

CHARLES UNIVERSITY IN PRAGUE

FACULTY OF SOCIAL SCIENCES

Institute of International Studies

Daniela Štoková

Regions in the EU after the Lisbon Treaty

Master's thesis

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Author: **Daniela Štoková**

Supervisor: **Prof. PhDr. Lenka Rovná, CSc.**

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Abstrakt

Během posledních desetiletí můžeme pozorovat pokračující emancipační tendence evropských regionů spojené s požadavky širší samosprávy, autonomie či dokonce nezávislosti. Cílem diplomové práce je zhodnotit vztah vybraných regionů k institucionální úrovni EU. Obecná výzkumná otázka tedy zní: „*Jaké regiony jsou při prosazování svých zájmů na evropské úrovni úspěšnější?*“ Použitou metodou je komparativní případová studie spojující prvky kvalitativního i kvantitativního výzkumu. Zkoumané regiony, vybrané s ohledem na hypotézy práce a se snahou analyzovat problém z více perspektiv, jsou Skotsko (Velká Británie), Hesensko (Německo), Trentino-Jižní Tyrolsko (Itálie) a Středočeský kraj (Česká republika). Na základě komparativní analýzy bylo možno dojít k závěru, že „*ekonomicky silné regiony disponující velkým rozsahem pravomocí na národní úrovni jsou obecně při prosazování svých zájmů na evropské úrovni úspěšnější.*“

Abstract

There is a constant trend in the European Union for heightened pride, desire of extended autonomy and even national independence of regions. The master thesis intends to investigate the relations of selected regions in the EU member states with the European policy level. The general research question to answer is “*Which regions are more successful in representing their interests vis-à-vis the European policy level?*” The investigation is undertaken in a form of a comparative case study combining

qualitative and quantitative research; the examined regions are – following the research hypotheses and intention to provide a multi-perspective analysis of the problem – Scotland (United Kingdom), Hessen (Germany), Trentino-Alto Adige/Südtirol (Italy) and Středočeský kraj (Czech Republic). Based on the comparative analysis the thesis concludes that *“regions with wide scope of powers on the national level (usually coming from federal or regionalized member states) with strong economic background are generally more successful in representing their interests vis-à-vis the European policy level.”*

Klíčová slova

Regiony, Evropská unie, víceúrovňové vládnutí, nový regionalismus, Lisabonská smlouva, Výbor regionů, Skotsko, Hesensko, Trentino-Jižní Tyrolsko, Středočeský kraj

Keywords

Regions, European Union, multi-level governance, new regionalism, Lisbon Treaty, Committee of the Regions, Scotland, Hessen, Trentino-Alto Adige/Südtirol, Středočeský kraj

Word count: 24 113 words (158 208 characters)

Declaration

I hereby declare that this thesis is my own work, based on the sources and literature listed in the appended bibliography and that it has not been submitted for any other degree. I also grant the Charles University in Prague the permission to make the thesis accessible for study and research purposes.

Prague, May 18, 2011

Daniela Štoková

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Jméno diplomanta: Daniela Štoková

Předběžný název: Postavení regionů v rozhodovacím procesu EU po Lisabonské smlouvě

Předběžná výzkumná otázka: Jak jsou „pravomoci“ dané regionům Lisabonskou smlouvou v praxi využívány? Jak korelují se skutečnými požadavky regionů?

Vymezení tématu:

- teoretické vymezení pojmu „region“, jeho charakteristiky
- pravomoci regionů dané primárním právem EU s důrazem na změny po Lisabonské smlouvě; princip subsidiarity
- postavení regionů v rozhodovacím procesu EU – komparace několika zvolených regionů
 - na národní úrovni (s ohledem na princip subsidiarity)
 - na evropské úrovni – Výbor regionů a neformální síť
 - srovnání stávajících pravomocí regionů s jejich požadavky

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List of Abbreviations

AER	Assembly of European Regions
AEFR	Association of European Frontier Regions
ARGE ALP	Working Community of the Alps
CASTer	Conference and Association of Steel Territories
CEMR	Council of European Municipalities and Regions
CoR	Committee of the Regions
CPMR	Conference of Peripheral Maritime Regions
DG	Directorate General
EC	European Communities
ECJ	European Court of Justice
EEC	European Economic Community
EIRA	European Industrial Regions Association
ERDF	European Regional Development Fund
EU	European Union
EU-15	EU after the 1995 enlargement (1 January 1995)
EU-27	EU after the 2007 enlargement (1 January 2007)
EUZBLG	Law on Cooperation between the Bund and the Länder Concerning European Matters (12 March 1993)
GDP	Gross Domestic Product
MEP	Member of the European Parliament
NUTS	Nomenclature des Unités Territoriales Statistique
PPS	Purchasing Power Standard

REGI	Committee for Regional Development
REGLEG	Conference of European regions with legislative power
RETI	European Regions of Industry and Technology
RoP	Rules of Procedure
SEA	Single European Act
TEU	Treaty on the European Union
TEC	Treaty establishing the European Community
UK	United Kingdom

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Introduction

There is a constant trend in the European Union for heightened pride, desire of extended autonomy and even national independence of regions. The roots of this trend could be found sometime during the 1970s and 1980s when in the context of advancing globalization, increasing interdependence between the states and pooling of social identities; a new wave of regionalism arose as a component of this new, turbulent and heterogeneous world system. Though the so called '*new regionalism*' is usually associated with the process of creating regional integrations among several states, the process also takes place at a lower level resulting in gradual political and economical emancipation of regions within a state.

In the framework of the European integration process, the new wave of regionalism was incited not only by globalization, but also by reforms of public administration and most of all by the progress of the integration process itself. The regions in the European Communities have been gradually gaining in significance and consequently tried to reinforce their position vis-à-vis the nation-state by pursuing their interests directly at the European level, pushing for creation of a formal way of access and taking informal pathways at the same time.

This development has been accompanied by an ongoing debate about the possible forms the European polity might evolve into. In the beginning of 1990s the debate culminated in the creation of the concepts of a '*Europe of the Regions*' or even a '*Europe of the Cities*'. Some radical adherents of this concept predicted a gradual fadeaway of the nation-states and their replacement by regions which would become both the actors and the new basis for the integration process. Other proponents referred however simply to a need for cross-border regional cooperation and demanded a '*three-level*' Europe where the regions – while still integral parts of the member states – would be accepted as actors equal to both the national and the supranational level. The debate is likewise mirrored on the theoretical level. With the 1980s and 1990s '*governance turn*' in the theories of the European integration new theoretical approaches emerge trying to accommodate the multiplicity of actors and dispersion of authorities and competences within the integration process. The most influential concepts reflected throughout this thesis include multi-level governance and policy networks.

Although the debate on *'Europe of the Regions'* seems to have died away; the emancipation of the regions both within the individual member states and the European Union continues. Regarding the latter, the process can be best traced based on the changes in EU primary law concerning the regions. In this respect, the Maastricht Treaty of 1992 and the Lisbon Treaty of 2007 constitute milestones.

The significance of the EU's *'third level'* for decision-making on the European level as well as for the integration process itself is rather high. In today's European Union of 27 member states, almost 300 regions have powers in key sectors such as education or the environment. In a recent Eurobarometer survey investigating the role and impact of local and regional authorities within the European Union the majority of respondents answered that regional or local public authorities were not sufficiently taken into account when deciding on policies in the EU (Special Eurobarometer 307. The role and impact of local and regional authorities within the European Union, 2009). Nevertheless, the increased involvement of the EU's *'third level'* might bring the whole decision-making process closer to the citizens; thus reducing the much debated democratic deficit. Regional and local authorities are therefore vital to the democratic life of the European Union.

Against this background, this master's thesis intends to investigate the relations of selected regions in the EU member states with the European policy level. The general research question to answer is therefore *"Which regions are more successful in representing their interests vis-à-vis the European policy level?"* To achieve that goal the thesis also needs to provide a brief analysis of the regional dimension of EU primary law and identify the channels regions can use to interact with the EU. The investigation itself is carried out in a form of a comparative case study guided by four hypotheses: (1) Regions from the EU-15 achieve more than regions from 'new' member states. (2) Regions from federal states achieve more than regions from unitary states. (3) Economically strong regions achieve more than economically weaker ones. (4) 'Established' regions achieve more than recently formed ones.

The selected regions are Scotland (United Kingdom), Hessen (Germany), Trentino-Alto Adige/Südtirol (Italy) and Středočeský kraj (Czech Republic). The selection was based on the above-mentioned hypotheses and in accordance with the aspiration to provide a multi-perspective analysis of the problem. Methodologically,

the comparative case study combines qualitative and quantitative research and uses the method derived from John Stuart Mill's classical methods of agreement, difference and concomitant variations.

This thesis consists of three chapters. The first chapter builds a theoretical framework providing definitions, analyzing the most influential theoretical approaches and the regional dimension of the EU primary law. It also includes more detailed methodological considerations. In the second chapter, the possible channels of regional interests to the European policy level are being identified and discussed. The third chapter then comprises the individual case studies and their comparative analysis.

Literature review

There is a broad spectrum of sources dealing with the empowerment of the regions on both the national and the European level ranging from official documents and reports presented by the EU institutions and the national governments to conference proceedings, academic articles books. It has to be noted that the topic has been given much more attention in states with a strong regional level – thus while German and English sources are numerous e.g., Czech sources are very limited. In Germany, both federalism and regionalism have a long tradition and the position of the regions vis-à-vis the EU is therefore a highly debated topic. On the other hand, in Britain the topic gained on significance only with the advancing process of devolution, although it has to be admitted it has remained quite popular until today. In addition, the British academic debate on regionalism is very much connected to the works of Michael Keating of the University of Aberdeen.

Among the key publications this thesis draws from and which usually deal with the subject in a more cross-sectional way are books by Michael Keating, Christian Engel, Rudolf Hrbek & Sabine Weyand, Wilfried Swenden or Peter Wagstaff. *The European Union and the Regions* edited by Michael Keating and Barry Jones published in 1995 could be seen as a contribution to the 'Europe of the Regions' debate of which the authors are rather sceptical. Looking at the individual member states in turn, the book provides for an examination of the new patterns of politics and policy linking together the regional, national and European level. Another contribution to the debate constitutes the book by Rudolf Hrbek and Sabine Weyand "*betrifft: Das*

Europa der Regionen. Fakten, Probleme, Perspektiven”¹ from 1994 in which they examine the motivation and aims of the interregional transnational cooperation, its forms and examples; the influence of the European integration process on the regions and their ‘compensation strategies’. Further, the authors assess the contribution of the Maastricht Treaty to the position of the regions in the EU and provide perspective for the future evolution of the matter.

In the 2002 book *Regionale Verwaltungen auf dem Weg nach Europa*² Christian Engel and Alexander Heichlinger discuss the Europeanization of regional administrations and their instruments, processes and practices for dealing with the European level. Their study is limited to selected states – Belgium, the United Kingdom, Netherlands, Austria and Spain.

Wilfried Swenden’s *Federalism and Regionalism in Western Europe. A Comparative and Thematic Analysis* from 2006 aims to assess the relevance, problems and impacts of the federal systems of government in Western Europe in the comparative perspective of six West European states. Surprisingly, the book is not structured according to case studies but rather divided in chapters analyzing particular institutional characteristics of federalism and regionalism. On the contrary, a more ‘traditional’ approach is applied in the 1999 book *Regionalism in the European Union* edited by Peter Wagstaff. The authors of the individual case studies always provide an analysis of the affirmation of regional identity in a historical context, the growth of regional development, and the dynamics of region-state and interregional competition and cooperation. It is worth mentioning that the case study on regionalism in the United Kingdom is written by Alan Butt-Philip, a frequent guest lecturer at the Institute of International Studies at the Charles University in Prague.

In the theoretical part, this thesis is mainly based on primary sources relevant to the particular theoretical approach, although secondary literature is also used. The primary sources include works by Gary Marks and Liesbet Hooghe, John Peterson, Beate Kohler-Koch and Rainer Eising, Anthony Downs or Kenneth Shepsle and obviously EC/EU treaties and other legal acts. As a secondary ‘reference’ literature, this thesis works with books by Petr Kratochvíl or Antje Wiener and Thomas Diez.

¹ Engl. “Regarding the Europe of the Regions: Facts, Problems, Perspectives”

² Engl. “Regional administrations on the journey to Europe”

The method used in the comparative case study is derived from the Colliers' influential work *Shaping the Political Arena. Critical Junctures, the labour movement and regime dynamics in Latin America*; which is however originally based on John Stuart Mill's *Two Methods of Comparison*, a selection from his 1843 *System of Logic* published e.g. in the 1970 *Comparative Perspectives: Theories and Methods* of the editors Etzioni and Dubow.

When defining and analyzing the individual channels used to represent regional interests vis-à-vis the EU level, two publications have to be mentioned having served as a 'starting point' for this part of the thesis. First, the 2001 book by Esther Bettina Neunreither *Die Interessenvertretung der Regionen bei der Europäischen Union. Deutsche Länder, spanische Autonome Gemeinschaften und französische Regionen*³. The author provides a general comparative assessment of the activities of German, Spanish and French regional level at the EU level, differentiating between direct/indirect and formal/informal channels. However, the book does not aspire to identify the underlying cause of the differences among the countries arising during the comparison. Similarly, *Europa der Regionen: Die Regionen und die europäische Regionalpolitik in der EU-25 unter besonderer Berücksichtigung Polens. Bestandaufnahme und Zukunftsperspektiven*⁴ by Magdalena Urbanowicz though identifying some of the channels of regional interests, does not offer a more general approach to the topic. This is probably due to the fact that the regional activities are analyzed through the prism of EC/EU regional policy. The important sources for the case studies include above all domestic legal acts concerning the particular regions, a systematic overview of them can be found in Hübner, Oliver. *Die Rolle der regionalen Gebietskörperschaften im Entscheidungsprozess der Europäischen Union*⁵. Secondary sources proved to be especially limited in the case of Středočeský kraj.

This master thesis takes clearly a different direction than the reviewed publications. Regarding the nature of the research question and the hypotheses, the comparative case studies could not analyze regional levels of several member states;

³ Engl. The representation of regional interests at the European policy level. German Länder, Spanish autonomous communities and French Regions.

⁴ Engl. The Europe of the Regions: The regions and the European regional policy in the EU-25 with special consideration of Poland. A review of the situation and future perspectives.

⁵ Engl. The role of the regional territorial units in the decision-making process of the European Union

therefore, particular regions are compared. Even though there can certainly be some characteristics common for all regional units of a particular member state, working with region-specific information can provide for a much deeper insight into the matter. Further, although the subject researched has to be set into a broader context to outline the implications and consequences of important events; the thesis also reflects the development after the adoption of the Lisbon Treaty. In this respect, only the 2009 book *Europapolitik und Europafähigkeit von Regionen* edited by Karl-Heinz Lambertz and Martin Große Hüttmann takes the provisions introduced by the treaty into account.

1. Theoretical and methodological approaches to the thesis

In the European Union the regions have been recently standing in the spotlight of both scientific and political interests; a matter intensified by the 2004 and 2007 enlargements and in a negative way also with current economic crisis. Before focusing on the individual theoretical approaches explaining and analyzing the gradual empowerment of the subnational entities, it is necessary to clarify how is the concept of a 'region' to be understood throughout the thesis.

1.1 Definition of a region

In contrast with the definition of a nation-state as the basic component of the EU, it is immensely difficult to handle the concept of a 'region' because of its ambiguous nature. Although the term is being widely used and generally understood, there is no common definition recognized by all EU member states and the academia. Bojko Bučar⁶ suggests that the definition of a region depends on the author of the definition and that therefore "*...there are probably as many definitions of a region as there are authors discussing the problem.*" (Bučar, 1995).

Obviously, the concept of a region is not and cannot be an objective one, considering the fact that both the processes and the criteria defining it always include a subjective element. Briefly speaking the term 'region' is understood differently in different scientific disciplines. Sociologically, it is rather associated with regional identity and affiliation of its population as means of dissociation from other regions; while the ethnologist would stress out a regional language (or a dialect) and other cultural features. One major distinguishing characteristics of a region from an economic point of view is the utilization of its resources and its resulting socioeconomic potential. For political science it is important that a region disposes of some kind of political power or administrative independence when promoting its issues (Urbanowicz, 2005, pp. 32-33).

Geographically, a region is an area distinguished from its surroundings by some specific natural characteristic.⁷ In this sense, the term 'region' is frequently used to

⁶ Bojko Bučar is a professor of International Relations at the Faculty of Social Sciences at the University of Ljubljana. <http://www.fdv.uni-lj.si/kontakti/osebne.asp?id=25>, 9. 1. 2011

⁷ E.g. climate, soil type etc.

describe territorial units of a very differing area. *“The exact determination of a territory described as a region depends in a particular case on the entirety in reference.”*(Knemeyer, 1994, p. 25) This means that from the global perspective one can apply the term region to the EU or to Europe as whole. However, in the discussion about the “Europe of the Regions” a region refers to a subnational unit – a component of the nation-state.

On the European level, various attempts to define a region have been made. One of the often used is the definition adopted by the Assembly of European Regions. According to the Article 1(1) of the Declaration on Regionalism in Europe a region is defined as *“...the territorial body of public law established at the level immediately below that of the state and endowed with political self-government.”*(Assembly of European Regions, 1996). In the book *“betrifft: Das Europa der Regionen”* the authors suggest that a region could be politically relevant only if it is of an importance to its inhabitants (Hrbek & Weyand, 1994, p. 17). This concept could be found for instance in the Declaration of Bordeaux adopted by the Council of Europe in 1978 on a conference dealing with the problems of regionalization (Häberle, 1993). The Declaration denotes a region as *“a human community located on “the largest territorial unit in each country”. This community is characterised by a historical, cultural, geographical or economic homogeneity, or a combination of all of these, which gives the population a unity in the pursuit of common interests and aims.”*(Council of Europe, 1978).

In spite of these attempts a consensus on the criteria identifying a region has not yet been achieved on the EU level. However, with the gradual development of the regional policy, the EU was forced to adopt some kind of classification of the subnational units which should serve as a starting point for determining financial support from the funds as well as statistical purposes. Therefore in such a functional sense the term region is defined and used by the European Commission (Hrbek & Weyand, 1994). The European Commission thereby uses a 3-layered system for dividing up its economic territory under the framework of its *Nomenclature des Unités Territoriales Statistique* (NUTS). Each member state is in the first step (NUTS 1) divided into major socio-economic regions which are consequently divided in two steps into NUTS 2 (basic region for the application of regional policies) and NUTS 3 (small regions for specific diagnoses) (Regulation (EC) No 1059/2003 of the European parliament and of the Council on the establishment of a common classification of

territorial units for statistics (NUTS), 2003). However, since the NUTS-units do not overall correspond with the existing regions bearing the political (or at least administrative) power and since this theses focuses on the political role of the regions on the EU level, this definition cannot be used.

Thus, for the purposes of the thesis, the subsequent set of criteria – based on those developed in Urbanowicz 2005 and Engel 1993 – is to be followed:

Firstly, a region should be a territorial unit between the community and the national level and it should possess a certain decision-making power. Secondly, the decision makers have to answer either to a directly elected assembly or at least to one composed by member of the communal bodies; alternatively the decision makers have to possess a direct political mandate themselves. Thirdly, the administrative unit status has to be determined. And lastly the thesis shall only focus on those regions which are situated directly under the European and nation-state level.

1.2 Theoretical framework

The gradual political empowerment of the regions as well as the development of the multi-level structure of the European Union are the research focus of several theories, or as their critics say theoretical concepts. The most relevant approaches include the multi-level governance, policy networks and (new) regionalism. Another, more overarching perspective of the EU-regions relationship can be offered by rational choice institutionalism.

1.2.1 Multi-level governance

Regarding the development process of the European polity, we have witnessed an experiment including both interstate coordination and supranational institution building. However, since European integration did not fit into the framework of existing political phenomena, there was a strong need to estimate its particularities and dynamics by a comparison. Two approaches can be taken to gain a comparative perspective. The first possibility is to treat the European Union as an *international* regime and therefore focus on intergovernmental bargaining and search for factors which lead national governments to coordinate among themselves. A second view treats the EU as a specific kind of a federal constitutional order, a *domestic* regime. As such it concentrates on institutional arrangements that link governments to the centre. The latter perspective becomes, with the so-called ‘governance-turn’ in the theoretical

analysis of the EU, rather influential in recent decades. Its main asset is that it lets us accept the EU as a new polity, as a set of institutions performing basic functions of governance (Hooghe & Marks, 2001, pp. 33-34).

The governance turn and the resulting governance theoretical approaches – mainly multi-level governance and policy networks – also shed new light on the persisting intergovernmental/supranational dichotomy; traditionally argued from the positions of liberal intergovernmentalism and neofunctionalism. While Andrew Moravcsik's liberal intergovernmentalism incorporates the role of domestic interests in helping define national state preferences, it still argues that it is the states that have the ultimate control over the process and direction of integration. Conversely, neofunctionalism, initially elaborated by Ernst Haas, argues that the initial actors of the integration will shift their loyalties and political activities toward a new centre, whose institutions will possess or demand jurisdiction over them (Kratochvíl, 2008).

If we accept the EU as a political entity, then the authority and competences have to be dispersed within it into different levels and among different actors. Therefore, the governance approaches move beyond the dichotomy, because from their perspective competences cannot be ever fully concentrated on one level or in the hands of one actor (Kratochvíl, 2008, pp. 149-150). However, Stephen George argues that the multi-level governance *“does not escape the dichotomy, but is simply more sophisticated restatement of one side of it.”* (George S. , 2004, p. 108). Specifically, George states that multi-level governance incorporates all the main elements of neofunctionalism apart from the spillover; and thus has virtually replaced neofunctionalism as the alternative to intergovernmentalism (George S. , 2004, p. 112).

The concept of multi-level governance was initially developed by Gary Marks who characterized it as a system of continuous negotiation among nested governments at supranational, national, regional and local level. This negotiation is a result of creating institutions and reallocating decisive powers which has pulled some initially centralized powers of the state up to the supranational level and some down to the local and regional level (Urbanowicz, 2005, pp. 70-71). Later, however, Marks together with Liesbet Hooghe specified that political arenas are interconnected rather than nested. This allows the subnational actors to operate both on the national and supranational levels and to create transnational associations in the process. Thus, national

governments cannot monopolize the links between domestic and European actors any longer. Therefore, the complexity of the interrelationships in domestic politics is extended to the European level (Hooghe & Marks, 2001, p. 4).

Also, viewed from a different perspective, the transfer of the authority away from the central state may prove inevitable. Once the supranational institutions have been created, the member states' governments might find it difficult to exercise effective control over them. Hooghe and Marks explain this phenomenon by using the principal-agent theory.⁸ The principals – in this case national governments – create agents – such as the European Commission – to ensure compliance to interstate agreements and adapt them to changing circumstances. However, it might be difficult for multiple principals to achieve the degree of unanimity necessary to change the institutions or alter their competences if needed. Furthermore, the Commission, positioned in a centre of wide-ranging network of actors, is better informed than individual governments and can use the information to dent a united front of national governments in order to block change (Hooghe & Marks, 2001, pp. 10-11).

The surrender of authority to the supranational agents may also have large impacts on the subnational level, because their traditional ways of achieving autonomy from central government control might have eroded. National governments can for example claim to have their hands tied by EU-level agreements. However, multi-level governance expects the subnational actors to adopt a number of strategies. They will establish their offices in Brussels and use them to intensify their contacts with each other; demand more information from central governments about developments in Brussels; demand formal channels to influence ministerial representation in the European Union and even campaign for direct representation in the Council of Ministers; participate in the Committee of the Regions (CoR) and form direct links with Commission officials; and finally demand recognition of subsidiarity in EU treaties and legislation while erecting additional barriers to treaty amendment (George S. , 2004, p. 115).

⁸ A theory originating from economics usually applied on the relation between stakeholders (principals) hiring top managers (agents) to run their corporations (pursue their interests). The theory treats the difficulties arising under the conditions of incomplete or asymmetrical information, such as moral hazard and conflict of interest. It also introduces several options how to align the interests of the agent in solidarity with those of the principal. This includes e.g. profit sharing, commissions or the fear of being fired.

These responses will therefore further pull authority away from the national centre, however, this time to the subnational level. In this way, multi-level governance explains the ongoing regionalization in many EU member states and could be linked to the phenomenon of (new) regionalism.

1.2.2 Regionalism

Regionalism as a term is frequently used in contrasting meanings by authors coming from different theoretical backgrounds. In the theory of international relations, which stems mainly from international political economy, regionalism mainly refers to a process of creating regional integrations among several states for economic, military or other purposes (Cihelková & al., 2007, pp. 1-5); thus representing an upward shift of certain competences. On the other hand, political science, in reference to regional geography and public administration, accents increasing autonomy; political and economical emancipation of regions within a state. In this case regionalism is understood as a shift of competences downwards (Hrbek & Weyand, 1994, p. 19). Regarding the nature of this thesis the term will be used in accordance with the latter concept.

Similarly, there is a general confusion concerning the term '*regionalization*'. While some authors use regionalization in the meaning of decentralization, describing it as "*a general process of creating regions*" (Neunreither, 2001, p. 11), others regard decentralization as a mere modernization of the administrative system and regionalization rather as a "*strategy of regional development policy*" (Urbanowicz, 2005, p. 73). Furthermore, Peter Wagstaff urges not to mistake (subnational) regionalism to regionalization, which he thinks of "*a pursuit of the state-centred policies designed to impose 'top-down' remedies to regional problems.*" (Wagstaff, 1999, p. 6); Whereas other authors (Hrbek & Weyand 1994; Telò 2001 or Kratochvíl 2008) use it as a loose synonym.

In 20th century Europe, three waves of regionalism are to be distinguished. In the first wave starting in the 1960s, many European states adopted regional development policies in a context of national planning. These were economically justified, since they helped use underutilized resources in peripheral regions and thus increase national output (Keating, 1995, p. 2). It was assumed that decentralization would lead to economical upswing of poor regions and therefore further strengthen

the state. That is why this period is called '*top-down*' regionalism. However, throughout the 1970s regions themselves commenced to strive for emancipation and political empowerment; thus marking the second, '*bottom-up*', wave of regionalism. It became obvious that regionalism could have effects that contradict the initial expectations; it might erode the nation-state from within.

From the 1980 onwards we have been experiencing the third wave of regionalism, so called '*new regionalism*', incited by globalization, the reform of public administration, but most of all by the evolving European integration. The regions in the European Communities (EC) have been gradually gaining in significance; as has the communitary regional policy shifting from a compensatory instrument to one of the most important policies of the EC (Kratochvíl, 2008, pp. 152-153). The newly empowered regions then have reinforced their position vis-à-vis the nation state by pursuing their interests directly at the European level, pushing for creation of a formal way of access and taking informal pathways at the same time.

Due to the fact that during the wave of '*new regionalism*' many of the so called '*new*' member states were still experiencing a non-democratic form of government followed by a difficult period of transition, the regions there did not lie in the centre of focus. In fact, many of these states only created the regional level in the context of the EU accession process (Hughes, Sasse, & Gordon, 2003). This and the fact that the regions from the EU-15 have had years of experience dealing with the European policy level leads us to the first hypothesis: regions from the EU-15 achieve more than regions from '*new*' member states. Evidently, the previous text also implies that regionalism connects the representation of the regions' interests vis-à-vis the European level with their political and economical emancipation within the nation state. This connection allows us to make a second hypothesis: regions from federal states achieve more than regions from unitary states.

Apparently, both multi-level governance and regionalism, though applying different kind of reasoning, arrive at the same conclusion: presence of the regions at the European level.

1.2.3 Policy networks

The policy networks concept, although often dismissed as a theory (Kassim, 1994), is a logical complement or even an extension of the multi-level governance approach and therefore an inseparable part of our theoretical considerations. While multi-level governance distinguishes between three levels of governance within the EU, the policy networks concept goes even further and disputes the principle of dividing actors according to the levels of governance as unnecessary. That is, the concept asserts that power is widely dispersed between a wide number of actors that influence the determination of policy and that there is no major significant distinction between the power exercised by public and private sectors (Kassim, 1994).

One of the leading theorists on policy networks, John Peterson, defines a network as a “*cluster of different kinds of actors who are linked together in political, social and economic life. Networks may be loosely structured but still capable of spreading information or engaging in collective action.*” (Peterson, 2004, p. 105). The term *policy* network refers then to a specific kind of network which has both the interest in a given policy sector and the capacity to influence the policy making within it. The relationship within the network itself is then one of interdependency⁹ – the involved actors are dependent on each other’s information and resources, which are essential to achieve their goals (Kratochvíl, 2008, p. 155).

There is no consensus on the precise origins of policy network analysis; however, the claim to having coined the concept might go to R. A. W. Rhodes’s *Policy networks in British Politics: A Critique of Existing Approaches* published in 1992.¹⁰ He distinguishes between five types of policy networks according to a degree to which its members are integrated. This ranges from policy communities with high level of integration to issue networks representing only a ‘*single-shot*’ coalition. To determine which kind of network exists in a specific sector, it is necessary to assess the stability of a network’s membership, its relative insularity¹¹ and the strength of resource dependencies within it. The existence of the network mode of governance is also backed up by Beate Kohler-Koch and Rainer Eising who identify it across a broad range of EC

⁹ For additional information on the concept of interdependence see (Keohane and Nye 1989)

¹⁰ Published in R.A.W. Rhodes and David Marsh. (eds.) *Policy networks in British Government*. Oxford: OUP, 1992

¹¹ Does it exclude outsiders or is it permeable by a variety of actors?

policy arenas and conclude that “[*This mode of governance*] is regarded as the appropriate one because it is able to bridge the heterogeneity of the EC’s members and compensate for the lack of democratic accountability by introducing elements of functional representation.” (Kohler-Koch & Eising, 1999, p. 275)

From this viewpoint, the concept of policy networks is useful in two ways. Firstly, it allows us to analyze the EU policy making process in its complexity; and secondly, it can explain the sectoral processes in progress and highlight the role played by interest groups in the formulation of a policy (Kratochvíl, 2008, p. 157). Naturally, European regions can also be regarded as an interest group per se and therefore can be accommodated within this approach. On one hand, they take part in the networks constructed by EU actors (particularly the European Commission), provide them with information and support and use the opportunity to influence the policy content (Kohler-Koch & Eising, 1999, p. 270). But on the other hand, they also form coalitions (networks) among themselves to address common problems and opportunities and to gain a stronger position vis-à-vis the EU actors (Hrbek & Weyand, 1994, p. 43). A more detailed analysis of these networks follows in the second chapter.

1.2.4 Rational choice institutionalism

Rational choice institutionalism is an offset of ‘*new institutionalism*’, a theoretical approach that gained recognition during the 1980s thanks to the (now classical) work by J .G. March and J. P. Olsen, *The New Institutionalism: Organizational factors in Political Life* (Kratochvíl, 2008, pp. 132-133). In rational choice institutionalism, one way to understand the institutions – and certainly the most suitable one for our purposes – is to take them as *exogenous constraints*, a set of rules to play by and channel ones interests (Shepsle, 2006, p. 1). Within this set of rules, the individual actors either seek to maximize their utilities or to decrease the transaction costs of collective action.

Another important presumption is that the actors behave rationally; it is rational to perform any act if its marginal return is larger than its marginal cost. The marginal cost of information is the return foregone by devoting scarce resources (particularly time) to getting and using it. The marginal return from that is then the increase in utility income received because the information enabled the actor to optimize its decision. Obviously, in reality neither the exact cost nor the exact return is known in advance,

however the actor can employ the rule by looking at expected costs and returns (Downs, 1957, p. 146). In the case of the interaction of the regions with the European policy level, this means that the regions prefer those institutional channels which allow them to maximize their utilities. Seen from this perspective, it is only rational that many regions campaign for a direct say in the Council of Ministers meetings – compared to other ways to influence the EU decision making process, this seems to be relatively less costly with presumably high returns. A second conclusion to draw is that the regions (or generally actors) able to deploy more resources might use even the more costly institutional channels as far as their overall returns outweigh their overall costs. Based on this, we can make our second hypothesis: economically strong regions achieve more than economically weaker ones.

Costs can also be the key factor for creating an institution – the actors may be able to reduce the transaction costs by taking their actions via an institution. In other words it may be profitable to delegate part of the powers to an agent (Pollack, 2006, p. 33). This is a different perspective of the already discussed principal-agent theory – as an agent might be seen in not only the Committee of the Regions but also in the regional information offices in Brussels.

Regarding collective action, the rational choice institutionalists tend to see politics as a series of collective actions dilemmas. This means that if an actor acts in way to maximize its utility, it is likely that the outcome produced will be collectively suboptimal. The reason why the actors do not take the collectively-superior course of action is that there are no institutional arrangements that would guarantee complementary behaviour of the others¹² (Hall & Taylor, 1996, p. 12). Thus, in a group everyone is tempted not to contribute, to *'free ride'*. However, groups do form and not everyone free rides all the time. One explanation for that is the role of leadership. It can be argued that particular actors make large contributions of time and other resources not only because they care about the group's objective but also because they see an opportunity to turn this investment into something personally rewarding (Shepsle, 2006, p. 9). This on the one hand makes clear the need of the regions to build policy networks – not only to reduce transaction costs, but also to ensure the complementary behaviour of others; on the other it explains why some regions press for more rights for

¹² classic examples are the 'prisoner's dilemma' and the 'tragedy of the commons'

the subnational level generally. In this way, the rational choice institutionalism supplements both the multi-level governance and policy networks concepts in explaining which channels the region can use to interact with the European policy level.

1.3 Methodology

Initially, it has to be noted that the thesis consists of two relatively detached but compatible parts. In the first one, theoretical framework is being built up to provide for a pattern, which can be tested in the second part of the thesis. Methodologically, the testing itself is undertaken in a form of a '*contrast of contexts*' comparative case study comprising four cases. This type of comparative case study is a rather empirically oriented approach. It intends to provide an across-case analysis of the tested cases themselves instead of drawing new theoretical conclusions. As such it should help discover specific features of individual cases (Karlas, 2008, p. 67). Regarding the particular methods, the testing combines qualitative and quantitative research with Mill's methods, experimental logic and process tracing.

As already mentioned in the introduction, the thesis intends to investigate and assess the ability of selected regions in the EU member states to represent their interests vis-à-vis the EU policy level. Following the theoretical framework, we are able to formulate following hypotheses:

1. Regions from the EU-15 achieve more than regions from 'new' member states
2. Regions from federal states achieve more than regions from unitary states
3. Economically strong regions achieve more than economically weaker ones

However, there can be also other factors influencing the ability of a region to pursue its interests. Kofi Annan wrote in his 1999 Report of the Secretary-General on the Work of the United Nations that "one of the consequences of globalization has been the reaffirmation of regional identity" (Report of the Secretary-General on the work of the Organization 1999, paragraph 233). In this context, regional identity – which can be built upon common history or other common characteristics (e.g. language) – can be an important factor making the population identify itself more with the region's interests in general and thus promoting the external position of the region. Pursuant to this consideration, following hypothesis can supplement the previous ones:

4. ‘Established’ regions achieve more than recently formed ones

The selection of the cases was done on the basis of the hypotheses and in accord with the aspiration to provide a multi-perspective analysis of the problem. Due to the nature of the thesis, the number of case studies is limited to four, each analyzing a particular region. The sample has to include regions coming from states with different forms of governance; from the EU-15 and ‘new’ member states; economically stronger and economically weaker regions and regions whose population has/does not have regional identity, therefore the choice was a difficult one. Further limitations were set by the general availability of data or their availability in language spoken by the author of the thesis. As a result, the chosen regions are Scotland (United Kingdom), Hessen (Germany), Trentino-Alto Adige/Südtirol (Italy) and Středočeský kraj (Czech Republic).

1.3.1 Variables

With regard to the theoretical framework and the resulting hypotheses, following set of variables can be identified:

Table 1: Specification of variables

Independent	Dependent
Form of governance and competences on the national level	Representation of a region’s interests vis-à-vis the EU policy level
Historical establishment and/or regional identity	
Economic situation	

Source: author

Inevitably, the form of governance applied within the political system of a state determines the competences of its regions on the national level. In accordance with Wilfried Swenden (Swenden, 2006, pp. 7-18) three forms of governance/three types a nation-state are relevant to this thesis: a federation, a regionalized state or a unitary decentralized state.

To identify *a federation* the thesis uses a set of criteria developed by Swenden reflecting a broad academic discussion. The standard characteristics of a federation are

the following: Apart from the overarching principles of territoriality¹³, democracy and no unilateral secession; a federation has *two orders of government*, which both have *direct* effect on citizens. Between the two tiers exists a formal constitutional *distribution of legislative and executive authority* and the *allocation of revenue sources*. The supreme written constitution is only to be amended with consent of *both* orders of government. There are provisions for the designated representatives of distinct regional views within the federal policy-making institutions (usually in a form of a federal second chamber) and mechanisms for intergovernmental relations. An *umpire* in the forms of courts or provision for referendums settles disputes between governments (Swenden, 2006, pp. 6-12).

A regionalized state (or a regionally devolved state) is the result of a strong form of regionalism as discussed in the previous part of this chapter. The state is characterized by strongly developed regional and local tiers of governments with directly elected councils. *“Unlike the regions of a federation, the regions of a regionalized state remain subordinate to the central government. The centre can increase, decrease or even suspend or withdraw the regional levels of autonomy without requiring the consent of the regions.”*(Swenden, 2006, p. 14). Also, the scope of devolved powers tends to be smaller than in a federation.

In *a unitary decentralized state*, the subnational units are in an even weaker position with respect to the centre than in a regionalized state. They also most likely dispose of directly elected councils or executive bodies; however, they have fewer legislative, administrative or fiscal powers. Additionally, the formation of these units tends to be based on a top-down planning than a bottom-up popular demand.

The *‘historical establishment’* variable is used to distinguish between regions with some kind of tradition and recently formed regions being used more or less as mere administrative units. This variable is strongly connected to a sense of regional identity which seems to be essential should a region achieve any real political empowerment. Presumably, in regions with long historical tradition, the feeling of regional identity will be – due to the common experience – stronger. Of course, regional identity can certainly be derived from other things than historical experience. It might be based for example

¹³ The entities compounding the lower level of government should be territorial in character

on ethnicity, culture and linguistic differences; however, given that regions are territorially delimited, it does not seem to be likely to find these characteristics concentrated at one place without a trace to some historical event. The variable only takes two values: *'established'* or *'not established'*.

Economic situation of a region is crucial for its political interests in at least two ways. Firstly, a wealthy region will be able to deploy considerably higher resources into establishing both formal and informal links to the European policy level. One example for all, it certainly makes a difference whether a region could afford to maintain an office in Brussels; and if so, whether it is shared with other regions, staffed only with one or two officials or whether it is an embassy-like institution with several tens of employees. Secondly, strong economic background generally gives one's opinion more importance. Although this phenomenon might not be as clearly visible at the regional level as it is at the state level; economic strength still means a better negotiation position because then the region's opinion on certain matter can have a *'real'* impact on the (national) economy.

The economic strength of a region is in this thesis determined by the percentage share of its GDP per inhabitant stated in PPS¹⁴ on the EU-27 average which is according to the latest available data (2008) 25 100 PPS (Regional GDP per inhabitant in 2008). Regarding the fact that the data are available for NUTS 2 units which do not correspond with the analyzed regions, certain adjustments have to be made and will be discussed individually within the chapters dealing with the particular region. For the purpose of this thesis it seems to be sufficient to distinguish only between regions above the EU-27 average and those below it.

The relation between a particular region and the EU policy level (dependent variable) is assessed through the analysis of the regions' ability to use so called opportunity structures which are examined in detail in chapter 2. Since it is essential to be familiar with these structures in order to understand how the regions can use them, the methodological approach to the dependent variable is to be found in subchapter 2.7.

¹⁴ Purchasing power standard is used as an artificial common currency which makes it possible to compare the purchasing power of different national currencies (eliminates the effect of price-level differences between countries)

1.3.2 Methods

In order to assess the relation between the independent variables and the dependent one, a suitable method has to be applied. Because the main focus of the comparison lies with the similarities and differences among the individual cases it seems to be suitable to apply the method developed by Ruth Berins Collier and David Collier in their influential work *Shaping the Political Arena* dealing with labor movement in Latin America (Collier & Collier, 2002). Their method is initially based on John Stuart Mill's classical methods of agreement, difference and concomitant variations which are briefly explained below.

The method of agreement attempts to “*identify a similarity in the independent variable associated with a common outcome in two or more cases*” (George & Bennett, 2005, p. 153). If two or more cases of the investigated phenomenon agree on the value of the dependent variable (outcome) and at the same time on the value of only one independent variable; this independent variable is the cause of the outcome. Analogically, the cases analyzed using the method of difference differ in their outcomes and in one and only one independent variable which is then the causal one (Mill, 1970).

While in both above mentioned methods we observed merely the presence or absence of key variables, the method of concomitant variations allows us to measure the quantitative variations of variables and relate them to each other. Then, if an independent variable varies in any manner whenever the dependent variable varies in some particular manner, it is the cause of the phenomenon in question (Karlson, 2008, p. 71).

However, Mill himself acknowledges in his *System of Logic* (1843) that there are serious obstacles to making effective use of these methods when studying a social phenomenon. Regarding the complexity of social phenomena it is hardly possible to find cases which would be entirely identical or different in all but one aspect. Also, the methods only work reliably when we are able to identify *all* causally relevant variables prior to the analysis and have the full range of all logically possible causal paths available to study; otherwise we are at the risk of getting a ‘*false positive*’ result. Further, Mill's methods are not able to deal with the phenomenon of equifinality; the fact that different causal paths may lead to similar outcomes (George & Bennett, 2005, pp. 153-162).

Therefore, as Ruth and David Collier state, these principles are “*ideal types, and the matching and contrasting of cases that they posit is never perfectly achieved in any real analysis. Yet they are invaluable points of reference in constructing comparisons.*” (Collier & Collier, 2002, p. 15). Sharing this viewpoint, the discussed methods seem to be applicable as guiding principles which can help shed some light on the causal relations within the cases and possibly point to the right direction. However, to assure some substance of the results, it is necessary to combine these methods with experimental logic and process tracing.

1.4 Regional dimension of EC/EU primary law

European law, supposedly following a pattern set by international law, seems to be in its relation with the subnational level rather indifferent. Since it is traditionally the member state, which divides the competences between its various administrative levels; the regions were largely omitted from EC/EU primary law for a long time (Neunreither, 2001, p. 33).

The Rome Treaties¹⁵ do not mention the intrastate structure of the individual member states and handle them as a quasi “black box”. This may be explained by the fact that among the founding states¹⁶ the majority was unitary, with the only exception of German *Länder*. The Treaties only make several vague references concerning the regional level. In the Preamble the signatories state that by uniting their economies they want to “*ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions.*”(Treaty establishing the EEC, 1957). Also, Article 2 mentions among the EEC’s main objectives ‘increase in stability’ and ‘harmonious development’ which could be regarded as the basis of the ensuing EC-regional policy (Neunreither, 2001, p. 34). Lastly, a more general connection towards the subnational level is established by the recognition of the principles of representative democracy and the rule of law (Engel & Ginderachter, 1992, p. 10).

¹⁵ The term “Rome Treaties” comprises the founding treaties of European Economic Community (EEC) and Euratom signed on 25.3.1957 by Belgium, Netherlands, Luxembourg, Italy, France and the Federal Republic of Germany and their protocols

¹⁶ The founding states of the EEC are the Federal Republic of Germany, Belgium, Netherlands, France, Italy and Luxembourg

The first explicit recognition of the regional level did not follow until the 1986 adoption of the Single European Act (SEA) revising the original Rome Treaties. However, the regions were still not recognized as political actors, but merely as statistical units or in their economic dimension. Despite of this, the provisions adopted regarding economic and social cohesion (Art. 130a-130e SEA) raised wide interest among the regions, seeing that they were followed by defining both the aims and the instruments of European regional policy (Neunreither, 2001, p. 35). Furthermore, the establishment of the European Regional Development Fund (ERDF; Art. 130c SEA) was another important step towards accommodating the regions as the objects of the Community primary law (Single European Act, 1986).

Since the adoption of the Treaty on European Union (TEU) and the revised Treaty establishing the European Community (TEC)¹⁷ in Maastricht on 7 February 1992 the regions have experienced a new quality in EU primary law and the treaty could therefore be regarded as the basis for subsequent legal response towards the demand of the regional level. Of course, regarding the differences among the territorial structure of the member states and the legal and political status of their respective subnational units, not all requests of the regions could have been fulfilled (Hrbek & Weyand, 1994, p. 118). In this sense, three key regional concessions have been gained: the Committee of the Regions (CoR, Art. 198a-198c TEC); the right of regions to participate in Council of Ministers according to national regulations (Art. 146 TEC)¹⁸; and the acceptance of subsidiarity, albeit in a rather vague form open to interpretation (Hrbek & Weyand, 1994, pp. 118-122).

Through the principle of subsidiarity the Community limited its own range of action. The Article 3b states that *“in areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.”* (The Treaty establishing the European Community, 1992). However, this principle cannot be seen as a barrier to prevent the limitation of the regions’ competences by European regulations,

¹⁷ Both to be referred to as the Maastricht Treaty

¹⁸ The first two will be discussed in greater detail in the following chapter

given that it controls in fact the relation between the Community and the member states (Neunreither, 2001, p. 36).

The gradual emancipation of the regional level was later on mirrored by the European Convention and the resulting Treaty establishing the Constitution for Europe. Although the Constitution never entered into force, it represents an important milestone of the regions' pursuit for increased establishment within the European political structures. Directly elected representatives of regional and local governments were participating in the Convention, and thus involved in the revision of Treaties for the very first time. The Constitution enhanced the position of regional and local authorities through "*the recognition of the principle of regional and local self-government, the incorporation of territorial cohesion into the Union's objectives, the new definition of the principle of subsidiarity and the new rights and responsibilities accorded to the Committee of Regions.*"(Jeffery, Keating, Ziller, Du Granrut, & Martini, 2004, p. 5)

Some of the provisions concerning the regions proposed by the Constitutional Treaty eventually found its way into EU primary law through the reformed Lisbon Treaty¹⁹ signed by the EU member states on 13 December 2007 and in force since 1 December 2009. For instance, in Article 3 of the modified Treaty on European Union the EU recognizes '*territorial cohesion*' as a fundamental objective in addition to economic and social cohesion and in Articles 4 (2) explicit reference towards 'regional and local self-government' can be found. The Article 5 (3) then modifies the definition of the principle of subsidiarity by accepting that the member states might achieve proposed action 'either at central level or at regional and local level' (The Lisbon Treaty, 2007).

Furthermore, the Committee of Regions gained a range of new rights and a stronger position in relation to the EU institutions. Most importantly, the CoR can now challenge new EU laws in the European Court of Justice (ECJ) if it believes the act is in breach with the principle of subsidiarity or if the EU institutions have not respected the Committee's right to consultations which has also widened considerably. Most of all, the European Parliament is now obliged to "*consult the Committee on proposals in*

¹⁹ The amended Treaty on the European Union and the Treaty establishing the European Community, in the process renamed to the Treaty on the Functioning of the European Union

any policy area where only the European Commission and the Council had to do so previously.” (Committee of the Regions 2010, A new treaty: a new role for regions and local authorities, 5). In addition, the CoR has the right to be consulted by the three institutions on new policy arenas, such as energy and climate change (Committee of the Regions 2010, op.cit., 3).

Lastly, under the new ‘early warning subsidiarity monitoring mechanism’ regional parliaments with legislative powers may become actors in the EU decision making process. The Protocol No 2 on the application of the principles of subsidiarity and proportionality states in Art. 6 that *“any national Parliament or any chamber of a national Parliament may...send to the Presidents of the European Parliament, the Council and the Commission a reasoned opinion stating why it considers that the draft in question does not comply with the principle of subsidiarity. It will be for each national Parliament or each chamber of a national Parliament to consult, where appropriate, regional parliaments with legislative powers.”*(The Lisbon Treaty, 2007). The CoR will work in close partnership with the national and regional parliaments and will be able to oppose or support their concerns, or equally to ask that the Commission continues or reconsiders its proposals. Should the CoR share the opinion that the proposal infringes on subsidiarity, it can also ask the European Parliament or/and the Council to stop the ongoing legislative procedure (Committee of the Regions 2010, op. cit., 6).

2. Representation of regional interests vis-à-vis the EU

Regarding the subnational dimension of the EC/EU we have witnessed since the 1980s an ongoing debate about the possible forms the polity might evolve into. The debate culminated in the beginning of the 1990s with the concepts of a *'Europe of the Regions'* (Borrás-Alomar, Christiansen, & Rodríguez-Pose, 1994, p. 5) or even a *'Europe of the Cities'*. The most radical interpretation of this concept predicted a gradual fadeaway of the nation-states and their replacement by regions as new foundation for the integration process. However, mostly it would refer to a need for cross-border regional cooperation and to a demand for a *'three-level'* Europe where the regions – while still integral parts of the member states – would be accepted as actors equal to both the national and the supranational level (Hrbek & Weyand, 1994, pp. 13-14). This interpretation is sometimes referred to as the *'Europe with the Regions'* (Keating, 1999, pp. 6-7). Although the debate seems to have died away and the opportunities for the regions to express their political will remain limited, there are still a number of opportunity structures a region can use to engage in the policy-making process on the EU level.

The regions can promote their interests vis-à-vis the EU on two levels – on the national one (indirectly) and on the European one (directly). In the former case a region acts via the national institutions; it can lobby and put pressure on the national government to persuade it to advocate its interests in the European institutions. In the cases of federal and regionalized states with regional parliaments or even with regional representation in the Second Chamber; a region becomes an integral part of the decision making process. With the provisions concerning the national and regional parliaments introduced by the Lisbon Treaty, it can thus have a say even in European policy making. However, since the opportunities on the national level vary from member state to member state, it seems more convenient to discuss them for each analyzed region individually as a part of the case study.

The literature differs on how to classify the opportunities available at the European level. Neunreither (Neunreither, 2001, pp. 117-173) distinguishes between *formal* and *informal* regional representation – the formal representation is the institutionalized one (e.g. the CoR) whereas the informal one comprises the regional offices in Brussels (informal one because of their lobbying practices). Urbanowicz

identifies *top-down* ‘institutions’ such as the Directorate General Regional Policy or the Regional Development Committee of the European Parliament and *bottom-up* bodies represented among others by the CoR or the regional offices (Urbanowicz, 2005, pp. 166-178). This thesis will use the concept used e.g. by Hooghe and Marks 1996 and Tatham 2008 which is in compliance with both the multi-level governance presumptions regarding the strategies of the regions on the European level and the *rational* view of institutions as channels of interests. The concept identifies six so called ‘*opportunity structures*’: the Committee of the Regions; the Council of Ministers, the European Commission; regional offices in Brussels; regional policy networks and the European Parliament.²⁰

2.1 The Committee of the Regions

The most important institutionalized channel of the regional interests is the Committee of the Regions introduced by the Maastricht Treaty (1992). It can be regarded as one of the outcomes of the above mentioned “Europe of the Regions” debate and an important step towards a direct and institutionalized participation of the subnational level in the European political processes (Urbanowicz, 2005, p. 167). The Single European Act created a qualitatively new environment for subnational governments however without granting them any formal role in the European politics. The projected Single Market with open borders to free movement of goods, capital, services and people changed the basic assumptions about the operation of regional economies. A number of institutional and procedural reforms – particularly the expansion of communitarian competences – demonstrated a shift of some traditionally state competences onto the European level. Additionally, the reform of the structural funds in 1988 raised the significance of European policy-making for the large number of regions in the European Union. These developments markedly strengthened the interest of the regions to participate in the European policy-making and institution-building. Among other things the regions demanded an institutional presence in the structure of the Community (Christiansen, 1996, p. 94).

In response to this demand the Commission – acknowledging the strong link between economic and social cohesion – decided to set up a Consultative Council of

²⁰ To put it more precisely Hooghe and Marks only identify five opportunity structures, the sixth – the European Parliament – is added by Tatham.

Regional and Local Authorities on 24. June 1988²¹ (European Commission 2009: Key dates in the history of the Committee of the Regions, 2). However, due to its strong dependence on the Commission it could not effectively participate in the decision making process and it ceased to exist on 15. March 1994, only a few days after the first constitutive meeting of its more effective replacement, the Committee of the Regions (Föhn, 2003, pp. 31-32).

As already mentioned in the previous chapter, the Committee of the Regions was established by the Maastricht Treaty in 1992²² with the already existing Economic and Social Committee (ESC) as a model. Much like the ESC, the CoR is not defined as an institution of the EU but as the Union's Advisory Body which clearly sets its quasi 'secondary' status (Neunreither, 2001, p. 117). The Committee currently consists of 344²³ "*representatives of regional and local bodies*" who – according to the provision made by Article 263 of the Nice Treaty in 2001²⁴ – "*either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly*" (The Nice Treaty, 2001).²⁵

This formulation leads us to one of the often discussed problems of the body, its *heterogenic composition*²⁶ which reflects the various legal and political qualities of the territorial units direct under the state level existing across the EU (Hrbek & Weyand, 1994, p. 126). Although it is true that such composition might have been one of the factors why the 'strong' regions started to move away from the CoR (Föhn, 2003, pp. 41-44), a clear '*local-regional*' cleavage cannot be found. This is quite simply due to the fact that territorial interest-formation does not follow the size of the units, but rather the distribution of resources and competencies across different levels. Therefore, taking into account the diversity in the subnational structure of the member states, the interests

²¹ In effect since 8. August 1988 (Urbanowicz 2005, 167)

²² The CoR was created mostly thanks to continuous engagement of the German Länder and with the support of Spain and Denmark (Neunreither, 2001, p. 118)

²³ And 344 alternate members. According to the Nice Treaty the number of the members shall not exceed 350. After the adoption of the Lisbon Treaty the mandate of the members was prolonged from 4 to 5 years (to match the mandates of the Parliament and the Commission) and it is renewable. According to the Article 1 of the Committee's Rules of Procedure the constituent bodies of the CoR are the Plenary Assembly, the President, the Bureau and the commissions (Committee of the regions, Rules of Procedure, 2010).

²⁴ The amended TEU and TEC

²⁵ A member of the CoR also cannot be a member of the European Parliament at the same time.

²⁶ Cf. Föhn 2003, Neunreither 2001

of subnational governments are so diffused that any clear formulation of ‘local’ and ‘regional’ positions is practically hindered (Christiansen, 1996, pp. 97-100).

Table 2: CoR – breakdown of seats by national delegation

Member states	Number of members
Germany, France, Italy and the United Kingdom	24
Poland and Spain	21
Romania	15
Belgium, Bulgaria, Czech Republic, Greece, Hungary, the Netherlands, Austria, Portugal and Sweden	12
Denmark, Ireland, Lithuania, Slovakia and Finland	9
Estonia, Latvia and Slovenia	7
Cyprus and Luxembourg	6
Malta	5
TOTAL	344

Source: (Committee of the Regions, Committee of the Regions at a glance, 2008)

The main functions of the CoR could be seen in connecting the European Union with the regions and communes in the member states; acting as a liaison body between the Union and its citizens and thus reducing the democratic deficit; and – especially after the provisions adopted by the Lisbon Treaty (see chapter 1.4) – acting as a ‘watchdog’ over the principle of subsidiarity (Föhn, 2003, p. 44).

Although the Lisbon Treaty equipped the Committee with several new rights (particularly the access to the European Court of Justice and consultations with the European Parliament), its main role in the EU decision making process remains advisory. According to the Article 307 of the Lisbon Treaty, the CoR “*shall be consulted by the European Parliament, the Council or by the Commission where the Treaties so provide and in all other cases, in particular those which concern cross-border cooperation, in which one of these institutions considers it appropriate.*” (The Lisbon Treaty, 2007). The consultation is mandatory for all EU laws in the areas of economic, social and territorial cohesion; trans-European networks; transport, telecommunications and energy; public health; education and youth; culture; employment; social policy; environment; vocational training and climate change (Committee of the Regions 2010, A new treaty: a new role for regions and local authorities, p. 3). Also, the CoR can issue an opinion on its own initiative when it

considers it appropriate or in cases when a consultation of the Economic and Social Committee is required (Neunreither, 2001, p. 122).

In the CoR internal political decision making process, several different ‘formations’ could be found. Firstly, there are the political groups regulated in the Rule 9 of the CoR’s Rules of Procedure (RoP; Committee of the regions, Rules of Procedure, 2010). They usually correspond to the political groups formed in the European Parliament and thus can form an important information channel between these two bodies. Also, an informal rule suggests that the two biggest political groups tend to agree upon the exchange of the President’s and the Vice-president’s office every two (currently two and a half) years (Föhn, 2003, p. 51). Although this ‘formation’ is sometimes considered to be more of a cleavage (in the sense of left vs. right division), Christiansen argues that “*a partisan division into left and right is even less probable here than in other European institutions.*” (Christiansen, 1996, p. 100). Secondly, national delegations are formed (covered by Rule 8 of the RoP). Their importance in the Committee’s decision-making process can be found in coordinating the different positions and as such they can compete for the political weight with the fractions. Thirdly, there are various interregional groups and coalitions formed according to specific common interests (Neunreither, 2001, p. 122). Since their activities and cooperation often exceeds the framework of the CoR, they will be discussed into greater detail in the subchapter dealing with the regional policy networks.

However, apart from the coalitions, there are also certain cleavages hindering the smooth functioning of the Committee. Christiansen (Christiansen, 1996, pp. 97-104) identifies five potential and actual cleavages: local vs. regional; left-wing vs. right-wing; urban/industrial vs. rural; ‘*executive*’ regionalism vs. ‘*deliberative*’ regionalism, and North vs. South. The already discussed local vs. regional cleavage is ‘complemented’ by the conflict line between the northern and southern states which puts the ‘*contributors*’ to the EU budget and the ‘*recipients*’ against each other. Also, this division strengthens the contrast between different styles of regional and local government.²⁷ However, the most obvious split is –maybe surprisingly – between strong and weak regional governments. Generally, one can distinguish between ‘*executive*’ regionalism where “*the emphasis of regional activity lies in the execution and*

²⁷ Clientelism in the South vs. transparency in the North

administration of public policies” (Christiansen, 1996, p. 102) and ‘*deliberative*’ regionalism where regional institutions only dispose of very limited policy powers.

Despite the criticism concerning the inner heterogeneity of the CoR and its lack of powers in the EU’s policy-making process, it still remains one of the most important channels for the regions’ interest to the EU level. Its political weight can be further enhanced by its often politically influential members (Valérie Giscard d’Estaign, Edmund Stoiber or Jacques Blanc among others). All in all, the CoR should henceforth give the incentives for further engagement of the EU’s third level and develop its own position in the EU decision-making process.

2.2 The Council of Ministers

What the Council of Ministers concerns, the member states decided individually whether to include a regional representative into their Council delegation or not. Even if they decided to do so, the regional representatives, obviously, did not dispose of a voting right. However, after the adoption of the Maastricht Treaty the regions acquired via the Article 146 the possibility to participate directly in the decision-making process of the Council (Neunreither, 2001, p. 127). In the wording of the Article 16 (2) of the Lisbon Treaty, the Council now “*shall consist of a representative of each Member State at ministerial level, who may commit the government of the Member State in question and cast its vote.*” (The Lisbon Treaty, 2007).

This formulation allows for delegation of regional ministers, however, it does not constitute an obligation for the member states to actually do so. Therefore, in this case the term ‘*minister*’ can only cover representatives of subnational units with some legislative competences; these will be also delegated only when the topic under discussion falls within their cognizance (Neunreither, 2001, p. 128).²⁸ This obviously limits considerably the number of regions which might be able to participate and further accents the existing differences in the political quality of subnational units across the member states.

Additionally, Liesbet Hooghe argues that the participation in the Council of Ministers as one of the channels of regional interests might not be as useful as expected.

²⁸ In other cases a regional representative would co-decide on behalf of his government about something outside his competences which is clearly not in the interest of any member state

This is due to the fact that the regional representatives who have the right to participate tend to form their positions in accordance with those of their national governments rather than with the regional level (Hooghe, 2002).

2.3 The European Commission

Another *'top-down'* institutionalized channel for regional interests is the participation of the subnational units on the EU's regional and cohesion policy. With the creation of the Directorate General XVI (DG; Directorate General for Regional Policy) in 1967, the communitarian regional policy got its institutional framework and it gained further importance with the setting-up of the European Regional Development Fund in 1975 (Urbanowicz, 2005, p. 166). The main mission of the DG is *"to strengthen economic, social and territorial cohesion by reducing disparities between the levels of development of regions and countries of the European Union."* (Directorate General for Regional Policy, 2010). To fulfil this aim, originally outlined already in the Rome Treaties, the DG disposes of certain financial resources allocated in three major funds (the already mentioned ERDF, the Cohesion Fund and the Instrument for Structural Policies for Pre-Accession). These are then distributed among individual regions on a basis of merit (Urbanowicz, 2005, pp. 44-49). The importance of the regional and cohesion policy is best expressed by its share on the EU budget. Around 45 % (64.5 billion EUR in commitment appropriations) of the 2011 EU budget is allocated to 'cohesion and competitiveness for growth and employment' (The current year: EU budget 2011).

To monitor and administer the process of financial redistribution as closely as possible, the European Commission (DG Regional Policy) has to work on a basis of a close and equal partnership with national governments, regional and local authorities, and social actors. The partnership is administratively represented mainly by so called monitoring commissions established after the reform of the structural funds in 1988. The commissions, which comprise also representatives of the subnational level, formulate, approve and administer the programs of the regional development. It could be said that this process thus also helped to mobilize the regional communities and that it enabled the subnational actors to gain more control over local economic development (Hooghe & Marks, 1996, p. 79).

The framework of the regional and cohesion policy is simultaneously the basis for some regional policy networks facilitated by the European Commission. For example, the INTERREG programs supporting the interregional cross-border cooperation can be mentioned.²⁹ To sum up, the European Commission could be seen as an effective channel for regional interests (though often expressed informally). However, the ability of the regions to use this channel is diverse; the regions with legislative power have again a comparative advantage, not only thanks to their higher legitimacy, but mainly due to their direct responsibility for the implementation of the regional policy. Also, the regions are involved into the cohesion policy to a differing extent³⁰ which can also influence their ability to push through their interests.

2.4 Regional offices in Brussels

During the past two decades we could have witnessed an explosion in the number of offices established by the subnational governments in Brussels. Currently, there are over 300 representations of EU local and regional authorities or – as they are sometimes called – ‘regional embassies’. Their chief responsibility is to act as an information channel and a liaison between the European institution and the particular region (Local and regional representations: a recent development). The nature of the representations with respect to staff and budget varies widely; it ranges from very small offices with only one or two officials to large quasi embassies with around 30 representatives like in the case of Bayern or Baden-Württemberg (Blatter, Kreutzer, Rentl, & Thiele, 2008, pp. 480-481).

The first offices appeared in the middle of the 1980s, literature usually refers to the office opened by the Birmingham City Council in 1984 (Huysseune & Jans, 2005, p. 4) or to the office of the German *Bundesland* Saarland opened in 1985 (Salk, Nielsen, & Marks, 2001, p. 3). The creation of these offices basically reflected the dynamics of two on-going processes. Firstly, it was a general trend among various interest groups to ‘gain a voice’ in the European Union and since the regions could be regarded as independent actors acting as lobbying interest groups, this trend undoubtedly played a key role. Secondly, the integration process started to have an increasing impact on

²⁹ A more detailed analysis of the regional policy networks follows in subchapter 2.5

³⁰ E.g. under different objectives. For more information on the EU’s cohesion policy see (Petzold, 2008)

regional and local issues. The first important milestone was the entry into force of the Single European Act in June 1987 and the resulting structural funds reform which acted as a catalyst – various regions opened their offices in Brussels in order to influence distribution of these funds. Following incentive came in 1993 with the implementation of the internal market (and its four freedoms) and the entry into force of the Maastricht Treaty which distinctively emphasised the regional dimension of the integration process. The last factor was then the Amsterdam Treaty of 1999 which marked the beginning of the eastern enlargement and enabled the setting up of offices from the candidate member states (Huysseune & Jans, 2005, p. 5).

As already mentioned above, the strongest motivation for setting up a regional representation is information. However, the offices are able to fulfil a very diverse range of tasks. They can function as lobbies, to trace subsidy channels and to defend the institutional authority of regions. Also, it has been argued that “*strong representations (both institutionally, in other words regions with legislative authority, and materially, representations with a lot of employees and means) attach more importance to the acquisition of political clout*” (Huysseune & Jans, 2005, p. 28).

One of the prime goals of the subnational offices is information gathering. Regional authorities are greatly motivated to be informed about EU legislation in order to be able to incorporate it into their own laws and practices, especially since the policy-making process within the EU tends to be non-transparent (Marks, Haesly, & Mbaye, 2002, p. 4). The relationship between the regional offices and the Commission is a symbiotic one. Not only do the offices gather information from the Commission, but they also provide it with information necessary for developing policies which would meet the actual need of the regional level (Huysseune & Jans, 2005, pp. 30-31).

Another aim of the regional representation is networking. The close territorial proximity of the offices significantly reduces the transaction costs of informational exchange.³¹ The regional offices function also as a liaison between ‘their’ region and the European Union. They convey information to the actors ‘back home’; they explain Europe to them. Also, as already mentioned above, some of the offices may seek to influence the policy-making process. However, it is still assumed that the subnational

³¹ The existing transnational networks will be analyzed in the subsequent subchapter.

actors, although taking part in the decision-making process, do not play a decisive role. The role of the offices is in this case a more subtle one; it lies rather in the area of *'soft politics'*, e.g. impacting the EU policy through their above mentioned role of information provider. Finally, the last dimension of the offices' responsibilities involves regional marketing. They help *'sell'* the regions by organizing meetings and other public activities. However, this task is sometimes delegated to other specific bodies which cooperate closely with the offices (Huysseune & Jans, 2005, pp. 31-33) and (Marks, Haesly, & Mbaye, 2002, pp. 4-6).

Regarding the effectiveness of the regional offices as a channel for regional interests, they can be – again – divided into two groups. The first group comprises strong regions with legislative competences while the second represents *'weaker'* (administrative) regions and local authorities. Only the former group can succeed in having some tangible influence over the policy making; the latter usually focuses on gathering information (Tatham, 2008, pp. 19-20).

2.5 Regional policy networks

The existing regional networks could be divided into several categories. Firstly, there are transnational associations outside the EU's institutional framework which represent the interests of subnational governments. The most important ones include the Assembly of European Regions (AER) and the Council of European Municipalities and Regions (CEMR) (Urbanowicz, 2005, pp. 172-175). Secondly, apart from the AER and CEMR four different types of regional policy networks could be identified – networks facilitated by the European Commission, networks between regions with common territorial features/policy problem, direct cross-border cooperation between neighbouring regions, and purpose-built networks between particular dynamic regions (Hooghe, 2002, pp. 360-361).

2.5.1 Transnational associations outside the EU

The AER was founded in June 1985 by a group of 47 regions and 9 interregional organizations with the aim to create a political organization which would support the European regions in representing their interests vis-à-vis the European and the international level. Currently the AER has 270 member regions from 33 countries and 32 various interregional organizations (Assembly of European Regions). Among the main achievements of this institution is its share on the (practical) creation of

the Committee of the Regions in 1994. Nowadays the AER remains an important protagonist of the regionalist movement in Europe as well as a forum for exchange of information and experience between the individual member regions (Urbanowicz, 2005, p. 175).

The Council of European Municipalities and Regions founded in 1951 in Geneva is a European umbrella organization of national associations of towns, municipalities and regions; and the European section of the International Union of Local Authorities at the same time. Having been founded by a group of European mayors and with a German mayor as a president (mayor of Stuttgart Wolfgang Schuster) the focus of the organization lies inevitably more on towns and municipalities than on regions (Council of European Municipalities and Regions).

2.5.2 Networks facilitated by the European Commission

This group of regional policy networks originates from the EU regional policy and its specific programmes and initiatives. It includes mostly associations implemented under the Territorial Co-operation objective and other initiatives for the programming period 2007-2013³² (Regional Policy - Inforegio, 2009). The best example is probably the INTERREG IVC program which provides funding for interregional cooperation in order to improve effectiveness of regional policies and instruments. It builds on *“the exchange of experiences among partners who are ideally responsible for the development of their local and regional policies”* (INTERREG IVC). Other initiatives include the URBACT II program, which facilitates learning on urban policy themes an exchange of experience between local and regional actors, or the ‘Regions for Economic Change’ initiative which aims to highlight good practice in urban and regional development with particular focus on innovation (Regional Policy - Inforegio, 2009).

2.5.3 Networks between regions with common territorial feature/policy problem

These networks are a result of a *‘bottom-up’* process among regions with a particular (mostly disadvantaging) similarity – either a common territorial feature or a common policy problem (Lehmann, 2003, pp. 8-9). Here we can find networks like

³² or those mainstreamed there from the programming period 2000-2006

the European Industrial Regions Association (EIRA) which was established in 2002 as a result of merger of the European Regions of Industry and Technology (RETI) and the Conference and Association of Steel Territories (CASTer) and deals with challenges caused by industrial restructuring (European Industrial Regions Association, 2003).

Other networks include the Association of European Frontier Regions (AEFR) or the Conference of Peripheral Maritime Regions (CPMR). These networks usually have close connections with the European Commission, and have from time to time been able to lobby effectively for EU funding (Lehmann, 2003, p. 9). For example the above mentioned RETI got involved into the 1988 reform of the structural funds and successfully lobbied for the creation of the Objective 2 (revitalising areas facing structural difficulties) of the EU regional policy (Urbanowicz, 2005, pp. 70-71).

2.5.4 Cross-border cooperation between neighbouring regions

Although the networks within this category could have been easily included in the previous group since neighbouring regions tend to have similar territorial features, it is more convenient to analyze them as a particular compact group; the incentives for cooperation are usually higher (the regions are often economically linked) and therefore the networks between neighbouring regions are the most numerous ones and date back as far as 1970s. Another important fact to note is that these networks also include regions from non-EU member states (mostly Switzerland), the main reason being the economic proximity (Urbanowicz, 2005, p. 53).

Examples for the cross-border cooperation are the ARGE ALP (the Working Community of the Alps) – an interregional cooperation founded in 1972 consisting of 10 German, Austrian and Italian regions (ARGE ALP); the Working Community of the Pyrenées (France, Spain, Andorra); the Working Community of the Jura (France, Switzerland) the Saar-Lor-Lux (Germany, France, Luxembourg) which belongs to the groups approved by the CoR³³ or the Upper Rhine Conference connecting regions from France, Germany and Switzerland (Hrbek & Weyand, 1994, pp. 53-67).

³³ The CoR so far approved establishment of eight groups of interregional cooperation. Apart from the Saar-Lor-Lux group it is also the later on mentioned REGLEG group. For a full list see <http://www.cor.europa.eu/pages/PresentationTemplate.aspx?view=folder&id=86e7f290-d7b8-4a3c-a549-36191441227d&sm=86e7f290-d7b8-4a3c-a549-36191441227d> , Retrieved on April 4, 2011

2.5.5 Purpose-built networks

This category of regional networks has emerged from a position of strength in the EU and usually comprises strong, dynamic regions. Here, “*regional politicians act as brokers, who set a broad regulatory framework and bring interested parties together, while decisions about possible collaborations are left to private actors.*” (Lehmann, 2003, p. 9).

The most famous example is the Four Motors for Europe arrangement between the highly industrialized regions of Baden-Württemberg (Germany), Catalunya (Spain), Lombardy (Italy) and Rhône-Alpes (France) with the aim to increase economic growth within these regions (Four Motors for Europe). This group sees itself as a model of “*the Europe of the future based on powerful economic and political regions.*” (Loughlin, 1996, p. 158). Another example might be the Quadripartite Agreement between the regions of Burgundy (France), Rhineland-Palatinate (Germany), Opole Voivodeship (Poland) and Central Bohemia (Czech Republic) signed for the purpose of developing and maintaining friendship through economic, educational, social and cultural activities in a European perspective (Decentralized Cooperation. The Quadripartite Agreement, 2011).

Another case of a purpose-built network is the Conference of European regions with legislative power (REGLEG) which comprises representatives from these EU regions who work together on issues of common concern. Currently it associates 73 regions from Austria, Belgium, Finland, Germany, Italy, Portugal, Spain and the United Kingdom. The REGLEG argues that the CoR should be a full institution of the EU and that “*legislative regions should be directly involved in the legislative process and should be directly consulted by the Commission on new proposals*” (REGLEG).

2.6 The European Parliament

On a first sight, it might be difficult to see the European Parliament as an effective opportunity structure to promote regional interests. Of course, the institution as a whole does not have much to do with regions; however there are two ways through which the interests could be channelled.

Firstly, the individual members of the European Parliament (MEPs) present an effective channel for subnational interests, especially when they are elected on the basis of regional constituencies where a democratic level of government is in place.

However, there are hardly more than a few MEPs representing any individual region, therefore one might question the impact they can actually have. Hereto it is important to note that the MEPs influence is not based on their numbers since they usually dispose of a lot of soft power. They typically have a direct access to Commissioners and their Cabinets and exert a surprising influence on the work of the Commission. The influence is based on their co-decisive powers with the Council, legitimacy of a direct vote as well as on the fact that the Parliament approves the Commission and the Commission is accountable to it (Tatham, 2008, pp. 16-18).

Secondly, the Parliament has its own Committee for Regional Development (REGI) which is generally responsible for the regional and cohesion policy, in particular for the instruments of the regional policy and for assessing the impact of other EU policies on the economic and social cohesion. It also maintains relations with the CoR, interregional networks and other local and regional authorities (REGI Regional Development). Therefore, members of this Committee occupy themselves directly with regional interests and are able to channel them further. As Tatham states a Committee Chairperson or rapporteur³⁴ has even greater soft power than common MEPs (Tatham, 2008, p. 16) and through the REGI Committee the regions can benefit from it.

2.7 Representation of regional interests – methodological approach to the dependent variable

As already mentioned in previous chapter, the ability of a region to represent its interests on the European level could be traced by analysing its position within the opportunity structures. Because the opportunity structures are clearly qualitatively different (e.g. a region could gain more from participation in Council decision than from participation in the CoR), it is logical to assume a quantitative approach and assign ‘points’ for every possible situation. The more points a region gets, the better it is able to represent its interests vis-à-vis the EU policy level. The following table summarizes the possible outcomes.

³⁴ An elected function in the European Parliament. During the monthly plenary sessions of the Parliament the rapporteurs present reports adopted by one of Parliament’s committees

Table 3: Quantitative assessment of the dependent variable

Opportunity structure	'Points' assigned
CoR	1 pt. for full member(s)/ 0 pts. otherwise
Council of Ministers	3 pts. for a right to participate in the decision-making/ 0 pts. otherwise
Regional offices	0 pts. for no office/ 1 pt. for a 'small' one/ 2. pts. for a 'large' one
European Commission	excluded from assessment
Regional policy networks	2 pts. for broad networking activities/ 1 pt. otherwise
European Parliament	2 pts. for MEP(s) elected in the region/ 1 pt. for national RETI member(s)/ 0 pts. otherwise

Source: author

The CoR, although empowered by the Lisbon Treaty, acts collectively and is rather a forum for formulating broader regional interests than a place for promoting the interests of an individual region. However, to have a representative with full membership in the CoR is clearly of some importance. The possibility to participate in the Council of Ministers is the most direct involvement into the policy-making process a region can achieve so far, therefore awarded with the most points. Regional offices are an important source of information and it surely pays off to have one, however only the 'quasi embassies' can exert some real influence. Regarding the fact, that the ways regions might use to directly influence the Commission officials are highly informal, it is difficult to find any objective criteria to work with, and therefore the Commission is excluded from the assessment. Participation in policy networks provides us with evidence that a region is willing to be an active part of the ongoing processes. But it is a difference whether it is a network built to deal with some 'narrow' or technical problems or if it represents broader political ambitions of or a deep cooperation among its members. As already stated in the previous subchapter, a MEP elected in a regional constituency might dispose of a lot of soft-power and therefore be an excellent channel for regional interests. However, the real influence is to a large extent dependant on personal qualities of the particular MEP. Also, if a member state is represented in the REGI Committee, the regions from that particular member state might find it easier to be heard.

3. Case studies

3.1 Scotland

Since 1707³⁵ onwards Scotland³⁶ has been an integral part of the Kingdom of Great Britain (currently the United Kingdom of Great Britain and Northern Ireland, UK). However, before the union Scotland was a historic nation-state, only united with England by a negotiated treaty which left intact much of its existing civil society, including its legal and education system and religious settlement (Keating & Jones, 1995, p. 89).

This historical development inevitably gave birth to a strong sense of regional, or in this case better put national³⁷ identity. This is underlined by David McCrove, Senior Lecturer in Sociology at the University of Edinburgh, who argues that *„people living in Scotland give much higher priority to being Scottish over being British. This holds broadly true for gender, social class, religion and region. (...) Compared with Wales and England, people in Scotland are much more likely to emphasise their Scottishness over their Britishness than either the Welsh or the English“* (McCrone, 2002). Similarly, Bond and Rosie claim that Scottishness has been the most popular form of national identity in Scotland at least over the last quarter of century when it started to strengthen, together with the devolution debate, at the expense of Britishness. However, the strong sense of Scottishness does not necessarily correspond to other apparent indicators of national identity – support for the Scottish National Party and independent Scotland (Bond & Rosie, 2002, pp. 35-43).

The Scottish nationalism is inevitably also one of the forces fostering the long devolution debate within the United Kingdom dating back at least to the beginning of the 1970s. However, it was not until the Blair administration and 1st July 1999 when the process of devolution was completed and Scotland acquired new powers (Engel & Heichlinger, 2002, p. 103). Under the concept of parliamentary sovereignty the newly established regional bodies nonetheless fall under the authority of the Westminster Parliament which can unilaterally dissolve them or withdraw their powers.

³⁵ Act of Union with Scotland (Morgan, 2010, p. 410)

³⁶ See Appendix I: Scotland - map

³⁷ Given that the Scots are considered a nation (Butt Philip, 1999, p. 19)

The '*Scotland Act*' of 1998 providing for the establishment of the Scottish Parliament and administration also determines legislative competence of the regional body by listing the powers over which the control remains to the Westminster Parliament (reserved matters). These include above all foreign affairs; national security and defence; nationality and immigration; fiscal, economic and monetary policy; employment and industrial relations; energy policy; social security; health care with regard to abortion and genetics, and broadcasting. In remaining matters the Scottish Parliament has the right to legislate in a manner compatible with the European Convention on Human Rights or European Community law. Further, the Act also provides for Scottish Executive which is lead by a First Minister elected by the Scottish Parliament and appointed by the Queen (Scotland Act 1998).

To ensure an institutionalized cooperation between the regional and the national bodies, a "Memorandum of Understanding" was signed in 1999³⁸ and for Scotland entered into force in October the same year (Memorandum of Understanding and Supplementary Agreements, 2010). In a supplementary agreement the Memorandum establishes a Joint Ministerial Committee as a liaison body between the central executive and the devolved administrations, and also as a supreme decisive body regarding the formulating of the British position for EU negotiations.³⁹ The specific principles of cooperation in the EU matters are grounded in another supplementary agreement, the Concordat on Co-ordination of European Union Policy Issues, and in a bilateral agreement (Engel & Heichlinger, 2002, p. 98). The most important implication of these documents is that for the Council of Ministers meetings Whitehall (the British executive) has to negotiate such position which takes the Scottish interests into consideration (Swenden, 2009, p. 101). All in all, the process of devolution changed the United Kingdom into a regionalized state, although the regionalization process so far only affects people living in Scotland, Wales and Northern Ireland (Swenden, 2006, p. 14).

Economically, Scotland is a relatively wealthy region, although not all its parts reach the EU-27 average regional GDP per capita of 25 100 PPS. Given the fact that the statistical data are available for the NUTS 2 level (Scotland is NUTS 1); the original

³⁸ The document is regularly amended, the latest version is from March 2010

³⁹ On a working level the EU matters are discussed by Joint Officials Committee (EU)

data had to be re-calculated. Scotland consists of four NUTS 2 units – Eastern Scotland; South Western Scotland; North Eastern Scotland, and Highlands and Islands, their GDP and population are listed in the table below. The GDP per capita for whole Scotland is than 27 987 PPS which is 112 % of the EU-27 average.

Table 4: Population and GDP in Scotland 2008

NUTS 2	GDP in million PPS	Population in thousands
Eastern Scotland	57 506	1976
South Western Scotland	59 806	2300
North Eastern Scotland	17 709	451
Highlands and Islands	9 783	447
Total	144 804	5174

Source: author, data (Eurostat)

According to B4.29 of the Concordat on Co-ordination of European Union Policy Issues the final decision on proposals for UK appointments in the CoR is a matter of coordination between the Foreign & Commonwealth Office and the Prime Minister. Nonetheless, the devolved administrations are responsible for nominating their established share of representatives – in case of Scotland there are four, but only two of them represent directly the regional level.⁴⁰ The other two represent the Scottish local level and presumably do not have much significance regarding the political empowerment of Scotland as a region (Hübner, 2007, pp. 277-278). With respect to the Council of Ministers meetings, Scottish Executive Ministers have *in appropriate cases*⁴¹ the right to speak for the UK “*with the full weight of the UK’s status as a large member state*” (Sloat, 2002, p. 90). This was the case even before the devolution when as early as the second half of 1994 the Scottish Office represented the UK government at three Council meetings, each concerned with fisheries (Mitchell, 1997, p. 414).

Similarly, the presence of Scotland in Brussels, though at first indirect, dates back to pre-devolution times – since 1973 Scotland has at least one official working in the UK permanent representation in Brussels. Later on Scotland opened several private agencies focusing mostly on attracting foreign investors, above all the Scotland Europa Ltd. created in 1991 (Engel & Heichlinger, 2002, p. 121). However, the position of

⁴⁰ Currently these are Irene Oldfather and Stewart Maxwell

⁴¹ Matters under the competence of the devolved administration

Scotland Europa proved to be an exceptional one given that the range of its activities gradually broadened and the organization was perceived as a hub for Scottish organizations who aim for a strong position in EU affairs. This includes a wide range of Scottish organizations from the public, private and education sectors (Scotland Europa). Nowadays, Scotland is represented by the Scotland House, the co-location of Scotland Europa, the new Executive Office, the Scottish Parliament and the Highlands and Islands EU partnership, providing a focal point for Scottish interests in the EU. The Scottish Executive's European Office opened on 1st July 1999 and its functions include gathering intelligence on EU issues; promoting increased interaction with EU institutions and raising awareness among European officials about Scottish issues; supporting visits by officials and other ministers; building links with other regions; and working with Scotland Europa, MEPs and other representatives (Sloat, 2002, pp. 93-94).

Scotland is a member of a wide variety of policy networks. Apart from those facilitated by the European Commission (e.g. INTERREG IVC), Scotland participates in several bottom-up initiatives. Most importantly, this includes the Conference of European Regions with Legislative Power (REGLEG), Conference of Peripheral and Maritime Regions, European Industrial Regions Association, European Association of Mountain Areas and European Association of Development Agencies. Regarding the transnational associations outside the EU, Scotland is a member of the Assembly of European Regions and the Council of European Municipalities and Regions, as well as the Congress of Local and Regional Authorities in Europe (Glen, 2008, p. 67).

Scotland also has a direct voice in the European Parliament electing six out of UK's 72 MEPs.⁴² Additionally, one of the Scottish MEPs and three other British MEPs are also members of the Regional Development Committee (European Parliament Information Office in the United Kingdom).

⁴²Currently these are Ian Hudhton, David Martin, Struan Stevenson, Alyn Smith, George Lyon, Catherine Stihler

The following tables summarize the variables outcome for Scotland.

Table 5: Scotland - quantitative assessment of the dependent variable

Opportunity structure	'Points' assigned
CoR	1
Council of Ministers	3
Regional office	2
Regional Policy Networks	2
European Parliament	3
Total	11

Source: author

Table 6: Scotland - assessment

Independent variable			Dependent variable
Form of governance and competences on the national level	Historical establishment and/or regional identity	Economic situation	
Regionalized state	Established	Over average	11

Source: author

3.2 Hessen

The *Bundesland* Hessen^{43, 44} came to being on 19 September 1945 when the United States proclaimed on part of their occupation zone in Germany a state of ‘*Groß-Hessen*’⁴⁵ which was renamed ‘Hessen’ in December 1946. Given that the newly established region consisted of many historically more or less autonomous units (several princedoms, counties and duchies), there was hardly any historical tradition or sense of common regional identity. Although the government of Hessen has placed emphasis on creating a common Hessian identity (e.g. through annual festival ‘*Hessen-Tage*’), it certainly needs more time than the current all of 70 years of the region’s existence (Franz, 1999, pp. 15-18).

Being a part of a federal republic, *Bundesland* Hessen disposes of a wide variety of competences vis-à-vis both the national and European level. As far as the legislative responsibility is concerned, the German form of federalism, the so called ‘cooperative federalism’ does not follow the concept of strict division (as in the United States case of ‘dual federalism’) but rather a combination of functions. “*There is a tri-partite distinction between legislation which is exclusive to the Bund⁴⁶ and Länder respectively, framework legislation for the Bund, and concurrent legislation affecting both the Bund and Länder*” (Stammen, 1999, p. 103). The subjects of the *Bund*’s exclusive legislation are listed in Article 73 of the *Grundgesetz*⁴⁷ and the sphere of the concurrent legislation (Art. 74) keeps enlarging thanks to the principle of ‘maintenance of uniformity of living conditions’ stated in Article 72 (2). In the sphere of concurrent legislation the *Länder* may only legislate so long and to the extent that the *Bund* does not exercise its right to legislate (Art. 72(1)). The most important subjects of the *Länder* exclusive legislation mentioned, though not directly listed in Article 70, then include education, culture and broadcasting (Grundgesetz für die Bundesrepublik Deutschland)⁴⁸.

Another important element of the German federalism is the regional chamber of the Parliament – the *Bundesrat* – representing the *Länder*. Its composition distinguishes it from other similar legislative bodies representing subnational units (e.g. the United

⁴³ Engl. Federal State of Hesse or Hessia

⁴⁴ See Appendix II: Hessen - map

⁴⁵ Engl. Great Hesse

⁴⁶ Engl. Federation

⁴⁷ The Basic Law (German constitution)

⁴⁸ Originally from 23. May 1949, last modified by the Law of 21. July 2010 (BGBl. I S. 944)

States Senate); according to Article 51 (1) the members of *Bundesrat* are not directly elected but delegated by their respective state government. Each *Land* can send as many delegates as it has votes which are assigned proportionally according to its population (Hessen disposes of 5 votes). The *Bundesrat* also plays a vital legislative role; above all it has to approve all proposals in the sphere of the concurrent legislation and those for which the *Länder* must administer federal regulations (Hübner, 2007, pp. 56-57). The participation rights of the *Länder* in EU affairs are regulated by the ‘Europe Article’, Article 23 of the *Grundgesetz*; relevant details are covered in the legislation dealing with the cooperation between federal and state governments in projects of the European Union (EUZBLG)⁴⁹, and in an agreement between the federal and state governments.⁵⁰ Essentially, these provisions give the *Länder* the right to influence the position of the federal government vis-à-vis the EU via the *Bundesrat* (Chardon & Eppler, 2009, p. 28)

Furthermore, the adoption of the Lisbon Treaty considerably strengthens the competences of the chamber (and thus of the *Länder*) regarding EU matters. The Lisbon Treaty reinforces the position of national parliaments which now dispose of the right to watch over the principle of subsidiarity and raise charges in the European Court of Justice should this principle be violated. Regarding the latter, the Prime Ministers of the *Länder* reached a ‘Gentlemen’s Agreement’ that the *Bundesrat* will support a single *Land’s* initiative to take action in front of the ECJ provided this will not affect vital interests of another *Land*. Therefore, a single *Bundesland* should theoretically be able to bring a case before the ECJ (Chardon & Eppler, 2009, pp. 31-38).

From the economical point of view, Hessen is wealthy region with a sound economic bases and a largely developed tertiary sector. Similarly as in the case of Scotland, Hessen is a NUTS 1 region which consists of three NUTS 2 units – Darmstadt, Gießen and Kassel. The economic indicators for individual units are listed in

⁴⁹ Gesetz über die Zusammenarbeit von Bund und Ländern in Angelegenheiten der Europäischen Union vom 12.03.1993, Engl. Law on Cooperation between the Bund and the Länder Concerning European Matters

⁵⁰ Verienbarung vom 29.10.1993 zwischen der Bundesregierung und den Regierungen der Länder über die Zusammenarbeit in Angelegenheiten der EU

the table below. After a simple recalculation it can be stated that the per capita GDP of Hessen amount to 34 807 PPS which is 139 % of the EU average.

Table 7: Population and GDP in Hessen 2008

NUTS 2	GDP in million PPS	Population in thousands
Darmstadt	147 765	3 783
Gießen	28 560	1 051
Kassel	34 919	1 235
Total	211 244	6 069

Source: author, data (Eurostat)

The distribution of seats in the Committee of the Regions is governed by Article 14 of the EUZBLG which settles the problem of the seats' distribution between the *Länder* and the municipalities (*Gemeinden*). Out of Germany's 24 seats three are assigned to the local level, remaining 21 belong to the federal states. These are distributed according to the principle of one member per state, and the remaining five seats are assigned in rotation on the basis of a *Länder* list in order of population. Thus currently the *Bundesland* Hessen disposes of 2 representatives in the CoR⁵¹ (Stolz, 1994, p. 20).

Regarding the participation in the Council of Ministers meetings the *Länder* were given an observer status in 1986. After the adoption of the Maastricht Treaty this needed to be amended and the revised Article 23 (6) now states that when the negotiations at the EU level affects legislative powers exclusive to *Länder* concerning matters of school education, culture or broadcasting, the exercise of the rights belonging to Germany as a member state of the EU should be delegated by the *Bund* to a representative of the *Länder* designated by the *Bundesrat* (Grundgesetz für die Bundesrepublik Deutschland). Strictly speaking this means that in the above mentioned matters Germany will be henceforth represented in the Council of Ministers by the *Länder*. This provision is only to be suspended when Germany holds the presidency of the Council (Neunreither, 2001, p. 129).

The representation of the *Land* Hessen to the European Union in Brussels was opened in 1989. Originally established as an 'information' and 'liaison' office, it was

⁵¹ These are Norbert Kartmann and Nicola Beer

later renamed a ‘representation’ office (Knodt, Große Hüttmann, & Kotzian, 2009, p. 123) given the number of officials employed which currently reached 26 (Organigramm der Landesvertretung, 2011). The main responsibilities of the office include informing the government about the current development in the EU (early-warning system); representing the interests of Hessen vis-à-vis the EU institutions and promoting them during the decision-making process; cooperate with the Hessian MEPs (although Hessen is not a constituency for the European Parliament elections); supporting the Hessian delegates to the CoR and promoting regional networking activities etc. From the organizational point of view the representation is a section of The Hessian Ministry of Justice, for Integration and Europe and does not have a diplomatic status (Die Vertretung des Landes Hessen bei der EU in Brüssel, 2011). Apart from the regional offices, the interests of all *Länder* are represented by the German *Länderbeobachter* (observer), an office established in 1958 to function as a source of information regarding the matters of the EEC. The present role of the *Länderbeobachter* is similar – his main activity lies in acquiring, processing, commenting of information and presenting them in a broader context. He is by no means trying to influence the decision making on the behalf of the *Länder* (Neunreither, 2001, pp. 124-125).

As already mentioned above, the representation of Hessen promotes regional networking activities. Again, apart from the initiatives facilitated by the EC, Hessen is a part of a wide variety of networks. These include the broad network of the AER and also, most importantly, the REGLEG initiative. Significant cooperation takes place with the Hessian partner regions of Aquitaine (France), Emilia-Romagna (Italy) and Wielkopolska (Polen) which share together with Hessen the premises of the ‘Mehrregionen-Haus’ in Brussels (Knodt, Große Hüttmann, & Kotzian, 2009, p. 133). Apart from this, Hessen closely cooperates with other representations of the *Länder* in the form of so-called *Arbeitskreise* (working groups) on various issues (e.g. transport or social policy). Further, in the middle of the 1990s Hessian representation in Brussels initiated a ‘*Round table of the European regions*’ which facilitates the contacts between the employees of the regional offices in Brussels.

Although Hessen does not officially have directly elected MEPs (the constituency for the European elections is the whole Germany), both the literature (Neunreither 2001; Knodt, Große Hüttmann and Kotzian 2009) and the responsibilities of the Hessian representation in Brussels acknowledge that there is a close cooperation

with the MEPs coming from Hessen (there is currently six of them)⁵². Besides this, Germany has six members in the REGI Committee, including the vice-chair (Europäisches Parlament Informationsbüro in Deutschland).

The following tables summarize the variables outcome for Hessen.

Table 8: Hessen - quantitative assessment of the dependent variable

Opportunity structure	'Points' assigned
CoR	1
Council of Ministers	3
Regional office	2
Regional Policy Networks	2
European Parliament	3
Total	11

Source: author

Table 9: Hessen - assessment

Independent variable			Dependent variable
Form of governance and competences on the national level	Historical establishment and/or regional identity	Economic situation	
Federal state	Not-established	Over average	11

Source: author

⁵² Udo Bullmann, Michael Ahler, Martin Häusling, Wolf Klinz, Thomas Mann, Barbara Weiler

3.3 Trentino-Alto Adige/Südtirol

The case of the Italian autonomous region Trentino-Alto Adige/Südtirol^{53,54} is a rather specific one. According to Article 5 of the constitution, Italy is considered to be a regionalized state, since it “*recognises and promotes local autonomies, and implements the fullest measure of administrative decentralisation*”. Trentino-Alto Adige/Südtirol belongs to the regions with a special status (*Regioni a statuto speciale*) and is according to Article 116 (2) divided into two autonomous provinces (*province autonome*) Trento and Bolzano/Bozen (Costituzione della Repubblica Italiana, 2001) to which the region delegated almost all its legislative and administrative competences (Hübner, 2007, p. 93). To understand this unique organization and the strong sense of regional identity, particularly among the German speaking population of the Bolzano/Bozen province⁵⁵, one has to look into the history.

With the St. Germain Treaty of the 1919 at the end of the World War I, Italy acquired the territory of the current region Trentino-Alto Adige from Austria. This included not only the predominantly Italian Trento but also the part of Austrian Tyrol lying south of the Brenner Pass where 86 % of the population was German speaking (Alcock, 2001, p. 1). Although even Woodrow Wilson stated that the Italian borders should be adjusted along the lines of nationality, Italy ignored this claiming that South Tyrol and Trento were geographically one with the majority of Italian speakers. When Mussolini came to power in 1922 the region started to be forcibly Italianized, an approach abandoned only with the end of the World War II. Immediately after the end of war, the South Tyrolese – represented by the *Südtiroler Volkspartei*⁵⁶ – demanded to become a part of the restored Austria which was not fulfilled. However, it was generally agreed that South Tyrol should be given an autonomous status, a proposition strongly backed by Austria as a natural ally of the German speakers (Alcock, 2001, pp. 2-4). This was achieved in 1946 by the De Gasperi-Gruber agreement⁵⁷ and in 1948 the area of South Tyrol was integrated into the region of Trentino-Alto Adige and the Regional Statute of Autonomy came into force (Trentino-Alto Adige, 2008).

⁵³ Engl. Trentino-South Tyrol

⁵⁴ See Appendix III: Trentino-Alto Adige/Südtirol - map

⁵⁵ the German speaking population build with 69 % in Bolzano/Bozen the majority (Pallaver, 2007, p. 529)

⁵⁶ Engl. South Tyrolese People's Party

⁵⁷ named after the Italian Prime Minister De Gasperi and the Austrian Foreign Minister Gruber

Nevertheless, the South Tyrolese were not completely satisfied with the outcome and the negotiations between the *Südtiroler Volkspartei*, Austrian and Italian governments continued and in 1969 finally resulted into a ‘package solution’ revising the original Autonomy Statute. The ‘package’ provided for the autonomy of the *provincie* Bolzano/Bozen (South Tyrol) and Trento within the region which thus gained a ‘double’ autonomy institutionalized in 1972 by a presidential decree. Further, it included measures ensuring ethnic proportional representation, and effectively a joint government of Italian and German speakers in provincial and regional institutions (Mikes, 2010, p. 64).

As already mentioned in the beginning, Italy is a regionalized state. In this sense the Italian constitution distinguishes between exclusive legislative competences of the central level (listed in Article 117 (2)) and concurring competences (Art. 117 (3)) where the legislative competences are vested in the regions, except for the determination of the fundamental principles. In those matters that are not expressly covered by the State legislation, the legislative powers lie with the regions (Costituzione della Repubblica Italiana, 2001). According to Chapter 2 of the 1972 presidential decree the legislative body of the provinces is the provincial assembly (*Landtag/ Consiglio provinciale*) whereas the executive power is attributed to the provincial government (*Landesregierung/ Giunta Provinciale*) headed by the provincial president (*Landeshauptmann/ Presidente della Provincia*). The difference is that Trento has a presidential representative democracy while Bolzano/Bozen retains a parliamentary democracy (Statuto speciale per il Trentino-Alto Adige/Sonderstatus für Trentino-Südtirol, 1972).

Additionally, the constitutional reform of 2001 further enhanced the autonomy of the regions by removing the obligatory approval of provincial legislation by the central level. Given that the Trentino-Alto Adige regions transferred almost all its powers to the provinces, both Trento and Bolzano/Bozen are now effectively nearly independent in many areas of competence, such as: “*agriculture and forestry, tourism and the hotel trade, protection of the countryside, public health and welfare, communications and transport of provincial interest, mines, nursery schools, school buildings and school welfare, public works, employment exchanges, and vocational training*” (Alcock, 2001, p. 11). The provinces also maintain control over primary and secondary schools and thus over the language of education (Alcock, 2001, p. 11).

Regarding the participation of the regions and autonomous provinces on the decision making of the central level (including the EU matters), the most important body is the permanent State-Regions Conference (*Conferenza permanente stato-regioni*) set up in 1983. It is to be noted that the Senate as the second chamber of the Italian parliament although elected predominantly on a regional basis⁵⁸ is by no means a regional chamber and does not represent the regional interests vis-à-vis the central government (Hübner, 2007, pp. 193-195).

Currently, the autonomous province Bolzano/Bozen has an incredibly dynamic economy with low levels of unemployment (Mikes, 2010, p. 64). The most important features of the whole Trentino-Alto Adige regions are the tourism and thus the services sector (European Commission. DG Regio). The Trentino-Alto Adige does not equal any level of the NUTS classification, since in this case the NUTS 2 status is assigned to the both provinces⁵⁹. After a recalculation of the data it can be stated that the per capita GDP of Trentino-Alto Adige is 32 433 PPS which is 129 % of the EU average.

Table 10: Population and GDP in Trentino-Alto Adige 2008

NUTS 2	GDP in million PPS	Population in thousands
Trento	15 859	517
Bolzano/Bozen	16 996	496
Total	32 855	1 013

Source: author, data (Eurostat)

Out of 24 Italian seats in the Committee of the Regions, 14 are assigned to the regions, five to the provinces and five to the municipalities. The delegates are appointed by the national government; however the proposals are submitted by the umbrella organizations of the particular subnational units (Hübner, 2007, pp. 275-276).⁶⁰For the Trentino-Alto Adige region there is currently only one representative (Committee of the Regions).⁶¹

⁵⁸ The number of Senators elected in each region is proportional to the region's population; further, among the members of the Senate are automatically all Italian ex-presidents as well as five citizens appointed by the Italian president for their special contribution to the country.

⁵⁹ the NUTS 1 unit is the whole Italy

⁶⁰ these are the Conference of the Regions and the Autonomous Provinces (*Conferenza die Presidenti delle Regioni e delle Province autonome*); the Union of Italian Provinces (*Unione delle Province Italiane*); the National Association of Italian Communes (*Associazione nazionale die comuni italiani*)

⁶¹ Luis Durnwalder (Bolzano/Bozen)

Regarding the direct regional representation in the Council of Ministers, the so called La-Loggia Act of 2003 foresaw the possibility that national delegations to the Council may have been chaired by regional representatives if the negotiated issues fell within the regional cognizance. This was however repealed in a ‘cooperation agreement’ of the State-Regions Conference in 2006. Nonetheless, the regional representatives can participate in the Council sessions as members of the national delegations, and four regional representatives gained access to the Committee of Permanent Representatives (Woelk, 2009, p. 47).

In 1995, right after Austria acceded the EU, the autonomous provinces Bolzano/Bozen and Trento⁶² together with the Austrian *Bundesland* Tirol decided to establish the first trans-boundary EU liaison office. The decision stemmed not only from common territorial characteristics, but also from common history. However, the newly institutionalized European Region Tyrol-South Tyrol-Trentino was mistrusted by the Italian government, which saw in this initiative as an (impermissible) act of regional foreign policy and pressed charges in front of the constitutional court. The dispute lost its importance with the entry into force of the Act 52/1996 granting the regions right to open liaison offices in Brussels for relations with the Community institutions (Woelk, 2009, pp. 49-50). The main tasks of the office are creating a network aimed at gathering information related to the activities of the European Union and transmitting them back to the territorial governmental offices; sustaining officials, offices and territorial associations in the processes of interaction with the institutions and the other bodies of the European Union; raising awareness of the EU activities through a constant information transfer back to the free territories and other specific actions relating to important sectors (The European Region Tyrol-South Tyrol-Trentino).

As already apparent with regard to their liaison office, both autonomous provinces engage in networking activities. They are members of both the AER and the CEMR, and of course in the policy networks facilitated by the European Commission. Apart from their close cooperation with the *Bundesland* Tirol, they are also part of a broader territorial network associating the alpine regions, the ARGE ALP. Further, they participate in the European Association of Mountain Areas and

⁶² represented initially through their respective chambers of commerce

the European Association of Development Agencies. And above all, the region Trentino-Alto Adige is also a member of the REGLEG initiative.

Regarding the elections into the European Parliament, Italy is divided into five constituencies – the North-East one comprises the region Trentino-Alto Adige and three others.⁶³ The region thus does not have a directly elected MEP; however three Italian MEPs are members of the REGI Committee (REGI Regional Development).

The following tables summarize the variables outcome for Trentino-Alto Adige/Südtirol.

Table 11: Trentino-Alto Adige/Südtirol - quantitative assessment of the dependent variable

Opportunity structure	'Points' assigned
CoR	1
Council of Ministers	0
Regional office	2
Regional Policy Networks	2
European Parliament	1
Total	6

Source: author

Table 12: Trentino-Alto Adige/Südtirol - assessment

Independent variable			Dependent variable
Form of governance and competences on the national level	Historical establishment and/or regional identity	Economic situation	
Regionalized state	Established	Over average	6

Source: author

⁶³ Emilia-Romagna, Friuli-Venezia Giulia, and Veneto

3.4 Středočeský kraj

Středočeský kraj^{64,65}, a part of the Czech Republic, is the ‘youngest one’ among the regions analyzed in this thesis, only being established in 2000. Since the original regional bodies from the communist period were dissolved during the transition period in 1990, the Czech Republic faced the task of rebuilding the regional level in the context of the reform of the public administration (Brusis, 2003, p. 90). Though Chapter 7 (Articles 99-105) of the 1993 Czech constitution contain provisions for the establishment of regional self-government in the form of the tier of “*regions, which shall be superior self-governing territorial divisions*” (Ústava České republiky, 1992), it was not until 1997 that the Parliament passed a law (347/1997Coll.) establishing 13 *kraje* and *hlavní město Praha*⁶⁶ with the status of a region. Also, it was only in 2000 that the legislation (129/2000Coll.) on the powers of the regional assemblies and electoral rules was passed (Hughes, Sasse, & Gordon, 2003, pp. 78-79). The newly established regional unites finally commenced their work in January 2001 (Hübner, 2007, p. 375).

The most important bodies of the regional self-government are *zastupitelstvo kraje* (regional assembly) and *rada kraje* (regional board), an executive body composed of the chief executive officer of the regional authority (*hejtman*) and vice-chiefs (European University Institute, 2008, p. 90). The regional level has according to § 14 (1) of the Law on regional self-government (129/2000Coll.) autonomous competences, however these are merely administrative. The most important matters coming into the competences of regions are putting bills before the Chamber of Deputies (*Poslanecká sněmovna*); co-coordinating the development of the region’s territory (incl. approving of planning and zoning documents); development of regional cultural activities; some aspects of education, social welfare and health services; regional public transport; environment, and regional economic development (Structure and operation of Local and Regional Democracy. Czech Republic, 2004).

Středočeský kraj (or according to its NUTS 2 classification *Střední Čechy*) with its highly developed industrial structures belongs to the economically strongest regions of the Czech Republic. Even so, it does not reach the EU average regional per capita

⁶⁴ Engl. Central Bohemia region

⁶⁵ See Appendix IV: Středočeský kraj - map

⁶⁶ the capital city of Prague

GDP. With the per capita GDP of 18 600 PPS (2008 data) it only amounted to 74 % of the EU average (Eurostat).

The Czech delegation in the Committee of the Regions consists of 12 representatives, out of which seven are delegated by the Association of Regions of the Czech Republic (*Asociace krajů České republiky*) and five by Union of Towns and Municipalities of the Czech Republic (*Svaz měst a obcí České republiky*) (Hübner, 2007, p. 381). However, Středočeský kraj currently only has an alternate member in the CoR (Committee of the Regions).⁶⁷ Lacking any legislative powers, the region obviously does not have the right to participate in the Council of Ministers meetings.

Středočeský kraj was among the first Czech regions to open their liaison office in Brussels. The official opening of the office on 16 March 2004 even preceded the accession of the Czech Republic to the EU. Although the office is a small one, it has a wide variety of activities – generally promoting the region, its culture, economic interests and regional tourism; acting as an ‘information bridge’ between the EU and regional bodies and companies; networking activities; creating a sound information background for educational institutions in the region (*Zastoupení Středočeského kraje při Evropských Společenstvích*, 2011).

As already mentioned above, Středočeský kraj supports networking activities, however its engagement so far is not that wide. The region is a member of several networks established and facilitated by the Commission – e.g. INTERREG IVC or Central Europe cooperating for success.⁶⁸ Regarding the bottom-up initiatives an important network is the Quadripartite Agreement between Středočeský kraj and the regions of Burgundy (France), Rhineland-Palatinate (Germany) and Opole Voivodeship (Poland) established to promote mutual friendship by developing economic, educational, social and cultural activities (*Decentralized Cooperation. The Quadripartite Agreement*, 2011).

Given that in the elections to the European Parliament the only constituency is the whole Czech Republic, the elected MEPs do not have any regional affiliation

⁶⁷ David Rath

⁶⁸ see <http://www.central2013.eu/>, retrieved May 5, 2011

(Havlík, 2004). However, two Czech MEPs are members of the Regional Development Committee (REGI Regional Development).

The following tables summarize the variables outcome for Středočeský kraj.

Table 13: Středočeský kraj - quantitative assessment of the dependent variable

Opportunity structure	'Points' assigned
CoR	0
Council of Ministers	0
Regional office	1
Regional Policy Networks	1
European Parliament	1
Total	3

Source: author

Table 14: Středočeský kraj - assessment

Independent variable			Dependent variable
Form of governance and competences on the national level	Historical establishment and/or regional identity	Economic situation	
Unitary decentralized state	Not-established	Under average	3

Source: author

3.5 Analysis

To achieve the comparative perspective, the results of the individual case studies presented in this chapter are summarized in the table below.

Table 15: Case studies - comparative assessment

Variables Regions	Independent variable			Dependent variable
	Form of governance and competences on the national level	Historical establishment and/or regional identity	Economic situation	
Scotland	Regionalized state	Established	Over average	11
Hessen	Federal state	Not-established	Over average	11
Trentino-Alto Adige/ Südtirol	Regionalized state	Established	Over average	6
Středočeský kraj	Unitary decentralized state	Not-established	Under average	3

Source: author

On the first sight, it is obvious that there are striking differences with respect to the value of the dependent variable. Scotland and Hessen both ‘scored’ eleven points which means that compared to the other two regions, they are the more successful ones in pursuing their interests vis-à-vis the European policy level. On the other part of the ranking we find Středočeský kraj with slightly more than a quarter of points acquired by Scotland and Hessen. Finally, Trentino-Alto Adige then takes ‘the middle way’ with six points. Let us apply the methods developed in the first chapter of the thesis and identify the reasons behind this outcome.

As already noted in the methodological part, the pure application of Mill’s methods of agreement and/or difference tends to be somewhat problematic. In our case they are only directly applicable to compare Hessen and Scotland. According to the method of agreement, if two (or more) cases agree on the value of the dependent variable and at same time on the value of only one independent variable; this independent variable is the cause of the outcome. Since Hessen and Scotland share

the same outcome and the same value of the ‘economic situation’ variable (both regions are over average), this would mean that the reason of this outcome is exactly the economic strength of the regions. However, when comparing Scotland to Trentino-Alto Adige we find out that even though the values of the independent variables are the same, the outcome is unexpectedly not.

This leads us to the first observation of the analysis, namely to the methodological shortcomings of the thesis. Though Scotland and Trentino-Alto Adige have the same outcomes of the independent variables, after the analysis of both cases undertaken in the previous part of this chapter; it is evident that there are differences between these two regions. Though both Italy and the United Kingdom can rightfully be described as regionalized states, the devolved powers of Scotland resemble more those of Hessen than those of the Italian autonomous provinces. Similarly, it can be argued that due to distinctively longer historical development, the Scotland’s establishment and its regional identity is stronger than those of the South Tyrolese. Also, though the economic strength of the regions measured as the percentage proportion of the EU’s regional per capita GDP has an important informative value; the absolute GDP of a region certainly has some impact on its real opportunities when dealing with both the central government and the EU. All in all, with respect to the independent variables, it is recommendable to develop more detailed framework, especially in the case of analysing a larger number of regions.

Nonetheless, since the thesis only analysis four regions, the outcomes developed under this methodological framework still can be used – in agreement with Ruth and David Collier – as “*invaluable points of reference in constructing comparisons*” (Collier & Collier, 2002, p. 15) and combined with experimental logic and process tracing lead us to relevant conclusions. In the following table the ‘+’ is used to indicate the differences within the same values of a particular variable in a sense that the value is ‘higher’.

Table 16: Case studies - comparative assessment revised

Variables Regions	Independent variable			Dependent variable
	Form of governance and competences on the national level	Historical establishment and/or regional identity	Economic situation	
Scotland	Regionalized state (+)	Established (+)	Over average	11
Hessen	Federal state	Not-established	Over average (+)	11
Trentino-Alto Adige/ Südtirol	Regionalized state	Established	Over average	6
Středočeský kraj	Unitary decentralized state	Not-established (+)	Under average	3

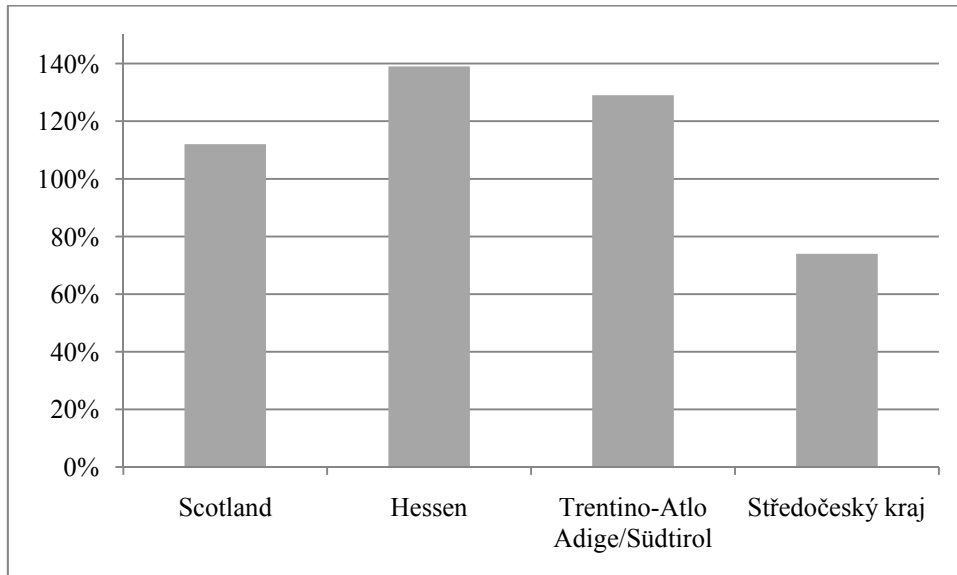
Source: author. ‘+’ is used to indicate stronger polarization of the particular variable outcome

With this adjustment in mind, we can now apply the method of concomitant variations together with the above mentioned approach and continue with the analysis. Regarding the correlation between the first independent variable – the form of governance and the competences on the national level – and the dependent variable outcome we can observe that the representation of a region’s interests is in principle directly proportional to the level of decentralization of the national level. This proposition is consistent even though Hessen and Scotland both achieved the same value of the dependent variable. As already explained above, Scotland disposes of powers which resemble those of federal units (Swenden, 2006, p. 14). Thus, a better formulation might be that the representation of a region’s interests vis-à-vis the European policy level is directly proportional to the scope of its competences on the national level; the more competences on the national level, the better interaction with the European policy level. Our hypothesis stating that “regions from federal states achieve more than regions from unitary states” is hereby confirmed.

Similarly, the hypothesis that “economically strong regions achieve more than economically weaker ones” is sustained. The following graphs depict the economic

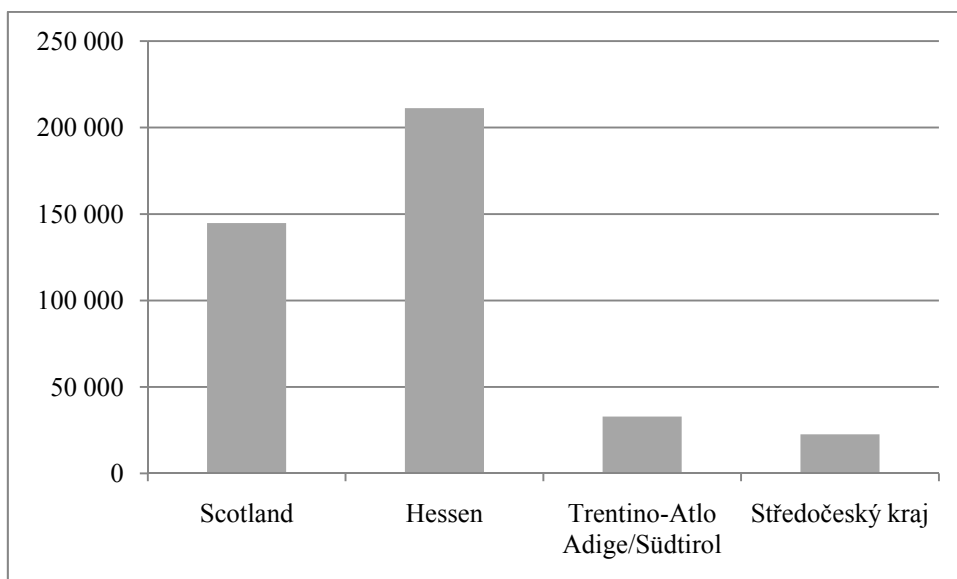
situation of the regions in percentage share of the EU per capita average in PPS and in million PPS respectively.

Graph 1: Regional GDP (PPS per inhabitant in % of the EU-27 average)



Source: author; data (Eurostat)

Graph 2: Regional GDP (million PPS)



Source: author; data (Eurostat)

Though the correlation between the economic strength and outcome of the dependent variable is not directly proportional, it can still be argued that the economic background has significant influence on the position of the regions against the EU. Also, the difference between the GDP in absolute numbers of Scotland and

Hessen and those of the remaining two regions resembles in a certain way the difference between the values of the dependent variable.

On the other hand the hypothesis claiming that “established regions achieve more than recently formed ones” was disproved. Though it is truth that ‘established’ Scotland and Trentino-Alto Adige are more successful in promoting their interests than ‘not-established’ Středočeský kraj; the case of Hessen does not fit the presumption. Despite the fact that the common history of Hessian territories only dates back to after World War II and the regional identity of its population is practically non-existent, the *Bundesland* is still able to successfully maintain its position in the European decision-making process.

If we apply the concomitant variation method⁶⁹, the ‘*form of governance*’ variable can be identified as the causal one, though it is not without reservations. Logic tells us that it is the combination of the scale of powers on the national level with the economic strength which has the major influence on the outcome, while the regional identity only has a supporting effect.⁷⁰

Regarding the last hypothesis that “regions from the EU-15 achieve more than regions from ‘new’ member states” the cases analyzed in this thesis do support it. However, unlike the previous hypotheses which do have certain relevance even if sustained/disproved by a limited number of cases; this seems to be too much of a generalization. Though the regions from the EU-15 member states might have the advantage of more experience, it probably is not the decisive determinant of how good the region is able to represent its interests vis-à-vis the EU. This question could therefore be recommended for further research.

Regarding the theoretical framework, the case studies do support most of the propositions made – in compliance with both the multi-level governance concept and the new regionalism, the regions have established their offices in Brussels; have intensified their contacts with each other; have participated in the CoR and some of them also *rationaly chose* to campaign for direct representation in the Council of

⁶⁹ if an independent variable varies in any manner whenever the dependent variable varies in some particular manner, it is the cause of the phenomenon in question (Karlson, 2008, p. 71)

⁷⁰ of course, it might be the regional identity which help the region gain its powers vis-à-vis the national level in the first place, however this lies outside the focus of the thesis

Ministers. The relevance of the theoretical concepts could also be seen in the fact that both hypotheses derived directly from them were proved. However, due to the narrow number of case studies, the thesis does not aspire to make conclusion about the validity of the theoretical concepts in general.

Conclusion

The position of the regional level in the European integration process has gradually gained in significance. Starting with the wave of the *'new regionalism'* in the 1980s, the emancipation process evolved into a debate about the *'Europe of the Regions'* during the 1990s. Though the concept of *'Europe of the Regions'* seems to be dismissed, the regions have already managed to make use of it securing themselves a new position within the integration process – not only as objects and instruments of the EU policies, but as actors in the decision-making process. Consequently, the direct access to the European policy level further reinforces the position of the regions within the nation-state. The co-existence of the regions and the European institutions is rather symbiotic – since it is usually the regions that carry out the implementation of the EU provisions; their interests have to be taken into account. In 'return' for this, the regions can provide the European policy level with valuable information necessary for *'good governance'*. The involvement of the EU's *'third level'* thus brings the decision-making process closer to the citizens and is therefore vital for further democratic development of the European Union.

The gradual empowerment of the regions could also be traced in EC/EU primary law. While the first explicit recognition of the regional level did not come until the 1986 Single European Act, adoption of the Maastricht Treaty in 1992 already constituted a qualitative shift – the constitution of the Committee of the Regions, the acceptance of the principle of subsidiarity and the right of regions to participate in the Council of Ministers according to national regulations could be regarded as at least a partial response to the demands of the regional level. Other important changes followed with the adoption of the Lisbon Treaty in 2007. The Committee of the Regions gained a range of new rights and thus a stronger position vis-à-vis the EU institutions. Most importantly, the CoR can now challenge new EU laws in the European Court of Justice if it believes the act is in breach with the principle of subsidiarity or if the EU institutions have not respected the Committee's right to consultations which has also widened considerably. Similarly, under the new 'early warning subsidiarity monitoring mechanism' national parliaments and regional parliaments with legislative have also been turned into *'subsidiarity watchdogs'*.

Currently, there are several ways a region can directly promote its interests vis-à-vis the EU policy level. In accordance with the theoretical concepts the thesis identified six so called '*opportunity structures*': the Committee of the Regions; the Council of Ministers, the European Commission; regional offices in Brussels; regional policy networks and the European Parliament.

The Committee of the Regions, though gaining on significance, still remains 'only' an advisory body. However, since it is the only clearly institutionalized channel of regional demands, it is in every region's interest to have a representative in this body. Regarding the right of the regions to participate directly in the decision-making process of the Council of Ministers; so far it only concerns regions with some legislative competences and the ultimate decision on whether a regional minister can represent the whole member state in the Council is still upon the national government. The provision therefore applies only to a very limited number of regions; nonetheless it is the most influential position a region might get in the decision-making process. The regional information offices in Brussels, in some cases called regional representations, provide a direct link between the EU and the particular region. These 'quasi embassies' vary widely regarding the number of personnel and the scope of tasks. Usually, the offices constitute a direct two-way informational channel between the two level maintaining contacts with the members of the CoR, European Commission and the MEPs; however only in some cases the office can hope influencing the decision-making process. The regional networking activities, often facilitated by the offices in Brussels, represent another way of sharing information and knowledge among regions with some common characteristic or desire. Also, it is a further possibility of enhancing the regions' position vis-à-vis the EU. The relation between the regions and the European Commission, though certainly one of importance, is hard to assess due to its predominantly informal nature.

The ability of regions to use these '*opportunity structures*' to make themselves heard on the European policy level was the aim of this master's thesis. Specifically, the main research question the thesis intended to answer was "*Which regions are more successful in representing their interests vis-à-vis the European policy level?*" The investigation itself was carried out in a form of a comparative case study guided by four hypotheses: (1) Regions from the EU-15 achieve more than regions from 'new' member states. (2) Regions from federal states achieve more than regions from unitary

states. (3) Economically strong regions achieve more than economically weaker ones. (4) 'Established' regions achieve more than recently formed ones. The cases selected based upon these hypotheses were Scotland (United Kingdom), Hessen (Germany), Trentino-Alto Adige/Südtirol (Italy) and Středočeský kraj (Czech Republic).

After the completion of the devolution process, Scotland enjoys a wide scope of powers on the national level, even though these can still be unilaterally withdrawn by the Westminster Parliament since the UK is 'only' a regionalized state. Traditionally, Scotland has a strong sense of regional identity above all due to its long history as an independent nation only being united with England by a negotiated treaty in 1707. Also, Scotland is a relatively wealthy region, its per capita GDP lies at 112 % of the EU-27 average. Regarding the relation between Scotland and the European Union, Scotland attempts to be as independent an actor as possible making use of all the opportunity structures investigated. Above all, Scotland has a direct say in the Council of Ministers as well as directly elected MEPs.

Hessen, being a part of a federal state, has the strongest position on the national level among the examined regions, which is further reinforced by the existence of a regional chamber in the national parliament. On the other hand the population of Hessen does not experience any distinguished sense of regional affiliation. This is likely to be caused by the fact that the *Bundesland* Hessen was more or less an artificial creation of the U.S. forces in Germany after the World War II. Economically, Hessen is a strong region – its per capita GDP amounts to 139 % of the EU average. The German *Länder* belong to the most active regions vis-à-vis the European policy level, virtually guiding the emancipation process of the 1980s and 1990s. And since Hessen actively uses all the ways available to represent its interests on the European level, it is in this case no exception.

The case of the Italian autonomous region Trentino-Alto Adige/Südtirol is a rather specific one. It belongs to the regions with a special status – which among others translates into a wider scope of devolved powers – but is divided into two autonomous provinces (*province autonome*) Trentino and Bolzano/Bozen to which the region delegated almost all its legislative and administrative competences. This organization is a result of historical development – the region, originally a part of Austrian crown land Tirol, was acquired by Italy after the end of the World War I and

remained there despite of the protests of the local population ever since. This means that the regional affiliation is – at least among the German speaking population which constitutes in the Bolzano/Bozen province the majority – very strong and is manifested for example in a continuous close cooperation of both provinces with the Austrian *Bundesland* Tirol. From the economical point of view, the regional per capita GDP lies at 129 % of the EU-27 average. The position of the region (provinces) vis-à-vis the European level is not as strong as in the both previous cases. The region does not have a direct say in the Council of Ministers, nor does it have directly elected MEPs. However, since it disposes of legislative powers, it is a part of the REGLEG initiative, a rather influential regional policy network.

Given that the Czech Republic is a unitary decentralized state, the powers of *Středočeský kraj* are limited only to administrative competences. The region is also a ‘young’ one, only being established after the administrative reform of 2000; therefore a sense of a regional identity among its population is hardly to be expected. Regarding the economical strength of the region, its per capita GDP so far only reaches 74 % of the EU-27 average. The limited competences of the *kraj* on the national level seem to be reflected at the European policy level where the possibilities of the region to interact with the European institutions are considerably limited. However, despite of this, the region has established a liaison office in Brussels and engages in various networking activities.

After the comparative analysis of these case studies, following conclusions can be drawn: the region’s ability to represent its interests vis-à-vis the European policy level is in principle directly proportional to the scope of its powers on the national level. Briefly put, the more competences on the national level, the better interaction with the European policy level. The (2) hypothesis stating that “regions from federal states achieve more than regions from unitary states” is hereby confirmed.

Similarly, the (3) hypothesis that “economically strong regions achieve more than economically weaker ones” is sustained. Even though the correlation between the economic strength and the scope of interaction with the EU level is not directly proportional, it can still be argued that economic background has significant influence on the position of the regions against the EU. Though the method of concomitant variations used suggests that the competences of the region on the national level are

the only direct determinant of its ability to represent its interests within the EU, the case evidence implies that the economic situation of the regions also has significant influence on the outcome.

On the other hand the (4) hypothesis claiming that “established regions achieve more than recently formed ones” was disproved. Though it is truth that ‘established’ Scotland and Trentino-Alto Adige are more successful in promoting their interests than ‘not-established’ Středočeský kraj; the case of Hessen does not fit the presumption. However, the regional identity still might have a supporting effect.

Lastly, regarding the (1) hypothesis that “regions from the EU-15 achieve more than regions from ‘new’ member states” the case studies presented in this thesis support it. However, unlike the previous hypotheses which do have certain substance even with such limited scope of research; this seems to be too much of a generalization. This question can however be recommended for further research. Regarding the main research question the thesis is able to answer that *“regions with wide scope of powers on the national level (usually coming from federal or regionalized member states) with strong economic background are generally more successful in representing their interests vis-à-vis the European policy level.”*

However, this conclusion would be confirmed more persuasively, if based upon larger number of cases; thus a further, more extensive investigation of this subject is advisable. In addition, since only an extremely limited number of sources deals with the relation between the European policy level and the regions from the so called ‘new’ member states – and if so, then only in a very general way – this can also be recommended for further research.

Shrnutí

V posledních desetiletích jsme mohli být svědky toho, jak regiony získávají stále významnější pozici v rámci evropského integračního procesu. Tento trend lze dobře vysledovat mimo jiné ve vývoji primárního práva EU – zatímco první zmínku o regionech nacházíme až v Jednotném evropském aktu v roce 1986, již Maastrichtská smlouva o šest let později dává regionům kvalitativně nové postavení. Z pohledu regionů bylo jejím nejzásadnějším přínosem ukotvení principu subsidiarity, vznik Výboru regionů a umožnění regionálním ministrům vést jednání v Radě EU. Lisabonská smlouva z roku 2007 některé tyto pravomoci rozšiřuje a doplňuje. Zejména byly rozšířeny konzultativní pravomoci Výboru regionů (povinnost konzultovat Výbor má nyní i Evropský parlament) a byla mu přiznána možnost podat žalobu k Evropskému soudnímu dvoru, pokud by daný legislativní návrh byl v rozporu s principem subsidiarity.

Cílem mé diplomové práce „Regiony v EU po Lisabonské smlouvě“ bylo zhodnotit vztah mezi vybranými regiony a institucionální úrovní EU, především tedy odpovědět na otázku „*Jaké regiony jsou při prosazování svých zájmů na evropské úrovni úspěšnější?*“ V tomto ohledu se tedy předkládaná práce výrazně odlišuje od doposud existujících zdrojů. Nejen, že se zaměřuje na konkrétní regiony (na rozdíl od v literatuře obvyklého zaměření na regionální úroveň celých členských států) a umožňuje tak hlubší analýzu problému, ale zároveň zasazuje zkoumaný problém do širších souvislostí a reflektuje změny po přijetí Lisabonské smlouvy.

V první části práce je na základě teoretických přístupů (víceúrovňové vládnutí, politické sítě, nový regionalismus a institucionalismus racionální volby) formulováno několik hypotéz: (1) Regiony z EU-15 jsou úspěšnější než regiony z „nových“ členských států. (2) Regiony z federálních států jsou úspěšnější než regiony ze států unitárních. (3) Ekonomicky silné regiony jsou úspěšnější než ekonomicky slabší. (4) „Zavedené“ regiony jsou úspěšnější než ty nedávno vytvořené. V této části práce je rovněž vysvětlen metodologický postup – výzkum probíhá formou komparativní případové studie využívající prvky kvalitativního i kvantitativního výzkumu. Volba případů se uskutečnila na základě výše uvedených hypotéz se snahou o širší perspektivu analýzy – zvolenými regiony byly Skotsko (Velká Británie), Hesensko (Německo), Trentino-Jižní Tyrolsko (Itálie) a Středočeský kraj (Česká republika).

Druhá kapitola dotváří teoreticko-analytický rámec práce zhodnocením možností interakce mezi regiony a evropskou úrovní. Na základě teorie a literatury jsou zde identifikovány a analyzovány „kanály“, které mohou regiony využít k prosazení svých zájmů. Jedná se o Výbor regionů, Radu EU (Radu ministrů), Evropskou komisi, regionální zastoupení v Bruselu, regionální politické sítě a Evropský parlament. Možnost a schopnost využívat těchto cest je poté i klíčem k hodnocení úspěšnosti regionů.

Třetí část práce je pak věnována samotným případovým studiím a jejich následné komparativní analýze. Na jejím základě je možno učinit následující závěry – hypotézy (2) a (3) se podařilo potvrdit. V případě hypotézy (2) lze dokonce říci, že schopnost regionu prosazovat své zájmy na úrovni EU je přímo úměrná rozsahu jeho pravomocí na národní úrovni. Ačkoliv v případě ekonomické síly regionu není daný vztah takto zřejmý, stále lze konstatovat, že má tento faktor výrazný vliv.

Naopak hypotézu (4) se potvrdit nepodařilo – „zavedené“ regiony tedy obecně nejsou v prosazování svých zájmů úspěšnější. Poněkud ambivalentní je závěr týkající se (1) hypotézy, tedy souvislosti mezi schopností regionu prosazovat své zájmy na evropské úrovni a délkou jeho členství v EU. Ačkoliv případové studie naznačují, že hypotéza je platná (tzn. regiony z EU-15 jsou úspěšnější, než ty z „nových“ členských států), je tento závěr vzhledem k počtu zkoumaných případů příliš generalizující a jeho případné potvrzení tedy zůstává úkolem pro další výzkum. Stejně tak lze pro další výzkum doporučit analýzu regionů z „nových“ členských států, jimž je zatím věnováno jen naprosto minimální množství zdrojů, a to ještě ve velmi obecné rovině. V odpovědi na základní výzkumnou otázku práce lze tedy pouze konstatovat, že *„ekonomicky silné regiony disponující velkým rozsahem pravomocí na národní úrovni jsou obecně při prosazování svých zájmů na evropské úrovni úspěšnější.“*

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List of appendices

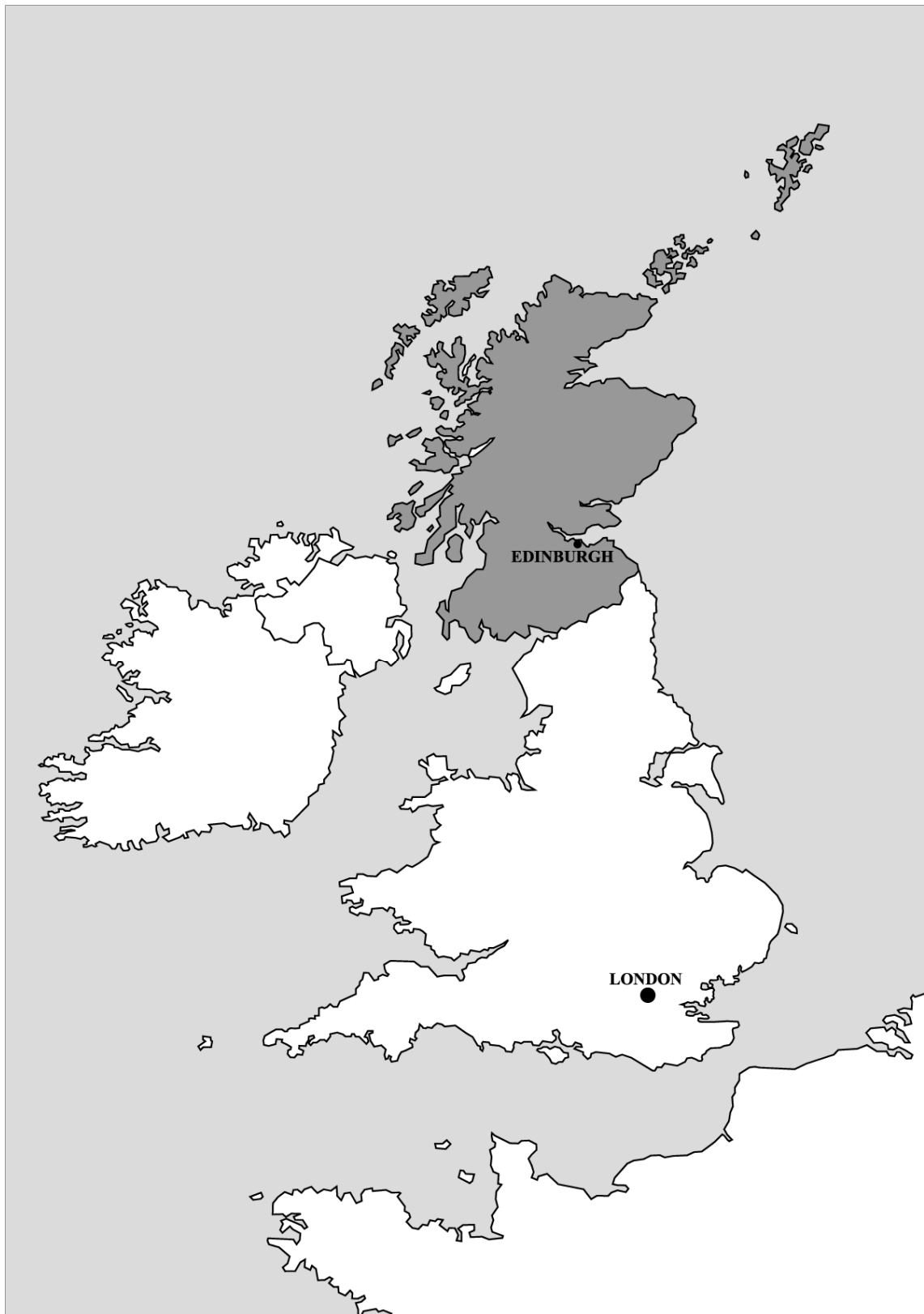
Appendix I: Scotland - map

Appendix II: Hessen - map

Appendix III: Trentino-Alto Adige/Südtirol - map

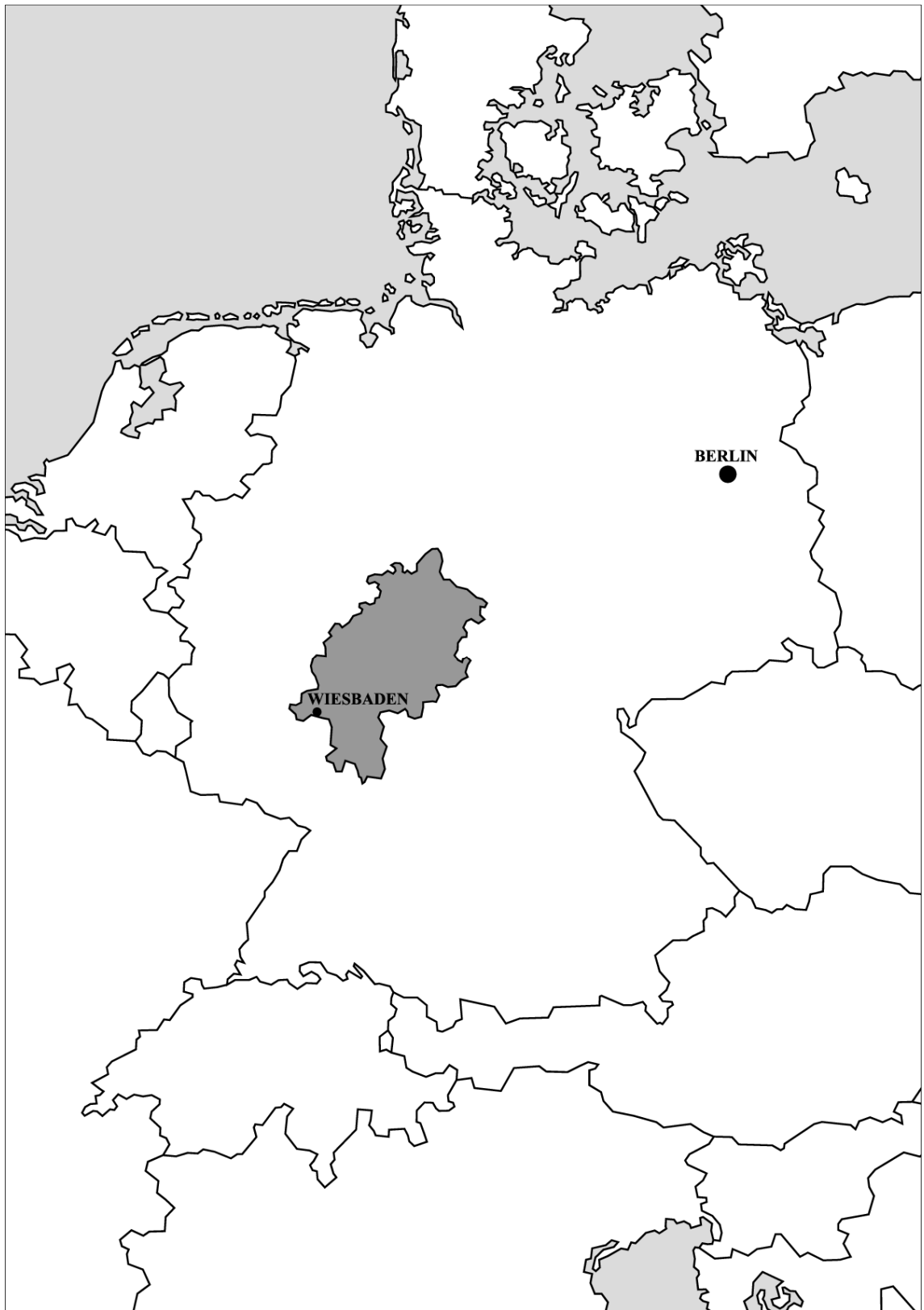
Appendix IV: Středočeský kraj - map

Appendix I: Scotland - map



Source: author, data (Tabula Regionum Europæ, 2009)

Appendix II: Hessen - map



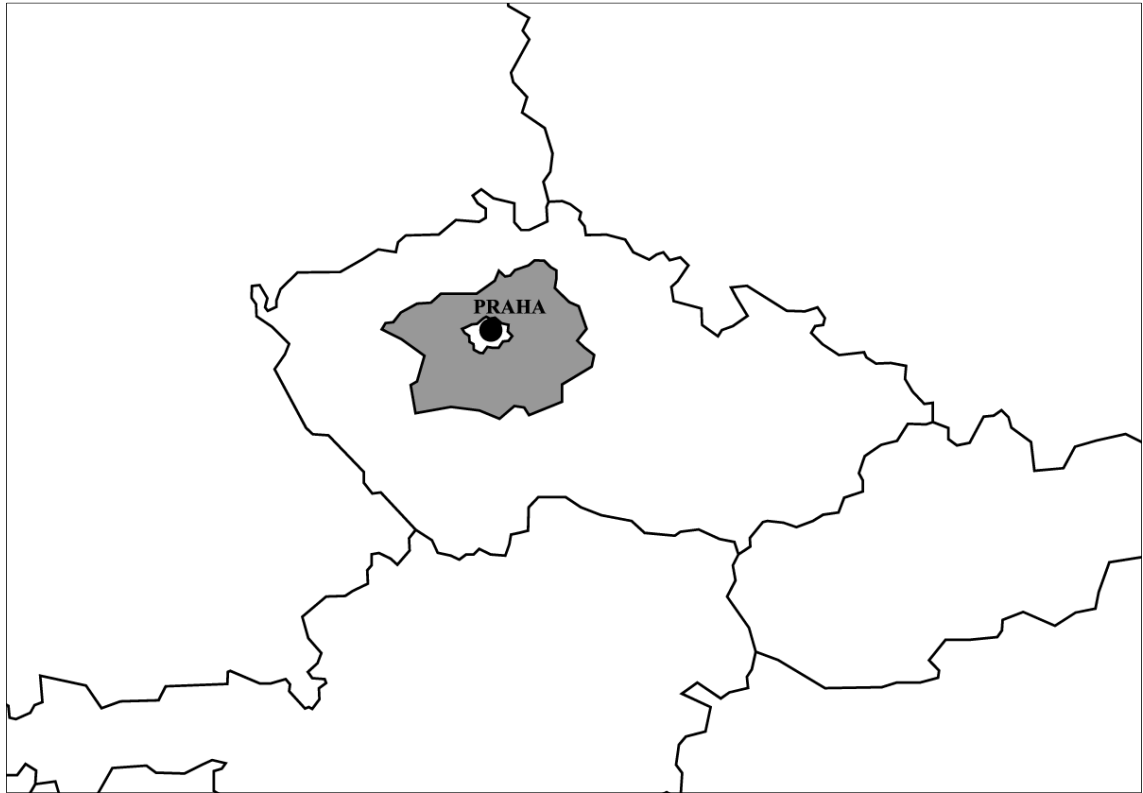
Source: author, data (Tabula Regionum Europæ, 2009)

Appendix III: Trentino-Alto Adige/Südtirol - map



Source: author, data (Tabula Regionum Europæ, 2009)

Appendix IV: Středočeský kraj - map



Source: author, data (Tabula Regionum Europæ, 2009)