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Brussels, 26 October 2018

**186th MEETING OF THE EUROPEAN COMMITTEE OF THE REGIONS BUREAU**

**– 8 OCTOBER 2018 –**

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| **ITEM 5**  **SUBSIDIARITY TASK FORCE FOLLOW-UP:**  **PILOT PROJECT FOR A NETWORK OF REGIONAL HUBS TO ASSESS THE IMPLEMENTATION OF EU LEGISLATION**  *Submitted by the Secretary-General* |

**FOR DECISION**

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| **SUMMARY** | | | | |
| **Bureau meeting No 186** |  | | **Date:** | **08/10/2018** |
| **Item 5**  **Subsidiarity task force follow-up:**  **Pilot project for a network of regional hubs to assess the implementation of EU legislation** | | | | |
| **Type** | | | | |
|  | | **For information/debate** | | |
|  | | **For decision** | | |
|  | | **Recommendation to the Assembly** | | |
| **Short description:**  Involving local and regional experiences of implementing EU legislation more effectively and in a more systematic and timely manner is one of the key recommendations of the Subsidiarity Task Force, whereby the CoR was called upon to launch a pilot action to review EU policy implementation. This is part of a "new way of working" proposed by the Task Force, not only for effective subsidiarity monitoring (via the Subsidiarity Monitoring Network) at the legislative stage but also during the implementation of EU legislation.  This paper outlines the major steps in setting up a pilot network of 20 regions to test out the methodology for implementation reporting on a selected number of EU policies. The aim of this pilot action is to strengthen the role of the CoR in monitoring the implementation of EU legislation and by doing so to reinforce the work of the CoR's Subsidiarity Monitoring Network.  If successful, this pilot project will pave the way for a wider, long-term project that will accessible to regional and local authorities coming from all EU Member States. This project could be operational from 2021 onwards, and the EU would provide sufficient resources to co-finance the efforts at regional level, as well as additional support for the CoR in coordinating these activities. | | | | |
| **The Bureau is invited to decide on the main elements of the pilot project so that a call for expression of interest can be launched thereafter.** | | | | |
| **Remarks:**  This proposal is a first specific follow-up measure to the Subsidiarity Task Force recommendations for more systematic and timely involvement of Europe's local and regional authorities in implementing EU legislation. Further proposals for the CoR on how to implement the Task Force's recommendations will be presented to the December Bureau. | | | | |

# **Background**

Most EU legislation is implemented at local and regional level. This level involves day-to-day experiences of applying legislation in close contact with local businesses, social partners, civil society and citizens. Feeding these experiences back via local and regional authorities towards the EU institutions is therefore an important element in the design of new legislation and the review of existing legislation.

This is part of a "new way of working" between all levels of government in promoting more proportionate and effective EU policymaking. That is why the CoR members in the Task Force (TF) on Subsidiarity, Proportionality and "Doing less more efficiently", proposed to "*set up a structured and systematic feedback mechanism involving regions and local authorities. This could include the setting up of a decentralised network on monitoring of EU policy implementation at local and regional level, codified in the relevant EU legislation*."

On 10 July 2018, the TF, in the final report[[1]](#footnote-1), gave the recommendation that "*the Committee of the Regions should launch a pilot project for a new network of regional hubs to collect and channel systematically the views and hard information about the implementation of legislation. The Task Force thinks this is a useful initiative that could potentially plug the current data gaps and improve the evaluations of legislation.*"

This paper outlines the major steps in setting up a pilot project consisting in a network of 20 regions, to test out the methodology for implementation reporting on a selected number of EU policies. The aim of this pilot action is to use and reinforce the role of the CoR in monitoring and implementing EU legislation and by doing so to support the CoR's Subsidiarity Monitoring Network.

If successful, this pilot stage will pave the way for a wider, long-term project that is accessible to regional and local authorities coming from all EU Member States. This project could be operational from 2021 onwards, and the EU would provide sufficient resources to co-finance the efforts at regional level, as well as additional support for the CoR in coordinating these actions.

This document therefore outlines the aims and objectives of the network and presents the specific steps for implementing an initial pilot phase during the period 2019-2020.

# **Aims and objectives of the pilot project**

The pilot project of regional hubs for EU policy implementation coordinated and initiated by the European Committee of the Regions aims at:

* putting the experiences at local and regional level of implementing EU legislation forward in a systematic, coherent and inclusive manner;
* establishing a new way of working and a new quality of cooperation between the CoR and the EU institutions[[2]](#footnote-2) in providing first-hand experiences of EU implementation as part of a revised EU Better Regulation agenda;
* strengthening the consultative role of the CoR and the political work of the CoR in particular;
* supporting the efforts at local and regional level to feed back the implementation experiences by setting up regional hubs on EU policy implementation with 20 regions during the pilot phase; and
* expanding the network in a mainstreaming phase with financial support from the European Commission.

In doing so, the pilot project will provide – as a tangible outcome and in a systematic and timely way – a limited number of reports about the implementation of EU legislation at local and regional level in Europe. Ideally, this should be done before the EU proposes new or revised legislation in a given area. It will underline the specific role of local and regional authorities in a system of multi-level governance in Europe. It will also make it possible to better assess what EU action is needed in the future in the given policy field.

The pilot project shall pave the way for a much more developed long-term project to ensure systematic involvement of Europe's cities and regions and of the CoR in determining how EU legislation is prepared and implemented.

# **Main elements of the pilot project**

The pilot project of EU policy implementation consists of the following elements:

1. **Coordination of the pilot project**

The secretariat will be in charge of the day-to-day coordination of the pilot project, for designing the questionnaires for implementation reporting and for preparing the implementation reports.

The secretariat will also be responsible for preparing the work plan in 2019 and 2020 for the pilot project and for coordinating the evaluation of the project. The secretariat will also be the contact point for the other EU institutions.

1. **20 regional hubs** of EU policy implementation (pilot phase)

The regional hubs – which are part of the regional administration – will have the task of:

* providing timely feedback to the questionnaires and maintaining close contact with those organisations and institutions at local/regional level in charge of EU policies;
* participating in the meetings of the pilot project; and
* gradually developing the provision of information about the Better Regulation activities of the EU to its network of participating organisations and institutions, based on input provided by the CoR.

The regional hubs consisting of a contact person have to be set up and financed – at least during the pilot phase – by the participating regions.

The hubs in the participating regions will:

* be part of the public administration;
* act as a contact point for all those stakeholders in the region involved in implementing a specific EU policy; and
* gradually develop into an information point for all questions relating to the EU's Better Regulation agenda.

Participating regions can, as appropriate and relevant, involve (and partner up) with associations of regional authorities for all, or specific, tasks.

If the pilot project is evaluated positively, the aim is that the European Commission will commit to providing some co-financing for the mainstreaming phase of the project. Precisely how this second phase will be implemented will be determined during the pilot phase.

## **Synergies with already existing initiatives and the Better Regulation agenda**

The impact and success of the pilot project of EU policy implementation largely depends on how the results of the work are considered by the European Commission, the European Parliament and, as far as possible, the Council.

In order to achieve this, the following measures are envisaged:

* The EU institutions, particularly the better regulation units/services as well as the relevant sector policy services of the European Commission, the European Parliament (incl. EPRS) and, potentially, representatives of the specific Council Working Group, will be systematically involved in the work of the pilot project;
* The existing instruments for reviewing EU legislation relating to these matters (such as the REFIT activities or the European Environmental Review) will be considered in the further planning of the project;
* Early on, the CoR will work with the Commission on the feasibility of a funding scheme to roll out the project after the pilot phase (in the event of a positive evaluation at the end of the pilot phase);
* The pilot project will take into account the experiences of existing initiatives by both the Commission (including REFIT, the European Environmental Review, the Urban Agenda for the EU, etc.);
* Reports based on information generated via the network will be sent to all institutions concerned.

## **Working method of the pilot project**

During the pilot phase, the project will provide a (limited) number of implementation reports on key EU policies. This will be done using a **three-step approach**.

Step 1: At the beginning of the year, the CoR, in close cooperation with the regions participating in the pilot project and in close consultation with the EU institutions, will set up a work plan of those EU policies that will be the subject of an EU policy implementation report in the given year.

For each of the selected EU policy fields, the secretariat will develop a questionnaire that will include the key questions the EU institutions, including the CoR, consider to be answered during the process.

Step 2: The questionnaire on a specific EU policy will be sent to the regional hubs, who will be asked to provide, within a reasonable but short period of time, a comprehensive reply to the questionnaire after having contacted and interviewed the key players and agencies involved in implementing this EU policy at local/regional level.

Step 3: The results of the questionnaires will be compiled by the secretariat in a technical implementation report, which will be provided to the CoR commission in charge of the policy area for political analysis and follow-up, as well as to the other EU institutions. The report will also be published on the CoR webpage.

## **Governance of the pilot project**

The **political governance** during the pilot phase will be carried out by the Subsidiarity Steering Group using a three-step approach:

* At the *beginning of each year,* **all CoR commissions** will be invited to identify and to communicate to the **Subsidiarity Steering Group** the main themes for the work of the pilot project
* the **Subsidiarity Steering Group** will propose to the CoR Bureau the work programme and
* the **Bureau will then adopt the final work programme.**

The secretariat for the pilot project will inform – whenever necessary – other services from the CoR administration, the PG secretariats and the coordinators of the national delegations about the progress of the activities.

The relevant EU institutions and services will be closely involved in running the project activities.

# **Timetable**

To implement the pilot project over the next two years, 4 phases are envisaged.

## **Preparation phase (October 2018-January 2019)**

During the preparation phase, the basic structures of the pilot project are expected to be set up.

This includes the following elements:

* The call for expression of interests and the selection of the regions participating in the pilot project.
* Initial contact with the EU institutions to prepare the draft work programme for 2019.
* Setting up coordination and reporting to political governance.

*Call for expression of interest and selection of regions participating in the pilot action*

The pilot project is open to all regions in the EU. The CoR president will inform all CoR members about the aims and objectives by letter, and will call for nominations for regions to take part in the pilot action. In the letter, a deadline will be set for regions to express their interest. The letter will also contain a description of the main tasks the regional hubs will have to carry out during the pilot phase. Due to financial limitations, the pilot action will only extend to 20 regions. A selection process is therefore needed in case more expressions of interests are be submitted[[3]](#footnote-3).

In this case, after receiving the nominations, the CoR secretariat will assess the proposals and will prepare a draft shortlist for the future make-up of the network. The president, in close consultation with the political groups and the Steering Group of the Subsidiarity Monitoring Platform, will make the final decision on the shortlist by taking the following criteria into account:

* the quality of the nomination with regard to the political and personal commitment to contribute and the capacity to take part in the pilot action;
* the institutional role of the local/regional authority in implementing EU policies: a certain number of regions with legislative powers should therefore be considered. Due to their immediate implementation experience, they would most likely be able to meet the needs of the pilot project;
* an adequate geographical balance across the EU should be observed.

## **Pilot phase (February 2019-September 2020)**

The pilot phase will start with the setting up of regional contact points and the preparations for the official launch of the pilot project. All major activities will be included in a **work plan** for 2019 (and later on for 2020), which will include the following elements:

* the selection of EU policies to concentrate activities in the given year.
* a detailed timeline for the implementation of the consultations carried out through the pilot project.
* the pilot project meetings planned at EU level.
* all further activities of relevance for the whole pilot project.
* the specific inter-institutional activities to promote the pilot project.
* the planning of promotional material to be used at EU and at regional level.

During the pilot phase, the focus should be on a few selected topics. Only after the successful completion of the pilot phase will this be expanded to the full range of EU.

Topics and policy areas should be selected where local and regional levels are particularly impacted by the implementation of EU law. This could include, for example: public procurement, environmental legislation, or transport policy. The CoR commissions will be closely involved in the selection of topics/policy areas; the latter will be taken up in thematic planning of the CoR commissions to ensure political follow up within the CoR wherever possible.

The budgetary planning for the network also includes **three meetings of the partners** per year, with the CoR covering the travel and accommodation costs. For 2019, the following meetings are planned (see budget estimate in Appendix 2):

* Spring 2019: 1st working meeting of the pilot project. This meeting will be used to agree on the working methods and a code of conduct for participating regions in performing their duties. The meeting will also be used to have an initial exchange on the possible topics for further consultation based on experiences of implementing EU legislation in areas such as: public procurement, environmental legislation or transport policy.
* Summer 2019: 2nd working meeting on implementing the consultations on the agreed topics.
* Winter 2019: 3rd working meeting on fine tuning further consultations, assessing the first reports, and preparing the work plan for 2020.

A similar cycle of meetings is planned for 2020.

These meetings should closely involve the CoR rapporteurs in the field and representatives from the EU institutions dealing with the specific policy fields and with the Better Regulation agenda. The meetings will be held at the premises of the CoR. The main results of the meetings will be published on the CoR webpage.

The working language for operating the pilot project will largely be English, except for the three annual working meetings for which interpretation will be provided.

In addition, a **political launch of the pilot project** with high-level representatives of the participating regions could be envisaged in the framework of the CoR Summit of Cities and Regions in Bucharest in March 2019.

## **Evaluation phase (September-December 2020)**

At the end of 2020, a thorough evaluation of results achieved during the pilot phase will take place. This will include a consultation of the participating regions about the work carried out, and a consultation of the CoR members that were directly involved in the work of the pilot project. It will entail close cooperation and consultation with those services of the EU institutions that were directly and intensively involved in the project as well as with those services (if different to the above) that could be involved in the future financing of the mainstreaming phase.

This evaluation report will be presented to the CoR Bureau in October 2020 and will include a proposal on how to proceed beyond the pilot phase. The report will also entail the results of the further discussions with the EU institutions (particularly the European Commission) on how to finance a wider long-term project beyond 2020.

## **Mainstreaming phase (from January 2021)**

Based on a positive decision by the CoR Bureau regarding continuation of the project following the evaluation results and a decision by the EU institutions for substantial EU co-financing of future project activities, the mainstreaming phase shall start at the beginning of the next programming period in early 2021.

It is then planned to carry out a second call for expression of interest to set up regional hubs and to provide the necessary financial resources for the CoR to expand the secretariat accordingly.

# **Budget**

The pilot phase will be financed by the CoR and the participating regions.

According to the financial fiche that was presented at the CFAA meeting of 20 September 2018, the CoR will cover the costs of three meetings per year and will provide – without additional costs – for the project coordination.

The participating regions will finance all costs relating to the regional hubs (with the exception of their participation in the three meetings).

**PROPOSAL**

**The Bureau is invited to decide on the main elements of the pilot project so that a call for expression of interest can be launched thereafter.**

**Appendix 1. General timeline**

**Appendix 2. Estimated budgetary impact of the proposed action during the 2-year pilot phase of 2019-2010**

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|  | **BL 1004  (ind. pres. members)** | **BL 1402  (interpretation)** | **BL 1422  (speakers)** | **BL 2541**  **(third parties)** | **Cost per workshop** | **Total Costs** |
| 3 one-day workshops in Brussels in year 1 one of pilot phase (2019) | Per workshop  5 members\* @ €1 206 per member = €6 030  For 2019  €18 090 | Per workshop  3 languages/booths (2 interpreters per booth) 2 slots @ €488 per interpreter per slot = €5 856  For 2020  €17 568 | Per workshop  3 speakers @ €906 per speaker = €2 718  For 2020  €8 154 | Per workshop  20 third parties @ €904 per third party = €18 080  For 2020  €54 240 | €32 684 | €98 052 |
| 3 one-day workshops in Brussels in year 2 one of pilot phase (2020) | Per workshop  5 members\* @ €1 206 per member = €6 030  For 2020  €18 090 | Per workshop  3 languages/booths (2 interpreters per booth) 2 slots @ €488 per interpreter per slot = €5 856  For 2020  €17 568 | Per workshop  3 speakers @ €906 per speaker = €2 718  For 2020  €8 154 | Per workshop  20 third parties @ €904 per third party = €18 080  For 2020  €54 240 | €32 684 | €98 052 |
| **Total** | **€36 180** | **€35 136** | **€16 308** | **€108 480** | **-** | **€196.104 \*\*** |

\*Only in exceptional cases or when the workshops cannot take place the day before or during a CoR plenary. \*\*The CoR's budgets for 2019-2020 are not yet approved.

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1. <https://ec.europa.eu/commission/files/report-task-force-subsidiarity-proportionality-and-doing-less-more-efficiently_en>. [↑](#footnote-ref-1)
2. Building on the existing cooperation agreements with the Commission and the European Parliament in which the CoR agreed to provide the EP "*systematically with information and relevant materials from the national, regional and local level on how existing legislation and spending programs are effectively working*." [↑](#footnote-ref-2)
3. In the event a large number of applications are received, the CoR might draw up a waiting list. [↑](#footnote-ref-3)