietro Marrazzo (PES/IT), president of the Latium region, CdR 161/2008.
 - 10 CoR opinion "Green paper on TEN-T: a policy review", October 2009 prepared by Jean-Michel Daclin, Deputy Mayor of Lyon (PES/FR), CdR 103/2009.
 - 11 CoR opinion, April 2009 prepared by Sir Albert Bore (PES/UK), Member of Birmingham City Council on an Action Plan on Urban Mobility 417/2008.
 - 12 CoR opinion, June 2009, prepared by René Souchon (PES/FR), President of the Regional Council of Auvergne on the implementation of the Community Action Plan on A new impetus for halting biodiversity loss.

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- 13 CoR opinion, April 2009, prepared by Jean-Louis Joseph (PES/FR), Mayor of Bastidonne, on An EU Energy Security and Solidarity Action Plan and on the Recasting of Directive 2002/91/EC of 16 December 2002 on the Energy Performance of Buildings, CdR 8/2009.
 - 14 Michel Delebarre, 1st vice-President of the CoR, will be part of the European Union's official delegation to COP 15.
 - 15 CoR opinion on the Proposal for a Directive of the European Parliament and of the Council on the application of patients' rights in cross-border healthcare, prepared by Karsten Uno Petersen (PES, DK), member of the regional council of South Denmark.
 - 16 See CoR opinion of October 2009 on the Stockholm programme prepared by Anna Terrón I Cusi (PES/ES), Secretary for European Union Affairs, Government of Catalonia (the Generalitat).
 - 17 See CoR opinion of June 2009 on the Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (COM(2008) 426 final), prepared by Claudette Abela Baldacchino (PES/MT), Deputy Mayor, Qrendi local council.
 - 18 See CoR opinion of April 2009 on local authorities: actors for development COM(2008) 626, prepared by Christophe Rouillon (PES/FR), Mayor of Coulaines.
 - 19 See CoR opinion of June 2009 on the Maritime and Coastal Package prepared by Michel Delebarre (PES/FR), Mayor of Dunkirk.
 - 20 Jacques Delors in *La Provence*, 8 November 2009.