



EUROPEAN UNION



Committee of the Regions

**PROTOCOL
ON THE COOPERATION ARRANGEMENTS
BETWEEN THE EUROPEAN COMMISSION AND
THE COMMITTEE OF THE REGIONS**

PREAMBLE¹

The European Commission and the Committee of the Regions consider that it is in their common interest to intensify their institutional relations through the implementation of this protocol, which replaces the one of 21 September 2001.

This cooperation is intended to provide a more proactive role for the Committee upstream of Community action, give greater attention to economic, social and territorial cohesion and foster closer dialogue with local authorities.

The Commission and the Committee are to cooperate in order to:

- step up the advisory role by way of better planning of work and more effective, policy-driven follow-up;
- facilitate structured dialogue with local authorities and their associations;
- ensure better implementation of the subsidiarity principle;
- support the Union's external action by organising and developing dialogue with local and regional authorities in third countries;
- intensify synergies in the area of communication to bring Europe closer to its citizens.

¹ **The Commission and the Committee will agree on an addendum to this protocol concerning cooperation in the field of communication, following adoption of the White Paper announced by the Commission.**

I. INTERINSTITUTIONAL AND POLITICAL RELATIONS

1. The Commission President or the Vice-President responsible for relations with the Committee shall present each year to the Plenary Assembly the broad outlines of the Commission's annual work programme. The Committee shall take into account the Commission's priorities and deadlines in the establishment of its annual policy priorities and the organisation of its own work.

2. The Members of the Commission are invited by the President of the Committee to participate in the work of the latter, in particular at the plenary sessions, as well as in the context of special activities organised by common agreement.

In turn, the members of the Committee may be invited to take part in events of common interest organised by the Commission at the various territorial levels. As a general rule, the two parties shall inform each other in good time of the schedule of events for which they are responsible in order to organise the participation of the persons concerned.

3. A meeting between the President of the Committee and the President of the Commission or the Vice-President responsible for relations with the Committee shall be organised once a year for the presentation of the annual work programme in order to evaluate the application of this protocol, in particular the impact of the Committee's opinions.

The aim of this meeting shall be to determine – on the basis of the Commission's work programme and the Committee's priorities, and in the light of an evaluation of the follow-up and political impact of the Committee's opinions – some priority areas where the cooperation between the Commission and the Committee could be stepped up. The areas chosen should preferably be of a horizontal nature and be at the heart of the European agenda. This meeting between the two Presidents shall be prepared by a meeting of the Secretaries-General.

4. The Commission and the Committee agree to intensify their collaboration in order to increase the synergies between their respective activities, in particular in the context of economic, social and territorial cohesion, and especially in the implementation of cross-border, interregional and transnational cooperation.

5. In order to improve the quality of legislation and promote simplicity, clarity, consistency and transparency in the legislative process, the Commission shall support the principle of the Committee's participation in the interinstitutional coordination groups.

II. ADVISORY ROLE OF THE COMMITTEE OF THE REGIONS

6. On the basis of the Commission's annual work programme, the Vice-President responsible for relations with the Committee shall send the latter a list of proposals for which obligatory consultation is stipulated, as well as those which may be the subject of optional consultation. This list shall also include documents of a non-legislative nature with regard to which the Commission intends to request the Committee's opinion.

The Commission and the Committee agree on the need to be more selective in order to reinforce the impact of the Committee's opinions and the effectiveness of their joint activities.

The Commission and the Committee shall endeavour to send each other, as soon as possible, all the documents and information required to facilitate the exercise of this advisory role.

7. Optional consultation shall be based on at least one of the following criteria:

- the matter in hand comes under regulatory or implementing powers attributed to decentralised authorities, whether regional, local or intermediary;
- the Community legislation planned or the national measures to be adopted to implement it are likely to affect directly the operation of the regional or local administration;
- the Community action in question is likely to have an impact on economic, social and territorial cohesion;
- the measures envisaged relate to informing and raising the awareness of European citizens about the policies of the European Union.

8. The Commission shall foster a more proactive role for the Committee, upstream of Community action, by way of outlook opinions concerning future Community policies in the areas for which the Committee has the appropriate means of information on the ground.

Consultations of this kind shall be communicated to the Committee by the President of the Commission or the Vice-President responsible for relations with the Committee.

Requests for outlook opinions shall be accompanied by a clear description of the task, appropriate deadlines and a framework of integrated actions to be established by common agreement.

In the same spirit and in the context of the annual planning, the Commission may ask the Committee to become involved (a) in studies pertaining to the impact of certain proposals on the local and regional authorities and (b) in exceptional cases, downstream, in the local and regional impact reports on certain directives.

The Annual Policy Strategy (APS) document, complemented on occasion by the Rolling Programme, shall be the tool of choice for identifying the subjects for this type of consultation.

The opinions resulting from this consultation shall be officially presented to the Commission following their adoption in plenary session. Political follow-up could be provided by the presence of a Commissioner at the plenary session during which the opinion is adopted, or of a Director-General during a meeting of the relevant Subcommittee.

9. The Commission and the Committee recognise the importance of following up the opinions of the Committee, in particular for outlook opinions and opinions which the Commission and the Committee have jointly agreed to be of particular political importance. To enable the Committee to regularly prepare impact reports on its work, the Commission shall, twice a year, give substantive reasons for following up or not the observations in the Committee's opinions, if necessary.

If the Committee puts forward formal proposals to amend a Commission proposal, the latter shall refer to this in the amendments.

10. The Committee aims to improve the quality of the drafting of its opinions in order to demonstrate its position and any amendments to the texts submitted for consultation clearly and precisely. In order to make its opinions more understandable, the Committee shall endeavour to better highlight the amendments it wishes to make to legislative proposals by the adoption of specific amendments to Commission texts. The Committee shall also include a summary with each opinion.

11. The Committee shall communicate, as quickly as possible, to the Commission Secretariat-General the sections of the minutes of the Subcommittee meetings and the plenary sessions whose content could be of specific interest to the Commission.

12. Commission officials in charge of the dossiers which the Committee is to examine shall take part as far as possible in the meetings to which they are invited in order to clarify the Commission's proposals and take note of the positions expressed by members of the Committee.

13. A working meeting shall be organised once a year, on the initiative of the Commission Secretariat-General, in coordination with the Secretariat of the Committee, in order to review the Commission's projects over the medium term to the content of which the Committee could provide a substantive contribution.

III. SPECIFIC FEATURES OF THE COMMITTEE OF THE REGIONS

14. An intermediary for local and regional authorities

The Commission recognises the privileged role of the Committee as an intermediary between the institutions of the Union and local and regional authorities.

The Committee shall develop, in cooperation with the Commission, a real strategy for consulting the regions, with due respect for the prerogatives of each and in accordance with a consultation process which is as upstream as possible. On this basis, the Committee shall stimulate territorial dialogue in the context of the new cycle of governance of the Lisbon Strategy prior to the spring European Council.

In accordance with the principle of sound governance, the Committee shall play fully a role of relay in the dialogue with local authority associations. The Commission shall ensure that the Committee is fully involved in the preparation of jointly organised meetings.

An annual structured dialogue meeting shall be organised on the occasion of a plenary session of the Committee, in the presence of the President of the Commission or the Vice-President responsible for relations with the Committee, in order to examine the Commission's work programme. Other more targeted structured dialogue meetings shall be organised as needed on the occasion of the meetings of the Committee's Subcommittees.

15. Implementing the principles of subsidiarity and proportionality

The Committee of the Regions shall pay particular attention to compliance with the principles of subsidiarity and proportionality, taking into account the provisions in force and any planned amendments.

Its action shall develop in the context of collaboration with the Commission, with the aim of creating a culture of subsidiarity based on a "multi-level European governance" plan where decisions are taken at the closest possible level to citizens by the most appropriate means and where they can achieve their objectives as effectively as possible.

On the basis of the provisions in force and taking into account the political will to step up the application of the subsidiarity principle in the framing of European legislation, the Commission and the Committee agree to identify the priorities calling for specific monitoring of subsidiarity and proportionality.

16. The external dimension of the EU

The Committee shall develop, in particular at the request of the Commission, activities in the areas of external action where the local and regional authorities have recognised competence at institutional level and on the ground. In particular, cooperation with the Commission shall focus on areas where the Committee provides proven value for the Union's policy, in particular the following:

- a) support for the enlargement process and participation in pre-accession policy;
- b) support for the neighbourhood policy;
- c) the promotion of local and regional democracy in third countries and, in particular, the candidate countries and neighbouring States;
- d) the development and exploitation of decentralised cooperation;
- e) the cross-border cooperation.

IV. INFORMATION POLICY

Communicating on Europe with the citizens is a shared responsibility of all European institutions and bodies. It's an essential task because the European institutions must be accountable, transparent, open and responsive if they are to remain legitimate in the public eye. Effective communication by the European Union should therefore be seen primarily as a public service duty. The aim must be to enable citizens to fully participate in the democratic European civil dialogue and decision-making process.

The Commission and the Committee take the view that it is in the general interest of the Union and its citizens to step up their interinstitutional relations in the area of communication as well and to provide for closer cooperation arrangements to this effect.

The dual policy dimension, which means that the members of the Committee have local or regional responsibilities and also belong to a European institution, allows them to play the role of ambassadors of EU policies to the public at grassroots level. Closer interinstitutional cooperation will mean that all the European institutions will be able to make use of this expertise.

Done in Brussels, 17 November 2005-11-09

For the European Commission

For the Committee of Regions

José Manuel BARROSO
President

Peter STRAUB
President