

**The decisive  
role of the  
different regions,  
particularly  
Andalusia, in  
mediterranean  
multilevel  
governance**

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## 2.1.

# Today's multilevel governance framework: regions as a third governance level in the European Union



### 2.1.1. Regions as a third governance level in the European Union

The idea of a Europe of regions is not new: it came up decades ago, even prior to the birth of the EU. It originally had a strong ideological charge, as an alternative to politics based exclusively on the nation-state as the political, territorial, ideological and self-defining unit for the European continent. However, the surprisingly quick regionalisation process of European politics at the end of the eighties, and increasing regional participation both in European programmes and in UE constitutional reforms, have reawakened the desire in sub-state entities to assume a leading role.

Consequently, during the past few years we have been starting to accept the idea of a Europe of regions, a more and more integrated Europe who-

se political and administrative structure is not based on regions, but nevertheless cannot fail to take them into account. The many, deep regional and federal reforms which have taken place in Europe on one hand, the EU initiatives towards larger scopes in democracy and pluralism on the other, plus the idea of a gradual decrease in efficacy in the nation-state model, have given way to the ideal atmosphere for the flourishing of *third level politics*. According to third level theory, sub-state authorities are increasingly important in the European system, as they have the power to develop a whole new range of capacities, and enjoy a certain status in the institutional structure of the Union. The expression third level refers to the action and involvement of sub-state units wi-

thin the EU, together with European institutions (*first level*) and those belonging to nation-states (*second level*).

Although many regional government-level claims have not yet been attended to, the existence and the importance of third-level government, below the EU and the nation-states, cannot be denied. The third level is closer to the citizens, and is often more useful and efficient for the development of community politics. That is why interaction between third level and multilevel governance (MLG) is obvious. MLG is an interpretative scheme, an abstract model of the changing relations between the different levels of power within the EU, meaning basically that Europe is governed at different, interconnected levels, of which the sub-state level is the third.

It is useful to apply the concept of governance to the EU, in order to explain the complexity of the European political system, based on its own legal system, institutional balance, and cooperation, interdependence and interaction among the different powers at different levels. European governance, in short, substitutes a linear, hierarchical, vertical model for a circular one based on plural, multilevel participation and on negotiation and interaction among the stakeholders and the networks involved (Rojo Salgado, 2006). The EU will have to reorganise itself, with greater attention to the principles of proportion and subordination, in the light of criteria such as aperture, participation, responsibility, efficacy and coherence. So regions and local entities must have access to the first debating stages of European policies.

MLG means upwards power transference, towards the EU, and downwards, to the sub-state entities, so the central states still make the essential decisions, but share powers with the other two levels, bestowing a greater recognition on the regions. The novelty in MLG is precisely the regional government level, which not only has turned out to be the strategic ally of institutions such as the European Commission, but also the adequate level for introducing new policy con-

cepts and new ways of implementation. Regionalisation brings European decision-making closer to the citizens, and also expresses more authentically the plurality of identities living together in the EU. The regionalisation of the EU, far from being an obstacle, balances the supranational integration process or continentalisation.

The continuous, growing mobility of the European regions in relation to Brussels is proof of the dawn of the regional phenomenon at a continental scale, or third level institutionalisation, which took place officially in 1993 under the Treaty of Maastricht. The European capital has therefore become the ideal place for regional lobbying, through different direct channels, or indirectly through the Member States, in order to influence European decisions. Neither the position nor the claims of the regions are now the same as they were in the past. Regional priorities have changed, due to the fact that some claims have granted (participation in the Council, creation of the Committee of the Regions). Current claims refer to European-level guarantees for regional autonomy, access to the European Court of Justice, or the reform of participation mechanisms (Domínguez García, 2005).

The EU is therefore a multilevel governance system, in which different stakeholders belonging to different institutional levels participate formally and informally. So the EU is no longer just a matter of States: sub-state entities have acquired a certain power quota. The regions have not substituted the states, but take part together with them in the decision-making process, although not with the same weight or as extensively. Regions with legislative powers (their own sub-state Parliament and Government) have been claiming their place as the third step in EU government, below the European government and the governments of the member nations.

Claims for a "Europe with the regions" rather than the old "Europe of the regions" have become more realistic in the Lisbon Treaty context; but the existence and the importance of the third Euro-

pean governance level, below the European and national state governments, cannot be denied. This regional step is doubtless closer to the citizens, and therefore more efficient both in the proposal and the implementation of Union policies: There must obviously be interaction between the

third level and multilevel governance. The idea implies, basically, that Europe is governed at different, interconnected levels, of which the third is the sub-state level. In this sense, the regions with legislative capacities have a promising future ahead as a counter-power in Europe.



### 2.1.2. Regionalisation models and formulae in southern Europe: political and institutional differences and assymetric powers

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#### Spain

Spain is now a EU Member State, made up of regions and nationalities. So it is: Spain has been defined as a clearly identifiable country of countries, nation of nations. In spite of its social and cultural cohesion, necessary for the structure of Spanish unity, internal rivalries are evident. In fact, the second article of the 1978 Spanish Constitution recognises and guarantees that the nationalities and regions which make up the State have a right to their autonomy, and also that they all support each other. Even so, due to the moment in History in which our Constitution was approved, it refers euphemistically to a decentralised State, and avoids the word “federation”. The quasi-liberal philosophy the text is based on has, notwithstanding, been largely noted (Moreno, 1997 and 2008).

Over 45 million inhabitants, with their different nationalities, identities, regional cultures and official languages, share about half a million square kilometres, divided into 17 autonomous regions. Castilian is the official language of the Kingdom

of Spain, but Catalan, Basque and Galician are co-official in their respective communities, the so-called “historical nationalities”. Besides, a certain percentage of citizens, especially in the Basque Country and Catalonia, do not consider themselves Spanish and, at the same time, strong feelings of regional identity are growing in some ARs such as Andalusia, the Balearic Isles, the Canary Islands and Valencia (Tuñón, 2010 and 2011). An essential factor in favour of decentralisation has traditionally been the ample economic differences between the more developed northern peripheral regions and the more backward Centre and South of the Peninsula, always excepting Madrid.

The present constitutional Spain has been a democratic reality for only just over three decades. After a long, hyper-centralised dictatorship (1939-75), a peaceful transition to democracy (1975-79) and active involvement in Europe after becoming a EU member in 1986, Spain has undergone some deep changes as a multinational state in modern times.

The need for a new territorial state organisation forced the different stakeholders into a pact for an overall solution that could overcome the residual, excessively centralised structure left over from the dictatorship. A new, decentralised model was called for, with room for peripheral claims to self-government. Just one year later, the first regional governments of Catalonia and the Basque Country came into being. However, within the framework of the so-called “free for all” strategy, these first experiences in regional government produced a domino effect on other regions which had never been strongly region-conscious. By 1983, in only five years, all the Spanish ARs had come into being, as a consequence of the power derived from the basic institutional law of each one of them, the Autonomy Statute. These statutes are, as explained in Article 147 of the Spanish Constitution, organic laws recognised by the State as part of its legal order. At the beginning of the eighties (less than a decade after the dictator’s death), all of Spain was profusely regionalised, except for the North African enclaves of Ceuta and Melilla, autonomous cities which would reach their special autonomous statutes in 1995.

Once the decisive, constituent stage of the State of Autonomies was finished, a second, consolidation stage began during the second half of the century’s first decade. It consists essentially of the approval and coming into effect of a second generation of regional statutes. This second phase, however, is not over yet. Some regional parliaments (those of Andalusia, Balearic Isles, Extremadura, Castile and Leon and Aragon) have already passed their new statutes, but the Spanish parliament has not considered it advisable to pass some of them for the time being. Through a controversial and long-awaited sentence, the Spanish Constitutional Court has even rejected as unconstitutional some articles included in the Catalanian statute (which had already been passed by both the Catalanian and the Spanish parliaments). The second stage of the State of Autonomies is not yet finished, and will still need some time before it is definitely concluded and closed (Tuñón, 2010: 41-42).

The current Spanish competence model distinguishes three types of powers: those held exclusively by the ARs, those held by the State, and those shared by both. All the ARs enjoy executive and legislative competences in the following areas: town planning, housing, the environment, the regional language (only in some cases), sport, social policy, health and hygiene, and commercial seaports and airports. On the other hand, the State holds exclusive powers on matters reserved by Article 149 of the Constitution, in order to ensure national unity and sovereignty: immigration, defence, the national currency and international relations.

But the State and the ARs can also share the exercise of powers in two ways: the State can keep the legislative power over a certain matter, whilst the ARs hold the executive power; or the State can take care of the basic regulation about some matter, and the ARs develop the law on the same. The State, furthermore, enjoys three additional clauses: the residual clause, by which it holds all powers not included in the Autonomy Statutes; the prevalence clause, as to regulation or intervention in shared affairs; and a supplementary clause which establishes the validity of State law in order to avoid normative vacuum (Rodríguez Drincourt, 2006).

The distribution of powers clearly shows the asymmetries in the autonomous organisation, derived from the modes of access to autonomy by the different ARs. Territorial asymmetry is the result of the confluence of three factors: the historical heritage of a strongly centralised State; the recognition of the right to self-government for the so-called *historical nationalities*; and the opportunity of decentralisation given to the rest of the regions which aspired to their own autonomous governments.

From the beginning of the decentralisation process, *de iure* and *de facto* differences have been an additional stimulus for the competitive nature of political relations within the State of Autonomies. As a result, we have historical nationalities (Cata-

lonia, Galicia and the Basque Country); an Article 143 nationality (Valencia); Article 143 communities; a statutory community (Navarre); and insular councils (Balearic and Canary Islands).

There are some very specific powers which only some ARs enjoy: Navarre and the Basque Country have assumed larger fiscal competences, Catalonia and the Basque Country have their own police forces, the Canary Islands have their own fiscal regime; consequently, cooperation mechanisms have been triggered, for the participation of some sub-state entities in defence of the national standpoint at a European level, up to a point unheard of even in other federal organisations.

### Italy

The question of regionalism or the gradual federalisation of Italy came up during the *Risorgimento*; back then, the problem was how to reconcile and integrate the different peoples and the different cultures of the Italian Peninsula. Federalist claims (lately taken up by the Northern League) greatly influence the main Italian political parties. The regionalisation of Italy, which began in the mid-seventies, and which has meant a constant, gradual increase in power for the regions, has been an unplanned, incoherent process in which reforms come into being prior to legislation. So the irregular, inconstant Italian regionalisation process is not over yet, and is an example of quick, asymmetric, unsystematic evolution of forms of government.

There had been no real regional reform in Italy up to the administrative decentralisation process which took place after World War II, and the 1948 Constitution which is still in effect. Since then, Italian regional reform has gone through different stages. From 1947 to 1970 there was a minimalistic approach to regional reform. From 1970 to the early 80s there was a maximalist approach. There was a third phase in the eighties. And the current stage, from 1990 onwards, has been very prolific in legislative reforms.

The recent Italian constitutional reform in matters of territorial policy defines Italian regionalism as a gradual, asymmetric process of return of powers from the central to the sub-state entities. The system is still open, as it has to be approved, step by step, as the new regional statutes are passed. It is up to the regions to adopt homogeneous or

heterogeneous statutes. Right now, the regional statutes are practically identical to the governmental structures of the ordinary regions, but asymmetrical as to the special regions. Asymmetry in Italian regionalism is not only a consequence of historic events, political negotiations and the existence of minority groups, but a constitutional right for some regions and now an opportunity for all of them, an opportunity which will result in a highly asymmetrical regional system, clearly inspired, in its structures and in its procedures, in the Spanish model (Palermo, 2005).

So the Italian territorial system is highly regionalised, and governance takes place at different levels. The 8,100 municipalities, 103 provinces and 20 regions which make up Italy, make for many different levels of government and a “complex sub-national level”. Italy is made up of two different types of region. The five “special” regions (the Aosta Valley, Trentino-Alto Adigio, Venice-Friuli-Giulia, Sardinia and Sicily) possess individual regional constitutions on the same level as the Italian Constitution (Article 116). These regions theoretically enjoy a higher degree of autonomy than the other Italian regions. The fifteen “ordinary regions” are regulated by “ordinary statutes”, according to Title V of the Italian Constitution.

The fact that Italy’s regional system is markedly asymmetrical has three basic constitutional and political consequences, from the standpoint of our research project: (1) The importance of the political perception of the level of sub-state self-government; (2) After the legal reforms, a markedly procedural, conflictive kind of regionalism has gradually been developing; (3) Many of the exclusive powers held by the State are not strictly speaking competences, a fact which, depending on the development of Italian regionalism, may substantially limit the sphere of regional self-

government or, on the contrary, make regional differences fit together.

Each region has a deliberative assembly, the *Consiglio*, with 30 to 80 members, elected through proportional representation. The President of the *Consiglio* is elected either by the same regional representation forum or directly by the regional electors. In any case, the President leads the regional *Giunta*, responsible for the administrative functions transferred by the central government. Regional responsibilities are outlined in the reformed Title V of the Italian Constitution: Article 117 limits the power of regional governments. Regional competences include local police, health, town planning, tourism, agriculture, and other constitutional functions delegated through constitutional laws. Article 118 complements the former, with administrative powers at regional level. However, Article 119 of the Italian Constitution is potentially the most important for the regions, as it guarantees their “financial autonomy”, even if only “within the limits established by the laws of the Republic, which coordinate said autonomy”. This article also guarantees regional taxes, as quotas of state taxes “according to each region’s needs”. In practice, however, the central government’s minimalist interpretation of articles 117, 118 and 119, together with the Constitutional Court’s markedly centralistic jurisprudence, have somewhat diluted their usefulness.

In any case, the beauty of Italian federalism resides in the fact that it is not the consequence of a perfectly structured, orchestrated process according to a pre-defined plan; but the as yet unfinished result of a series of historical circumstances and situations whose outcome is a model that looks with admiration towards the German, Belgian or Austrian systems, but has more in common with the still more advanced, asymmetrical Spanish regionalism.

## France

Unlike Spain or Italy, France is a unitary state, according to the opening articles French Constitution of 1958. Several attempts at decentralisation have been made since then, but they have not been wholly successful because competences are highly fragmented among the different territorial entities, and also because there is a lack of institutional hierarchy among the regions, departments and municipalities. All of this diminishes not only the visibility of public action, but also the political responsibilities of elected representatives.

Notwithstanding all the above, France cannot be said to have been immune to the decentralising and regionalisation trend which has taken place in Europe since the middle of the last century. According to Ares (2010), decentralisation “à la française” has these traits: (a) a uniform model, designed by state institutions, by which the regions all have the same statute (with some excep-

tions), hold no powers of self-organisation, and whose regional elections are organised by the national Government; (b) the process is accompanied by a dilution in the central administration, and an increase in the power of the regional prefects (a sort of government delegate), who controls the President of the Regional Council; (c) all the territorial institutions are equally reinforced, which gives way to struggles for power between regions and departments; (d) there is no hierarchy among sub-state institutions.

France is now made up of twenty-five regions: the twenty metropolitan regions, according to the law of 6 June, 1986, plus four overseas (Guadeloupe, Martinique, Guyana and Reunion), plus Corsica, which became the Territorial Collectivity of Corsica by the law of 13 May, 1991, with its own special statute, but is still, notwithstanding, an administrative circumscription under the jurisdiction of the regional prefect.

Within this general framework, in spite of the new powers derived from the law of 13 August, 2004, the French regions are administrations for mission and prospection, but not management, and their exclusive competences are few: the railways, and the building and maintenance





2<sup>nd</sup> Assises on Decentralised Cooperation. © Committee of the Regions.

of secondary schools. They do however share powers in such important areas as economic development, zoning, vocational studies and the environment.

As to institutions, each French region has a regional council, and its president, whose attributions and organisation are a replica of those of the departments. The regional council is therefore a deliberative assembly made up of regional councillors, elected by direct universal suffrage, within a proportional electoral system, in departmental circumscriptions.

As we have seen in other instances, financial autonomy is an indicator of the degree of regional autonomy. French sub-state entities are more dependent financially on central state resources than Spanish or Italian ones, in spite of the March 2003 constitutional revision which attempted to correct this trend, by recognising some financial

autonomy for all territorial collectivities. According to Ares (2010), the regional councils' annual budget (600-800 million euros) is still well under that of EU regions with legislative powers. The budget for the French regional councils is 12% of the total budget for French territorial collectivities; whereas the Spanish ARs spend 70% of the total budget for Spain's sub-state entities.

Although the regions of France are gradually acquiring institutional powers and recognition, the regional level is still somewhat ignored as to political representation, unlike what happens in federal states or strongly regionalised ones such as Italy or Spain. In practice, French regional powers are still only attributed by law, and never, in any case, reach legislative levels. Save the exceptional case of Corsica, the relative importance of the French regional institutions is far from that of Italian regions or Spanish ARs in their respective countries.

### Measuring asymmetries: regional authority/ autonomy indicators

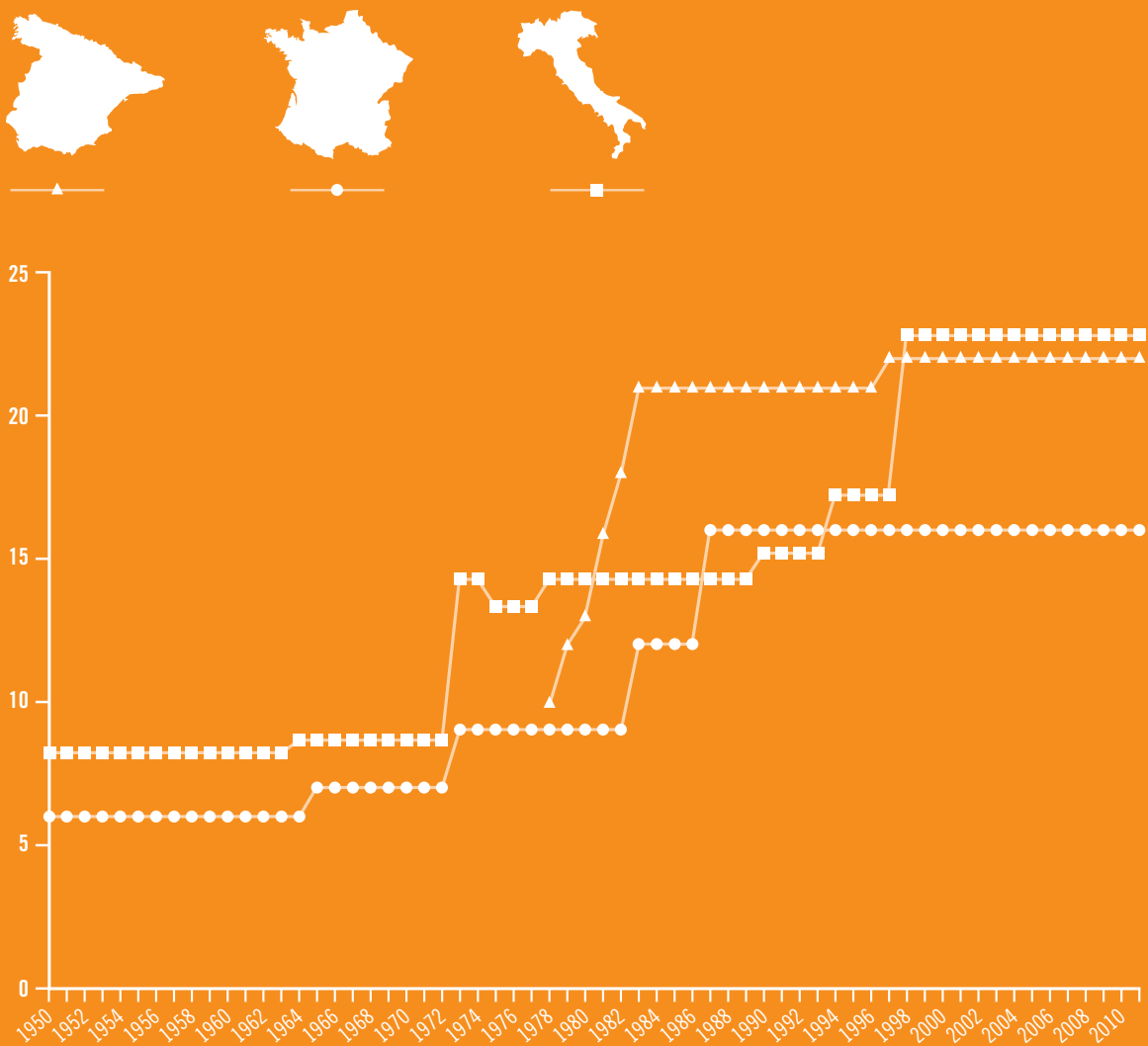
As we have already discussed, there are still differences among Northern Mediterranean regionalisation models. Having followed different, sometimes diverging or even opposite, historical and political formulae, the decentralised institutions, which have been created each according to its own model, are not always easy to compare. It is not only a question of names; Italy, Spain and France, like other Western European countries, have obviously been gradually decentralised, but the process has affected the different political and administrative levels in different ways.

Graph 2.1 shows the decentralisation trend over the years in Italy, France and Spain. The organisation of these three countries has promoted autonomy to a greater or lesser degree in sub-state entities. All of them have gradually endowed their regions or ARs with greater competences and financial autonomy. Regional stakeholders (governments, parliaments and also political parties) have become increasingly important, and can no longer be ignored. The trend has been practically parallel in the three countries, starting with a relatively centralised system after World War II, up to today's regionalised or decentralised models. However, whilst Spain and Italy are highly, homogeneously decentralised, France has lagged behind, as her regions are not as strong, or as autonomous, as those of Spain or Italy.

## Graph 2.1.

Regional autonomy in France, Italy and Spain (1950-2010). Regional autonomy index at an interstate comparative scale, made up of criteria/indicators such as fiscal, constituent, legislative or competence autonomy, among others\*

(The more points, the greater regional autonomy)



Source: (Hooghe, Marks y Schakel, 2010).

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\* According to how the variables are chosen and pondered, autonomy and decentralisation indices for countries which enjoy a high but comparable degree of regional autonomy (Spain or Italy) may vary, situating one or the other on top; the preponderance of one over the other is not significant.

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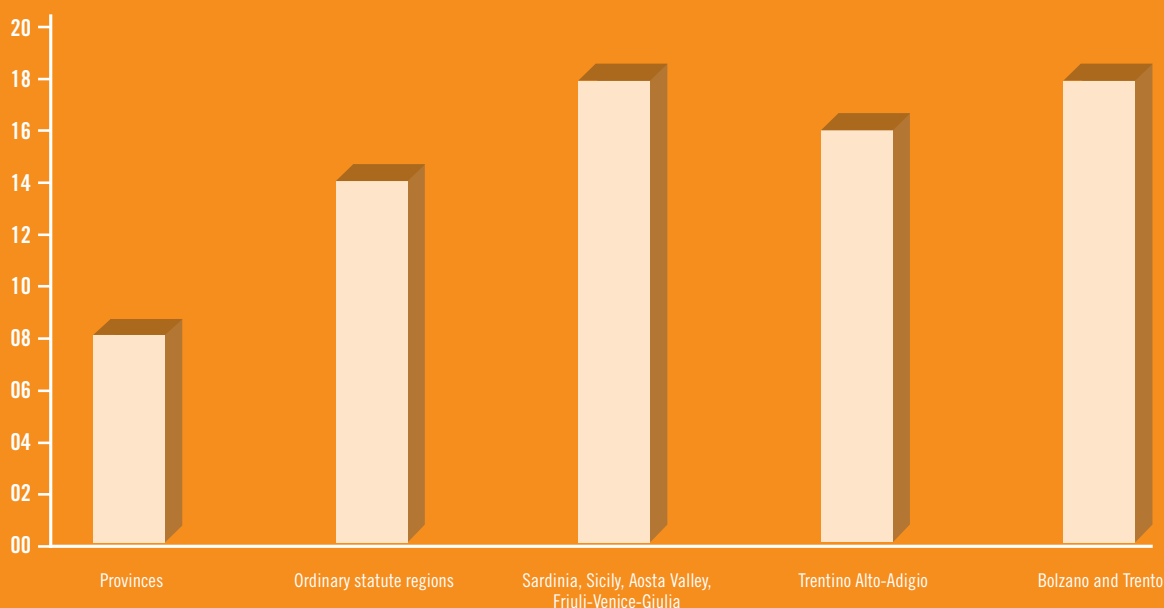
However, regional autonomy is not uniformly spread within each respective country. There are different levels, even among sub-state entities in the same country (Spain has ARs and also regions, Italy has regions and provinces, and France has regions and departments), and some are more autonomous than others. In fact, the political models in which there are differences in de-

gree of autonomy among the regions are called “asymmetrical”. In the case of France, this hardly matters, as all the regions enjoy a similar degree of autonomy (except for Corsica, which enjoyed a greater autonomy between 1982 and 1990); but in Spain and Italy there are evident examples of asymmetry within the framework of their respective political systems.

## Graph 2.2.

Regional autonomy in Italy (2010). Regional autonomy index, made up of criteria/indicators such as fiscal, constituent, legislative or competence autonomy, among others

(The more points, the greater regional autonomy)



Source: (Hooghe, Marks y Schakel, 2010).

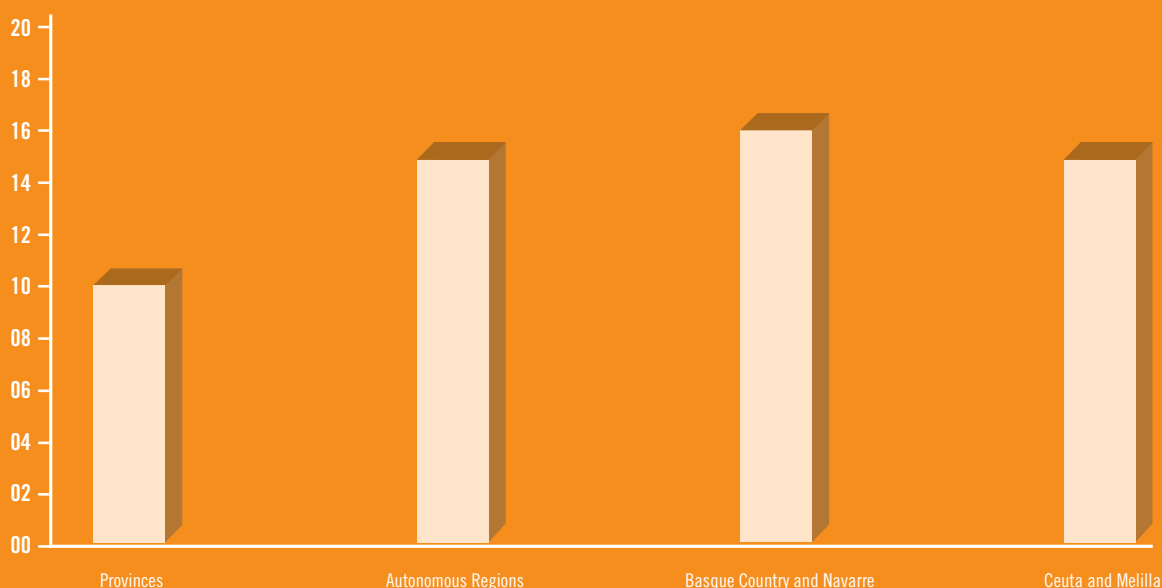
As we can see in the graphs showing regional autonomy in Italy and Spain, both models exhibit important interregional differences. In both cases, Spanish and Italian provinces enjoy a lesser degree of autonomy than Spanish ARs or Italian regions (except for the provinces of Bolzano and Trento in the North of Italy). Furthermore, some

Italian regions and Spanish ARs have special statutes which endow them with a higher degree of autonomy than that of other sub-state entities within the same country: namely, Sardinia, Sicily, the Aosta Valley, Trentino Alto Adigio and Friuli-Venice-Giulia in Italy, and the Basque Country and Navarre in Spain.



### Graph 2.3.

Regional autonomy in Spain (2010). Regional autonomy index, made up of criteria/indicators such as fiscal, constituent, legislative or competence autonomy, among others (The more points, the greater regional autonomy)



Source: (Hooghe, Marks y Schakel, 2010).

### 2.1.3. The action of the regions within the European Union framework

#### The competence of regions in foreign relations

In order to describe the relations between national States, we use the terms international policy or foreign policy. As these terms have been reserved for States, we must ask ourselves what term should be used when referring to relations between regions on one hand and States or foreign regions on the other. Petschen (1992) and others are in favour of using the term foreign policy in these cases also. According to Petschen, "some regions have a true 'foreign policy', by which we mean a set of aims linked as means to ends, in pursuit of an efficient incidence in the sphere of international power and influence".

However, there has been an academic search for different terms to refer exclusively to foreign relations as regard the regions. From the legal and political point of view, the terms "activities of international importance" or "foreign promotion activities" or "international relations in the technical or strict sense" have come up, among others. Diplomatic circles have used such neologisms as "micro-diplomacy", "paradiplomacy", or "protodiplomacy", indistinctly linked to adjectives such as "regional, cross-border", "transregional", "global", "regional", "cross-border".

Regional foreign action or paradiplomacy, terms we shall use indistinctly, derives from two types of causes according to their origin: those coming from inside the State and those coming from outside. The former include causes which

are common to the State as a whole, and also those specific to each territory within the State; the latter are due to globalisation, interdependence or supra-national integration processes (Ugalde, 2005). In fact, it would be impossible to understand Flanders's foreign action without taking into account the European construction process, Flemish national feeling, the Belgian constitutional structure or the personal feelings of former Flemish Minister-President Luc Van den Brande; or Catalonia's, without understanding its bourgeois nationalism, or the paradiplomatic efforts of former President Jordi Pujol; or Tuscany's current extensive foreign action, without referring to two recent Presidents, Vanino Chiti and Claudio Martini. These are only some examples.

Beyond the causes, factors or variables favoring regional paradiplomacy, regional foreign action is not the sum of individual decisions; it reflects a strategic political decision. Although it is not always possible to see any obvious differences, as there are some intermediate situations, and strategies may be in a more or less advanced stage of development, some regions have certainly attempted to have a plan based on: inspiring principles, short-, medium- and long-term goals, courses of action, activity charts, geographic priorities, internal sectoral implication, and the evaluation of results. According to Keating (2008), the detailed development of these foreign action

plans, which had not been paid much attention in past decades, is due to the fact that they are now profitable for the regions, so now they are defining their strategies better, choosing the most beneficial options.

How far-reaching a region's foreign action is depends not only on its strategy, but also its structural features and resources. Certain regions' foreign action is even more ambitious than that of some nations, but that depends on differences between states, and also on differences between regions in the same state. Most regions have their own political-administrative institution (the names vary) responsible for coordinating regional presence abroad.

There are many ways of making regions known internationally; perhaps the most costly but also the best, symbolically, is the establishment of foreign delegations. Brussels is a favorite place for them, and their job involves information, the follow-up of European legislative initiatives, establishing contact networks, and regional assessment in European affairs. However, we insist on the fact that, apart from their valuable work, the symbolic aspect is very important: Nation-conscious regions such as Flanders or Catalonia have set up foreign delegations, and academics such as the Belgian De Winter (De Winter, Gómez Reino and Lynch, 2006) habitually refer to the Catalanian office in Brussels as the Catalanian Embassy.

Besides this specific formula, regions with an advanced European strategy have developed very detailed "international activity charts" (Ugalde, 2005), including trips, visits, and promotional activities for establishing or consolidating international relations with States, regions, international organisations, and other institutions; for making the region known abroad; for signing cooperation agreements with other governments and entities; for promoting regional presence in cooperation networks, international organisations and interregional associations; for promoting regional participation in development cooperation, and links with foreign communities.

The fact that regions have become conscious of the need for sustaining foreign action, for which they have designed strategies and to which they have assigned means, implies that paradiplomacy has important effects on contemporary international relations: It has spread across Europe because the regions are interested in making internal issues into European policy. And more importantly, the nation-state is no longer the only stakeholder able to commit itself contractually at an international level, nor is it the only one with access to international organisations. Thanks to the development of regional paradiplomacy, the State no longer monopolises international representation (Paquin, 2005).

### The presence of regions in the European Union

The regions issue has been on display at a European level since the mid-eighties, thanks to the fact that the regions themselves have become conscious of their own existence, and that interregional associations such as the Assembly of the Regions of Europe (1984) have come into being. The Maastricht Treaty (1992) did not ignore this trend. The Committee of the Regions became the forum for regional and local expression.

But only a few years later, in the late nineties, there was a general regional disenchantment which is still lasting. It was already obvious that the regional or sub-state level was not ready to substitute the national. It became clear that it was necessary to reformulate the model according to which regions participate in twenty-first century Europe. However, in spite of the efforts of some of the largest, most populated and most powerful regions in Europe (see the European Convention of 2002-3, the failed European Constitution of 2004, and the Lisbon Treaty of 2007), there have been only limited advances in the role of regions in the EU.

There are several reasons for all of this. On the one hand, the EU is more an economic than a political union. On the other, it is a supra-national organisation, made up originally and traditionally of States, not regions; the States are not willing to give powers away to the regions. "Time has disproven those who referred to a *Europe of the Regions* in the late eighties. That initial idealism seems now to have been cut down to a *Europe with the Regions*, where these are a level of government which cooperates with, but cannot

substitute, that of the member States" (Tuñón and Dandoy, 2009).

However, over the past two decades the regions of Europe have increased their opportunities for participating in EU decision-making processes. Since the late eighties, many different formal and informal channels have come into being, through which sub-state entities can make their claims in Brussels. The regions can now take part directly, or indirectly through their State, in the European Union Council; they can also participate directly in European Commission committees, set up their own regional representation bureaus in Brussels, take part in the Committee of the Regions, and be involved in different interregional associations.

Few advances have been made since the mid-nineties regarding the regional issue, but the role of the regions in the EU today will have to become increasingly important in the near future, at least in the case of those with legislative capacities. Not that the regions will substitute the States, but the options opened by the principle of subordination will crystallise: the innovative *Early Alert Mechanism*, within the Lisbon Treaty context, allows previously unheard-of sub-state parliament participation in the European decision-making process.

Ever since the Treaty of Maastricht, the subordination principle has been foremost in the debate over EU institutional reform, in order to guarantee that decisions take citizens closely into account. This reinforces democratic legiti-



macy in the EU, which is very important given the internal crisis the Europeanisation process is going through at the moment. Subordination is mentioned in the European Constitution and in the subsequent Lisbon Treaty, and a protocol has been added which refers to the application of subordination and proportionality.

The main novelty is the *Early Alert Mechanism*, which makes it possible for national Parliaments, and also regional Parliaments with legislative powers in decentralised States, to politically control EU legislative initiatives, previously checking that they respect the principle of subordination. This allows regional Parliaments to express their opinion as to whether the principle of subordination is respected by EU actions which could limit or block not only State but also regional competences. "This is not a minor question: within the co-decision process, certain majorities made up, among others, of sub-state Parliaments could not only force a new study of a legislative project, but even its rejection" (Tuñón and Dandoy, 2009).

The effective application of this *Early Alert Mechanism* will be a big step forward for democracy and for the interaction between EU and regional levels. In fact, the participation of regional Parliaments constitutes an indirect formula for controlling the actions of member state governments, within the European decision-making process. In this sense, the debate about subordination should evolve, and stop focusing on how powers are shared out, in order to work on improving the necessary cooperation and transparency in European policy configuration processes, while respecting

both the functions and the representativity of each government level, including the sub-state.

As a result of all this, it is currently impossible to speak of European governance without referring to its multiple levels of power. The EU, its states and its regions (which are no longer scenarios for Europeanisation, but real stakeholders in the decision-making process) must interact as a whole, in order to advance and progress.

#### Regional activation mechanisms in relation to the EU

The last two decades have undoubtedly seen an increase in opportunities for the participation of regions in EU decision-making processes. Since the late eighties, formal and informal ways of access, through which European sub-state entities can make their claims known in Brussels, have increased steadily in number. From those primitive cross-border cooperation experiments of the seventies, we have now reached a multiplicity of mobilisation formulae, in which practically all European regions participate to a greater or lesser degree (Fargion, Morlino and Profeti, 2006).

We may distinguish, in any case, between direct and indirect activation channels or mechanisms. Due to the reality of the integration process the difference is not always clear; however, when speaking of direct activation mechanisms we are referring to those which immediately put European regions in touch with EU institutions or

organisms. Indirect mechanisms are those which channel those relations through national governments. There are now five direct mobilisation mechanisms and one indirect. The former include: regional participation in the EU Council, sub-state participation in European Commission Committees, regional representation offices in Brussels, participation in the Committee of the Regions, and involvement in different interregional associations. On the other hand, the indirect mechanism consists of regional participation in organisms for internal agreement, in order to defend the will of each state before EU institutions, especially the EU Council.

The European regions with greater capacities have long been conscious of the fact that, in order to influence European decisions, they could not keep waiting for the EU to approach them; they would have to take the initiative. That is why many European regions use upward activation channels for their claims to be heard in Brussels. Some participate directly in the EU Council, under different formulae agreed upon by the states they belong to, and more or less formally according to the case in hand. The most nation-conscious regions have long sought direct channels of participation; however, in many cases indirect participation through the state has proven more effective.

Among the forums open to regional participation, besides the European Council, the European Commission also offers opportunities for influen-

cing European policy through the formal *comitology* process, and also through more informal but effective lobbying exerted by regional officials on European officials. Many of those regional officials are permanently stationed in Brussels as part of their regional delegation. Practically all European regions use regional delegations, in some cases “quasi embassies”, in order to manage European activation channels more closely and efficiently.

The regions of Europe also participate in forums other than EU institutions. The Committee of the Regions is seen as a forum of scarce direct impact but great visibility and political recognition; and some of the strongest interregional associations are powerful lobby groups, and can greatly influence European decisions.

Some regions prefer certain mechanisms rather than others; other regions develop more extensive strategies. All of them are conscious of the fact that the different channels are not equally effective. The use of certain mechanisms, and also the regional impact through each one, depend on different factors. On one hand, some factors are executive, legislatively and administratively independent of the regional institutional structure; or the national level, comprising basically the constitutional structure endowing the regions with more or less competences, and also with formal organisms for coordination with the government and with the central administration. On the other hand, external factors more or less relevant to the

different regions include socioeconomic matters, regional identity, political affinity between the regional and national governments, the stability and duration of regional government majorities, the interest shown by regional political elites, and their synergy with administrative elites.

Lastly, it must be noted that European regional activation mechanisms are constantly evolving and changing. That is why it is so often the case that informal channels, vaguely mentioned in the literature, are the most effective. These more informal, less controlled channels allow the regions more direct interaction at a European level, giving them a sometimes singular, often differentiated approach. This added value is lost from the moment when the use of these informal channels is generalised and they become formal. The regions undeniably exert their own foreign action, their own paradiplomacy at a European level, and have their own more or less systematic, extensive and effective upward activation European strategy. In order to influence the European decision-making process, sub-state entities use all kinds of formal and informal mechanisms and channels to make their voices heard in Brussels.

2.2.

**New Mediterranean cooperation frameworks, and the participation and contribution of the regions:** the Council of Ministers, the Committee of the Regions, REG-LEG, ARLEM, CRPM, ARFE ARE, among other forums

**2.2.1. The state level: Italy, France and Spain**

*The Council of Ministers of the European Union*

The European Union Council of Ministers is the European decision-making forum by definition, although it no longer monopolises the representation of state interests within the Union since the institutionalisation of the European Council, made up of heads of state and government. The Council of Ministers is also the only European institution whose definition, contained in the Treaties, includes the presence of sub-state representatives, although they can only defend the interests of their state as a whole.

Up to the Treaty of Maastricht, only national government members could belong to the EU Council of Ministers. Article 146 declared that “the

Council shall consist of a representative of each Member State at ministerial level, authorised to commit the government of that Member State”. This novelty in the European legal framework, proposed by the Belgians and supported by the German *länder* which had been longing to participate directly in the Council of Ministers, made it possible, as of November 1993, for the regional representatives to take part in its deliberations, as long as they had ministerial rank, and always in representation of their State as a whole. It must be noted that regional representation is a possibility, not an obligation: regional representation can be made use of, but it is up to the State to do so or not.

This possibility has ended up being applied mainly by those countries with “ministerial level representatives” at regional scale: the German, Belgian and Austrian federal states. It has also been possible in the United Kingdom, Portugal (only in the exceptional cases of Madeira and the Azores) and, since 2004, in the profusely regionalised Spanish state<sup>1</sup>. The main difference between the federal states (Germany, Belgium and Austria) and the other countries whose sub-state entities take part in the Council of Ministers is that, whereas in the former case participation is a constitutional right which cannot be ignored or limited by the central government, in the other cases it is a possibility, by invitation of the central government to their sub-state entities, an invitation which can of course be given or not, and furthermore can always be withdrawn, something which could never legally happen in the federal states.

The EU Council of Ministers is a unitary institution, but, because of the large number of policies it must work on, for functional purposes it works through sectoral councils whose composition varies. So each State chooses its sub-state representative, according to the matters in hand. Not only that: it also depends on each Member State to decide legally and politically how, and to what degree, sub-state representatives participate in Council sessions. The Treaty makes no suggestion to the States as to considering their own territorial organisation.

The fact that there are now a number of people authorised to represent their State in the Coun-

cil makes regional participation possible beyond the figure of delegation chief; there are currently three different kinds of situation:

- (a) The central government is constitutionally bound to name a regional minister as delegation chief, when the matters in hand are internally considered to be of regional competence. That minister will direct negotiations with the other European representatives, expound the position of his Member State, and use the votes corresponding to his State. This is the system used by Germany and, in a particularly complicated way, by Belgium, as we shall see in a future chapter.
- (b) There is an internal agreement by which regional ministers can, whenever the central government so decides, act as national delegation chiefs. This is the case of Austria and Italy.
- (c) The central government can be accompanied by regional ministers who participate in negotiations under the direction of the national representative. They can speak during Council sessions if the national representative authorises them, but cannot vote. This is the case of the United Kingdom (Scotland, Wales and Northern Ireland), Portugal (Madeira and the Azores) and Spain.

The opportunities for regional participation in the EU Council of Ministers have been academically and politically analysed. The symbolic value

1 In Spain the formula was rejected by successive governments, until in 2004 the newly elected socialist government ordered the channels for implementing the possibility. The Conference for Affairs related to the European Communities agreed, on 9 December, 2004, to include a member with the rank of autonomous government councillor in the Spanish delegations for employment, social policy, health and consumer affairs, agriculture and fisheries, the environment, and education, youth and culture, to represent the ARs in affairs of their competence. This representative, as a full member of the Spanish delegation, defends the interests of the ARs in general, and is elected rotationally

of direct regional participation in the Council of Ministers (especially in the case of nation-conscious regions) is undeniable, but it is no less true that direct participation does not always automatically mean an increase in regional influence on European decisions. None of the systems used by the Member States contemplate regional participation in defence only of particular regional interests; quite to the contrary, regional participation must focus on the interests of the nation's sub-state entities as a whole, following a more or less complicated rotational system among themselves, and loyally developing the lines marked out by the different conformation models of the European position of each state. So sitting at a table is not as decisive as influencing the national position to be defended in Brussels.

### The Committee of the Regions

The Committee of the Regions (CoR) is one of the consultative organisms of the European Union. Its constitution in 1994 as a result of the Treaty of Maastricht has been the highest form of recognition of the gradual involvement of sub-state government structures in the European decision-making process: four decades after the birth of the EU, the regions of Europe finally had their own representative organism, through which they could make themselves heard directly in European decision-making centres. The CoR was originally made up of 222 effective members, with elective mandates, proposed by the Member States and officially named by the EU Council for four-year mandates. Its scope has increased as new Member States have joi-

ned; in May 2004 it grew to 317 members from 25 states, representing all sub-state government levels, including regions, provinces, counties, municipalities and districts. And as of 1 January, 2007, after Romania and Bulgaria joined, the CoR has 344 members.

Structurally, the CoR is headed by the President's Cabinet, made up of the President and several Vice-presidents. The First Vice-president is of particular importance as, according to Article 38.3 of its internal regulation, he will substitute the President if necessary. The organisation is structured around the General Secretariat and the General Assembly (in which all the members participate, and which decides on opinions, resolutions, budget and regulations, and elects officials). Two more organisms are endowed with political decisive power: the Political Bureau, which articulates the political mandate of the CoR by implementing and coordinating the work of the plenary sessions; and the Committee's six commissions (Territorial Cohesion Policy; Socioeconomic Policy; Education, Youth, Culture and Research; the Environment, Climate change and Energy; Citizenship, Governance and Institutional and Foreign Affairs; and Natural resources), responsible for preparing non-binding reports when required by the European Commission. Many offices, such as the Committee's presidency or vice-presidency, seats on the Bureau, or the presidency and vice-presidency of the different commissions, are therefore shared by the regions which make up the organisation. Furthermore, the CoR has its own administrative structure, made up of nearly a hundred officials, plus the five hundred or so it shares with the Socioeconomic Commission, all housed in the same building.

The 344 members of the CoR and their replacements are nominated by their Member States and officially named by the Council of Ministers for four-year mandates. Each country is free to choose its representatives, but it is recommended that national delegations reflect the political, geographical and regional/local diversity of the state they represent. According to the internal organisation of the different delegations, all the Belgian, German, British, Austrian and Spanish regions are represented; whilst only fourteen Italian and twelve French regions can be present during each CoR period. France and Italy each distribute their 24 places not only among their regions, but also among their cities and provinces or departments. This situation contrasts with that of Belgian regions such as Flanders and Wallonia, with six and three places respectively, Scotland with four representatives, or different German *länder* with two places, to name a few.

The main aim of the CoR is the defence of the subordination principle, which is why it has two principal functions. On one hand, it must be consulted by the EC, the Council of Ministers and the European Parliament, as to those community policies implying regional responsibilities (socioeconomic cohesion, European networks, health, education, youth and culture); on the other, it can present reports on its own initiative. The CoR originally seemed to be a stimulus for German, Belgian, Italian and Spanish presidents who were strongly in favour of a *Third Level* in Europe, representing regions and stateless nations. However, its history has been difficult and controversial, and its activities have come up against insurmountable obstacles. Not having an adequate structure or autonomous resources, it

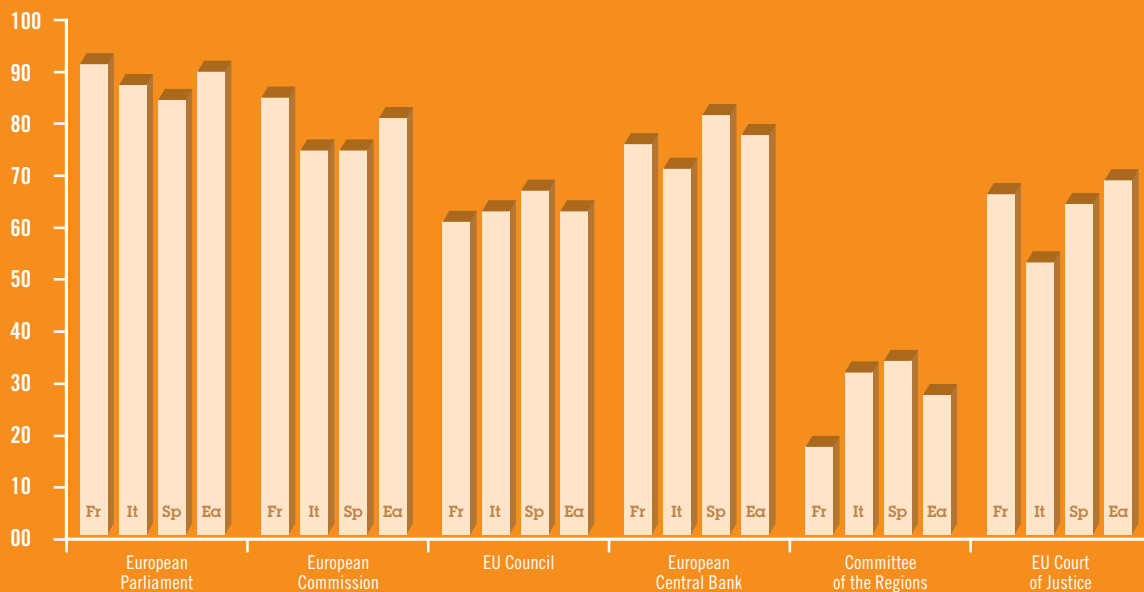
has not been able to attain real influence in European politics; it has not even been able to supply the promised democratic legitimacy to the EU, or to inform or strengthen citizen involvement. Time has shown that the CoR has very weak powers, because although it must be consulted, its decisions are not binding. Besides, its composition is too heterogeneous, from REG-LEGs with 18 million inhabitants to small local authorities, a fact which often makes it impossible to find common ground as to the future of Europe. These limitations have in fact led the Belgian regions and German *länder* to reject this participation formula, which does not respond to the possibilities offered by the Council of Ministers (Philippart, 1997).

The CoR's limitations are also reflected in its visibility, which could definitely be better, as it is practically unknown to the general public. Graph 2.4 shows how much of the population, both within the EU as a whole and in the specific cases of France, Italy and Spain, knows about the existence of the different EU institutions and organisms. The data are conclusive. Among the EU institutions and organisms analysed, the CoR is the least-known among European citizens (28%). Compare to the very popular European Parliament (90%), the European Commission (81%), or the European Central Bank (78%). At state level, there are only small differences between the different states analysed, but France and the CoR both exhibit bigger differences. Thirty-four percent of the Spanish population knows about the CoR, and 33% of the Italian, while only 17% of the French knows about it. This is probably due to France's lower degree of regional autonomy, compared to Spain or Italy.

## Graph 2.4.

### Popularity of EU organisms and institutions in France, Italy and Spain

Fr = France / It = Italy / Sp = Spain / Ea = European average



Source: From Eurobarometer 73 (2010).

Besides their popularity, we may also compare participation levels shown by the regions of these countries. As we have seen, the regions of Spain are the only ones which are guaranteed permanent participation in the CoR; furthermore, while three or four Spanish regions have traditionally been represented in the Political Bureau, only between one and three French or Italian regions have done the same. This is due to the fact that the French and Italian delegations are made up of more provincial and local representatives than the Spanish. In fact, in 2011 the ARs of Castile and Leon and Murcia have two vice-presidencies, and those of Asturias and Extremadura are members of the Political Bureau.



General interregional associations:  
REG-LEG, CALRE, AER, AEBR, ARLEM

## REG-LEG

The most important interregional association right now is the informal, recently created Conference of European Regions with Legislative Power or REG-LEG. REG-LEG was born in the First Conference of Presidents of Regions with Legislative Power, in Barcelona in November 2000, because of disappointment with the CoR, and has met every year since then. It is a chiefly political association, and its greatest success has been the 2001 Laeken Declaration, the first document to be signed by the fifteen members as they were back then; this document recognises the existence of the REG-LEGS, and gave the CoR the power to name six representatives for the European Convention, five of which belonged to REG-LEG.

At the moment, eight of the twenty-seven EU Member States have regions with legislative powers, which belong to REG-LEG: Austria, Belgium, Finland, Germany, Italy, Portugal, Spain, and the United Kingdom. Regions with legislative powers are, by definition, those sub-state entities which have their own regional Government and Parliament, and which share, at sub-state level, similar responsibilities to those taken on by Member States, in the framework of their competence areas, and within the three different levels of government: executive, legislative and judicial. The aim of REG-LEG is to increase the

role played by the regions, especially those with most powers and capacities, within the EU. This implies increasing the political and legal status of the regions with legislative powers, in each and every competence sphere of European governance (legislative, executive and judicial), in accordance with their functions and responsibilities.

As we have said, REG-LEG is an informal group. There is no formal roll; objectively, seventy-four regions from eight different EU countries have legislative powers, but the only requirement for belonging is effective participation in the annual conference. Some regions, such as Murcia or Liguria, never participate. As to the Presidency of REG-LEG, it is organised around a "troika", made up of the President of the region hosting the current conference, plus the previous and the subsequent ones. REG-LEG is also organised around a coordination committee made up of between one and four regions from each Member State; this committee is responsible for organising each year's conference and for monitoring the group's activities. Apart from mere membership, the presidency and a place on the coordination committee are symbolically important for the regions. Spain has had three presidencies (Catalonia in 2000 and 2007, and Aragon in 2010), and Italy has had two (Tuscany in 2002 and the Piedmont in 2009).

## CALRE

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The Presidents of legislative assemblies (federal parliaments) of the regions meet at the Conference of European Regional Legislative Assemblies. It is very closely related to REG-LEG in its composition, but at parliamentary, rather than executive, level. The aim of the CALRE is to consolidate the representation of regions with legislative powers within the EU.

The CALRE therefore is made up of the parliaments of the 74 regions with legislative powers, from eight member states. It includes the parliaments of the Spanish ARs, the parliaments of the Italian regions, the assemblies of the Belgian regions and communities, the parliaments of the German and Austrian *länder*, the autonomous parliament of Finland's Alland Islands, the regional assemblies of the Portuguese Madeira and Azores, and those of Scotland, Wales and Northern Ireland, from the UK. It is worth noting that there are no French regions in the CALRE, as there are none in REG-LEG.

As to structure and organisation, together with the annual presidency, CALRE has a general assembly made up of the presidents of all its member parliaments, and also an executive committee made up of eight regional presidents from the different member states which have regions in the CALRE. As we shall see is also the case in the AER, the conference presidency and each place on the committee are highly desired and sought after by the regions.

Participation and leadership in CALRE can be measured by the number of times the regions of a certain nation have had the presidency, and have subsequently hosted the annual conference. Spain has held the presidency four times (Astu-

rias in 1997, Galicia in 2000, Catalonia in 2005 and the Basque Country in 2008), and Italy has held it five times (Tuscany in 1999, Lombardy in 2003, Calabria in 2004, Veneto in 2006, and the Bolzano Province in 2010), and Abruzzo currently has the 2011 presidency.

## AER

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The Assembly of European Regions is a political organisation made up of a large number of members, which gives voice to regional claims at European and international levels. Its aim is to amalgamate the interests of European regions, giving them the chance to participate both in European integration and in the building of Europe. Within its own limits, the AER would guarantee that the interests and needs of the regions are taken into account at European level. At certain moments, it has had over three hundred members from twenty-six different countries, and twelve inter-regional organisations. Any European region with political, administrative or legal institutions can belong to the AER. That would be the difference between the AER and other organisms such as the CoR or the CALRE, in which delegates sent by the governments represent all kinds of territorial entities (regions and municipalities), according to quotas depending on the Member State. In spite of all this, surprisingly all the European regions do not belong to the AER. Some German *länder* and also some Spanish ARs have left it.

The Political Bureau is the AER's executive power. In representation of member interests, it implements the decisions of the General Assembly and executes the pertinent decisions between assemblies. Along with member status and the

presidency of one or other of the committees, places on the Political Bureau are much sought after by the different regions, no matter what State they belong to, as symbols of international interest and participation.

The AER has been a point of reference for inter-regional associations. It appeared as the “highest exponent of the institutionalisation process of interregional cooperation which started in the seventies” (Castro Ruano, 2003); its aim was to cover all sectoral needs and to become an instrument of cooperation and representation independently of the States; it was born with the intention of promoting interregional dialogue and cooperation, the effective regionalisation of Europe, the subordination principle, and the improvement of the institutional participation of the regions in the European framework. Thanks to its qualitative and quantitative differences with other associations, it soon “became the main organism of European regional representation, and also a powerful influence and pressure group not only in different supra-state organisations but also within the States”. In Basle on 4 December 1996, the General Assembly approved the Declaration on Regionalism in Europe, a political document said to be “a true Constituent Charter of European regionalisation” (Jauregui, 1997).

Unlike what has been the case in other associations, many Western European regions have decided to leave the AER over the last few years. In fact, by 2010 only 19 French regions (including associated territories), 18 Italian regions (including autonomous provinces) and, most surprisingly of all, five Spanish ARs were left in the AER. Although the AER welcomes new members every year, mostly from Central and Eastern Eu-

ropean countries, the truth is that most German and Spanish regions have left. In any case, the yearly assemblies have been held in France on seven occasions (in Alsace in 1986, 1990, 1994 and 2005; in Languedoc-Roussillon in 1997; in Rhone-Alps in 1999; and in the Franche-Comte in 2009), twice in Italy (in Campania in 2002, and in Friuli-Venice-Giulia in 2007), and three times in Spain (in Extremadura in 1992, in Catalonia in 1993, and in the Canary Islands in 2006).

#### CLRAE

The Congress of Local and Regional Authorities of the Council of Europe was originally a consultative organisation, which would be the voice of European regions and municipalities in the Council of Europe, a forum in which local and regional representatives could discuss the problems they had in common and their experiences, and make their positions clear to their national governments. The Congress is made up of 318 members and their respective replacements, divided into two chambers: that of local and that of regional authorities. The number of places per State is limited, so not all regions can be represented. Some countries such as Italy or Spain have fewer places than regions, a fact which has excluded the Piedmont or Castile-La Mancha.

The Congress elects its President rotationally, from among the members of each chamber. The committee elected by the national delegations is the executive body of the association. The presidency and vice-presidency are currently in the hands of the Austrian *länd* of Tyrol and the Spanish AR of Extremadura, respectively. The association does not hold decentralised general

assemblies but meets annually in Strasbourg. The executive committee, made up of representatives of each national delegation, meets for autumn and spring sessions together with other, sectoral committees: Institutional, Education and culture, Sustainable development, or Territorial cohesion.

## **AEBR**

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The Association of European Border Regions has the mission of representing the common interests of the border and cross-border regions before national and international authorities, and also before institutions such as the EU; and also to initiate, support and coordinate cooperation among those regions. All these tasks are done through the implementation of programmes and projects, the organisation of events or the sharing of information both with European organisations and with the public, through common campaigns. Born in 1971, it is one of the oldest interregional associations, and currently has 93 members, plus a number of associated and honorary members (including Euroregions, interregional cooperation formulae which we shall examine further on). Many Spanish, French and Italian regions are

members, especially those in the Pyrenees and the Alps, and also on the French-German border.

The AEBR's main organisations are the Executive Committee, the General Secretariat, the General Assembly and, to a lesser degree, the thematic and consultation committees. It is situated in the German town of Gronau, on the Dutch border, and now allows French, German or Spanish regions to hold office: Aquitaine, Friuli-Veneto-Giulia and Extremadura currently hold vice-presidencies. General Assemblies and annual conferences have been hosted once in Italy, twice in France and three times in Spain: Bolzano (1991), PACA (1998), Alsace (2001), Catalonia (1989), Castile and Leon (1997) and Navarre (2006).

Interregional associationism in the Mediterranean: ARLEM, CPMR's Inter-mediterranean Commission

## **CPMR'S Inter-mediterranean Commission**

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The Inter-Mediterranean Commission (IMC) of the Conference of Peripheral Maritime Regions (CPMR) was born in Andalusia in 1990. The Commission's essential aim was the defence of the interests of Mediterranean regions within the context of EU policy. The idea was to include both the territorial concept and the profile attributed to regional authorities within the framework of the Barcelona Process and of the Union for the

Mediterranean, developing pilot projects in key policies of regional impact. The IMC holds an annual general assembly, and also a yearly plenary assembly parallel to the CPMR assembly. As in the case of other interregional associations, the analysis of the presidency will tell us much about regional activism within the organisation. Recent General Assemblies have been held in France (in PACA, 2007) and Italy (in Campania, 2008, Lazio, 2009, Tuscany, 2010 and Sicily, 2011).

The Political Bureau elects its members for two years, and each nation is assured a certain number of places. During the last two year period, PACA held the Presidency, Murcia held the Vice-presidency, and the Bureau was made up also of the French regions of Corsica and Languedoc-Roussillon, the Italian regions of Friuli-Venice-Giulia, Apulia and Sicily, and the Spanish ARs of Andalusia, Balears, Catalonia and Valencia. The Commission's work has been done by seven work groups, six of which were led by one of the member regions: Valencia, PACA, Campania, Lazio, Apulia and Sardinia. All members of the IMC must also belong to the CPMR. It is currently made up of six Spanish ARs, four French and eleven Italian regions.

## ARLEM

The Euro-Mediterranean Regional and Local Assembly, ARLEM in French, is a consultative assembly whose aim is to endow the Euro-Mediterranean partnership with a double, local-regional, dimension. It was created in January 2010, and is made up of 84 European members and 16 Mediterranean partners, which it represents at local and regional levels. The association's aims mean involving the local and regional levels in the development of the Union for the Mediterranean, by carrying out specific cooperation projects that make the initiative visible and present for the citizens.

ARLEM is headed by a co-presidency in which both EU regions and their Mediterranean partners take part. The EU co-president is the current CoR president, and the Political Bureau is made up of individual regions, such as PACA and Murcia in 2010-11. There are currently four French members (Brittany, Ile de France, Languedoc-Roussillon and PACA), four Italian regions (Marches, the Piedmont, Apulia and Sicily), and four Spanish ARs (Andalusia, Balears, Catalonia and Murcia). ARLEM is made up of two committees which can have up to 41 members each: ECO-TER, the socio-economic committee for territorial issues, and SUDEV for sustainable development. The PACA region currently presides one of them.



### 2.2.2. The regional level (Medgovernance): Catalonia, PACA, Tuscany, the Piedmont, Lazio and Andalusia

#### The Committee of the Regions

As we have seen, the Committee of the Regions (CoR) comprises not only regions but also other sub-state entities such as provinces and cities. Each of the Spanish ARs has a permanent member (and a replacement) in the Assembly, but the same is not true of France or Italy. With a total 21 places on the CoR, the Spanish Government established the composition of its delegation, through a Senate motion voted on 20 October 1993, giving 17 of the 21 places on the Spanish delegation to the ARs, while the remaining four places would be taken by local and municipal authorities designated by the Spanish Federation of Municipalities and Provinces. It was decided that Spain's two largest cities, Madrid and Barcelona, should be represented in the institution, politically balanced by the inclusion also of smaller municipalities. In the case of France, of the 24 members who make up the delegation, only 12 are from the regions (so over half are unrepresented during any one period), six members belong to the departments and six are from municipalities. Similarly, only fourteen out of twenty Italian regions are assured membership on the CoR, as three places are set aside for provinces and seven for municipalities.

When analyzing the six Medgovernance regions as a whole, we have focused on their membership and their holding of relevant executive offices, during the last three periods including the current one. From 2002 to 2011, only four regions have been permanent members: Andalusia, Catalonia, the Piedmont and Lazio. Tuscany had been

a member since the beginning, but did not renew in the last mandate (after 2010), and PACA has not been a member for the last two periods. Some regions have been particularly active, and have held relevant positions such as the Vice-presidency, held by PACA between 2002 and 2005, and by the Piedmont between 2006 and 2009. The Piedmont currently has the Presidency.

#### General interregional associations: REG-LEG, CALRE, AER, AEBR

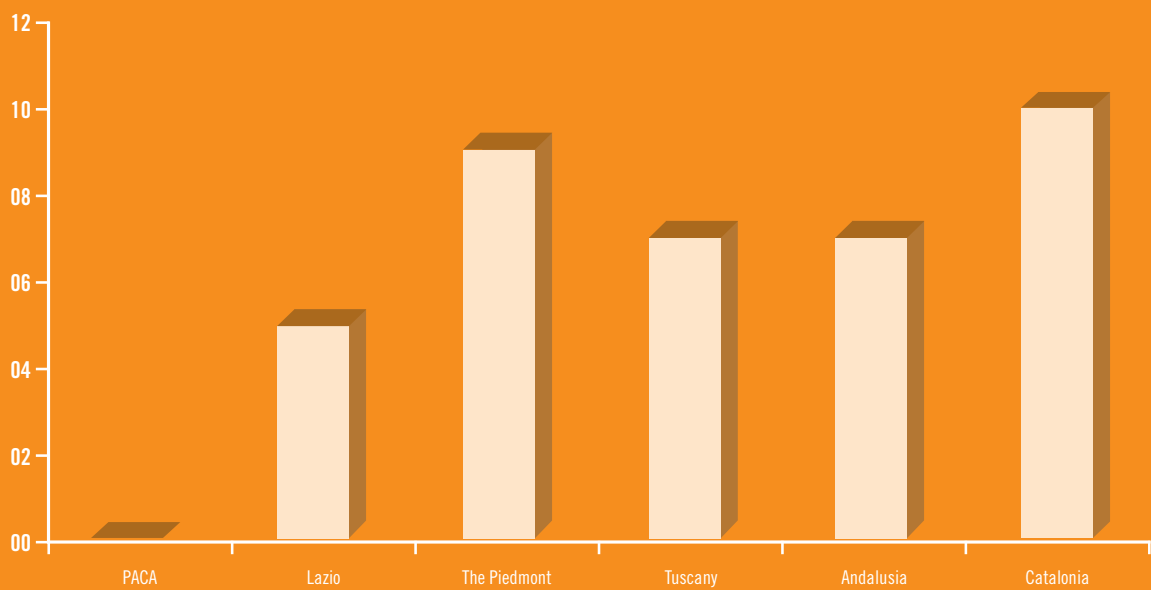
As we have seen before, none of the French regions enjoy the powers necessary to belong to REG-LEG. As to the other five regions we are analyzing, there are specific differences which are not reproduced at state level. Two different indices reveal both leadership and participation of Medgovernance regions within the REG-LEG group framework. The analysis of both indices will give us very different results for Spanish and Italian regions. Neither Lazio nor Andalusia has held the Presidency; Tuscany and the Piedmont have held it in 2002 and 2009, respectively; and Catalonia has held it twice, in 2000 and 2007. The REG-LEG presidency is held jointly by the president of the host region for the current Annual Conference, the previous one and the subsequent one. This triad of regions has always been made up of traditionally active members of the REG-LEG Coordination Committee (comprised of between one and four regions per state).

Each region's activism can also be quantified through its presence and participation on the annual summits or conferences since 2001. A different level of participation can also be measured. As shown in graph 2.5, PACA has not been able

to attend any conference; Catalonia, at the opposite end of the scale, has not missed a chance and has attended all ten of them; the Piedmont has attended nine, and Tuscany and Andalusia have attended seven.

### Graph 2.5.

Number of attendances to REG-LEG Annual Conferences (2001-2010)



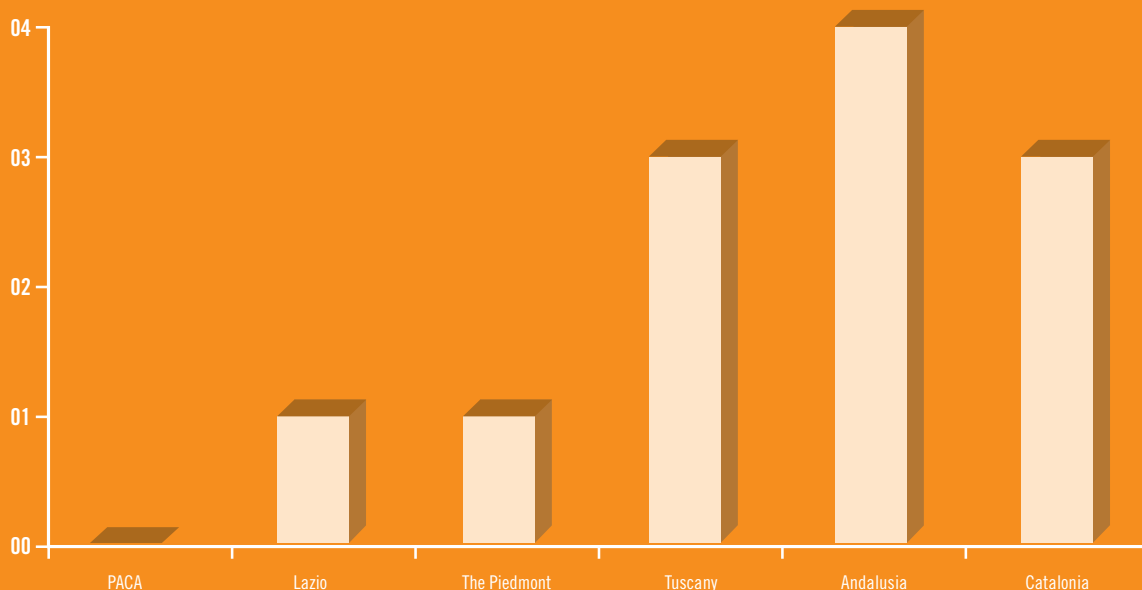
Source: Information compiled by the authors.

As to Conference of European Regional Legislative Assemblies (CALRE), two of our six regions have held the annual presidency and organised the annual conference: Tuscany in 1999 and Catalonia in 2005. Both are currently presiding one of the work groups within the association. A look at active participation of the regions in the annual CALRE conferences also leads to some interesting conclusions. Andalusia is the only region

to have attended all the most recent annual conferences, as shown in graph 2.6: Neither of the regions which have presided the conference has participated as assiduously as Andalusia, which means this AR is remarkably interested in the forum, aside from any possible positions of leadership. Participation in the CALRE is obviously not a priority for the Piedmont or Lazio; PACA is not a member.

### Graph 2.6.

Number of attendances at CALRE Annual Conferences (2006-2010)



Source: Information compiled by the authors. No information was available for 2008.



As we have already mentioned, many Western European regions have recently dropped out of the AER; but in 2010 five of the six Medgovernance regions still belonged: only PACA left the AER in 2008. Some of the regions we are looking at have turned out to be very active and very interested in this forum. Catalonia hosted the annual AER General Assembly in 1993; Andalusia has been a relevant member of the Political Bureau for quite a few years now.

CALRE plenary sessions are held in Strasbourg, so it is impossible to decentralise them in the different member regions. We must therefore use other criteria to measure relative interest in participating: specifically, we shall look into regional recent participation in the Political Bureau (Presidency and Vice-presidency) and the Executive Committee. The six regions we are analyzing have all been members of the association, except the Piedmont, which was a replacement member up to 2010. The very active Catalonia participated in a work group in 2009 and currently belongs to the Executive Committee together with PACA.

None of the six regions are particularly active in the AEBR. In the first place, some of them are not too concerned about border affairs, which only really matters to regions on the periphery of the Nation-States. Secondly, even some regions which share national borders with other regions do not take advantage of the opportunities offered by the association. Catalonia, because of its full member status and its position on the executive committee, is the only active region of the six, in this forum. Andalusia is also a member, and participates preferably together with the Portuguese regions of Algarve and Alentejo; Tuscany is currently creating a cross-border region with Corsica, which will be a member from the start. General assemblies and conferences have been hosted by Catalonia in 1989 and PACA in 1998.

### Interregional associations within the Mediterranean

As all Inter-Mediterranean Commission members must belong to the Conference of Peripheral Maritime Regions of Europe (CPMR), five of the six Medgovernance regions currently belong to the IMC: PACA, Lazio, Tuscany, Andalusia and Catalonia. The Piedmont does not. Involvement and participation can be measured by how many times each region has hosted the IMC General Assembly; some of the most recent have been hosted by Medgovernance regions: PACA (2008), Lazio (2009) and Tuscany (2010). These regions show a relatively high participation index in the IMC. In 2009-2010, the French region of PACA presided, whilst two of the seven work groups in the Commission were led by Medgovernance regions PACA and Lazio. Andalusia, Catalonia and Tuscany are members of the Political Bureau.

Five of the six Medgovernance regions (Lazio is the exception) are ARLEM members. The particularly active PACA is currently (2010-11) a Political Bureau member, and also presides one of its two committees. Another Medgovernance region, Catalonia, hosted the 2010 General Assembly.

**Table 2.1.**

Participation of Medgovernance regions in general and specifically Mediterranean sub-state associations (2011)

	PACA	Lazio	The Piedmont	Tuscany	Andalusia	Catalonia
CoR	-	Member	Member	-	Member	Member
	-	-	Presidency	-	-	-
REG-LEG	-	Member	Member	Member	Member	Member
	-	-	Committee	Committee	-	Committee
CALRE	-	Member	Member	Member	Member	Member
	-	-	-	Work group	-	Work group
AER	-	Member	Member	Member	Member	Member
	-	-	-	-	Bureau	-
CLRAE	Member	Member	-	Member	Member	Member
	Committee	-	-	-	-	Committee
IMC	Member	Member	-	Member	Member	Member
	Presidency	Work group	-	Bureau	Bureau	Bureau
ARLEM	Member	-	Member	-	Member	Member
	Bureau	-	-	-	-	-
AEBR	-	-	-	Pending	Member	Member
	-	-	-	-	-	Committee

### 2.2.3. The regional level: analysing Andalusia's case

#### The Council of Ministers and the Council Presidency

As a Spanish autonomous region, Andalusia has the right to participate directly in the EU Council of Ministers and its work groups, a right which is recognised by the Regional Representation and Participation Agreements signed on 9 December 2004, by the Conference for EU-Related Affairs (then CARCE, now CARUE). According to this agreement, the autonomous regions participate rotationally in four of the ten groups in the Council of Ministers: employment, social policy, health and consumer affairs, agriculture and fisheries, the environment, and education, youth and culture.

Although it is not an essential priority, as in the case of other Spanish regions such as Catalonia or the Basque Country, or certain European regions, Andalusia has enjoyed the opportunity of participating in the EU Council of Ministers since 2005. Like the other Spanish ARs, Andalusia has the right to attend a limited number of assemblies and work groups, rotationally, in representation of the common stance of the ARs as a whole. Due to the small number of groups open to this possibility, and the large number of sub-state entities that make up the Spanish State, Andalusia attends an average of three Council of Minister meetings and work groups a year; some years we attend up to six, but other years, such as 2009 and 2010, we have attended none. Andalusia has taken part in all ten sectoral groups except health.

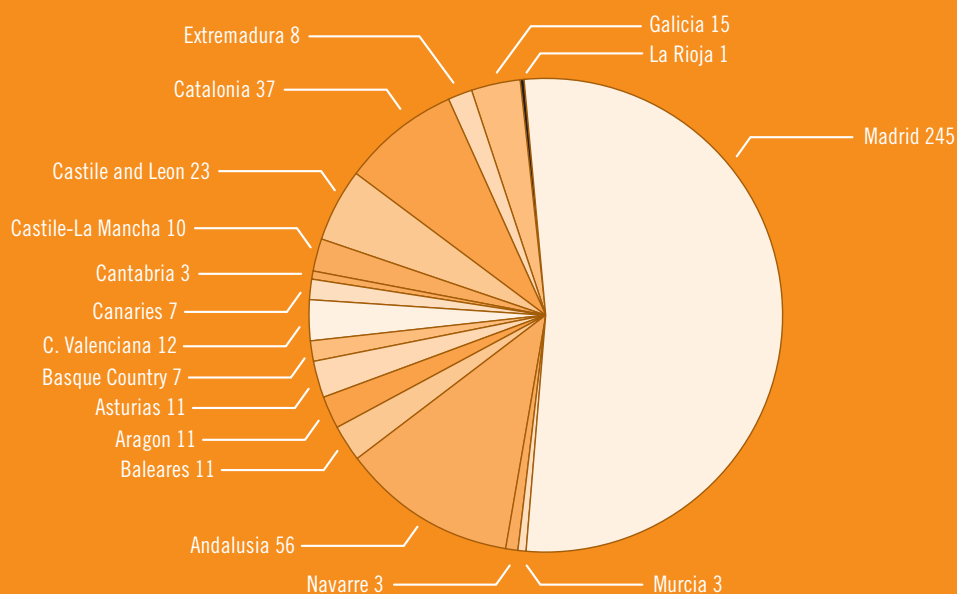
From January to June 2010, Spain held the Presidency of the Council of the European Union.

During the Spanish presidency, together with parallel non-political conferences, different ARs hosted events in which experts and officials met. Some ARs were more active than others in hosting Presidency events, a reflection of how important the EU is for each of them.

Graph 2.7 shows, from the over seven hundred events organised during the Spanish Presidency, that the Community of Madrid hosted the most events (including political meetings of member-state ministers and heads of State, and also informal political meetings, administrative-level or national expert conventions, and all kinds of conventions, seminars, work groups, and cultural activities). This is not surprising, as the Community of Madrid is strategically situated in the middle of the country, is one of the most populated, on a par with Catalonia and second to Andalusia, and is the home of national legislative, executive and judicial institutions. Similar analyses in other European countries (Dandoy, Tuñón and Joly, 2011) show the overexposure of capital cities as to events during their respective rotational national presidencies.

## Graph 2.7.

Number of events organised per autonomous region during the 2010 Spanish Presidency of the European Union Council



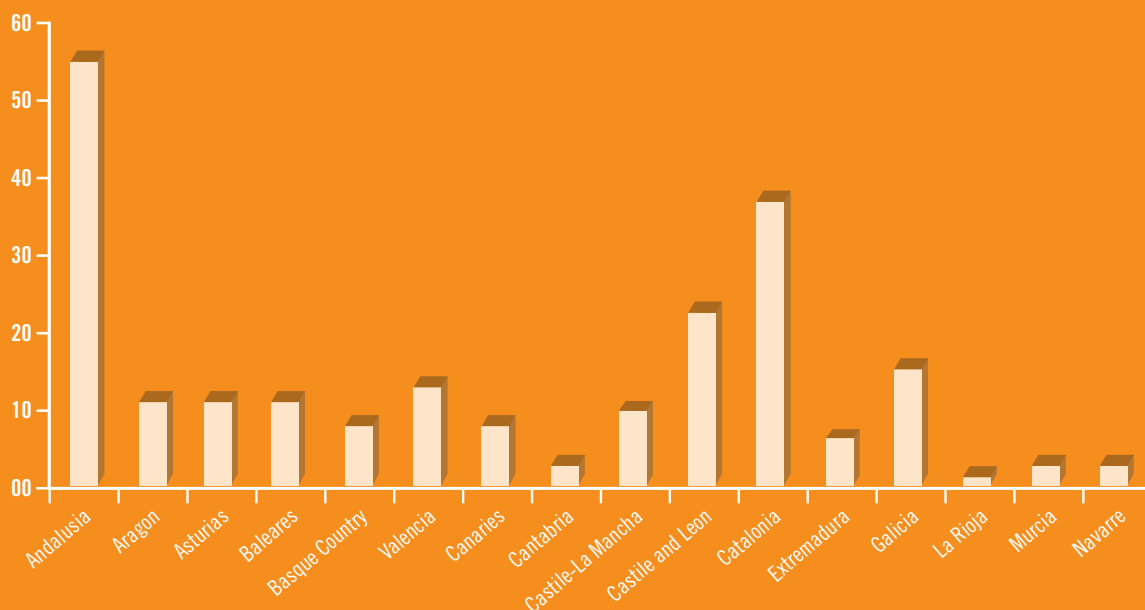
Source: Information compiled by the authors.

It would therefore be desirable to exclude Madrid, because of its status as capital city, as we have done in graph 2.8, which shows ample differences among the ARs as to regional interest and participation. Some are more active than others in hosting events. Andalusia is much more active than the rest, having hosted over a quarter, 25.7% of all events held outside Madrid, 56 in all. Catalonia is far behind, having hosted a mere 17%, and Castile and Leon hosted 10.6%. These numbers reveal that, apart from the specific and inevitable case of the Community of Madrid, Andalusia was by far the most active AR during the

2010 Spanish Presidency of the EU Council; the Presidency, the European Council of Ministers and the EU itself are clearly Andalusian priorities. It is more than a question of numbers: Andalusia is also qualitatively interested in hosting events directly related to the workings of the CoR and the AER. The CoR's Commission for Territorial Cohesion Policy met in Jaen, which also hosted a seminar on the future of Cohesion Policy in June 2010; in May 2010, also during the Spanish Presidency, the Andalusian Government hosted the Conference of the AER's European Climate Change Platform.

## Graph 2.8.

Number of events hosted per autonomous region, excluding Madrid, during the 2010 Spanish Presidency of the EU Council



Source: Information compiled by the authors.

### The Committee of the Regions

As we have said before, each Spanish autonomous region has a representative member plus a replacement in the CoR. This means that all ARs enjoy equal opportunities for participating on its six commissions, but only some of them have recently held posts of responsibility in the different CoR forums. There is no better example than the different Vice-presidencies in the last few years, held by Aragon and La Rioja in 2005, Extremadura in 2009, and currently Murcia and Castile and Leon in 2011. Participation of regional representatives in the CoR's Political Bureau has also been important: Asturias (2005,

2009, and 2011), Castile and Leon (2009) and Extremadura (2011).

As all ARs do, Andalusia has a representative member in the CoR (the President of the Junta), plus a replacement. The Andalusian President attends CoR meetings much more assiduously than most AR presidents, which would imply that the CoR is one of the most important regional participation formulae for Andalusia. Unlike other ARs, the highest regional political elite (including the President of the Andalusian Government) have proven to be concerned and involved enough, di-

rectly and personally, in this European organisation; they see that it may after all mean notoriety, visibility and influence that Andalusia cannot fail to take advantage of, so they have taken part in CoR plenary assemblies in order to defend notably important issues for the region, such as the “Leverage Effect of Structural Funds” or “Participation in the Mediterranean”, among others. Andalusia is currently participating actively as a member of the Commissions for Territorial Policy and Natural Resources.

#### General interregional associations: REG-LEG, CALRE, AER, CLRAE, AEBR

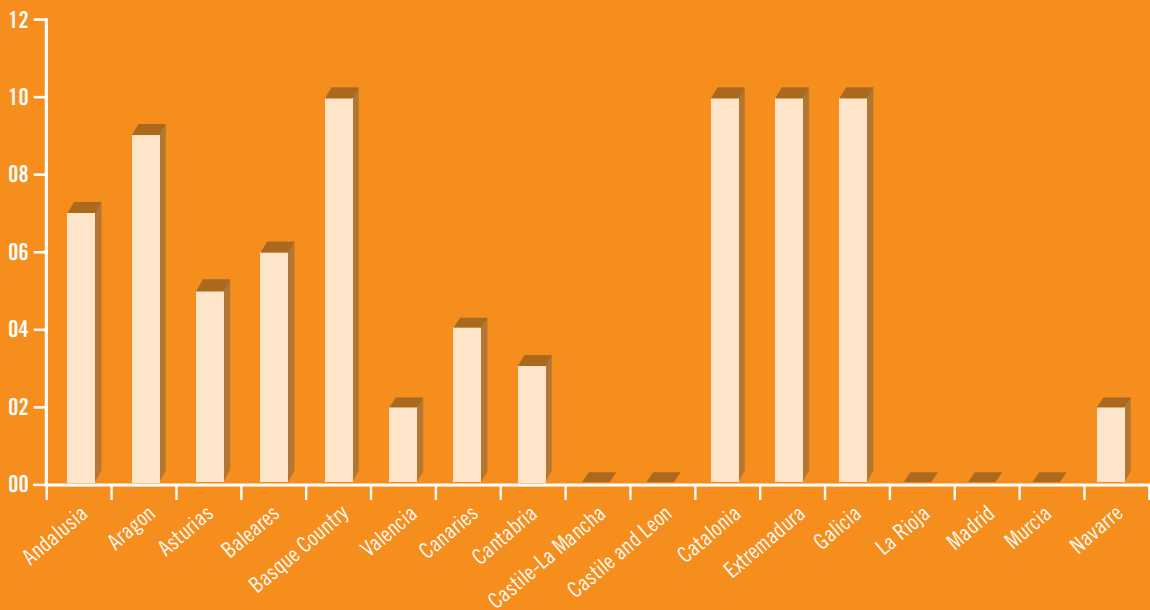
The participation of Andalusia in interregional associations has turned out to be a complementary but not basic phenomenon of regional strategy. However, although Andalusia must still cut strategically deeper and more conscientiously into interregional associations, it is true that she has never passed up a chance of participating in as many forums as possible. Andalusia is a member of the Assembly of European Regions (AER), the Congress of Local and Regional Powers of Europe (CLRPE), the Association of European Border Regions (AEBR), the Conference of Peripheral Maritime Regions of Europe (CPMRE), the Group of European Regions with Legislative Powers (REG-LEG), and the Conference of European Regional Legislative Assemblies (CALRE), to which the 74 REG-LEG Parliaments belong. Andalusia is also a member of the Association of Regions and Origin Products (AREOP), the European Networking Resources and Information concerning Cultural Heritage (ENRICH), and the European Regions for Joint Actions (EUREGA). There have also been cross-border and interregional cooperation practices, on which Andalusia has insisted even more than on interregional associations, due to different programmes derived from regional and neighbourhood EU policies.

**REG-LEG**

Involvement of Spanish ARs in REG-LEG varies greatly. Some are very active and interested, and have attended each and every annual conference; others are nominally members but have never attended a conference, as graph 2.9 shows. Some have chaired the organisation at some time, namely Catalonia (2000 and 2007) and Aragon (2010), and others have belonged to the executive committee (Extremadura, Galicia and the Basque Country).

**Graph 2.9.**

Number of attendances at REG-LEG annual conferences (2001-2010)



Source: Information compiled by the authors.

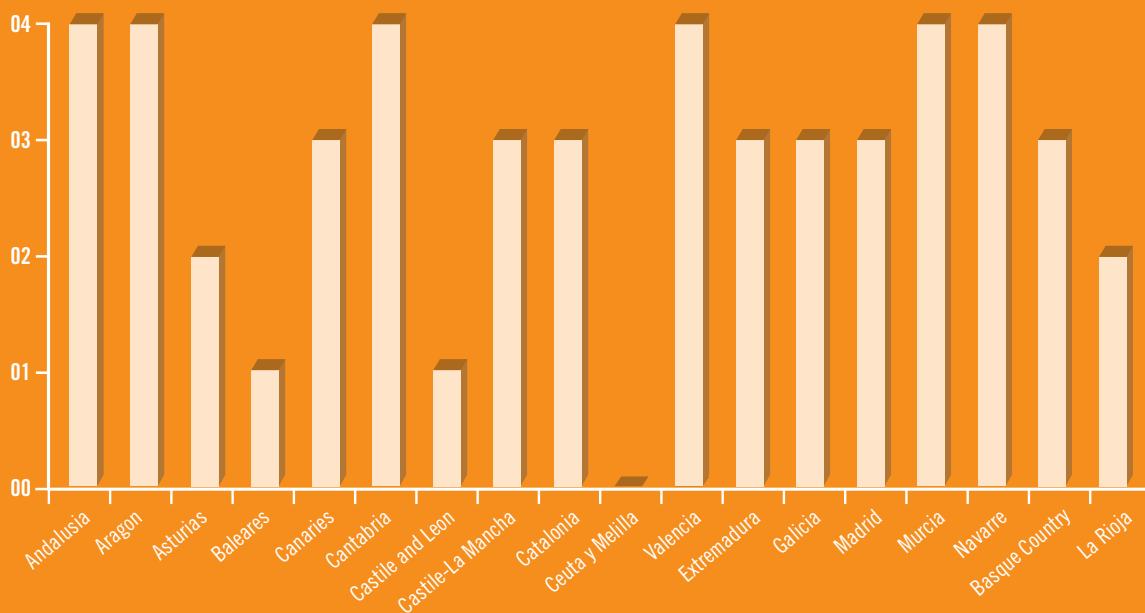
## CALRE

As we have said before, four ARs have had the opportunity to chair CALRE and host its annual conference: Asturias in 1997, Galicia in 2000, Catalonia in 2005 and the Basque Country in 2008. Some of these regions are still active in the association and head the work groups: Catalonia heads Subordination and the Basque Country leads E-democracy. In 2011, Navarre has succee-

ded Extremadura as a member of the executive committee. If we pay attention to continued and repeated participation in annual conferences, results vary, as graph 2.10 shows. Only six out of seventeen ARs have attended every annual conference: Andalusia, Aragon, Cantabria, Valencia, Murcia and Navarre); for Baleares or Castile and Leon, attendance is not a priority.

### Graph 2.10.

Attendance at annual CALRE conferences (2006-2010)



Source: Information compiled by the authors. No information was available for 2008.



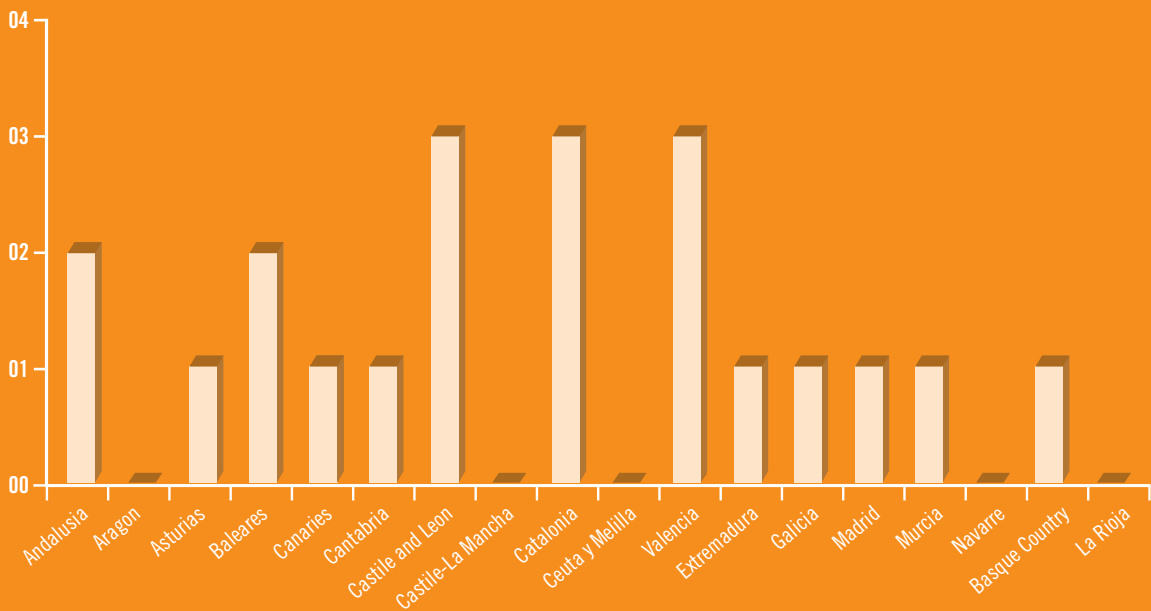
**AER**

Not all ARs belong to AER; besides, some traditional members have recently decided to leave: Galicia in 2008, or the Basque Country, Canary Islands, Cantabria and Madrid in 2006. Murcia, to the contrary, decided to join in 2009. Only five ARs are now (2011) AER members: Andalusia, Castile and Leon, Catalonia, Valencia and

the aforementioned Murcia. As we have already mentioned, the annual AER conference has been hosted by three Spanish regions: Extremadura in 1992, Catalonia in 1993 and the Canary Islands in 2006. Some ARs have held posts of responsibility in the AER, and in 2011 two of them, Valencia and Andalusia, are on the Political Bureau.

**Graph 2.11.**

Affiliation/Membership in AER in 2005, 2009 and 2011



Source: Information compiled by the authors. No information was available for 2008.

**CLRAE**

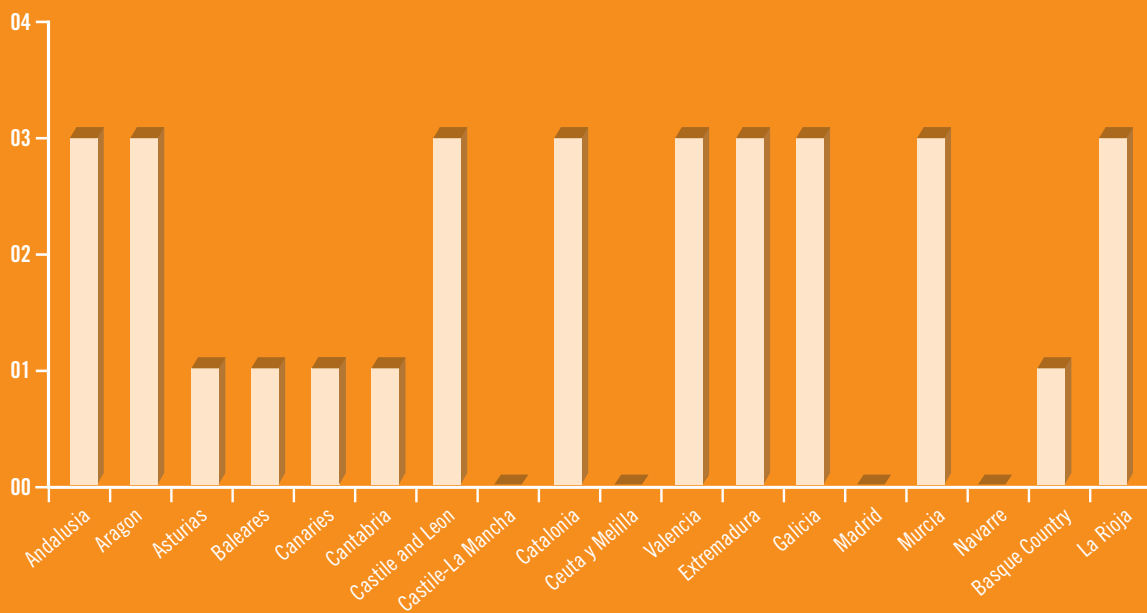
As in the case of the AER and as we have said before, not all Spanish ARs belong to CLRAE. An analysis of AR membership in CLRAE in 2005 2009 and 2011 shows differences among them; see graph 2.12. Only nine of the seventeen ARs (Andalusia as usual among them)

were members in all the periods observed. Extremadura is currently very active within the association, as it holds a vice-presidency and also a place on the executive committee together with Aragon and Catalonia among other European regions.

**Graph 2.12.**

Affiliation/Membership in CLRAE in 2005, 2009 and 2011

60



Source: Information compiled by the authors.

## **AEBR**

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Seven Spanish regions are members of the AEBR, including Andalusia, which participates because of its cross-border relations with Morocco and Portugal (the Alentejo-Algarve-Andalusia Euro-region). The Spanish regions involved in the AEBR are particularly active members; Extremadura currently holds a vice-presidency, and the six other regions are on the executive committee. Three General Assemblies and their corresponding annual conferences have been hosted by Spanish regions since the institutionalisation of these events: Catalonia in 1989, Castile and Leon in 1997 and Navarre in 2006.

## Interregional associations in the Mediterranean

### **CPMR (Inter-Mediterranean Commission)**

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Six of the seventeen Spanish ARs are members of the Inter-Mediterranean Commission of the Conference of Peripheral Maritime Regions: Andalusia, Aragon, Balears, Catalonia, Valencia and Murcia. The Commission is special for Andalusia, as it was born here in 1990. Andalusia, Balears, Catalonia and Valencia were members of the Political Bureau in 2010, and Murcia held a vice-presidency. Valencia currently heads one of the seven work groups in the Commission.

### **ARLEM**

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Four out of seventeen Spanish ARs are members of the Euro-Mediterranean Regional and Local Assembly: Andalusia, Balears, Catalonia and Murcia; the latter is currently in the Political Bureau. No Spanish region heads any of the association's committees, nor has any hosted the general assembly yet.

**Table 2.2.**

AR participation in general sub-state forums in 2011

	CoR	REG-LEG	CELRA	AER	CLRAE	ARFE
Andalusía	Member	Member	Member	Member and Bureau	Member	Member
Aragon	Member	Member and Committee	Member	-	Member Committee	Member and Committee
Asturias	Member and Bureau	Member	Member	-	-	-
Baleares	Member	Member	Member	-	-	-
Canaries	Member	Member	Member	-	-	-
Cantabria	Member	Member	Member	-	-	-
Castile and Leon	Member and Vicepresidency	Member	Member	Member	Member	Member and Committee
Castile La Mancha	Member	Member	Member	-	-	
Catalonia	Member	Member and Committee	Member and Grupo de Trabajo	Member	Member and Committee	Member and Committee
Valencia	Member	Member	Member	Member and Bureau	Member	-
Extremadura	Member and Bureau	Member and Committee	Member and Work group	-	Member, Committee and Vicepresidency	Member and Vicepresidency
Galicia	Member	Member and Committee	Member	-	Member	Member and Committee
Madrid	Member	Member	Member	-	-	-
Murcia	Member and Vicepresidency	Member	Member	Member	Member	-
Navarre	Member	Member	Member and Executive Committee	-	-	Member and Committee
Basque Country	Member	Member Committee	Member and Work group	-	Member	Member and Committee
La Rioja	Member	Member	Member	-	Member	-

Source: Information compiled by the authors.



## 2.3.

# The participation of Mediterranean regions in the multilevel governance scheme: Andalusia in the Medgovernance Project

## Andalusia in the Medgovernance Project



For the lands surrounding it, the Mediterranean Sea is a place where very diverse cultural, social and historical elements meet. The lands situated on opposite shores of the same sea present great political, administrative and economic differences, which might be obstacles for the definition and carrying out of common policies and initiatives. So diversity is admittedly a characteristic element of the area, but the fact that there have been many initiatives at regional level means that there is also the will to share strategic challenges. Having established that fact, vocationally trans-national multilevel government schemes seem particularly apt for territorial cooperation in the area. In this chapter we have amply discussed the existence of a large number of organisations and collective entities which refer to the Mediterranean as a whole, offering indisputable proof of common interests within a common physical space.

The Declaration of the CPMR's Inter-Mediterranean Commission, on "The promotion of new forms of cooperation in the Mediterranean", signed in Marseilles on 23 January, 2008, underlines

"the need to create, at different levels, more solid and balanced mechanisms for the distribution of tasks and responsibilities, so that development actions in the Mediterranean will become truly effective". The Medgovernance project, within the MED territorial cooperation project of the European Union, responds to the need of "reflecting on common regional policy within the Mediterranean". A policy which should apply multilevel governance schemes in key sectors for the development of the Mediterranean basin.

The Declaration signed by the presidents of the six Medgovernance regions (Andalusia, Catalonia, PACA, Liguria, Lazio and Tuscany) in Marseilles on 29 May, 2009, sketches the outline of this project:

- 1) As a premise, the basic idea is to reinforce institutional relations, and to promote common policies in the context of a very severe crisis. The Declaration formulates the need "for more energetic action for the promotion of regional and local development, closer to the citizens, as an expression of solidarity and the capacity for tackling poverty".

- 2) This frontispiece frames a selective strategy which turns on several common thematic hubs such as environmental innovation and protection, territorial accessibility, local economic development, and dialogue and cooperation among different peoples.
- 3) Having established the capacity shown by the signatory regions for cooperation through time, the Declaration appeals to the need for them to cooperate with the nation-States and with the European Union, and to assume an increasing role in all Mediterranean policies. In relation to this, allusion is made to the need for the regions to undertake the task of contributing to the definition of a new Mediterranean policy, in the debate on the future European budget for 2014-20.
- 4) Aware of the need for a prospective approach in the development of the tasks assumed by the project, the presidents allude to the necessity of strengthening the Mediterranean Research Institutes Network, as a way to enriching our policies, improving institutional

relations and also comparing similar experiences worldwide.

- 5) An immediate expression of the size of the challenges assumed is the fact that the project's actions do not refer geographically to the Mediterranean as a whole but to the "Western Mediterranean area". By going forward step by step, gradually, and contrasting difficulties and advances, it will later be possible to experiment with "common development strategies in the whole Basin", helping to "overcome differences and misunderstandings".

Medgovernance is thus a project born with a clearly regional vocation, concentrated on the European shores of the Western Mediterranean, and includes regions and research institutions; its plan of action is undoubtedly aimed at testing multilevel governance formulae within the European Union. The issues on which Medgovernance action is focused refer to a series of strategic questions for the Mediterranean which the signatories are particularly interested in. As a result



90<sup>th</sup> Plenary Session of the Committee of the Regions. © Committee of the Regions.

of this selective approach, the project comprises the following areas: transport, the environment, culture, immigration, competitiveness and research.

The Mediterranean Governance Report “Towards an efficient contribution of regional authorities to Euro-Mediterranean policies” (Institut de la Méditerranée, April 2010), refers expressly to the idea that “evaluating the impact of the regions and of the institutions which represent them on EU political decisions is a very difficult task. The European policy-making process is highly complex, often compared to a jigsaw puzzle, and takes place in a competitive context demanding the development of professional tools and strategies”.

Conscious of these difficulties, and moved by a firm intention of removing obstacles through regional implication in European dynamics, Andalusia has contributed relevantly in certain areas, displaying initiatives which have been materialised in specific projects, and also opening com-

munication channels with the central State (both internally and with state institutions before the Union) for issues which are of strategic interest for our Autonomous Community.

Focusing on the interest displayed by Andalusia in Medgovernance issues, and leaving a closer look at specific actions carried out in each issue for the next chapter, we now must approach the question from a general point of view, and offer the reader a summary diagnostic.

### 1. Transport

In this basic area, the Andalusian regional authorities have been particularly active, participating in the development of instruments and strategies for influencing national and European policy. In this sense, Andalusia takes part in the specific Commission of the Conference of Peripheral



Maritime Regions, which communicates fluently with the European Commission's Directorate-General for Energy and Transport (DGTREN).

## 2. Environment

Andalusia's contribution to this area is highly valuable, according to the projects and actions developed. Her high degree of involvement is favored by the fact that the design of environmental policies lies within the specifically autonomous sphere of power. Worth noting is the development of regional plans for the prevention, prediction and fighting of forest fires.

## 3. Competitivity and innovation

The general impression that regional authorities are becoming increasingly involved in the design of policies for research and innovation, most significantly in higher education, is confirmed by the case of Andalusia. Research and development policy is a priority on the Andalusian government's agenda.

From a general perspective, in the Cairo Declaration on Higher Education and Scientific Research, adopted by the First Euro-Mediterranean Ministerial Conference on Higher Education and Scientific Research (18 June 2007), Euromed partners agree to create a Euro-Mediterranean area for higher education, research and innovation. The Declaration refers especially to the following programmes: TEMPUS (higher education); the

Seventh Framework Programme for Technological Research and Development (the aim of which is to promote technological research, technology, innovation and development in cooperation with Mediterranean partners); Erasmus Mundus, with particular attention to Euromed grants for students in the associated nations).

However, potential cooperation in this area has been limited by heterogeneous educational systems, plus the fact that the European states are now immersed in different processes of adaptation of university studies to requirements derived from the European Space for Higher Education. Trans-national and cross-border cooperation has therefore not advanced much in this area.

## 4. Immigration

Within the Spanish legal order, powers regarding immigration belong exclusively to the State, so capacity for action by the ARs is scarce. This is not the case in other Medgovernance members; the Italian regions are granted ample powers by the Constitution in this area, and are therefore much more active and involved. In Spain, the central government is the key factor, responsible for designing migratory policy, and regions have little say in the matter.

This, however, has not stopped Andalusia from assuming a leading role in an essential issue related to immigration: the promotion of integration policies for immigrants residing in Andalusian territory. An expression of institutional sensitivity

towards this question is the existence of the Directorate-General for Migratory Policies (originally within the Presidency Department, and now in the Employment Department), and also the drafting of the Andalusian Government's Integral Immigration Plan, which coordinates all policies concerning foreign workers and their families.

## 5. Culture

Andalusia's long tradition and fruitful experience in cultural affairs are determining factors in the Junta's involvement in the Medgovernance project. The AR's exclusive legal competence in this area, plus its proven administrative capability for managing the considerable available resources, have resulted in diverse sectoral projects of Euro-Mediterranean scope.

As a counterpoint to this proven capability on the part of Andalusia, past actions underline a contrasting fact: the need to define a general cultural strategy at a European level, based on specialised thematic networks.

When evaluating practical Medgovernance action from the Andalusian standpoint, the Andalusian Government officials interviewed all pointed out that after an initial impulse during the stage immediately following its birth, interest in the project has tended to decrease gradually. The reason for this decrease is the non-continuance of the regional political personalities who were present at the outset; this has limited the possibility of proceeding to a globally defined strategy for the affairs concerned in the project.

However, the large number of projects in which Andalusia has been involved together with other

partners, shows the region's undoubtedly strong Mediterranean vocation.

Most of the officials we interviewed underlined the need to improve internal coordination of European, including Medgovernance, initiatives and projects. A direct expression of Andalusia's active commitment in this sense is the Andalusian Observatory for Territorial Cooperation (OCTA), a project of the General Secretariat for Foreign Action of the Presidency Department, approved within the 2007-2013 ERDF Operative Programme for Andalusia and financed by the European Regional Development Fund (ERDF). OCTA is a pioneer experiment, motivated by an institutional consciousness as to the need of a better vehiculation of information on sectoral projects and initiatives, with the participation of the different departments in matters of European territorial cooperation and neighbourhood. Together with the coordination function, OCTA also works on assessment, publication, information and evaluation.

Another important question, which has come up in the interviews with high-ranking administrative officials of our AR, is the need to find think tanks in Andalusia which will assume a leading role in research and reflection processes, in matters of multilevel governance in general and its application to the Mediterranean in particular. We must bear in mind that the formulation of proposals for the promotion of regional participation in European dynamics focused on the Mediterranean, and also the evaluation of comparable multilevel governance experiences in other geographical enclaves, are seen as challenges for the Medgovernance project. This reflection has been assumed in fact by the Network of Mediterranean Institutes (RIM) (a Medgovernance partner), whose individual components have carried out noteworthy prospective and analytical reports.



## 2.4. XX

# Possibilities for new territorial cooperation schemes and their applicability in the Mediterranean area

XX

Bearing in mind the different cooperation dynamics concurring in the European area, in this sub-chapter we propose to focus on analyzing the essential features inherent to certain current cooperation schemes, and then calibrate their potential applicability to the Mediterranean, and also the degree of empathy with Andalusia's participative vocation. We must point out that we have decided to be selective in carrying out the proposed exploration task, and have focused our analysis on three specific cooperation mechanisms:

(1) In the first place we shall refer to the most deeply rooted type of regional cooperation in the European Union, one of the most efficient, preferred frameworks for channeling cooperation dynamics among cross-border

territories. We are referring, of course, to the Euroregion.

(2) We shall then study the European Grouping for Territorial Cooperation (EGTC), created in 2006, and which offers formal normative support for different modes of territorial cooperation, but is not necessarily limited to being cross-border or interregional, but can be both at the same time.

(3) We shall finally analyze the novel idea of "macroregion", a scantily formalised, large-scale transnational type of cross-border cooperation. We shall take a close look at the two macroregions currently in existence: the Baltic and the Danube.

### 2.4.1. The maintenance and potentiation of Euroregions as paradigmatic expressions of cross-border cooperation

Within the context of European cooperative dynamics, the Euroregion concept merits a close look as a noteworthy expression of cross-border cooperation. This cooperative instrument has several different names (working communities or regions, for example), is deeply rooted in European life, originating in the late fifties with the birth of Euregio, made up of regions on the German-Dutch border. Recent studies have shown that Euroregions are extraordinarily vigorous today, and have doubled in number over the last decade. Structural funding in general and INTERREG in particular have played a leading role in the impulse of cross-border cooperation, enhancing the creation of management units governed by regional and local authorities around common development strategies. Territorial cohesion, of prime interest for European politics, is the main goal and axis for cooperation, and the reason for overcoming socioeconomic differences which concur in cross-border regions.

The Euroregion, in its context of reference, is an expression of the will of the authorities of contiguous territories, separated by state frontiers, to apply common strategies to the management of European programmes and initiatives merging in a certain geographical area (Perkmann, 2003). Cooperation is thus aimed at solving problems caused by malfunctions due precisely to the existence of the frontier (Oliveras and Durà, 2010).

Although Euroregions do not answer to a single pattern, and display specific, differentiating fea-

tures which in practice greatly enrich the whole concept, it is possible to point out certain basic characteristics which are common denominators in all of them. In the first place, although we must stress that the Euroregion does not imply the creation of a new institutional structure or a new administrative level, it does undeniably bring something different with it: the “working community”, which embodies the strategic cooperative agreement signed by the corresponding authorities. The powers belonging initially to those authorities are transferred by the cooperation convention to the working community, whose own organisms are attributed and distributed specific functions and competences of different kinds.

As we have said, the will to constitute a Euroregion corresponds to sub-state, regional and local authorities, which subscribe agreements with other territorial units across the state border. Does this mean it is an international activity? In order to answer this question, we must bear in mind that, from a legal standpoint, these cooperative initiatives are not included in the sphere of international relations which, as is well known, are usually set aside for the central (state) government by the Constitution; so agreements signed by local and regional entities do not rank as international treaties or conventions. Plainly, this is a cooperative activity carried out by territories both sides of a border, not an expression of the sovereign will which must be present in international relations. But the truth is that, the

sphere of sub-state entities is substantially transformed, as they transfer the exercise of their own powers to an entity (the working community) which operates beyond their own territory, in a space defined by ignoring the border.

But it must be stressed that, as we said before, the Euroregion is not endowed with political competences (it is not a new level of government), as its genetic configuration aims essentially at carrying out management-related tasks: it is a strategic actor. The working community from its birth is markedly practical, a mechanism for solving problems requiring joint, coordinated action in a territory seen as common, though politically separated by the state frontier, and in which cohesion as a goal is decisive. So the Euroregion articulates spaces for multilevel cooperation (governance), with the aim of facilitating the adoption of joint decisions in relation to European programmes and projects which each authority must apply according to its powers and resources (Morata, 2009). Thus, the working community is not endowed with political powers of decision, but operates on a different level. This rational management profile, and focus on the application of resources, are precisely what make the Euroregion so potentially functional. In practice, however, the achievement of those aims depends directly on the possibility of involving socio-economic stakeholders in facing the challenge. The impulse from the public structures is a necessary condition for the Euroregion to start moving, but it is not enough: both governance planes (the vertical, which refers to the administrative levels involved, and the horizontal, which refers to the socioeconomic stakeholders), must work together, producing feedback, in a relationship requiring continuous cooperation and the will to improve.

A good example is the case of cross-border cooperation between Andalusia and the Portuguese regions of Algarve and Alentejo, in the INTE-RREG framework. The fact that the two bilateral experiences (Andalusia/Algarve and Andalusia/Alentejo) have recently been fused together into the Alentejo-Algarve-Andalusia Euroregion (May, 2010) is indisputable proof of the vigour of cooperative culture in Andalusia.

The cross-border cooperation convention, by which the Alentejo-Algarve-Andalusia Euroregion<sup>2</sup> working community was born, reflects the need to work harder at cooperative dynamics, a basic instrument for participating jointly in European programmes and actions. In this sense, the positive experience accumulated over the last 20 years by Andalusia and both Portuguese partners is an encouragement to keep working at cooperation, trying to give it a new dimension which will get better results and, at the same time, adapt it to changes undergone in the legal, economic and institutional frameworks at European, national and regional level. This conquering spirit makes the new threefold community (which is, in the words of a high ranking Andalusian Government official, an expression of second-generation cooperation) a big step forward, as it coincides territorially with that established by the European programmes for cross-border cooperation which finance most cross-border projects for this area (POCTranfr Andalucía-Algarve-Alentejo: POC-TEP, 2007). It is also steeped in the will to apply macro-strategies in its territory which are the expression of the need to put European and regional funds "at the service of planning", in the words of the Andalusian Government official. As a cross-border cooperation project it is therefore better and more advanced than previous experiences.

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2 The convention was signed on 5 May, 2010, in the Portuguese town of Faro, by the President of the Andalusian Government, the President of the Alentejo Commission for Regional Coordination and Development, and the President of the Algarve Commission for Regional Coordination and Development. It was published in the Spanish Official State Bulletin on 9 July of the same year.

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The Alentejo-Algarve-Andalusia Euroregion Working Community (according to the 2002 Valencia Treaty between Spain and Portugal, for cross-border cooperation between territorial entities), is defined as different from the governments which agree on its constitution, but lacking in jurisdictional personality (Article 1.1 of the Convention). The Community is endowed with its own organisational structure, around the following: President and Vice-presidents, Council, Coordination committee, Sectoral committees, and Secretariat. It also has an autonomous budget.

As to the exercise of functions assigned to the Working Community, the Convention leaves no loophole for indetermination, as it expressly forbids the making of decisions which might suppose the exercise of administrative functions which internal law attributes to the members of the Community, and also the making of decisions which correspond to third parties (Article 5).

Article 3, while respecting these insurmountable limits, attributes the following to the Euroregion:

- a) The promotion of the interchange of information, and the study of matters of common interest.
- b) The promotion and coordination of initiatives, projects and actions for cooperation and the interchange of experiences.
- c) The preparation of joint programmes, projects and proposals that might benefit from European funding.
- d) The promotion of cooperation and coordination among agents, structures and public and private entities that might contribute to the development of their respective border regions.
- e) The execution of tasks within territorial cooperation programmes or any other kind of instrument accepted by the Spanish and Portuguese States.

We must pay particular attention to the sphere of cooperation, within the framework defined by law as belonging to the regions (Article 4): promotion of competitiveness and employment; national heritage and the natural environment; promotion of socioeconomic cooperation and integration. The principle of coordination, which must necessarily rule the administrations involved in the actions carried out by the Working Community, can be extended to other Working Communities along the Spanish-Portuguese border (Article 15), as long as it is limited to the aforementioned spheres.

The Alentejo-Algarve-Andalusia Euroregion Working Community was constituted for a period of ten years, but the signatories have the option of endowing it with “the legal form of a European Grouping for Territorial Cooperation (EGTC)” (Article 16). This makes way for a possible third stage in the cooperation trajectory established among the three regions: originally, cooperation was more fragmentary and scantily formalised legally (two working communities); it is now avowedly more intense and pools initiatives which are common to the three regions and are managed by a single tripartite working community. The Extremadura-Alentejo Working Community is a similar case, constituted in 1991 and which joined Central Portugal to become the EUROACE Euroregion in 2009.

The agreement, by which the Alentejo-Algarve-Andalusia Euroregion was founded, leaves the door open for cooperation to crystallize at the maximum degree of legal formalisation and institutional visibility, within the current European framework: the EGTC. The founders of the Euroregion thus identified themselves with the trend shown by other similar experiences which have eventually become EGTCs.

In effect, certain Euroregions have dropped their status to become EGTCs, as an expression of reinforced cooperation, with a higher degree of

institutionalisation and legal formalisation. Because of their Mediterranean connection, and also because of the fact that one or other of the Medgovernance regions is part of them, we shall mention the following examples:

- 1) The Spanish-French Pyrenees-Mediterranean Euroregion, made up of the ARs Catalonia, Aragon and Balearic Islands, and the French regions of Midi-Pyrenees and Languedoc-Roussillon, was constituted in 2004 and became an EGTC through the agreement subscribed four years later (3 December 2008) by the territorial governments.
- 2) The French-Italian Alps-Mediterranean Euroregion, made up of the French regions of Provence-Alps-Côte d'Azur (PACA) and Rhone-Alps, and the Italian regions of Liguria, Aosta Valley and the Piedmont, which after a brief time of cooperation which started in 2005, became an EGTC in 2008.
- 3) On a much larger territorial scope, involving geographical areas adjacent to European Union borders, we have the Alpe-Adria Working Community (originally created as the Working Community of the Eastern Alpine Regions, in 1978), made up of several Italian regions (Veneto, Friuli-Venice-Giulia, Lombardy), Hungarian regions (Vas and Baranda), Austrian *länder* (Carinthia, Styria and Burgenland), plus the States of Croatia and Slovenia. As an expression of the will to reinforce the experience of cooperation accumulated over the years, the Alpe-Adria Working Community is now in the process of becoming an EGTC.

Other similar cases are the following:

- 1) The Spanish, Portuguese-oriented case: the Northern Portuguese-Galician Working Community was created by agreement in 1991 and became an EGTC on 23 October, 2008.
- 2) The Austrian *länd* of Tyrol and the Italian autonomous provinces of Bolzano and Trentino-Alto Adigio make up the trans-Alpine Euroregion created in 1998, and had expressed the wish to become an EGTC in 2008, pending its definitive formalisation as the "Tyrol-Trentino-Alto Adigio Euregio".

All the above should make us wonder about the potential usefulness of the Euroregion in the Mediterranean, as a tool applicable to cooperation dynamics. Its usefulness is obvious in cross-border territories belonging to the European Union, especially as there is already long experience in the matter. From the standpoint of wider cross-border cooperation, also including lands on the southern shore, with special attention to Morocco, the creation of cooperative networks, interconnected through common goals and in favour of cohesion, seems a fruitful and very attractive formula. Once it has proven to be strategically efficient, it also offers the future possibility of creating EGTCs as a formal expression of territorial cooperation.





### 2.4.2. The European Grouping for Territorial Cooperation (EGTC): Confidence in permanent, highly formalized cooperation

This is a very recent mode of cooperation in the European sphere, having been introduced in Union law by Regulation (EC) n° 1082/2006, dated 5 July 2006, of the European Parliament and of the Council, regarding the European Grouping for Territorial Cooperation (EGTC). The creation of this entity is inspired in the will to overcome certain organisational difficulties detected in the system of cross-border cooperation, which was then ruled by the regulation on structural funding. In the context of an extended Union, the EGTC is an expression of strong, not merely circumstantial institutional commitment (Morata, 2009), and responds to the need for designing a new legal instrument which will be useful for managing the substantial increase in economic resources dedicated to territorial cooperation, through the European Regional Development Fund (ERDF), the European Social Fund (ESF), and the Cohesion Fund (CF) in the 2007-2013 budget. In this context, the EGTC is a newly-minted legal instrument whose aim is to overcome the difficulties which, because of the diversity of national legislations and procedures, must be faced both by Member States and regional and local entities in the tasks inherent to territorial cooperation (Janer, 2009).

The EGTC therefore turns around three basic hubs (Article 1, Regulation 1082/2006):

- a) It means a new stage in inter-territorial cooperation, as it covers not only cross-border but also interregional and trans-national modes of cooperation.

- b) Cooperative will give birth to a grouping of territorial entities endowed with legal personality, recognised by each of the Member States as having “the most ample capacity for action recognised by that Member State for legal entities”.
- c) Its only aim is to “reinforce socioeconomic cohesion” (article 175 of the Treaty on the Functioning of the European Union), through the “management and execution of territorial cooperation programmes or projects co-financed by the Community, especially through the European Regional Development Fund (ERDF), the European Social Fund (ESF), and the Cohesion Fund (CF)” (Article 7.3).

As to the entities recognised as subjectively capable of belonging to an EGTC, the Regulation presents an ample, varied approach, the possible stakeholders being, according to Article 3.1: a) Member States; b) regional authorities; c) local authorities; d) organisations ruled by public law. Any combination among these is possible in order to constitute a Grouping, on one condition (Article 3.2): “The EGTC will be made up of members situated in the territory of at least two Member States”. This means cooperation must necessarily present a geometrically variable trans-national dimension, whose minimum threshold is two participating subjects situated in different Member States.

There is the very interesting possibility of the EGTC’s not being of exclusively European iden-

tity, that is, of including stakeholders situated outside Union territory. The regulation itself opens the door to this possibility. The content of the 16th *whereas*, preceding the articles themselves, leaves no doubt about it: “the adoption of a community measure making it possible to create an EGTC must not exclude the participation of entities from third countries in an EGTC created under the present Regulation, if allowed by the legislation of a third country or by agreements between Member States and third countries”. So if territorial entities outside the Union find no internal obstacles to belonging to an EGTC, there will be no obstacles on the European side either. The adjective “European” applied to the territorial cooperation grouping does not therefore necessarily mean that all members are European: it would be theoretically possible to create an EGTC including territories situated on the Southern Mediterranean shore; for example, an EGTC made up of Andalusia and a region or local entity situated in the north of Morocco, as long as Moroccan legislation does not forbid it.

Going further into this hypothesis, we must bear in mind that the foreign dimension of initiatives for territorial cooperation with entities in other countries is also present in the European Neighbourhood Policy (ENP) and the European Neighbourhood and Partnership Instrument (ENPI), whose aim is to “support cross-border cooperation through joint local initiatives in order to promote sustainable economic, social and environmental development in border regions and integrated territorial development along the outer borders of the Community”. The ENPI thus gives great relevance to cross-border initiatives between Member States and partners outside the EU, in order to create an area of prosperity

and good neighbourhood. ERDF regulation also includes a reference to this kind of possibility (Article 21.3): “As to cross-border, transnational and interregional cooperation, the ERDF may finance expenditure incurred in implementing projects or parts of projects on the territory outside the European Community up to a limit of 10% of the amount of its contribution to the Operational Programme (10% flexibility rule), where they are for the benefit of the regions of the Community”.

Regarding the functions that may be deployed by the EGTC, the Regulation alludes, as a determining element, to the will expressed by its partners in the convention through which it is created, but always with a view to the goal which moves the existence of the EGTC: the reinforcement of socioeconomic cohesion through territorial cooperation. However, this attributive capacity runs up against an insurmountable obstacle: the respect due to the competence area which, according to each internal law, corresponds to the entities participating in the EGTC (article 7.2 Regulation 1082/2006). Plainly speaking, this means that the EGTC cannot assume functions against the internal law of the nations involved. So the principle of institutional autonomy ruling European Union action, based on the respect due to the internal organisation and structure of the Member States, is formally intact. However, from a practical standpoint, the imposition of a minimum common denominator determined by each internal law limits the framework of potential EGTC capacities.

From the standpoint of its content, and with the aim of limiting any possible loopholes, the regulation adds (article 7.3): “EGTC functions will be mainly limited to the execution of territorial cooperation projects or programmes financed by

the Community, particularly by the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund. EGTCs may execute other specific actions of territorial cooperation among its partners, within the framework referred to in article 1, section 2, with or without Community financing”.

At this point we must go into a question of capital importance: access to funds linked to cohesion policy does not, in any way, depend on the

creation of an EGTC, as the subjects receiving these financial resources are free to manage them individually or in coordination with other entities; they can commend the task to an organisation created especially for the occasion, endowed with legal personality, or assign it to a different type of structure. As we shall see, the Euroregion is an excellent example of cross-border cooperative dynamics apart from the mechanism analyzed here. Nonetheless, we must underline the practical advantages of creating a figure endowed with



its own legal personality, with capacities for managing funds, autonomously and independently from the entities involved (Janer, 2010).

Once we have sketched the outline of EGTCs, the Committee of the Regions (CoR) has recently pointed out (2011) that they are not working at full capacity according to the functions they were created for; only a small number of EGTCs are managing territorial cooperation projects or programmes financed with Community funds. Quite to the contrary, most of them are executing other territorial cooperation actions, without EU financing, according to article 7.3 of Regulation 1086/2006 (CoR, 2011). The requirement of respecting the national regulation frameworks of participating entities (with the obvious problems derived from concurrent institutional asymmetries) has turned out to be a handicap which has stopped the groupings from deploying the original functions they were conceived for. The regulations must therefore be changed, in order to open normative spaces incorporating greater degrees of flexibility in the mechanism.

These operative difficulties have certainly not been an obstacle for Spain, whose regional and local entities have proven to be particularly prolific in the creation of EGTCs. Cross-border cooperation is clearly the favourite option, as only one transnational EGTC has been created: ARCHIMED (Archipelago-Mediterranean), made up of Mediterranean insular territories: the ARs Balears and Catalonia, the regions of Sicily and Sardinia, and a public organism based in Cyprus; cooperation with Portugal and France is predominant, as shown in Tables 2.3 and 2.4.

Anfizonia, a Mediterranean EGTC in which Spain does not however take part, was created in 2008 by municipalities in Italy, France, Greece and Cyprus. The Bouches de Bonifacio Marine Park EGTC, made up of the Nature Reserve of that name, in Corsica, and the Arcipelago di la Maddalena in Sardinia, have yet to be definitely approved.

**Table 2.3.**

Spanish-Portuguese EGTCs (functioning, constituted or in process of constitution)

Name	States	ARs and Regions	Local Entities	Other Public Entities
Galicia-Northern Portugal		x		
Duero-Douro			x	
ZAS-NET			x	
Euroregional Development Agency do Eixo Atlántico (EDAEA)			x	
Iberian Pyrite Belt EGTC			x	
Chaves-Verín Eurocity			x	

Source: Information compiled by the authors.

**Table 2.4.**

Spanish-French EGTCs (functioning, constituted or in process of constitution)

Name	States	ARs and Regions	Local Entities	Other Public Entities
Pyrenees- Mediterranean		x		
Pyrenees-Sardinia			x	
Cross-border Catalonian Eurodistrict		x	x	x
Portalet space		x		
Cerdanya Hospital	x	x		x

Source: Information compiled by the authors.

Having arrived at this point, it is time to wonder if the EGTC formula is ideal for implantation at Mediterranean scale. In order to answer systematically, we shall distinguish groupings constituted by Member States from those including entities in third countries. In the first case (exclusively European EGTCs), the cooperative potential is indisputable, especially under a geographically selective approach limiting the field of action to specific areas (the Western Mediterranean, or the Adriatic-Ionian, for example). This strategy optimises the ignition of joint actions based on previously individualised common interests, whose management requires an inclusive approach. In this sense, we must highlight the fact that cross-border cooperation now tends towards the EGTC, rather than the traditional Working Community. From a more ambitious standpoint, with a projection for future application, we must not lose sight of the added value that would derive from using the EGTC as a mechanism for channeling macroregional strategies, thus endowing the commitment of jointly managing common

policy with a specific legal framework (METIS Document, 2010).

As to EGTCs which include third-country entities, the recommendations formulated by the Committee of the Regions for revising the pertinent regulation refer expressly to the need of promoting their participation, through the regulations referred to the Pre-Adhesion Instrument (PAI) and the European Neighbourhood and Partnership Instrument (ENPI). This possibility, which would in practice endow the EGTC with extraordinary potential in the intensification and extension of cooperative culture, runs up however against the not irrelevant obstacle (which also appears in EGTCs made up solely of European partners) of needing to adjust to the law of each State. From this point of view, the success of the hypothesis depends on the effective commitment assumed by the partners, of proceeding to adapt their legal frameworks, giving leeway where needed to the capacity for action which should correspond to the EGTC in the exercise of its functions.



### 2.4.3. The macroregion. The Baltic and Danube experiences. Possible applicability in the Mediterranean

The Communiqué on the EU Strategy for the Baltic Sea Region (2009) defines the macroregion (which lacks legal formality in any European regulation) as “a space including associated territories in several different countries or regions, with one or more common geographical, cultural, economic or other features or challenges”.

The term thus refers to a geographically flexible area, which is articulated and acquires physicality through essentially functional criteria: it does not prejudice administrative or political competences as to its member territories, nor does it presuppose or require any certain institutional organisation of the entities it is made up of.

## Map 2.1.

### Baltic Sea Strategy



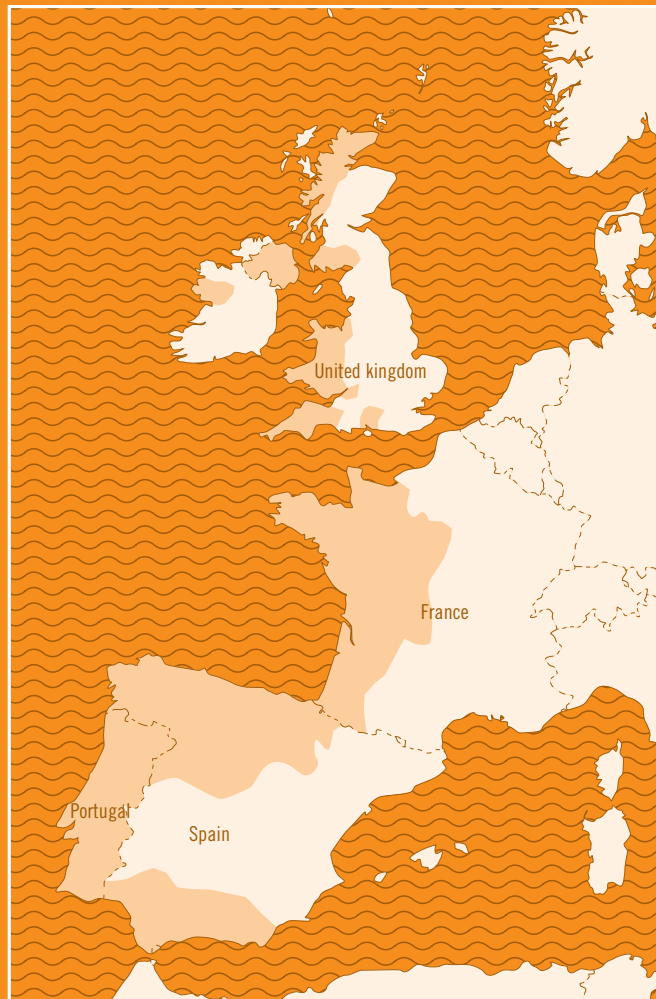
Source: Information compiled by the authors.

As has been aptly highlighted (Stocchiero, 2010), the macroregion idea implies that cross-border territories are conscious of common challenges and opportunities whose effective management requires joint action. Similarly, the Socioeconomic European Committee (2009), referring to the Baltic Sea but applicably to other areas, stresses the need

to “intensify and make more effective the coordination between the European Commission, Member States, regions, local entities and other parties interested in achieving more efficient application of programmes and policies”. It is therefore an expression of the will to cooperate in order to optimise the management of common problems.

## Map 2.2.

### Atlantic Ocean Strategy



Source: Andrés de Urdaneta Basque Geographical Institute website.

The effective expression of initiatives of this kind within the European Union centres today on two geographical areas: the Baltic (Germany, Denmark, Estonia, Finland, Latvia, Lithuania, Poland and Sweden), and the Danube (Germany —Baden, Württemberg and Bavaria—, Austria, Slovakia, Czech Republic, Hungary, Slovenia, Rumania and Bulgaria). Still pending its coming into effect (the European Commission was expected to present its communiqué in June 2011), we must refer to the existence of an initiative for the articulation of a macroregional strategy in the Atlantic area (Ireland, the United Kingdom, France, Spain and Portugal), which is being channeled basically by the Arc Latin Commission of the CPMR.

Lacking a legal framework, the specific profiles defining the macroregion must be studied by referring necessarily to the different documents generated by European institutions, especially the Commission, which channels the configuration, development and implementation process. From an applicative standpoint, the Baltic Macroregion has a privileged position, not only as a pioneer, because it was the first to be created, but also because, by observing its experience from the outset, it is possible to detect inherent strengths and weaknesses. The Danube Strategy, approved by the EC in 2010, is still just taking off, and is congenitally much more heterogeneous, in its component members, than its predecessor.



Once we have focused our analysis within its parameters, our first consideration as to the macro-region is its commitment to the aim of territorial cohesion pursued by the Union's Regional Policy (EC, 2009). The functional strategy, implied by its creation, in turn implies the need for both the Union and the States to identify what needs must be jointly dealt with, and then to proceed to adapting them to the available resources. Macroregional strategy is essentially internal, as it is "directed towards the European Union and its member states". However, as the Commission itself stated in the Baltic case, this question is not closed, as "the efficacy of some of the proposed actions will increase, if constructive cooperation continues with interested third countries in the area". The macroregion's functional character,

aimed at designing joint strategies for common affairs, is vital in openly formulating, for the Baltic, the need for "close cooperation between the EU and Russia in order to deal jointly with many regional challenges. The same need for constructive cooperation is also applicable to Norway and Belarus" (EC, 2009). As to the Danube, as we said before, the necessary involvement of third countries seems a necessary condition for optimising the strategy, given the diversity of countries and regions in the area. Along with the Union states, then, the Commission says expressly that "the strategy is open to other partners in the region", in allusion to Croatia, Serbia, Bosnia-Herzegovina, Montenegro, Moldavia and Ukraine (Danube regions) on one hand and to the Black Sea area on the other, as the Danube flows into it.

## Map 2.3.

### The Danube Strategy



Source: The authors' own creation, using ARCSIG.



XIII Adriatic and Ionian Council Meeting. © Committee of the Regions

Once the geographical sphere for joint intervention has been defined, the expression of the idea requires the ignition of appropriate, duly coordinated policies “through regional, multi-sectoral, inclusive strategies” generating synergy in the use of existing European funds, without needing to pass *ad hoc* regulations specifically for macroregions, and also without needing to create new institutional structures for their management or practical application. Under these terms, the European Commission clearly conditions the articulation of macroregional structures to “the three no’s”:

- The creation of a macroregion does NOT imply the need to approve legal regulations circumscribing its activities. These are included, by definition, in the framework for the territorial cohesion objective that defines European regional policy.

- The macroregion and the strategic action it implies are NOT a way for its components to obtain more financial resources than they already have. A macroregion does NOT, therefore, supply additional funds, but is rather a channel for optimizing the funds available to the individual territories, which proceed to manage them according to the guidelines defined by joint strategy.
- The birth of a macroregion does NOT imply the creation of new institutions, as the actions planned by the strategy are managed through governance schemes with the participation of the different governance levels involved.

From these foundational premises, the Commission points out the essential hubs for the articulation of macroregional strategy:

1. An integrated line of attack for actions, as “better coordination and more strategic use of community programmes are basic ingredients”.
2. The design of “specific actions in response to identified challenges”.
3. Direct commitment and involvement of interested entities in the region (governments and organisations, municipalities, governmental and non-governmental organisations), both in the creation and the development of the macroregion.

Once these basic criteria are established, the so-called “Action Plan” is defined by the EC as the basic tool for determining the specific contents the strategy is to deal with. From this approach, both the Baltic and the Danube focus their plans of action on three logically oriented, progressive levels:

1. The first level defines the “basic pillars”, corresponding to the previously defined “main points” of the strategy.
2. The second level covers the “priority spheres”, that is, the diversified expression of the components contained in each basic pillar. At this level, “general, often very wide” subjects are broken down and priorities are enumerated. The Commission is especially careful to watch project selection, making sure that they “promote the fulfillment of goals, or offer the possibility of dealing with problems which are important for the region” (EC, 2009).
3. The third level is where the strategy attains definition at the highest degree: a series of “precise, practical” specific projects are designed for each priority sphere; in the Baltic case they are called “flagship projects”.

Once we have defined the terms marking the strategy, and pointed out the principles inspiring its

design and execution, the immediate question is precisely how, in practice, the required joint strategic coordination and action are carried out. In this sense, our interest shall focus preferably on exploring the real possibilities for effective implication of sub-state logic (especially regional but also local) in macroregional dynamics. As a premise, we must quote the European Commission’s energetic statement: “Macroregions can only give added value to European integration if they imply an increase in state, regional and local cooperation, reinforcing European policy”. It is therefore obviously necessary to apply multilevel and multi-actor strategy, in a game of positive addition in which all affected government levels play (Stocchiero, 2010).

We have thus established the generic participative pre-condition; but our initial question is still waiting for an answer, as we have as yet said nothing about how it is all put into practice. A closer look at the concurring dynamics, during the gestation process of the strategy and also in its application once it has been approved, will allow us to come to valuable conclusions.

It is by now a commonplace to point out the wide consultations carried out by the Commission when defining the Baltic macroregion strategy, collecting an enormous amount of proposals and indications from the stakeholders implied; but it is generally agreed that it is the Member States which carry the weight, as they “establish the aims of the strategy and make the decisions about its main lines and priorities” (CoR, 2010). So the initial bottom-up direction (regional-local impulse towards higher government levels) reverses to top-down, limiting the activity of non-state entities to the consultation sphere” (CPMR, 2009).

This clearly unfavourable situation for the participative and decisive aspirations of regional institutions does not change when the time comes to design the Action Plan: far from it, the ample consultations made by the Commission with the stakeholders end up resolving in favour of state

logic. We must bear in mind that in the Baltic case, once the strategy was defined, the regions went on participating, as they had to adapt their operative programmes to the hubs of action and projects identified within that strategy; the process again presented itself as a top-down movement. At this point, we must remember the relevant role played by the Member States in assigning financial resources to transnational cooperation programmes: Each State receives a total assignment from the ERDF for regional policy as a whole (regional programmes, cross-border cooperation and transnational programmes); but the power of assigning a specific amount to each programme is in the hands of the Member State, together with the regional authorities, according to the nation's institutional configuration.

The Member States not only define priorities, but are also preferably responsible for their application. The data supplied by the Committee of the Regions are decisive: out of fifteen priority spheres, only one is of regional responsibility (the development of regional touristic policy, for Mecklenburg-Western Pomerania); health promotion has fallen to the Northern Dimension Partnership in Public Health and Social Well-being (NDPHS) (CoR, 2009). We therefore agree with the statements contained in the document "Three Scenarios for a Mediterranean Macroregional Approach", published by the Mediterranean Institute in 2010, in the sense that "appropriation of the strategy on the part of the territorial stakeholders is limited, and in the case of those who played an active role in the public consultation stage and are now excluded from the application stage, frustration is great".

And as to flagship projects (78), continuism is also the key word: in no case have they been headed at regional level, "although these are precisely the projects in which regions could play a leading

role" (CoR, 2010). In the light of this situation, the Committee of the Regions formulates a clear claim for the future: "When making decisions about flagship projects, local and regional entities will be offered the opportunity to participate actively in said projects", which as a requirement is only in accordance with the idea handled by the Commission when alluding to the necessary cooperation between the levels involved in the actions carried out by the strategy, which means the "commitment and specific participation of all authorities at national and regional levels, and also other levels". Only the application of a perspective that reinforces the territorial dimension of the tasks in hand will achieve an integral approach (EC, 2009).

As to coordination, another axis of joint strategy, the Commission takes the role of macro-level responsibility, aided by the High Level Group, made up of representatives from all the states in the macroregion; here we must add that it would seem desirable to invite third country representatives as needed. In the following levels of development of the basic pillars, the attitude is more receptive to non-state dynamics: coordination and implementation of all priority areas (except those questions dealt with at national level by the European Union) are assigned to the Member States "jointly with third countries and/or regions". The basic idea in the Commission is to leave responsibilities to those subjects "who show commitment, acceptance and experience", no matter what their government level. This is the only way to make the job "transnational, inter-sectoral and inter-institutional" (EC, 2009).

From the standpoint of commitment to regional involvement, and bearing very much in mind the situation experienced in the Baltic Strategy, we wholly agree with the Committee of the Regions, and look forward to the Commission's

recognition of the important role played by local and regional entities “for executing the strategy”, giving them “a central position, as a consolidated element of the multilevel governance system, when defining and choosing coordination organisms and organisms responsible for the flagship projects corresponding to priority spheres” (CoR, 2010). Not to do so would be to maintain the current trend, according to which macroregional strategy works towards re-nationalisation of the actions in hand. Conscious of this handicap, the Inter-Mediterranean Commission of the CPMR, in determining the profiles defining the Mediterranean Integrated Strategy (as an expression of macroregional strategy for the Mediterranean Basin), points out the need to include local and regional entities not only in the consultation process prior to formal definition by the European Commission, but also in the later implementation stage, using the current territorial cooperation framework (CPMR, 2011:2).

Now that we have seen the problems faced by sub-state entities for conquering their own functional space in the definition and management of the Baltic Strategy, we shall refer to what has been considered the main structural obstacle faced by the macroregion: financing the projects. As we have said before, macroregional strategy does not mean an increase in funds, so macroregions must adapt to the priorities defined ex post by cooperative logic. The main problem is that most European programmes had been designed before, with no reference to the Baltic Sea Strategy, so macroregional projects have no funds of their own, and also lack a governance level to coordinate the different existing programmes in their respective spheres of action. This lack of synchronisation between the 2007-13 Programme and the Strategy undermines its potential: The macroregional standpoints and the outline of operative programmes should be coordinated

prior to the 2014-20 budget. The Inter-Mediterranean Commission of the CPMR is currently working on the Technical Note on “Mediterranean Integrated Strategy”, highlighting the need to include the Mediterranean Basin macroregional strategy in the definition process for the 2014-20 period. In this negotiation framework, it appears necessary to link macroregional action lines to the structural funds assigned to the regions (CPMR, 2011:1).

Now that we have gone over the characteristic features of the macroregion, it is time to wonder if it is applicable to the Mediterranean area. In order to answer, we must bear in mind the following:

#### First

Macroregional strategy is based on common needs concurring in functional cross-border regions or areas, requiring joint action. The need to coordinate territorial and sectoral policies operating on the basis of common goals is the main idea from which macroregional projects must spring (Green Paper on Territorial Cohesion, 2008). But the internal approach which is certainly a macroregional feature does not exclude its projection towards third countries. In the Baltic, third countries have a minor role (Russia, Norway and Belarus, and eight Member States), but in the Danube third countries have a much wider scope. This means that, in principle, a hypothetical Mediterranean macroregion could include all territories willing to participate. These aspects are all included in the Technical Note on “Mediterranean Integrated Strategy”: the CPMR is working on the idea of a Mediterranean macroregion integrated in European regional policy, as a strategic cohesion framework for actions carried out in this geographical area, using Eu-

ropean neighbourhood instruments. Cohesion and neighbourhood are thus seen as “transversal instruments involving other sectoral policies of interest to joint development of the area. From this integral standpoint, the following spheres of action are seen as priorities: transport, tourism and innovation, energy, and maritime and environmental policy” (CPMR, 2011:1).

So with the emergence of certain questions of supra-national projection, such as the environment, transport, logistics and public security, EU cross-border cooperation is an obvious necessity. Many territorial matters identified in this region suppose a high degree of interdependence among different territories, political spheres and action levels. They therefore require trans-national answers, and it will be necessary to “explore and define the scenarios where Mediterranean macroregions seem more coherent and synergic, and support wider political initiatives such as the Union for the Mediterranean” (Mediterranean Institute, 2010). In this respect, we should call attention to the fact that the need for large-scale involvement by the institutions operating in the Mediterranean is the basis for the proposal of a Mediterranean Integrated Strategy, which is currently being designed by the Mediterranean Commission of the CPMR. According to this organisation, the launching of a macroregional strategy in this area

must count on the political support of the Union for the Mediterranean (UpM), which would operate at State (diplomatic) level, and also of local entities through the ARLEM (CPMR, 2011:2).

Any Mediterranean macroregional concept must start from this premise, and then decide on its geographical scope. Heterogeneousness is the Mediterranean’s dominant feature, where there are several different divisional axes between countries: members/non-members (north shore, south shore); economic development; institutional asymmetries; etc. But still, cooperative will is the most relevant catalyst, which must necessarily ignite any strategy: the macroregional approach must be supported above all by the local and regional stakeholders, who will have to cooperate with each other and also with external stakeholders. A coalition of interests must be created, among the Member States in the macroregion. In this sense, the CPMR is doing an interesting job of drawing the essential outline of a future Mediterranean Integrated Strategy, steeped in an ambitious spirit of cooperation between both shores. Realistically, however, in the light of recent political changes in the most important countries on the southern shore (Egypt, Libya, etc.), we cannot ignore the extraordinary difficulties faced by the

comprehensive approach. A time of political instability is not the best for this kind of initiative.

These being the basic circumstances surrounding the birth of a Mediterranean macroregion, perhaps it would be best to think of a step-by-step process, in stages, by area or basin. This is the opinion of the autonomous government official interviewed: “Andalusia looks southward; cooperation with Morocco is of prime importance, but the most realistic scenario today would be to redirect cooperation towards neighbourhood policy, through the European Neighbourhood and Partnership Instrument (ENPI)”. So from a macroregional perspective, our horizon would initially be on the northern shore (western area), but this has its problems too, due basically to political differences between governments, at internal level, between Spanish Mediterranean ARs,

and also at transnational level. Furthermore, and most importantly, there seem to be no initiatives in the area that would lead us to believe in macroregional vocation.

This rather hazy situation contrasts openly with the proposal, still only embryonic but which has already spawned the Ancona Declaration, signed in May 2010 by representatives of the governments belonging to the Adriatic-Ionian Initiative (Albania, Bosnia-Herzegovina, Croatia, Greece, Italy, Montenegro, Serbia y Slovenia), after the meeting of its Council. The document states their general willingness to deepen, improve and increase cooperation, and is accompanied by another document which specifically supports the idea of a EU strategy for the Adriatic-Ionian area, in line with those already designed for the Baltic and the Danube.

## Map 2.4.

### Adriatic-Ionian Initiative



Source: Website of the Italian Ministry for Foreign Affairs.



XIII Adriatic and Ionian Council Meeting. © Committee of the Regions.

## Second

The creation of a macroregion should give added value to the management of existing policies, applying an integral approach, strongly in favour of coordination and cooperation.

Very diverse European initiatives, for specific instruments and programmes, meet in the Mediterranean (each with its own funding). This means approaches are diverse; a diversity of aims means a tight network of institutional agents in the area to carry them out. In full consciousness of that need, the IMC document on Mediterra-

nean Integrated Strategy, presenting the future Mediterranean macroregion, insists that it is necessary to explore potential tools for harmonizing the different transnational and international initiatives that meet in the Mediterranean. As is to be expected, a similar approach is proposed in the specific spheres of action deployed in the European Union, in order to integrate European strategic guidelines coherently with state and local operational programmes. The idea is to join forces, not scatter them, by configuring a coordinated strategy to avoid functional duplicity and



overlapping initiatives. It is necessary to take advantage of the synergies derived from the volume of basic current cooperative experiences, which should give way to a macroregional project developed through strategic actions and projects, with the participation of all government levels within the framework of European cooperation (CPMR, 2011:2).

In this sense, despite long cooperative experience in the Mediterranean, we cannot ignore the fact that the picture of political and action coordination in the area today is highly unsatisfactory: funding is extraordinarily scattered, and there seems to be no predominant move to coordinate it. The European Neighbourhood and Partnership Instrument (ENPI) was created in 2007 partly in order to respond to this need for coordination. The ENPI substituted several existing geographic and thematic programmes between the EU and neighbouring countries, such as MEDA and TACIS, and so concentrates most funds destined for Euro-Mediterranean regional programmes. However, the financial systems are still fragmented, and the resources available for the territorial approach are still scarce, so the IMC, in designing a set of thematic priorities to be dealt with by a future Mediterranean macroregion, introduces a series of guidelines in relation to certain projects which are already in motion, as potentially applicable at macroregional level (CPMR, 2011: 4-6).

### Third

One of the requirements for the creation of a macroregion being that funds are not increased but better used, the coordinating effort, in an area in which several financial instruments meet, is a key factor. Given the heterogeneousness of stakeholders, programmes, initiatives and instruments which in the current circumstances would surround the development of the actions defined by the strategy and which, as in the Baltic case, is an obstacle for the ideal use of funds already assigned to operative programmes, it would seem logical to apply a macroregional approach to the configuration of transnational programmes for the 2014-20 period. This approach might be useful in redefining the geographic scope of transnational cooperation programmes (Mediterranean Institute, 2010).

From this standpoint precisely, the CPMR Atlantic Arc Commission recommends creating the "macroregional operative programme", whose job would be to decide on priority projects and the responsibilities of each stakeholder (European Union, Member States, regional and local authorities), based on the previously designed Strategy (CPMR, 2010). This proposal could obviously be included in the definition process of the 2014-20 budget. The need to synchronise initiatives to applicable financial mechanisms emerges as a basic element to bear in mind in order to optimise macroregional strategy.

The synchronisation approach should also be applied to the policies to be put into effect in macroregional strategy; these policies, if they are to be successful to any degree, should flow parallel to other European initiatives regarding similar affairs. Integrated maritime policy and the European transport network are examples of this: In the Baltic macroregion, overlapping and uncoordinated situations have been detected which do nothing for macroregional efficiency.

## Map 2.5.

### The Mediterranean Basin

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