



## **OVIEDO DOCUMENT ON REGIONAL LEGISLATIVE ASSEMBLIES IN THE EUROPEAN UNION**

The Presidents of the European Regional Legislative Assemblies, meeting in Oviedo on 6 and 7 October 2022 on the occasion of an event celebrating the 25th anniversary of the signing of the Document of Oviedo:

- 1.** Whereas the European Union must be a vector for the development of democratic principles.
- 2.** Whereas, in order to strengthen the democratic principles, the regions of the Member States and particularly their parliaments and assemblies with legislative competences, must be more involved in the process of European integration. They should be granted, at national and European level, the right to intervene in issues related to European integration.
- 3.** Whereas, on the other hand, the participation of the regions in which the citizens have their roots and forge their own identity helps to bring them closer to the Union.
- 4.** Whereas Regional Parliaments, just like the Regional Governments, must have the possibility to participate as institutions particularly close to the citizen having an important mediating role between citizens and the European Union.
- 5.** Whereas the regions should not be disconnected from the European and national levels. On the contrary, it is essential that they be perfectly interwoven in order to apply the democratic principles correctly within the Union.
- 6.** Whereas it is a priority to establish the relationships between these three levels in order to better express the principle of subsidiarity underlying the distribution of competences within the Union.
- 7.** Remaining convinced that cooperation between the parliamentary institutions fosters good understanding between the different populations and the consolidation and strengthening of democracy through the enriching heritage created by the mutual exchange of experiences.
- 8.** Remaining convinced, moreover, that regional parliamentary institutions can, thanks to their position close to the citizens, make a valuable contribution to the heritage of friendship that must be sustained within the Union.

9. Understanding, on the other hand, that the European action of the Governments finds in the intervention of the parliamentary institutions the reinforcement of legitimacy that they represent as a direct expression of the democratic principles.

10. Understanding also that parliamentary intervention is the expression of a will to co-operate with Governments, the objectives of which tend to fulfil the essential conditions of the democratic principles.

11. Referring to the Community Charter on Regionalisation voted by Resolution of the European Parliament on 18 November 1988, Article 25 of which states that “the regions shall participate in the definition of the position adopted by their respective Member States in Community bodies within their sphere of authority or where the matters to be discussed directly affects their interests”, that “the Member States shall provide the regions with the means to obtain rapid and comprehensive information on Community projects” and that “the state and the regions shall establish swift and effective sectoral consultation mechanisms”.

12. Taking as a reference the Declaration of the Assembly of European Regions (AER), adopted in Basel on 4 December 1996, Article 12.10 of which stipulates that “mechanisms shall be established for contact between the European Parliament and Regional Parliaments, considering that they are institutions representing the direct will of citizens”.

13. Considering furthermore that the participants subscribe to the demands of the “Stuttgart Theses on the role of Regional Assemblies and Parliaments of the European Union in European policy”, voted on 6 May 1997 in the Landtag of Baden-Württemberg, the first point of which states that “Regional Parliaments must collaborate decisively in the elaboration of European policy”.

14. Referring further to the Declaration signed by Germany, Austria and Belgium on subsidiarity included in the Treaty of Amsterdam of 2 October 1997, according to which “For the German, Austrian and Belgian Governments, it goes without saying that the action of the European Community, in accordance with the principle of subsidiarity, concerns not only the Member States, but also their entities considering that they have been attributed legislative power assigned by the national Constitution”. Hoping that all States that have territorial entities with their own legislative power recognised by their Constitution will subscribe to this Declaration.

15. Referring to the Council of Europe Reference Framework for Regional Democracy, of which the Council of Europe Conference of Ministers for local and regional authorities took cognisance at their session in Utrecht in 2009 and which, although not binding, paves the way for the adoption of a European Charter of Regional Democracy.

16. Recalling the declarations of Oviedo (1997), Salzburg (1998), Florence (1999), Santiago de Compostela (2000), Madeira (2001), Brussels (2002), Reggio Calabria (2003), Milan (2004), Catalonia (2005), Venice (2006), Berlin (2007), the Basque Country (2008), Innsbruck (2009), Trento (2010), L’Aquila (2011), Mérida (2012), Brussels (2013), Galicia (2014), Milan (2015), Varese (2016), the Azores (2018) and the Canary Islands (2021).

17. Building on the bilateral agreements signed with the European Committee of the Regions (2008), the Congress of Local and Regional Authorities of the Council of Europe (2010), the Conference of European Regions with Legislative Power (2011), the Association of European Border Regions (2012), the Assembly of European Regions (2013), the National Conference of State Legislatures (2015), the National Union of State Legislatures and Legislators (2017) and the European Parliament (2021).

18. Whereas the proposals contained in this Document seek to deepen the principles of democracy and participation within the framework of the Union, the defense of the values and of the principles of regional democracy and the strengthening of links between regional legislative assemblies.

Consider it would be positive to agree on the following objectives:

## OBJECTIVES

**First.** - The procedures for parliamentary monitoring and evaluation of European affairs must be strengthened in each Region. This should be done both in a bottom-up phase when formulating the State's demands and in the top-down phase when implementing Community policy. To this end, and in order to make it possible to control the European action of the respective Executives, it is indispensable to provide the Regional Parliaments with an information service that would allow them to regularly follow all issues that could affect their competences. The Regional Governments must periodically inform the Regional Parliaments in particular of EU matters relating to the regions, consult them and take account of their resolutions when dealing with EU matters in the institutions at national and European level, and inform them of the results.

**Second.** - In the current practice of many Regional Parliaments, good results have been achieved by entrusting the different sectoral parliamentary committees with the task of monitoring and evaluating the European actions of the Regional Governments with a European reach. This example can be followed by other Regional Parliaments.

**Third.** - Complementing the group of Parliamentary Sectoral Committees with a Committee on European Affairs is considered a positive practice.

It is be responsible for European issues of a more institutional and cross-sectoral nature.

It also has the power to give its opinion, without being binding, on the issues entrusted to the Parliamentary Sectoral Committees.

**Fourth.** - Formulas can be promoted allowing the exchange of information between the Sectoral Committees and the European Affairs Committees of the different European Regional Legislative Assemblies, as well as between the latter and the Committees of the National Parliaments and the European Parliament.

**Fifth.** - Consideration has to be given to the creation of a computer network open to all the institutions concerned that would allow immediate access to the data and procedures of each Chamber on the matter in question.

**Sixth.** - Institutional meetings that favour the effective presence of the members are encouraged. Certain Commissioners of each Regional Chamber will be able to attend the meetings held by the others on European affairs if it is in their common interest to do so. This possibility would also include the possibility of participating in the sessions of the National Parliament of each country and of the European Parliament, whose members could also be invited to the sessions of the Regional Chambers for matters of particular European interest to them. The possibility of institutionalising the organisation of a Conference of Regional Parliaments-European Parliament is considered favourably.

**Seventh.** - Exchange visits of civil servants at the service of the respective Assemblies and exchange visits of civil servants of the respective Assemblies before European institutions are useful, with the aim of contributing to the pooling of experiences that serve to form a common background of European regional parliamentarianism.

**Eighth.** - In the Administration of each Assembly, the function of Office of European Affairs has to be discussed, advising the parliamentarians and the qualified personnel serving the Chamber. This Office would be responsible for exchanging information on European affairs with the rest of the Chambers. It would work closely with the Regional Offices in Brussels.

**Ninth.** - Provided that bilateral contacts can be maintained, the possibility of the European Affairs Committees of the Regional Legislative Assemblies being represented at the Conference of Community Affairs Committees (COSAC) will be considered as positive. Reestablishing networks such as the Network of Regional Parliamentary European Committees (NORPEC) can be considered for building up stronger relationships.

**Tenth.** - It is also expedient to recall that the Conference of the Regional Legislative Assemblies of the European Union (CALRE), celebrated annually and whose work is prepared by the Standing Committee, examines and takes note of the reports presented by the coordinators of the working groups, discusses and approves a declaration and possible resolutions.

**Eleventh.** - The member assemblies of the CALRE work to ensure that the role of regional parliaments with legislative powers in the European multi-level system is generally further strengthened and that regional parliaments are better integrated into European policy-making and decision-making processes.

**Twelfth.** - The member assemblies of the CALRE consider subsidiarity, proportionality and the possibility for regional authorities with legislative competences to participate in shaping European decision-making and legislative processes as fundamental principles of a future-proof Europe.

**Thirteenth.** - The member assemblies of the CALRE request the European Commission to constrain itself to the essentials in European legislation, to involve the regional level more closely and to continue the intensive dialogue with citizens. The general starting point must be the legal division of competences between the European Union and its member states as laid down in the national constitutions and the EU Treaties and protected by the principle of subsidiarity. According

to the constitutional identity of the Member States, the internal distribution of competences must be respected.

**Fourteenth.** - The member assemblies of the CALRE expect the Council of the European Union, the European Commission and the European Parliament to pay more attention to possible effects on parliamentary processes and procedures in the national and regional parliaments of the Member States when legislating.

**Fifteenth.** - The member assemblies of the CALRE agree that active subsidiarity can contribute to more co-responsibility of the regions and to more understanding among the citizens for the services of the Union. In the sense of active subsidiarity and proximity to the citizens, a permanent, direct political dialogue of regional parliaments with legislative powers with the European institutions, especially with the European Commission, has to be established. The CALRE can play an important supporting role and bring in bundled genuine parliamentary perspectives. Such a dialogue supported by the CALRE is a necessary complement to the important task that the Committee of the Regions fulfils as an institution of the European Union at Community level.

**Sixteenth.** - The member assemblies of the CALRE demand that regional parliaments with legislative powers should be involved in a timely and targeted manner in the European Commission's consultation processes on specific regional interests.

**Seventeenth.** - The member assemblies of the CALRE are in favour of extending the deadline for examining subsidiarity concerns to 12 weeks by way of a next treaty amendment. Furthermore, the quorum for the "yellow card" under the early warning system should be lowered.

**Eighteenth.** - The member assemblies of the CALRE support the introduction of a "green card" which, as a complement to the subsidiarity early warning system, could allow national and regional parliaments to introduce proposals on European legislative initiatives or to call for the revision, amendment or repeal of existing legislation without encroaching on the European Commission's right of initiative.

**Nineteenth.** - The member assemblies of the CALRE advocate that directives should be given political preference over regulations in order to ensure that member states and regions have as much leeway as possible in implementing European Union law. The legal instrument of delegated acts, which is not subject to formal subsidiarity control, should also be used much more restrictively.

**Twentieth.** - The Regional Parliaments decide to continue to strengthen the position of the European Committee of the Regions, in which they must be adequately represented, as well as REGPEX, and to promote through the CALRE Presidency the exchanging mechanisms before EU institutions especially before the European Parliament.

**Twenty-first.** - This Declaration is sent to the Presidents of the National Parliaments, the President of the European Parliament, the President of the European Commission, the President of the Committee of the Regions, the President of the Council of Europe, the President of the

Congress of Local and Regional Authorities of Europe, the President of the Assembly of European Regions and to all the institutions interested in its contents.

Done in Oviedo, 7 October 2022

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