CoR's White Paper on Multilevel Governance - Advantages and Disadvantages
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COR'S WHITE PAPER ON MULTILEVEL GOVERNANCE – ADVANTAGES AND DISADVANTAGES

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"There are many goals which we cannot achieve on our own, but only in concert. Tasks are shared between the European Union, the Member States and their regions and local authorities"[1].

Abstract: *By the multilevel governance concept we can see the European Union as a political system with interconnected institutions that exist at multiple levels with unique policy features. The White Paper on Multilevel Governance reflects the determination to "Build Europe in partnership" and sets two main strategic objectives: encouraging participation in the European process and reinforcing the efficiency of Community action. The fact that public interest in European elections is decreasing, whilst the European Union itself is largely seen as an asset in facing the challenges of globalisation, should prompt political action to be refocused on the principles and mechanisms of multi-level governance.*

Keywords: *governance, European, multilevel, CoR, White Paper.*

1. Multilevel governance concept

The term *governance* has numerous concepts and principles associated with it. Thomas G. Weiss, director of the Ralph Bunche Institute for International Studies at the Graduate Center of the City University of New York, 11 defines "global governance" as "collective efforts to identify, understand or address worldwide problems that go beyond the capacity of individual States to solve". He asserts that global governance may be defined as "the complex of formal and informal institutions, mechanisms, relationships, and processes between and among States, markets, citizens and organizations, both inter- and non-governmental, through which collective interests on the global plane are articulated, rights and obligations are established, and differences are mediated"(Weiss Thomas G. and Ramesh Thakur).

In analogy with the definition of global governance, European Governance is characterized as a system of rules and institutions established by the European Community and private actors to manage political, economic and social affairs. The basic principles

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[1] In a report on "Realising the Charter of Fundamental Rights", ordered by the Committee of the Regions from Birmingham University, initial proposals are made on increasing citizens' awareness of their rights and examples of good practice applied by local and regional authorities are presented (CdR 6623/2008).

guiding European Governance, legally anchored in the Treaties, are democracy, social equity, human rights and the rule of law. These need to be reflected in institutions, rules and political systems and to be respected by all sectors of society at various levels of governance. (CoR's White Paper, 2009).

The concept of multilevel governance is attached to the study of European integration in the nineties (the Treaty of Maastricht and its subsidiary principle) and the concept of decentralization. The study of the European Union has been characterized by two development phases: the first one was dominated by the international relations studies: the EU seen as an international organization similar to others (e.g. NATO, OECD, UN); in the second phase at these studies public policies were added: the European Union seen as a unique international organization.

By the multilevel governance concept we can see the European Union as a political system with interconnected institutions that exist at multiple levels with unique policy features. On the other hand, the European Union is a political system with a European layer (i.e. European commission, European council and European parliament, etc.), a national and a regional layer. These layers interact with each other in two ways: first, across different levels of government (vertical dimension) and second, with other relevant actors within the same level (horizontal dimension) (*ibidem*).

Multilevel governance actually serves the fundamental political objectives of the European Union: a Europe of citizens, economic growth and social progress, sustainable development, and the role of the European Union as a global playerNOTA. It reinforces the democratic dimension of the European Union and increases the efficiency of the applicability of the European Union policies because it rarely applies symmetrically or homogenously.

Between multi-level governance and other integration theories are some differences and the main one is that it breaks the grey zone between inter-governmentalism and supranationalism leaving in its place a descriptive structure. Further, multi-level governance doesn't address the sovereignty of states directly, but instead simply states that a multi-level structure is being created also by sub-national and supranational actors.

2. Committee of Regions

The Committee of the Regions, Brussels (CoR) is the main political assembly that provides the regional and local levels with a voice in European Union's policy development and legislation. The Treaties oblige the Europea Commission, European Parliament and European Council to consult the Committee of the Regions whenever new proposals are made in areas that affect the regional and local level of the European Union. The CoR has 344 members from the 27 European Union countries, and its work is organised in 6 different commissions. They examine proposals, debate and discuss in order to write official opinions on key issues.

The Committee of the Regions's political initiative has its own role in the process of European integration. The renewal of the European Parliament and the European Commission, the transition to a new institutional framework, the recast of the EU budget and the direct and indirect effects of the global crisis all illustrate the new shape of the Community agenda for the coming years. The main activities carried out by the Committee of the Regions and the recommendations made are based on the Treaties, but nevertheless reflect the prospect of the entry into force of the Lisbon Treaty, which enshrines the territorial dimension, notably territorial cohesion, as part of the process of

European integration and strengthens the mechanisms of multilevel governance (CoR's White Paper, 2009).

3. The CoR's White Paper on Multilevel Governance

The EU's ability to adapt to the new global context actually depends largely on the potential of its regions to react, act and interact. The European Union must, therefore, have a form of governance that combines:
- accepting globalisation and the emergence of a multi-polar world that determines the issues to be addressed by the European Union;
- continuing the process of European integration that abolishes borders, unifies markets and brings people closer together whilst respecting national sovereignties and preserving identities (CoR's White Paper, 2009).

With a new cycle of governance in European Union on the horizon, the Committee of Regions has adopted its very frst White Paper on Multivele Governance on June 16 2009. The White Paper on Multilevel Governance reflects the determination to "Build Europe in partnership" and sets two main strategic objectives: encouraging participation in the European process and reinforcing the efficiency of Community action. The fact that public interest in European elections is decreasing, whilst the European Union itself is largely seen as an asset in facing the challenges of globalisation, should prompt political action to be refocused on the principles and mechanisms of multi-level governance *(Ibidem)*.

This White Paper acknowledges the priority for improving European governance and recommends specific mechanisms and instruments for all the stages of the European decision making process.

To help the European Unions's objectives concerning the implementation of the Multilevel Governance the Committee of Regions has initiate a consultation process, which would establish the principles and methods for developing a common and shared understanding of European governance, based on respect for the principle of subsidiarity, to support local and regional governance and the process of decentralisation in the Member States, candidate countries and neighbouring states, and which would stand as a guarantee of the political will to respect the independence of local and regional authorities and their involvement in the European decision-making process.

The CoR's White Paper on Multilevel Governance tries to encourage the protection of fundamental rights at various levels and cooperate to this end with the European Union Agency for Fundamental Rights in order to promote and disseminate the best − practices developed at local and regional level[2].

To put multilevel governance into practice, the Committee of the Regions undertakes to:
- reinforce, in accordance with its Mission Statement, its status as a political assembly, its involvement upstream of the decision-making process in the design of European strategies and Community legislation, monitoring of the principle of subsidiarity in the spirit and tenor of the Treaty of Lisbon, evaluation of the territorial impact of Community policies, and its role as a facilitator of participatory democracy in Europe (CoR's White Paper, 2009);

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[2] http://www.cor.europa.eu/pages/EventTemplate.aspx?view=detail&id=63df5e06-978e-4ec5-bce9-9cc6d99ffeb1#IO

- developing the interinstitutional relations with the European Commission and with the European Parliament in the context of the policy programme for the next legislative term and, finally, with the Council of the European Union in order to harmonise the intergovernmental dynamic of the political action of local and regional elected representatives in designing and implementing European decisions;

- get closer to the national parliamentary assemblies and regional legislative assemblies, particularly within the process of monitoring the subsidiarity.

4. The Consultation on the CoR's White Paper on Multilevel Governance

The Committee of Regions started the consultation process in order to gather the opinions of the authorities, associations and interested parties.

The main objectives of this consultation were to collect opinions on the CoR's White Paper on Multilevel Governance in view of its implementation at all levels.

The target groups of the consultation were the national, regional and local authorities, national and international associations, international organizations, the academic world and other stakeholders. The period of the consultation was June 15 2010 – December 31 2010.

During this period of consultation, the Committee of Region received 154 contributions from all the Europe.

Making a statistic on the received contributions, the CoR has received:
- 6 letters from European personalities (e.g. Letter from Mr José Manuel Barroso – President of the European Commission, Letter from Mr Manuel Chavez González - Spanish Minister of Territorial Policy, Presidency of the European Council);
- 14 reactions and contributions from European and international organizations (e.g. EIB - European Investment Bank, UN - United Nations' Representation in Brussels);
- 37 contributions from associations and networks of local and regional authorities (e.g. AEBR - Association of European Border Regions, Eurodistrict Regio Pamina);
- 23 contributions from local and regional authorities (e.g. Barnsley Metropolitan Borough Council – UK, Västra Götaland Region - Sweden);
- 14 reactions from regional parliaments (e.g. Parlament de Catalunya – Spain, Parlement Wallon - Belgium);
- 6 contributions of NGO's;
- 3 contributions of national ministries (e.g. Estonian Ministry of Interior, Finnish Ministry of Finance);
- 14 contributions of other stakeholders (e.g. ALDA - Association of Local Democracy Agencies, ECTP-CEU European Council of special Planners);
- 38 contributions of academic world (e.g. Dr. Andres Malamu , ICS – University of Lisbon, Portugal, Prof. Martin Brusis , University of Heidelberg, Germany). The most active countries in this process were Germany, United Kingdom, Italy and Spain.

1. Consultation Report on the CoR's White Paper on Multilevel Governance

The consultation report doesn't provide an exhaustive account of all the suggestions and comments gathered, which can be found on the Committee of the

Regions' website[3], but summarises the main contributions and proposals that were made. By this consultation we can confirm the importance of multilevel governance in the implementation of the Community agenda and responding to global challenges. It also corroborates its values with regard to the key objectives of the European Union. Finally, through this report we can underline the approaches that should be favored in order to meet the challenges of a better implementation of the multilevel governance.

During the consultation the Committee of Regions had received a few strategic recommendations like

· stimulating shared responsibility based on the absence of hierarchy between different levels of authority brought together by a "contract of trust";

· guarantee participation of local and regional elected representatives in the democratic life of the European Union and in the Community legislative process;

· steer developments in European governance towards an integrated territorial approach;

· involving local and regional authorities in globalization governance measures (CoR's Consultation Report, 2010).

6. Advantages of the CoR's White Paper on Multilevel Governance

Analyzing the role of the multilevel governance in implementing the Lisbon treaty we can see that the "inter-parliamentary competition" becomes a vital component of the European Union democratic system.

The essence of the "partnership" model of governance suggested by the White Paper of the Multilevel Governance is an equal democratic status of local, regional, national and European tiers of government and the voluntary cooperation among these different tiers (Ibidem).

The multilevel governance can be used as a partnership system where local, regional, national preferences can have a more functional approach than a political one.

7. Disadvantages of the CoR's White Paper on Multilevel Governance

Multilevel governance is therefore a political action grid rather than a legal instrument what means that we can translate as CoR desire to propose the multilevel governance policy as a way to complete a community method of the European Commission.

Multilevel governance can't be a support for the implementation of the provisions of the Lisbon Treaty because the multilevel governance doesn't however apply to all European Union policies, and when it does, it rarely applies symmetrically or homogeneously (Ibidem).

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[3] The Treaty of Amsterdam was signed on October 2, 1997 and entered into force on May 1, 1999. The Treaty contains three parts (1. changes to the Treaty establishing the EU.: a high standard of living, a balanced and sustainable development, strengthening the common defense, placing the objective to maintain and develop the Union as an area of security, freedom and justice; 2. Treaties in order to simplify removal of obsolete provisions and 3. general and final dispositions) and proposes 4 main objectives (gradual abolition of the last obstacles to free movement, strengthen security and justice, asserting citizens' rights by emphasizing their role, coherent foreign policy, increasing the efficiency of EU institutional structure for accepting new members)

The concept of the multilevel governance is not a division of powers, but rather a way how to share powers. Governance should therefore become even more a flexible and dynamic sharing power at all levels.

2. Conclusions

CoR's White Paper on Multilevel Governance goes beyond it and proposes multilevel governance mechanisms of its strengthening, "opening the door" for a more active and formalized role of the citizens in the decision-making process at various administrative levels. This particularly means "reinforcing partnership in practice" and encouraging dialogue between actors with different institutional background.

In general, the notion of "governance" has an ambiguous character, but in relation to this and with the many interpretations of multilevel governance is not only a governess with multiple characters but a government in the levels of interdependence.

This means that on one hand that the decision-making process goes beyond the representative institutions, and other formal power was dissolved between central and institutions "above & below". In other words, multilevel governance is *"a creative process in which political power and political influence are distributed between different levels of government"*.

REFERENCES

1. *The Committee of the Regions' White Paper on multilevel governance,* CoR 89/2009, available on http: //www.cor.europa.eu/governance
2. *Consultation Report on Committee of the Regions White Paper on Multilevel Governance Building "Europe in partnership"*, available on http: //www.cor.europa.eu/governance
3. IERS, 2009, *Proposals OF Institute for Euroregional Studies Oradea-Debrecen to the Consultation* of *CoR White Paper on Multilevel Governance (*http: //www.cor.europa.eu/ pages/EventTemplate.aspx?view=detail&id=63df5e06-978e-4ec5-bce9-9cc6d99ffeb1)
4. Annabelle BOUTET, Vincent FOUCHIER « *La contractualisation territoriale: Un mode d'action publique en renouveau permanent ou un outil d'avenir pour l'aménagement? »*, Délégation à l'Aménagement du Territoire et à l'Action Régionale, En partenariat avec le CDU – DGUHC, 2003.
5. Weiss, Thomas G. and Ramesh Thakur, The United Nations and Global Governance: An Idea and its Prospects, University of Indiana Press (forthcoming).
6. *http: //www.cor.europa.eu/pages/PresentationTemplate.aspx?id=1ecf7abe-35e4-4c9e-a9ee-5bd5aa83a173*