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COMMITTEE OF REGIONS OF THE EUROPEAN UNION IMPACTING LOCAL GOVERNANCE PERFORMANCE THROUGH REGIONAL INITIATIVES

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Abstract

A key organization in the European Union that represents municipal and regional governments is the Committee of Regions (CoR). It uses a number of regional efforts to significantly influence how local governance functions. In the EU policymaking process, the CoR represents the interests of cities and regions. It guarantees that local and regional leaders' opinions are heard regarding laws that impact local governance.

The Committee plans training sessions, seminars, and workshops to enhance local governments' capabilities. Through these programs, local authorities are able to acquire the knowledge and abilities necessary for efficient implementation of regional development context. The organization itself influences EU financing programs like the European Regional Development Fund (ERDF). The CoR ensures that financial resources are allocated to projects that enhance local infrastructure and governance by exerting influence over the allocation process. Additionally, it encourages municipal authorities to involve individuals in decision-making processes by promoting participatory governance models. Through these initiatives, the Committee of Regions significantly enhances the performance of local governance in the EU. By advocating for local

interests, facilitating knowledge exchange and promoting capacity building, the CoR aims ensuring that regional authorities have the proper capacities to meet the challenges they face and improve the quality of life for their citizens.

This paper aims to investigate the role of the CoR in local governance through the instrument of regional initiatives. It begins with an overview of the institution's structure, analyzes the regional initiatives that have been successfully implemented thus far and delves deeper into the ways in which the CoR works with other EU institutions to enhance regional initiatives. After conducting a qualitative investigation on the Lisbon Treaty and Committee of Regions web data, our final goal is to pinpoint the creative advancements that this organization has made that have strengthened local governance while also outlining potential further initiatives.

Key words: *Committee of Regions, European Union, regional initiatives, local governance, local authorities, regional development.*

INTRODUCTION

'As the voice of over one million locally and regionally elected representatives, the Committee is key to increasing the democratic life of the European Union and bringing it closer to its people and regions'.¹ CoR celebrates this year the 30th anniversary. Understanding that this dimension cannot be fully completed only from one institution such as CoR, still this structure plays a significant role on putting regional development and local governance into the attention of mapping and shaping EU policy.

CoR, even though being an advisory body of the EU, has a lot of powers to influence local authorities and policymakers at the same time. Researchers put this structure into the role of a bridge of communication between EU institutions and cities and regions. On the other hand, the way how CoR can and must function implies the principle of subsidiarity by bringing closer EU reality to citizens. Overall, citizens' initiatives are one of the most powerful instruments that CoR can empower more in order to strengthen local governance more.

I. COMMITTEE OF REGIONS ESTABLISHED TO STRENGTHEN LOCAL GOVERNANCE IN EUROPE

The Committee of the Regions (CoR) is an advisory body of the European Union (EU) that represents local and regional authorities. It was established in 1994, playing a crucial role in ensuring that the voices of local and regional governments are visualized in EU policymaking. It was created under the Maastricht Treaty with the aim of involving local and regional authorities more

¹ Vasco Alves Cordeiro, President of the European Committee of the Regions, <https://cor.europa.eu/en/about/30th-anniversary-celebration-committee-regions> , last seen in November 2024

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effectively in the European legislative process.² The CoR's primary function is to issue opinions on proposed EU laws, particularly those that affect local and regional governments directly (*Hrbek, R., 2014, p.31*). These opinions ensure that the perspectives of regions and municipalities are considered in the legislative process and EU decision making overview.³

The CoR represents various regions across the EU, promoting the interests of local and regional authorities. One of its most important functions is to facilitate dialogue between EU institutions and local and regional representatives, ensuring that local governance issues are adequately addressed within the EU agenda. Elected representatives from regional and local authorities in EU member states ensure that local governance concerns are included in European policymaking (*Bache, I., & Flinders, M., 2004, p. 467-488*). The CoR works through various committees that focus on specific policy areas such as the environment, economic development, and social issues, among others.⁴ By serving as a platform through which regional and local representatives can influence EU legislation and policies, the CoR helps ensure that decisions at the European level are more closely aligned with the needs and realities of local communities.⁵ Unlike the European Parliament or the European Commission, which represent national interests, the CoR is composed of local and regional elected officials who bring their expertise and knowledge of their respective territories to the EU policy debate. These representatives are chosen from member states based on their electoral processes and are appointed for renewable five-year terms (*Kohler-Koch, B., 2009, p. 487-510*)⁶. Although the opinions issued by the CoR are not legally binding, they carry significant weight, particularly as they represent the views of those directly involved in local governance. In some cases, the European Parliament or the Council of the EU may request that the CoR issue an opinion before proceeding with legislative action. The establishment of the CoR was a response to growing demands for greater decentralization and stronger local representation within the European Union. Local and regional authorities are often key players in implementing EU policies. From the management of funds under the EU's Cohesion Policy to the implementation of regulations in areas such as

² European Union Committee of the Regions (CoR). (2023). *The Committee of the Regions: A Guide to Its Role and Activities*. European Union Committee of the Regions, pg.3

³ European Union Committee of the Regions (CoR). (2021). *The Committee of the Regions: A Vital Voice for Local and Regional Authorities in Europe*. European Union Committee of the Regions, pg.21

⁴ European Union Committee of the Regions (CoR). (2020). *The Role of the Committee of the Regions in the EU Decision-Making Process*. European Commission, Brussels, pg.23

⁵ European Parliament. (1997). *Treaty on European Union (Maastricht Treaty), Title VI: Committee of the Regions*. European Parliament, pg.27

⁶ Of the Regions (CoR). (2023). *Annual Report on the Work of the Committee of the Regions: 2022-2023*. European Union Committee of the Regions.

health, education, and public services, these authorities are responsible for translating broad EU initiatives into practical solutions for citizens. Through the CoR, local authorities can ensure that their voices are heard in Brussels and that European policies reflect the diverse needs and challenges of different regions.

II. MANAGEMENT OF REGIONAL INITIATIVES STRENGTHENING LOCAL GOVERNANCE

The institution has a specific function in the decision-making process, which as the Lisbon Treaty provides:

1. Compulsory consultation of Commission and Council:

‘The European Commission and the Council of the European Union *must* consult CoR whenever new proposals are made in areas that have repercussions at regional or local level: economic, social and territorial cohesion, Structural Funds, European Regional Development Fund, European Social Fund, employment and social affairs, education, youth, vocational training, culture and sport, environment, energy and climate change, transport, trans-European networks, and public health’⁷. The need that the CoR’s viewpoint on regional development is taken into account while making decisions in a process is a very constructive approach. In this regard, even the elements made available by the legislation present a very solid starting point. Despite of all the efforts of Lisbon Treaty, this provision is still insufficient to strengthen the function of the CoR and regional development in a larger framework. It will be more helpful in this regard that EU Commission and the Council consult CoR for each of the issues related to regional development.

Article 80 covers sensitive development sectors that have a significant impact on citizens’ lifestyle and are in some ways existential. In this context, including regional development in this area will specifically enable the continuity of the consultation process as needed.

2. Optional consultation of Commission and Council:⁸

Outside these areas, the Commission, the Council, and the European Parliament have the option to consult the CoR. The Committee adopts recommendations on drafting EU laws and also proposes new policies on the basis of local and regional experience and expertise. It can also propose new laws and introduce new issues on the EU agenda. Lisbon Treaty has recognized and strengthened more the role of CoR in this regard. During all the phases of the EU legislative process the Commission and the Council can and must be consulted with the CoR when it comes to regional issues.

⁷ Article 80, pg2, Lisbon Treaty, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:FULL:EN:PDF>.

⁸ See Article 9, Lisbon Treaty, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:FULL:EN:PDF>.

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Although it is a nebulous tool inside the Lisbon Treaty's framework, it is closely linked to the CoR's use of its authority to enhance local referendums and incorporate them into the EU's decision-making process for local and regional initiatives. CoR has to act as a link between EU institutions and regions on the opposite side in this regard. Starting with the Lisbon Treaty, the (CoR) ought to be viewed as the primary institution for enhancing the legal aspect and practical implementation of local and regional endeavors within the European arena. The Treaty provides a "limited space of action," but the Council of Representatives (CoR) needs to speak up to put regional and local ideas in the correct frame of mind for discussion.

This institution can still provide a thorough study of the state of ECI – European Citizens' Initiative use in the EU by pressing the Commission to create specific legislative proposals related to this topic. This institution should not "*sit and wait*" when the Commission requests guidance in this regard. In light of the Treaty's provisions and the CoR's activity, it is clear that the CoR needs to act on this matter, place it on its political agenda for execution, and employ the appropriate legal options. This reform can only be implemented if the Commission and the CoR take a more active role in this framework.

There are some recent positive developments in regard to ECI and regional initiatives. For the first time, the European Commission has developed a specific programme called *ISA*, which promotes interoperability solutions for European public administrations.⁹ In this context, a specific EU survey has been launched on 14 July 2022¹⁰ to measure civil society support towards ECI implementation. Considering this as a very good start on producing qualitative and quantitative feedback, it is still not enough only to be developed in civil society arena.

If the role of Commission is to work on this system and '*keeping this practice alive*', the Ombudsman must be the voice of advocacy and information. On the annual report for 2024, the CoR advocates for stronger local and regional involvement in EU policymaking, particularly in the context of the European Green Deal and the digital transition. It underscores the role of regions in driving long-term transformation and calls for more inclusive, bottom-up decision-making processes. The report also highlights the role of cohesion policy, particularly in addressing the unique needs of rural areas and supporting EU enlargement. Additionally, the report touches on the European Health Union initiative, the post-war recovery efforts for Ukraine, and recommendations for reforms in EU economic governance, which aim to enhance regional cohesion and strengthen democratic processes. Overall, it stresses the vital role of local and regional

⁹ See the specific webpage of EU on ECI, facts and figures: https://citizens-initiative.europa.eu/news/survey-civil-society-support-european-citizens-initiative_en

¹⁰ Ibid

governments in building a more cohesive, sustainable and resilient European future.¹¹

III. IMPLEMENTED INITIATIVES IN EU AND LATEST UPDATES OF COR ACTIVITY

The first data collection of ECI implementation being visible and transparent for the public is in May 2022.¹² This collection provided a well-detailed panorama of ECI in the EU. For the period 2012 – 2020 six successful initiatives have been conducted:

1. Right2Water
2. One of Us
3. Stop glyphosate
4. Stop vivisection
5. Minority Safe Pack
6. End the Cage Age.

What is quite interesting is the fact that from 2020 – 2022 a high number of initiatives is being conducted through online system of collecting signatures:

1. Stop Finning – Stop the trade
2. Voters without borders
3. Full Political Rights for EU Citizens
4. Start Unconditional Basic Incomes (UBI) throughout the EU
5. Right to Cure
6. Green Garden Rooftops
7. European Eco Score
8. Save cruelty free cosmetics
9. Civil Servant Exchange Program (CSEP)
10. Return the Plastics
11. Call to Action
12. Environmental Protection in all Policies
13. Green VAT
14. Stop (((5G)))
15. Win It On The Pitch.

In keeping with the previous reasoning, this data ought to be included in the CoR website and vision by explicitly outlining the efforts that have an impact on local and regional outputs. The EU surveys include public calls to participate in online polls as well as other activities designed to inform the public about ways to improve the initiatives.

¹¹ See the Annual Report 2023 of CoR <https://cor.europa.eu/sites/default/files/2024-09/Report-state-regions-and-cities-EN.pdf>

¹² Check data provided in EU barometer https://europa.eu/citizens-initiative-forum/sites/default/files/2022-05/ECI_Infographic_2022.pdf

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In the recent decision-making of CoR ‘Reinforcing democracy and integrity of elections’¹³ there are some changes proposed from the Committee that truly support the local and regional context:

a. *Text proposed by the European Commission:* The funding of European political parties and European political foundations from the general budget of the European Union or from any other source may be used to finance referendum campaigns when those campaigns concern the implementation of the Treaties of the Union.

b. *CoR opinion:* Referendum campaigns concerning the application of Union Treaties may be funded by European political parties and European political foundations using funds from the EU general budget or any other source, provided that the subsidiarity principle is duly taken into consideration.

Reason: Referenda are held at the local, regional, or state levels in a few Member States. This suggests that referenda on various administrative levels would address matters pertaining to their particular area of competence from a legal standpoint. To guarantee that European political parties and foundations only fund referendum campaigns in referenda with a definite EU-wide component, more controls must be put in place.¹⁴ It is a good thing that the Council of Representatives (CoR) has oriented the change proposal at the level of local and regional initiatives (referendum), even though this text treats referenda under the general canopy of elections. Even in other CoR opinion documents, the referendum is included as part of the general viewpoint rather than as a separate topic of discussion. It is strongly advised that documents of this type highlight and narrowly focus on the components of direct democracy and the requirements for additional evaluation.

What must be taken into consideration in this regard, is the fact that the opinions of the institution contain multidisciplinary arguments and relevant recommendations based on the connection of EU *acquis* and national legislation.

IV. OTHER STRUCTURES THAT COR CAN COLLABORATE WITH

The Committee of the Regions (EU) and the Congress of Local and Regional Authorities (Council of Europe) are two parallel organizations that function in the heart of the European arena with regard to local and regional democracy. In addition to a shared strategy, a cooperative agreement between the

¹³ See the Opinion of CoR COR-2022-01120-00-00-AMRC-TRA (EN) 1/18 EN, Interactio - hybrid -12th CIVEX Commission meeting ‘Reinforcing democracy and integrity of elections’ <https://polit-x.de/en/documents/7126561/europa/english/committee-of-the-regions/cor/rapporteur-commission-amendment-2022-03-24-9-amrc-reinforcing-democracy-and-integrity-of-elections>,

¹⁴ See CoR opinion on Reinforcing democracy and integrity of elections <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/reinforcing-democracy-and-integrity-elections-package>

Both institutions are now partners in the framework and are working to draft and update a cooperative agreement.¹⁵ It has come the time that these energies will turn on a synergy when dealing with local and regional initiative. Exploring into this agreement, no space for citizens initiatives is considered. Of course, there is a lot to be done on paying attention to direct democracy magnitude.

Even though, being positioned as ‘not direct competent’ institutions who deal specifically with local and regional initiatives, their activity has helped regional initiatives to be better legally positioned and on the other hand working with the social dimension of citizens’ approach. European Commission, European Parliament, Regional Cooperation Council, EU Ombudsman are listed some of the other institutions that have supported the CoR activity in this regard. These institutions even being a second handed level of local and regional initiatives implementation, they do have many to say and act in this regard. What is more important is the way how these institutions can shrink their work together with CoR activity, mission and vision ahead. Even though not being created and functioning specifically for local and regional development, initiatives, these institutions can play a crucial role on empowering this task among citizens and other institutions. The impact of the decision making is highly important to push and move forward this process as a unique practice of European values. In this context, it is worthy to analyze also the activity of the following institutions for local and regional initiatives improvements:

- The European Parliament;
- The Ombudsman;
- The European Court of Justice (ECJ);
- The European Commission;
- The Regional Cooperation Council (RCC).

In our opinion, the proper implementation of local and regional initiatives does not only depend only from Committee of Regions as the responsible institution, but it is a matter of each of the EU institutional mechanisms. This agenda involves all the EU system and must dive from inner spaces to the proper spotlight. This conclusion is based also on the recent initiative of the Commission, which has created a specific website on how EU supports local and regional integration.¹⁶ Some of the highlights related to each of the institutions, in our evaluation, are as following:

1. *European Commission*: The CoR provides input on legislative proposals and policy initiatives that affect local and regional authorities. The Commission consults the CoR for opinions on draft laws and strategies, especially in areas like

¹⁵ See some examples on the Cooperation Agreement between Council of Europe and CoR format and relevant issues at <https://rm.coe.int/20180327-cooperationagreement-revised-co-operation-agreement-between-th/168079b433>.

¹⁶ See facts and figures and the way how the composition of the https://migrant-integration.ec.europa.eu/eu-grid/local-and-regional-integration_en, last seen in January 2024

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regional development, cohesion, and the EU's multiannual financial framework. The Commission often incorporates CoR feedback in its proposals.¹⁷

2. *Council of the European Union*: The CoR works with the Council, particularly in areas of regional development, urban policy, and the EU's internal and external cohesion policies. The CoR issues opinions on policies under discussion in the Council, advocating for the interests of subnational governments.

3. *European Parliament*: The CoR collaborates with the Parliament through regular consultations and the delivery of opinions on EU legislation that impacts local and regional governance. CoR members often present these opinions directly to Parliament committees to influence policy debates, especially in areas such as employment, the environment, and public health.¹⁸ European Parliament seems to be active for ECI implementation, being the only EU institution, which members are elected directly from EU citizens. Having direct communication with EU citizen, have imposed that local and regional development will be a daily agenda of the activity, in specific during elections and beyond. In September 2017, based on the Parliament's requests and a public consultation, the Commission eventually issued its proposal for a new regulation for ECI. The Committee on Constitutional Affairs adopted its report on the Commission's proposal on 20 July 2018, which was then followed by a plenary vote on 5 July 2018 to start inter-institutional negotiations on the new ECI Regulation. On 12 December 2018, Parliament and the Council reached a political agreement. Following Parliament's resolution of 12 March and Council's approval on 9 April, the final act was signed on 17 April 2019 and published in the Official Journal on 17 May 2019. *'The new ECI rules (Regulation (EU) No 2019/788) repeal Regulation (EU) No 211/2011 and apply as of 1 January 2020. The new ECI Regulation makes the ECI more accessible, less bureaucratic and easier to use for organizers and supporters, while also strengthening the follow up'*.¹⁹

In order to empower and keep establishing the implementation of this instrument, the Parliament can organize consultations with citizens on how to use this instrument. The open days or even online consultations can really help that the structures and citizens can properly understand and implement this instrument.

¹⁷ European Commission Communication on the Role of the Committee of the Regions (COM(2017) 328): This document outlines how the Commission consults the CoR on legislative and policy matters impacting regions.

¹⁸ European Parliament, *The Role of the Committee of the Regions in EU Governance* (Briefing Paper, 2019): A detailed document describing the CoR's interactions with the European Parliament.

¹⁹ See Fact Sheets on the European Union European Parliament 11-2020, <https://www.europarl.europa.eu/factsheets/en/sheet/149/european-citizens-initiative>, last seen in July 2022

There are of course updated fact sheets of the initiatives that EU Parliament is managing through, but a calendar of open days, being visible in the website of Parliament. In addition to the Parliament's attempts to implement ECI, there is a particular body within called the "Committee of Regional Development" (REGI). The existence of a committee devoted to regional development is still a good thing. Two options can yield the greatest outcomes in terms of genuinely enhancing the ECI component within EU institutions:

- REGI's more overtly proactive involvement in citizen projects.
- It would be appropriate for the EU Parliament to create a dedicated committee on ECI. In terms of the Parliament's authority and function, this would be the best location to direct efforts toward citizen ideas. In this sense, the role of a particular committee for their "own voice" is also applicable to other institutions and to the population of Europe.

Researching the best way to integrate direct democratic culture with civic activity, or even offering certain "measures" or "elements," is one way the EU Parliament might support local and regional projects. For this reason, research and capacity-building initiatives can be employed to link project development and research priorities.

4. European Ombudsman: While the CoR does not work directly with the Ombudsman, it can engage with the Ombudsman when there are complaints about maladministration that affect local and regional authorities within the EU. The Ombudsman's role in ensuring transparency and accountability in EU institutions can also align with the CoR's objectives in promoting good governance at all levels. *The EU citizen are shielded by this institution from the "bad administration" of EU organizations. In spite of this, even in cases where the complaints pertain to issues involving the European Union, the Ombudsman does not handle complaints against municipal, regional, or federal authorities.*²⁰ This strategy needs to alter, in our opinion, for the following reasons:

1. There is a greater chance in the local community for citizens to suffer from "bad administration" in the EU. Local communities can feel disconnected from the EU at times. The amendment to this clause needs to be beneficial in order to actually bring the EU and its inhabitants closer together.

2. The "trust" that local and regional communities' residents have in the EU institutions is lacking. This reality will be altered if the Ombudsman handles their complaints regarding EU matters to local and regional authorities.

Nevertheless, the Ombudsman makes every effort to maintain local and regional development within the parameters of its mission and vision by creating,

²⁰ See details at Fact Sheets on the European Union, European Parliament, <https://www.europarl.europa.eu/factsheets/en/sheet/18/the-european-ombudsman>, last seen in July 2022

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if feasible, alternative proposals for improving the sense of protection that EU citizens have against "bad administration" of EU institutional mechanisms. There isn't currently a specific guideline aimed at regional and local administrations. Furthermore, since the European Ombudsman reports annually to the Parliament, it would be possible to draw their attention to the issue of local and regional initiatives by making specific recommendations.

The Ombudsman's vision and mandate cannot be fully realized with just the 11 recommendations for enhancing ECI in the European context. These recommendations must be accompanied with concrete action strategies on how Ombudsman can be the voice of citizens and a 'connector bridge' between them and EU institutions.

5. Regional Cooperation Council (RCC): The CoR cooperates with the RCC on matters related to regional integration, stability, and development, particularly in the Western Balkans. The RCC's focus on fostering cross-border cooperation and strengthening regional governance aligns with the CoR's aim to represent the interests of regions and cities in EU and international frameworks. The purpose of the Regional Cooperation Council (RCC) is to support regional development in Southeast Europe. This framework can thus be viewed as a link between EU and non-EU nations. A visit to the official website, www.rcc.int, reveals that local and regional projects are not given any particular emphasis. It is advised that the RCC agenda take into account citizen initiatives. Ignoring this crucial aspect will likely result in some barriers to achieving the goal of regional development in South East Europe. This concept is essential not just for the link between South East European countries and regional development, but it is even more important considering the urgent need to promote civic culture in local and regional initiatives. It could be helpful to have an extensive list of other members of civil society who promote networking and information empowerment, such as institutions, non-governmental organizations, the general public, and other stakeholders. maintaining the current procedure for filing petitions, but creating a second, parallel process whereby petitions supported strongly by regional or local organizations are posted on the EP website sooner or, alternatively, are guaranteed a hearing and a formal response from the EP's Committee on Petitions. The Committee of the Regions may need to establish a schedule for determining whether local groups are eligible for this upgraded track in order to avoid wasting its time on pointless petitions. Each Member State's delegation to the EU Committee of the Regions may provide a schedule accordingly. Unless the relevant CoR delegation determines differently, we suggest making school groups' eligibility a default assumption in order to specifically encourage youth engagement.

CONCLUSION

1. *EU law must change the practice of 'EU Commission evaluating an ECI'. A European Citizen Initiative must be delivered to the Council and the Parliament by being part of first and second reading, just as the other legal proposals coming from EU Commission. This will encourage EU citizens to feel and be part of the decision making in the Union and will also help making ECI part of European civic culture. This is a change that can be easy to be reflected in the specific regulation for ECI and of course can be a more adequate reflection on the opinions of CoR.*

2. *There is not a direct democracy approach and theory based included or explicitly mentioned and treated into EU policy making and decisions. In order to put the right attention to it, some direct democracy elements and principles must be emphasized as main insights of secondary legislation and more in specific to the activity of CoR.*

3. *Being established as a specific and dedicated space for local and regional development, CoR must enforce and encourage the local and regional initiatives into its everyday agenda. A joint agreement with specific detailed approach for local and regional initiatives between the Committee and the Congress will minimize the double actions that European countries must take and behave related to this issue. On the other side of the medal, this will raise the level of visibility for public opinion and encourage the implementation of citizens' initiative into the local and regional communities. The first step into this regard has begun with the approval of Resolution of the Congress for holding referendums in local community. An urgent recommendation would be the harmonization of the acts of CoR and Congress as the adequate impact of joint agreement.*

4. *The European Parliament has already established a specific committee for regions (REGI), but which does not express an active operation of ECI application. Due to the fact that the European Parliament is elected directly from the EU citizens, it is the time that a special committee on ECI facilitates the communication and consultation with citizens on how they can make the term of initiatives part of civic culture.*

5. *The EU OMBUDSMAN must be competent of treating initiatives that have not succeeded into the Union and this must be sanctioned through secondary legislation in the Union. The European Ombudsman does not have the right to treat the requests from citizens towards their municipal councils even though when the issue is related to EU matters. It would be highly recommended that the Ombudsman treats these requests, because many violations happen in the local and regional communities when it comes to EU principles.*

REGIONAL COOPERATION COUNCIL RCC: launching local and regional initiative into the Western Balkans, strengthening and developing

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programmes dedicated to citizens' initiative/referenda in the context of regional development of WB using citizens' initiatives.

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