

**Decision of the 67th Conference of the Ministers for European Affairs of the**

**German Federal States**

**29/30 January 2015**

**- *Courtesy translation* -**

**TOP 4: Europe of the Regions**

Rapporteurs: Bavaria, Berlin, Rhineland-Palatinate, Saxony, Saxony-Anhalt, Thuringia

**Decision**

The members of the Conference of the Ministers for European Affairs of the German federal states welcome the Working Programme for 2015 submitted by the European Commission and the commitment made in this context to allow for more proximity to citizens and less interference in subjects to which the right answers can be found at the national and regional level.

The members of the Conference of the Ministers for European Affairs of the German federal states therefore expect that under the new Commission new possibilities for a dynamic, constructive and strong “Europe of the Regions” will emerge.

The members of the Conference of the Ministers for European Affairs of the German federal states point to the fact that citizens expect regional concerns as well as social and cultural specificities to be respected within a common Europe and included in the policy-making process.

For the abovementioned reasons, the members of the Conference of the Ministers for European Affairs of the German federal states address the following concerns to the European institutions:

1. In the interest of bringing the EU closer to the citizens and maintaining regional leeway, the members of the Conference of the Ministers for European Affairs of the German federal states call on all EU institutions to apply broad

competence clauses (such as the internal market competence, article 114 TFEU) in a self-limiting and careful way. They appreciate that the Commission, by introducing the position of the first Vice President, gives a higher priority to better regulation, subsidiarity, reduction of bureaucracy and relations with national parliaments. They note that more transparency and accountability are required on the part of the Commission, in particular in the field of the 2 delegated legal acts and the implementing acts.

2. The members of the Conference of the Ministers for European Affairs of the German federal states ask the Commission to put even greater emphasis on addressing and debating the aspects of the exercise of competence and subsidiarity in the legislative process in a comprehensive manner at an early stage. They acknowledge that the principles of good legislation require the consistent analysis of issues concerning the administrative burden and the reduction of bureaucratic overload.
3. With regard to the “new start for Europe” the members of the Conference of the Ministers for European Affairs of the German federal states particularly suggest that for legislative initiatives the impact on federal states and regions be taken into account (in the sense of a territorial impact assessment). The consistent consideration of the regional dimension and in particular the impact of EU legislation at regional, urban and local levels in the Member States in all relevant policy areas strengthens the proximity to citizens and the practical relevance of EU legislation. In the long run the prosperous development of Europe can only be ensured by transparent decision-making processes and mutual respect for the political roles and responsibilities in the multi-level system.
4. The members of the Conference of the Ministers for European Affairs of the German federal states point out that the session format of the “inner circle”, practised since February 2013 at the sessions of the Council of Ministers of the European Union on education, culture and media among others, massively prejudices the rights of the federal states. They therefore call on the President and the General Secretariat of the Council of the European Union to select a

session format for the future sessions of the concerned Council formations that allows for equal participation of the representative of the Federal Council of Germany at ministerial level in the deliberations.

5. The members of the Conference of the Ministers for European Affairs of the German federal states suggest continuing to use the European policy of strengthening the economic, social and territorial cohesion to safeguard empowerment options available to regions. To this end it is necessary to have the operational programmes for the 2014-2020 funding period approved as soon as possible and to ensure that the 3 empowerment options available to regions set forth in the European Structural and Investment Fund Regulations are not narrowed down in the approval process.
  
6. However, the members of the Conference of the Ministers for European Affairs of the German federal states also note that the recent reform of cohesion policy has once again insufficiently considered the objective of reducing the administrative burden, and the administrative effort to manage the European Structural and Investment Funds has reached its reasonable limits. With regard to the further development of the management and control systems and the conduct of the audit, they call on the Commission to abstain from taking additional measures that would further increase the administrative burden for Member State authorities and beneficiaries and reduce the potential contribution of the European Structural and Investment Funds to the achievement of the objectives of the Europe 2020 strategy. In this respect they refer to the decision of the Federal Council of Germany on the Regulatory Fitness and Performance Programme of 10 October 2014 (REFIT, BR-Drucksache-Nr. 272/14 - Beschluss [German upper house of parliament printed paper No. 272/14 - Decision]).
  
7. The members of the Conference of the Ministers for European Affairs of the German federal states welcome the fact that the Treaty of Lisbon has strengthened the position of the Committee of the Regions in the legislative process. The last five years in particular have clearly demonstrated that the

contribution of the Committee of the Regions as a political assembly of elected regional and local representatives is crucial.

8. The members of the Conference of the Ministers for European Affairs of the German federal states indicate that decentralised European public relations actions in the federal states are suitable, especially to make the population aware of the European policy actors as well as to inform them about European policy approaches to address specific local concerns of citizens. They therefore welcome the recent initiative of the Committee of the Regions to strengthen decentralised European public relations and call on the European Parliament and the European Commission to attach greater importance to decentralised European public relations and reinforce their support for it.
9. The members of the Conference of the Ministers for European Affairs of the German federal states do not approve of the fact that the EU Transparency Register is to apply to regions and thus the German federal states, and they oppose that local and municipal authorities are expected to register, putting states, municipalities and cities on a level with lobby groups from business and society. Even if initially registration on request only is introduced, there is a risk that incentives such as facilitated access and speaking rights will create a de facto pressure. The members of the Conference of the Ministers for European Affairs of the German federal states therefore refer to the decision of the Federal Council of 7 November 2014 (Drs. 456/14 - Beschluss) [printed paper No. 272/14 - Decision] and request to maintain the existing exemption for sub-national authorities and not include the German federal states in future revised versions of the Transparency Register.
10. The members of the Conference of the Ministers for European Affairs of the German federal states ask the European Commission to continue to fully exercise their responsibility within the framework of macro-regional strategies, in particular with regard to coordination and monitoring. As a multi-level approach macro-regional strategies have proven successful in policy coordination.

11. The members of the European Ministerial Conference welcome that the current EU Commission has strengthened and enhanced the European Territorial Cooperation (ETC / INTERREG). Territorial cooperation continues to be of great importance and bring high European added value. In light of the above, the European ministers call on the Commission to promptly approve the submitted INTERREG cooperation programmes for the 2014-2020 funding period.

However, the members of the European Ministerial Conference believe that the efforts to simplify the ETC made so far are not sufficient. In funding, the administrative burden on both programme managers and beneficiaries must be proportionate to the level of funding. In general, a particularly high priority should be given to the bottom-up approach in relation to the central guidelines for the implementation of the ETC.

12. The members of the European Ministerial Conference ask the holder of the EU Council presidency to forward this decision to the Federal Government of Germany, the European Commission, the Council and the European Parliament.

Statement to number 4:

The federal states of Brandenburg, Bremen, Hamburg, Mecklenburg-West Pomerania, Lower-Saxony, North Rhine-Westphalia, Rhineland Palatinate, Saarland, Schleswig Holstein and Thuringia suggest addressing the issue of the representation of the federal states in the Council. The aim should be that the federal states can be politically represented in the Council by ministers and secretaries of state as already practised by the Federal Government and in line with European customary law. It is agreed that the European Ministerial Conference will separately deal with the issue in due course.