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The evolving role of the Italian Conference system in representing regional interests in EU decision-making

by

Elena Griglio*

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Abstract

This contribution focuses on the Italian experience of the ‘collective representation of regional interests through the State-Regions Conference and the other ‘horizontal’, interregional Conferences representing either the regional executive bodies (the Conference of the Regional Presidents, better known as “Conference of the Regions”) or the legislative assemblies (the Conference of the Presidents of the Regional Councils). Although such Conferences have, over time, conquered a well-defined institutional position also in the stage consisting in the implementation of EU norms, the present analysis is centred on the role exercised by such bodies in the EU decision-making process. After a general overview of the main organisational and functional features characterising the activity of these bodies in EU affairs, the contribution focuses on the most relevant reforms which have affected the Italian legislation as regards the participation in the EU integration process. This diachronic analysis is critically assessed in the conclusions. It is argued that some challenges still remain open in the coordination of the functions of intergovernmental Conferences - also due to confusion of roles between the State-Regions Conference and the Conference of the Regions - and in the promotion of a reinforced synergy between these latter and the Conference of the Presidents of Regional Councils.

Key-words

Regional representation, European affairs, Conference of the Regional Presidents, Conference of the Presidents of Regional Councils



1. Representing regional interests in EU matters: a comparison of different channels of participation

Among the factors that have accompanied EU integration, the gradual engagement of the regional entities of Member States in Community and European affairs has distinguished itself as a process carried out both at European and national level (Chiti 2002: 1401 ff.; Gozi 2003: 340 ff.; Ruggeri 2004: 782 ff.).

At European level, signals of the ongoing “opening” of the European Communities and the EU with regard to the proactive participation of regional representatives (Cole 2005) can be found in the co-operation of Regions and the European Commission on regional policy that started in 1975 (Armstrong 1995: 35; Jones - Keating 1995: *passim*), in the participation of regional ministers at the Council, allowed by the Treaty of Maastricht in 1992 (Berti 1992: 1203 ff.), and in the establishment of the Committee of the Regions (CoR) in 1994 (Tizzano 1992: 603 ff.; Dehousse - Christiansen 1995: *passim*) and its further development with the Treaty of Amsterdam (Anzon 1998) and the Treaty of Nice¹. This process was continued by the Treaty of Lisbon, which extended the principle of subsidiarity to the local and regional level (Article 5), envisaging the participation of regional parliaments with legislative powers through the “early warning system” (Article 6 of Protocol n. 2 annexed to the Treaty of Lisbon). This legal background created the premises for a direct involvement of regional bodies in the EU decision-making process.

At national level, most Member States have gradually tried to adapt to the impact of the European integration process in their internal organisation, in particular as regards the relationship between the central authority and decentralised entities (Sharpe 1993: 1 ff.). This process has also characterised the Italian experience, which, starting from an original situation of striking imbalance in the role attributed to regional bodies and to State institutions in EU affairs, has then slowly recognised that Regions play an autonomous role in the implementation of EU legislation and also in their participation of EU decision-making (Torchia 1993: 91 ff.; Desideri - Santantonio 1997: 96 ff.).

Generally speaking, the purposes of this transformation are manifold: enabling a more effective representation of regional interests in the formulation of European strategic choices (and, as regards the national level, in the formulation of the Government’s position



on European affairs) (Greenwood 2011: 218 ff.); contributing to the democratisation of European decision-making by involving those territorial entities which, due to their proximity to citizens, can give legitimacy to European choices (Hooghe 1995; Pizzetti 2002: 935 ff.); and improving the overall European policy-making (considered as the result of both the national and the European stages) by involving, throughout the process, the regional entities as subjects which are in charge of the implementation of a significant part of European policies (Iurato 2006: 680). In any case, the process was favoured by the increasing activism of the regional entities themselves in getting engaged in European affairs^{II}.

The features and forms of regional involvement in European affairs have varied consistently across Member States. However, the solutions concretely adopted usually represent a combination of four different variables of participation: the participation of single regional entities at the European decision-making process as an alternative to the collective representation of regional interests mediated by interregional bodies; and the direct engagement of regional entities at European level (Woelk 2003: 575-576) as opposed to involvement mediated by the representation of regional interests by national authorities (Tripodi 2004)^{III}.

In Italy, these patterns of regional involvement have tended to acquire a distinct relevance in the subsequent stages of European policy-making: in the decision-making stage, in fact, the collective dimension usually prevails over the representation of regional interests by single Regions^{IV}; the involvement of regional entities is mostly based on indirect procedures, taking place at national level. An opposite situation characterises the implementation stage of European decisions, which is rather carried out individually by each regional entity^V; the search for a coordination of regional activities has however attributed a growing relevance to national cooperative procedures, which tend to find their focal point in the interregional conferences^{VI} (see Table 1).



	Direct participation of regional entities (individual dimension)	Indirect participation through the Conferences (collective dimension)
National procedures for the participation of regional entities in EU affairs	<p><u>Decision-making stage:</u> involvement of the regional Councils (individually) in the national procedures for the subsidiarity monitoring. No other form of direct participation</p> <p><u>Stage of the implementation of the EU decisions:</u> Direct involvement/responsibility of each Region in the adjustment to EU norms and duties (according to national procedures)</p>	<p><u>Decision-making stage:</u> Participation of the Conferences in the EU decision-making process according to the rules regulated by national legislation (which tend to introduce a plurality of procedures and forms of involvement)</p> <p><u>Stage of the implementation of EU decisions:</u> Role of the Conferences in monitoring/coordinating the implementation of EU decisions at regional level</p>
Direct involvement of the regional entities at EU level	<p><u>Decision-making stage:</u> Relations developed by the connection of offices created in Brussels by each Region with the EU institutions</p> <p><u>Stage of the implementation of EU decisions:</u> No participation</p>	<p><u>Decision-making stage:</u> Role of the Conferences in selecting the representatives of the regional Councils/executives at the CoR</p> <p><u>Stage of the implementation of EU decisions:</u> No participation</p>

Table 1 - A comparison of different forms of regional involvement in European affairs

A further distinction to be made concerns the identity of regional bodies participating in EU decision-making. Generally speaking, in fact, the European integration process has been interpreted by most scholars as a trend strongly centred on the involvement of executive bodies at all competent policy-making levels (Lupo 2005: 43). This implies that also at regional level the participation in the decision-making process (both at the national and European level) has mainly fallen within the responsibility of executive bodies (Weiler, Haltern and Mayer 1995: 7; Schmidt 1999: 25).



However, in countries where regional entities are endowed with legislative powers, the representative assemblies have slowly become interested by a process of Europeanisation which enabled them to expand their areas of intervention, for instance by participating in Community and European regional development policies (Fasone 2009; Rivosecchi 2009; Fasone 2010: 163 ff.). This process has for a long time found the regional councils unable to identify new patterns for the accomplishment of such responsibilities^{VII}, affirming innovative methods of involvement in policy-making (Liebert 2002: 12). Most recently, though, the upturn of the ascending subsidiarity dimension seems to have re-invigorated regional assemblies' attempts to be active in the representative arena on EU issues. In these latter cases, the legitimisation of regional parliaments is based, above all, upon their capability to give space to the opposition as well as to majority rights in EU affairs (Strøm 1998; Holzacker 2005) and to co-ordinate and compose different forms of territorial, political and corporative representation (Manzella 2002: 36).

As a consequence, regional assemblies can be considered privileged actors in EU affairs, since they are not only in charge of implementing (through the adoption of regional laws) most EU decisions, but - after the Treaty of Lisbon - they also participate in the decision-making process by being involved in the subsidiarity monitoring mechanism.

Having regard to this overview of different patterns of regional participation in EU affairs, the present contribution focuses on the Italian experience of the 'collective' representation of regional interests through the State-Regions Conference and the other 'horizontal' interregional Conferences representing either regional *executive* bodies (the Conference of the Regional Presidents, better known as "Conference of the Regions") or their *legislative* assemblies (the Conference of the Presidents of the Regional Councils). Although such Conferences have, over time, conquered a well-defined institutional position also in the stage consisting of the implementation of EU norms, the present analysis centres on the role exercised by such bodies in the EU decision-making process. As previously observed, in fact, it is above all at this stage that the Conferences tend to affirm their role as authentic institutional actors, endowed with specific duties and powers.

As a consequence, after a general overview over the main organisational and functional features characterising the activity of these bodies in EU affairs (section 2), section 3 describes the most relevant reforms which have affected the Italian legislation on the participation in the EU integration process. This diachronic analysis is critically assessed in



section 4. It is argued that some challenges still remain open in the coordination of the functions of intergovernmental Conferences - also due to a confusion of roles between the State-Regions Conference and the Conference of the Regions - and in the promotion of a reinforced synergy between this latter and the Conference of the Presidents of Regional Councils.

2. The interregional Conferences and their institutional role in European affairs: the experience of Italy

2.1. The Conference system: a general overview

The Italian network of relationships between the State and territorial entities is characterised by the existence of a plurality of Conferences operating, in a ‘vertical sense, as cooperative organisms for the comparison of national and local interests^{VIII}. It consists of the permanent State-Regions-Autonomous Provinces Conference (hereinafter State-Regions Conference, *Conferenza permanente per i rapporti tra lo Stato, le Regioni e le Province autonome di Trento e Bolzano*), the State-Municipalities-Local Autonomies Conference (*Conferenza Stato, Città, Autonomie locali*), and the State-Regions-Autonomous Provinces-Municipalities-Local Autonomies Conference (also known as Unified Conference, *Conferenza unificata*). All these bodies are composed by representatives of the executive branch of the different territorial levels.

This Conference system is the result of a longstanding process^{IX}, whose beginning is to be found in the informal practice of relations between the Regions and the national Government, which in turn started with the creation of ordinary Regions in 1970. In 1980, upon the conclusion of the parliamentary hearing promoted by the Joint Parliamentary Commission on Regional Affairs, an investigative committee, known as Bassanini Committee, was created^X; the Committee’s findings advocated the creation of a State-Regions Conference, considering it a strategic factor for State-Regions relations, and identified EU affairs as a privileged area of activity for this cooperative organism (Ceccherini 2009).

The proposals of the Bassanini Committee were not implemented; however, the Prime Minister Decree of 12 October 1983 established a provisional and non-permanent form of State-Regions Conference, regarded as an inter-ministerial organism and composed of the



Prime Minister and of the other subject-competent Ministers, while regional representatives could attend only upon invitation by the Prime Minister. The Conference was then given legislative status by art. 12 of law n. 400 of 1988, which in particular completed the structure of the organism, conceiving it as a permanent and joint body, chaired by the Prime Minister and composed of the Presidents of all Region and Autonomous Provinces^{XI}. Legislative decree n. 418 of 1989 moreover reunified within the Conference all the functions previously conferred by law to sectoral joint bodies.

A further significant step in the development of this organism was promoted by art. 9 of law n. 69 of 1997, which strengthened the role of the State-Regions Conference, delegating to the Government the task to adopt a systematic regulation of its functions. This provision was implemented by legislative decree n. 281 of 1997, which can be considered as the founding norm of the Conference system, since it redefined the discipline of the State-Municipalities-Local Autonomies Conference, established by Prime Minister Decree of 2 July 1996, and also introduced the Unified Conference.

The reforms of 1997 significantly expanded the role and functions of the Conferences: they strengthened the authority of such organisms, supporting their involvement in all decision-making activities affecting regional matters. They can adopt resolutions, promote agreements, voice opinions, and designate representatives connected to subject matters and duties that are relevant to territorial autonomies. Apart from the advisory role, the decision-making authority of the Conferences is mainly exercised through the adoption of agreements, which however have shown themselves to be only 'weak' tools of cooperation (Agosta 2004: 703 ff.), which does not necessarily require the adhesion of all parts (as the government can operate even without the agreement of the Regions). Given the possibility of weak agreements, the difference between the advisory and the cooperative activity of the Conferences clearly fades away.

The evolution of this vertical form of cooperation among different territorial entities was accompanied by the gradual emerging of forms of horizontal cooperation among bodies belonging to the same levels of government. The two most relevant interregional Conferences are the Conference of Regions (*Conferenza delle Regioni*), composed of representatives of the regional executives and acting as a part of the intergovernmental State-Regions Conference, and the Conference of Presidents of Regional Councils (*Conferenza dei Presidenti dei Consigli regionali*), whose membership is instead reserved for the



Chairmen of regional legislative assemblies. This latter Conference still lacks a correspondent form of vertical cooperation, as the Italian bicameral Parliament, notwithstanding the reform proposals and attempts of the last 25 years, does not offer any form of structural representation to the autonomies.

The involvement of these two bodies in EU policy-making has been characterised by a different timing and a distinct evolution, mostly due to the tardiness of the Italian legislation in recognising the role of the Conference of Presidents of Regional Councils as a due interlocutor for the Government in the EU decision-making process.

2.2. The Conference of the Regions

The need for a coordination of regional interests through a permanent body gathering all regional Presidents was perceived a necessity by Italian regional entities starting from the beginning of the 1980's^{XII} (Cassese - Serrani 1980: 398 ff.) and sponsored the creation, on 15-16 January 1981, of the Conference of the Regions. The Conference was established on the basis of a political interregional agreement, signed in Pomezia, deprived of any legal binding force.

Scholarship (Comelli 1981: 1144; Ruggeri 1984: 714 f.) argued that this organism, which anticipated the establishment of the State-Regions Conference in 1983, was meant from the beginning to be an instrumental body, whose main aim was to foster future patterns of vertical cooperation with the central authority. Over the decades, however, and specifically after the reform of Part II - Title V of the Constitution, approved in 2001, the Conference of the Regions was able to develop autonomous forms of horizontal cooperation^{XIII}.

The main feature of this organism is probably to be found in the informality of its internal organisation and procedures (Bifulco 2006: 238), which explains why the Conference could find a formal discipline through the adoption of an internal Regulation only in 2005. Also, the functions exercised by the Conference of the Regions can be considered the result of a practice stratified over decades rather than arising from legal assignments.

As for the organisational profile, the Conference is composed of 11 standing committees, one of which is entitled to examine European and international affairs. Moreover, the internal regulation adopted on 9 June 2005 provides (in art. 4.2) that the



Assembly of the Conference is summoned at least twice a year for a special session entirely dedicated to international and European affairs. The daily management of European issues is however entrusted to the specialised Committee on international and European affairs, regulated by art. 7.1.c) of the Conference's internal regulation.

The extremely low level of institutionalisation of the Conference of the Regions is to be referred also to the activity carried out by that body in EU affairs. For a long time, in fact, the participation of the Conference in European decision-making took place primarily on a voluntary basis and was regarded by regional entities themselves as a due process of the self-coordination of their respective interests. Moreover, the involvement of the Conference in EU affairs has been extremely gradual (Bifulco 2006: 243).

Generally speaking, one of the most relevant tasks characterising the involvement of the Conference in EU affairs can be found in the participation at open consultations of the Committee of the Regions (CoR)^{XIV}. The Conference itself, moreover, appoints a part of the members of the regional delegation to the Committee and decides on the position to be represented by such members at CoR meetings.

Apart from the participation at the CoR, the Conference has over the time promoted an institutional cooperation with the EU Commission. This was favoured by the possibility given to the Regions by art. 58 of the Law n. 52/96 to have four regional officials and one expert taking part in the Italian permanent representation. These regional representatives are proposed by the Conference of the Regions and appointed by the Minister for Foreign Affairs. The Conference, moreover, can indicate to the Government the issues of specific interest for the regional administrations to be taken into consideration in the formulation of the guidelines directed by the Minister for Foreign Affairs for the Italian permanent representation.

At national level, the Italian Conference of the Regions has developed an institutional cooperation with the governmental Department for European Policies, and in particular with the CIACE, the inter-ministerial Committee for European and Community Affairs, a dedicated body created by Law n. 11 of 4 February 2005 and specialised on issues concerning the participation of Italy at the EU (see *infra*). Regions and local autonomies participate at the meetings of the CIACE dealing with questions of regional and local interest. This cooperation with the Department, moreover, gave birth, in July 2007, to the



database Europ@, whose aim is to facilitate the participation of Italian Regions in the decision-making process leading to the approval of EU norms.

If the activities carried out by the Conference of the Regions in EU affairs are to be considered as the manifestation of a spontaneous adaptation to the EU integration process, a higher level of formality characterises the functions exercised by this body as regards the participation at the State-Regions Conference. Over the decades, in fact, the Conference of the Regions has affirmed itself also as a preparatory body whose aim is to coordinate the regional position to be presented at the meetings of the State-Regions Conference. This intertwining of roles seems to have favoured an approach - accidentally supported by the Italian legislator itself (see *infra*) - which, rather than capturing the specificity of each body, tends to consider them as equivalents and fully interchangeable.

2.3. The Conference of the Presidents of Regional Councils

The Conference of the Presidents of Regional Councils was created in 1994 on the basis of mutual arrangements by the regional assemblies, which regulated their participation at the Conference through the adoption of dedicated regional laws^{xv}. It was charged with the task of promoting the institutional role of regional legislative assemblies and coordinating their interests and common areas of activities. Participation at the Conference is referred to each Region, which decides in compliance with its own internal regulation. The organisational and functional features of the Conference have been formally regulated by the internal Statute, initially approved in 1994 and most recently modified on 5 October 2006.

The activity carried out by the Conference in the European affairs sector can be appreciated both in terms of the coordination of regional assemblies' activities at supranational level and in terms of cooperation with national institutions on European issues (Conference of the Presidents of Regional Councils 2010b).

As for the supranational perspective of intervention, the Conference has, over the last few decades, promoted a stable cooperation with European institutions (above all with the Commission and the Committee of the Regions) and with the CALRE, the Conference of European Regional Legislative Assemblies created in Oviedo in October 1997.

In particular, the Conference of the Presidents of Regional Councils participated in many occasions at the structured dialogue promoted by the EU Commission, presenting its



position on those issues more directly related to the role of regional legislative assemblies. Moreover, in order to strengthen its position within the European architecture, on 18 May 2009 the Conference of the Presidents of Regional Councils signed a Memorandum of understanding with the Representation of the EU Commission in Italy that recognises regional entities as a fundamental element for the democratic legitimisation of the EU and promotes the role of regional institutions as channels for getting European citizens involved in EU policy-making (Conference of the Presidents of Regional Councils 2010a: 10).

Its more structural involvement at supranational level is however to be found in the participation in the activity of the Committee of the Regions. The number of members representing regional councils within the Italian delegation to the CoR is not too significant (22 of the 48 members of the CoR represent regional entities, but only 5 are appointed by the regional councils^{XVI}) and such members are still appointed by the regional executives (Iurlato 2007: 245 ff.); however, some attempts to promote the role of the Conference of the Presidents of Regional Councils in the above mentioned appointing procedures have been made recently^{XVII}.

Starting from October 2005, moreover, the Conference of the Presidents of Regional Councils has adhered to the network on subsidiarity promoted by the Committee of the Regions, involving three pilot Italian Regional Councils in the assessment of the subsidiarity tests; the participation in the Committee's subsidiarity network - which is not yet over - has enabled the Conference to participate in some of the most relevant supranational events, such as the meeting on subsidiarity organised in Luxembourg in October 2008.

Apart from the structural cooperation with the EU Commission and with the Committee of the Regions, the Conference of the Presidents of Regional Councils has tried to reinforce its interaction with the EU Parliament by developing a more structural cooperation with the Italian members of the EU Parliament^{XVIII}.

At supranational level, moreover, the Conference of the Presidents of Regional Councils is involved in the activity of the CALRE at the plenary sessions summoned once a year (involving all the Presidents of Parliaments adhering to the Conference) and at the meetings of the Standing Committee - composed of eight Presidents of Regional Parliaments, one for each Member States that has joined -, taking place every three months.



With regard to the national perspective of intervention, manifold are the initiatives taken and the activities promoted - mostly on a voluntary basis - by the Conference. Two areas of intervention that are structurally activated by the Conference involve the cooperation, respectively, with the two Houses of the Italian Parliament and with the governmental Department for European Policies.

The cooperation with the Italian Parliament, in particular, gave birth to the creation of an *ad hoc* Joint Committee, which coordinates the participation of the legislative assemblies (those at regional and national level) in the EU decision-making process (with specific regard to the subsidiarity monitoring mechanism) and the implementation of EU law. One of the most significant projects promoted by the Joint Committee is the creation of a database dedicated to the regional acts and documents dealing with EU affairs, known as Reg-IPEX, whose main aim is to strengthen interparliamentary information exchange and support the coordination of regional assemblies' initiatives in the subsidiarity monitoring. The Conference of the Presidents of Regional Councils, moreover, regularly participates at the hearings of the European Affairs Standing Committees of the Chamber of Deputies and of the Senate of the Republic. The most common issues discussed in such hearings include the yearly legislative programmes of the EU Commission, the legislative bills concerning the participation of Italy in the EU legislative process, and the subsidiarity monitoring reports.

Finally, on 20 July 2009^{XIX} the Conference of the Presidents of Regional Councils signed an inter-institutional agreement with the Italian Department for European Policies regulating the submission of European acts and proposals from the Government to Regional Councils. The purpose of such an agreement was to ease the access of regional legislative assemblies to EU documents, preventing the generic submission of all documents to every Council and promoting the role of the Conference in filtering out relevant proposals. Moreover, the Conference has actively cooperated with the Department for European Policies in the creation of the database Europ@.

Apart from these institutional activities, the involvement of the Conference in EU affairs is developed through daily contacts with regional legislative assemblies; it is in fact mainly through these contacts that the Conference can inform the Regional Councils about what is going on at EU level, soliciting a debate on specific issues and promoting the



introduction of common procedures for debate and the examination of EU acts and proposals.

3. The evolving role of the Conferences in the Italian legislation concerning the participation in the EU integration process

3.1. From the marginalisation of regional entities to the involvement of the State-Regions Conference in Community affairs (Law n. 86/89)

In the 1970's and 1980's, Italian Regions were confined to an extremely limited role in the European Communities' decision-making process (Ferrari 1992: 1248; Pastori 1992: 1217; Onida - Cartabia 1997: 603): the marginalisation of regional entities - which at that time characterised also other highly decentralised EU Member States (Bourne 2003: 609 ff.)^{xx} - was due to a variety of reasons, in part related to the Community system (and in particular to the general neutrality of the European Communities with regard to Member States' internal organisation) and in part to the specific situation of Italian regionalism (among other factors, it is possible to mention the relative weakness of regional entities in the Italian architecture, and the absence of institutional bodies able to represent their interests at central level). The choice operated by the Decree of the President of the Republic n. 616/1977 - which shaped the relations of Regions with the European Communities on the basis of the scheme applied to the foreign relations of the State (Chiti 1994: 559) - clearly mirrored this situation.

One of the first attempts to regulate the participation of Italian Regions in EU decision-making can be found in Law n. 86/89, which regulated the role of regional entities both in the decision-making process and in the implementation of Community norms^{xxi}. In particular, art. 10 of Law n. 86/89 created a dedicated Communitarian Session of the State-Regions Conference, providing that the Conference should exercise an advisory role on general guidelines regulating the implementation of Community Acts with a regional interest. Due to the fact that such advisory powers were absolutely not binding upon the Government, part of the literature expressed some doubts about the effectiveness of this advisory function, stressing the fact that, on the one hand, its object was absolutely generic as it referred not to single proposals but only to general directives of governmental policy; and that, on the other hand, the relative weakness of the advisory power of the State-



Regions Conference also derived from its complete dependence on the information and documents submitted by the Government itself (Anzon 2001).

Starting from the mid-1990's, some innovations were introduced in the Italian primary and secondary legislation^{xxii}, the aim of which was to promote the direct representation of regional interests at EU level through the creation of regional representative structures in Brussels, the development of direct relationships with Community authorities, and the participation at the Italian Permanent Representation of members and experts appointed by the State-Regions Conference. Moreover, the role of the State-Regions Conference was extended to the selection of issues of particular interest for regional administrations to be signalled to the Ministry of Foreign Affairs for the drafting of guidelines addressing the Permanent Representation. These forms of direct representation have assumed, over the decades, a strategic relevance for regional entities, as they have undoubtedly reinforced the awareness of regional bodies of Community duties.

A step forward in the direction of the reinforcement of the filtering role of the State-Regions Conference in the representation of regional interests was made with the reform process occurred in the biennium 1997-1998, known as "Bassanini reforms": a series of laws and decrees that regulate the relations between the central State and the territorial autonomies. These reforms significantly strengthened the position and powers of the State-Regions Conference, attributing to it an advisory role not only as regards the general directives of State policies, but also certain State acts, such as drafting the yearly Community law, provided by art. 5.1.b) of the legislative decree n. 281/1997, and the draft laws, governmental decrees, and regulations adopted in compliance with Community obligations and affecting regional competences^{xxiii}. The Conference, moreover, was given the power to express its position also on draft administrative acts concerning subjects falling within the competence of the regions and adopted in order to adjust to Community directives and decisions of the Court of Justice^{xxiv}. This advisory role of the Conference was conditioned upon the explicit request of the President of the Regions and the consent of the Government; nevertheless, the possibility offered to the Regions to express their opinion on the content of those acts impacting their competences represented an important step forward in the direction towards a more proactive involvement of regional entities in European affairs.



3.2. The reforms of 2003-2005: the introduction of a three-step-based process of regional participation in the EU decision-making process

The reform of Title V - Part II of the Constitution approved with constitutional law n. 3/2001 has considerably enriched regional entities' competences and powers in the external and European affairs sector. In particular, the reformed art. 117.5 of the Constitution explicitly provided for the participation of Italian Regions, in subjects falling within their competence, in decisions directed to the preparation of European normative acts. Notwithstanding its ambiguity, or rather mainly thanks to its principle-based content (Pizzetti 2001: 808; Parodi 2003: 470), the new formulation introduced in the Constitution has opened up a large variety of strategic choices for the ordinary legislator (Caravita 2002: 123; D'Atena 2002: 920-921; Ferrari - Parodi 2003: 445-446).

Nevertheless, this relevant constitutional change has not been accompanied by a reform of the pre-existing patterns for regional participation in the European Union: part of the scholarship (Parodi - Puoti 2006), in fact, affirmed that, after the constitutional reform of 2001, the participatory procedures for the involvement of regional entities in EU affairs have remained far more limited compared to the experience of federal Member States, such as Germany^{xxv}, Austria^{xxvi} and Belgium^{xxvii}. The constitutional reform of 2001, moreover, has not fulfilled the expectations concerning the conferral of a constitutional status to the Conference system, thus substantially confirming their pre-existent role, which is mostly based on daily practice and the evolution of constitutional jurisprudence, apart from some normative provisions. The institutionalisation of these organisms would probably have favoured the establishment of formalised procedures of vertical cooperation also on EU issues.

What has been observed is not incompatible with the idea that, mainly thanks to primary legislation executing the constitutional reform of 2001, the role of regional entities in the EU decision-making process has been significantly strengthened over the last decade. Two main features seem to characterise the normative evolution marked, in particular, by Law n. 131/2003 (adopted in order to implement part of the constitutional reform of 2001) and by Law n. 11/2005 (which repealed Law n. 86/89 on the general rules concerning the participation of Italy in the Community and European Affairs): on the one hand, the introduction of a plurality of forms of representation and participation of regional entities, complementary to the traditional intervention of the State-Regions



Conference (Cartabia - Violini 2005: 477) and, on the other hand, the reinforcement of the information flow towards the Regions, now directed not only to regional executives but also to regional councils (Scino 2005: 48).

The outcome of these normative changes is, generally speaking, the introduction of a new path for the collective participation of Regions in the EU decision-making process^{xxviii}. This new path represented the result of a three-step process of the involvement of regional entities, where all the steps were characterised by the decisive role attributed to the inter-regional Conferences in coordinating and representing regional interests (Marini 2001: 649 ff.).

The first step was based on the strengthening of the information and documents submitted by the central government to the regional entities through the Conferences (Gambale 2003; Cafari Panico 2004). Art. 5.1. of Law n. 11/2005, in fact, expanded the informative duties of the executive by requiring the immediate submission of Community and EU acts^{xxix} to the attention of the Regions and, at the same time, by stating that the Government itself should grant the Regions a qualified information on affairs falling within their area of competence. In both cases, in order to simplify and coordinate the information flow directed to the Regions, the interlocutor of the Government was identified to be the State-Regions Conference.

A second step in the 'regional' path of participation in the EU decision-making process, as regulated by Laws n. 131/2003 and n. 11/2005, is represented by the introduction of a plurality of forms of representation of regional interests.

Generally speaking, in fact, Law n. 131/2003 has not formally provided that regional entities be endowed with a structural representation at European level, as it usually happens in other highly decentralised EU Member States^{xxx}. Art. 5 of Law n. 131/2003, however, recognised the direct participation of regional entities' representatives, in subjects falling within their legislative competences, in the activity of the working teams and committees of the Council and of the EU Committee, specifying that the criteria for coordinating such a participation shall be decided within the State-Regions Conference^{xxxi} and that the unity of the Italian position shall in any case be assured by the Chair of the governmental delegation. The solution provided by Law n. 131/2003 was therefore considered a form of "direct" participation of regional entities in EU affairs, even if mediated by the State-Regions Conference (Violini 2003: 111).



By contrast, a strategy of “indirect” (and internal) promotion of the role of Regions in the EU decision-making process was pursued by the reform of the legislation concerning the participation of Italy in the EU, approved by Law n. 11/2005; the reform, in fact, did not change the mechanisms regulating the direct representation of regional interests at EU level, but instead affected the procedures for the definition of the Italian position in EU affairs. In particular, as previously mentioned, art. 2 of Law n. 11/2005 promoted the creation of the CIACE^{xxxii}. The establishment of such a Committee was strongly opposed by the Italian Regions, as they feared that the newly established organism would challenge the role of the State-Regions Conference and introduce a new pattern for regional participation in EU affairs, one exclusively based on the involvement of the President of the Conference of the Regions (which in case of necessity could delegate another member of the Conference of the Regions)^{xxxiii}. However, this doubt was erased by the coordinated interpretation of different provisions of law n. 11/2005, which clearly seemed to confirm the coexistence of a plurality of patterns for regional participation in the EU decision-making process^{xxxiv}.

The involvement of the Regions at the meetings of the CIACE, in fact, was not to be considered structural, as it could be activated only when the discussion involved “specific issues” of regional interest (art. 2 of Law n. 11/2005)^{xxxv}. Mainly due to the generic formulation adopted by that Law, part of the literature (Parodi - Puoti 2006) affirmed that the participation of Regions in the CIACE could be requested by regional representatives even for discussing issues of general political relevance, such as the financial perspective of the EU or the enlargement of the Union itself; and that, in any case, it was not subject to a previous assent of the CIACE (Paterniti 2005).

By contrast, art. 5 of Law n. 131/2003 - as previously observed - delimited the direct participation of the Italian Regions in the EU decision-making process, constricting it to subjects falling under their legislative competence^{xxxvi}. The literature wondered about the difference between these two forms of regional involvement in EU affairs coming, in the end, to the conclusion that the role attributed to the CIACE and to the State-Regions Conference did not determine an overlapping of functions^{xxxvii}.

Finally, the last step of the revised pattern for regional participation in EU decision-making was represented by the procedures introduced - in particular - by Law n. 11/2005 for enabling the Regions not only to represent their interest, but above all to express a



position on those affairs of respective interest.

According to art. 3.1. and 3.2. of Law n. 11/2005, in fact, the Regions, in the subjects falling within their competence, could express an opinion about EU acts by means of the State-Regions Conference or the Conference of the Presidents of Regional Councils within 20 days of their submission; this advisory procedure was considered to form a part of the more general procedure for the definition of the Italian position on EU acts. If the opinion was not formulated by the Regions or was not sent in due course, the Government was allowed to continue the activity directed toward the formation of the Italian position. This specification confirmed that the regional opinion was not binding, but was rather to be considered a mere suggestion directed to the national executive; nevertheless, the involvement also of regional Councils in this advisory procedure represented a first significant advancement in the direction of a more participatory decision-making process.

A second opportunity of intervention was offered to the Regions by art. 5.4. of Law n. 11/2005, which provided that the Government should summon the State-Regions Conference in order to reach an agreement on draft EU normative acts falling within the competence of the Regions when at least one Region demanded it. The deadline for reaching an agreement was fixed to 20 days; after this, or in case of urgency, the Government was allowed to go ahead alone^{xxxviii}. This reinforced cooperative procedure attributed to the Regions a more effective tool for influencing the definition of the Italian position on specific draft EU acts.

Finally, probably the sharpest faculty attributed to the Regions by Law n. 11/2005 is to be found in the procedure regulated by art. 5.5. which, in the above mentioned hypothesis of art. 5.4., conferred to the State-Regions Conference the power to place a scrutiny reserve clause obliging the central Government to delay voting in the Council of Ministers at EU level. The aim of this procedure was to freeze the Italian position on European acts and proposals in order to enable the finding of a unitary position between the central State and the decentralised entities. During this period, the State-Regions Conference was supposed to meet in order to define a common orientation for the examination of the draft acts under scrutiny reserve; if the Conference was unable to reach a common position within 20 days, the Government was allowed to adopt its own decisions at EU level^{xxxix}.



3.3. Law n. 234/2012: rationalising the patterns for regional participation in EU affairs through the Conferences

The Italian legislation regulating participation in EU affairs has most recently been reformed by Law n. 234/2012, which repealed Law n. 11/2005, adapting its procedures and rules to the novelties introduced, in particular, by the Treaty of Lisbon (Fasone 2010).

The reform has not radically altered the pre-existing procedures and rules concerning the participation of Regions in the EU decision-making process. It has rather resulted in a rationalisation of the cooperative patterns between the State and the regional entities, now referring not only to the formulation of normative acts, but rather to any political choice related to EU affairs^{XI}.

The first rationalisation impacts upon the internal structure of the CIACE, now renamed CIAE (Intergovernmental Committee for European Affairs), in order to ratify the novelties generated by the Treaty of Lisbon with regard to the architecture of the European Union. Art. 2 of Law n. 234/2012 confirms the participation of the President of the Conference of Regions (or another delegated member) in the meetings of the CIAE dedicated to the discussion of issues of regional interest. At the same time, it contributes to solve pre-existing doubts about potentially overlapping functions between the CIAE and the State-Regions Conference: art. 2.3., in fact, specifies that the CIAE exercises its duties respecting the competences attributed by the Constitution or by the legislation to the Parliament, the Council of the Ministers *and the State-Regions Conference*. If this provision apparently represents a mere ratification of what was already carved out in the practice of inter-institutional relations between these two bodies, its formalisation can be considered a confirmation of the role acquired by the State-Regions Conference over time.

The revised legislation does however not mention the technical Committee any more which, according to Law n. 11/2005, had been integrated with representatives of the Regions. This innovation is motivated by the necessity to simplify the procedures for the joint definition of the Italian position on EU issues.

The daily cooperation between the representatives of the State and of regional administrations on draft EU acts and issues is in fact to be continued through the activity of the sectoral working groups summoned by the governmental Department for European Policies and now regulated by art. 24.7 of Law n. 234/2012; the institutional purpose of such working groups is to promote a structural cooperation involving all relevant subjects



in order to define the Italian position to be presented at EU level.

The second form of rationalisation provided by Law n.234/2012 involves the redefinition of the time limits for the proactive participation of the interregional Conferences in the EU decision-making process. The deadline for the submission of opinions by the Regions on draft EU acts and proposals, originally fixed to twenty days, is now redefined into thirty days by art. 24.3. of Law n. 234/2012^{XLI}. The same change of the time limits is governed by arts. 24.4 and 24.5 respectively for achieving an agreement within the State-Regions Conference on draft EU normative acts impacting regional competences and for defining the position of the State-Regions Conference after having voiced a scrutiny reserve. The redefinition of the above mentioned terms represents an adaptation of the national legislation to a longstanding request by the regional entities, which on many occasions have condemned the inadequacy of such institutional deadlines for an effective cooperation between territorial administrations.

The third form of rationalisation introduced by Law n. 234/2012 affects the roles assigned to the Conference of the Regions and the Conference of the Presidents of Regional Councils in the appointment of regional representatives for the CoR. The solution ratified by the new art. 27 of Law n. 234 completely overcomes the pre-existing legislative partition of seats between regional and local representatives (and between representatives of the regional executives and assemblies). The criteria for the composition of the Italian delegation to the CoR are in fact entirely delegated to a Decree of the President of the Councils of Ministers, to be adopted in agreement with the Unified Conference (the conference representing Italian local, regional and State administrations). Moreover, art. 27.2. of Law n. 234 explicitly recognises the role of the Conference of Regional Councils in the appointing procedures by specifying that it is up to this Conference to indicate Regional Councils' representatives within the CoR (while the representatives of the regional executives are appointed by the Conference of the Regions).

Finally, the real novelty introduced by Law n. 234/2012 is related to the participation of regional councils in the early warning mechanism, regulated by art.6.1. of Protocol 2 annexed to the Treaty of Lisbon. Up to this moment, in fact, the involvement of regional assemblies in the subsidiarity scrutiny has not been formally regulated by the two Chambers, which have tried to reform their internal procedures by adapting them to the new institutional context^{XLII}. In order to institutionalise these rules, the combination of arts.



8.3. and 25 of Law n. 234 reaffirms the participation of regional assemblies in the early warning mechanism, providing (art. 25) that the regional assemblies can submit their remarks within eight weeks by sending a notification to the Conference of the Presidents of Regional Councils. The solution provided for by this legislative reform seems to respect the participatory rights belonging to each Regional Council, promoting at the same time the role of the interregional Conference as an organism in charge of coordinating regional initiatives and informing all regional councils of the decisions adopted by the other assemblies.

Moreover, art. 8.3. of the new Law provides that, with regard to the procedure for the participation of the Parliament in the early warning mechanism, each House can hear the regional assemblies, in compliance with their internal Rules of Procedure. According to a part of the literature (Esposito 2013), this reference implicitly seems to legitimise a reform of the Rules of Procedures of the two Chambers whose purpose would be the redefinition of the deadlines for the submission of regional opinions and of the criteria regulating the hearings of regional assemblies or of the Conference of the Presidents of Regional Councils.

Apart from these novelties, Law n. 234/2012 confirms much of the procedures introduced by Law n. 86/89 and involving the State-Regions Conference: in particular, art. 22 regulates the EU session of the State-Regions Conference and reiterates its advisory powers on the governmental guidelines concerning the preparation and the implementation of EU acts which affect regional competences; on the criteria for the adjustment of regional norms to EU legislation; and on the annual national draft laws for the adaptation of the internal legislation to EU norms and duties (art. 22.3.).

The reaffirmation of these proceedings determines once more the coexistence of a plurality of forms for the regional participation in the EU affairs and of patterns for the cooperation between different territorial entities.

4. The need for better coordination of regional interests in EU affairs as a challenge for the Italian Conferences

The role exercised by interregional Conferences in EU affairs can be fully appreciated by isolating the participation of regional entities in the EU decision-making process from



the activity carried out in the implementation of EU norms and obligations. This statement can easily be substantiated in considering that the channels for regional involvement tend to vary consistently across these two stages. At the stage of EU decision-making, in fact, the dimension of collective representation of regional interests tends to prevail over the participation of a single Region^{XI.III}. After the constitutional reform of 2001, this collective dimension is visible both in the so called “direct” forms of participation in EU activities (art. 5 of Law n. 131/2003) and in the “indirect” forms of participation (art. 2 of Law n. 11/2005). This implies that the role exercised by the interregional Conferences at this stage is a strategic one, as it is up to such organisms to coordinate the position of the different Regions and present a unitary position both at national and EU level.

By contrast, the single Region still play a determinant role in the implementation of EU norms and duties. At this stage, the interregional Conferences tend to offer a contribution which is much less relevant for the functioning of national adjustments to EU legislation but which is still significant for the coordination of regional activities. The Conferences, in fact, are responsible for the prompt submission of all relevant documents to the regional bodies, for the selection of pertinent information, and for the monitoring of regional adaptations to EU norms. But the responsibility for the adjustments to EU norms still lies with each Region (Parodi - Puoti 2006).

In other words, the interregional Conferences have affirmed themselves as real institutional interlocutors in the EU decision-making process, whereas they tend to operate as mere facilitators in the subsequent stage of implementing EU norms and duties.

Given this asymmetry in the institutional position of the interregional Conferences, it has been argued that the role played by such organisms in the decision-making stage has varied consistently over the time, also due to some significant changes in the national legislation on the participation of the regional entities in Community and European affairs.

After the initial hesitancy of the Italian State to grant the Regions the right to effectively get involved in European affairs, thus neutralising the impact of the participation in the European Communities on the internal distribution of competences, the Italian legislation has regulated this process of regional participation by promoting the role of the interregional Conferences as institutional subjects in charge of coordinating the activity of regional entities in the European processes. This change, which occurred in the



second half of the 1980's, being related to the overarching role of the executives in EU affairs, has at first affected only the State-Regions Conference.

Starting from the reform approved with Law n. 11/2005, however, the procedures and structures for regional (collective) participation in the European decision-making process have significantly increased in number. On the one hand, also regional assemblies have been granted informative and participatory right in the European processes, filtered by the intervention of the Conference of the Presidents of Regional Councils. On the other hand, apart from the interregional Conferences, also other forms of cooperation between State and regional administrations - based on the collective representation of regional interests - have been introduced. This trend seems to have found its definitive form of rationalisation in the latest reform, approved with Law n. 234/2012, which ratified the institutional position of the Conference of the Presidents of Regional Councils and adapted the participatory procedures to some of the institutional needs pointed out by regional entities.

This reform course has resulted in a threefold procedure for the collective participation of Regions in the EU decision-making, consisting of: a) the information of regional bodies (executives and councils) about EU draft acts and more generally EU policies; b) the representation of regional interests within the cooperative procedures involving different territorial entities on specific EU issues; and c) the formulation of regional input with regard to the definition of the national position in EU matters.

All these three stages of participation find their focal point in the interregional Conferences. The results achieved here do not exclude that some challenges are still opened from the perspective of the rationalisation and full implementation of interregional cooperation in EU affairs.

The first challenge involves the role of the intergovernmental Conferences. It is possible to argue, in fact, that a sort of confusion of roles between the State-Regions Conference and the Conference of the Regions (Carpani 2012) still exists. If the latest reforms of the legislation on the participation in the EU have come to recognise the specificity of the role exercised by the Conference of the Regions in the coordination of regional interests and initiatives in EU affairs, the revised legislation has not completely rethought the pre-existing rules involving the State-Regions Conference. In particular, some doubts can be raised on the choice made by art. 22.3. of Law n. 234/2012 which reassigns to the State-Regions Conference the advisory powers concerning some of the



most strategic decisions of the Government in EU affairs; similar doubts can be voiced about the powers reserved by art. 24.4. and 24.5. to the State-Regions Conference.

As the above-mentioned advisory role of the State-Regions Conference formally refers to governmental acts and proposals, it could be objected that such procedures should instead involve the Conference of the Regions (it is obvious, in fact, that the position of the national Government could only be a favourable one). In other words, the revised procedures for the regional participation in the EU could have been much more innovative in promoting the role of the Conference of the Regions as an institutional subject which could promote an effective horizontal cooperation on EU affairs between regional entities^{XLIV}. As correctly observed by a part of the literature (Bifulco 1995: 423; Carpani 2009: 16), in fact, horizontal cooperation proves to be strategic for the fulfilment of an effective vertical cooperation across different territorial levels.

The second challenge is instead represented by the promotion of a reinforced synergy between the Conferences representing the regional executives and the regional legislative assemblies, respectively. A strengthened cooperation between the Conference of the Regions and the Conference of the Presidents of Regional Councils as regards their participation in the Committee of the Regions and more generally about their role in the implementation of EU law is, in fact, highly desirable^{XLV}. The efficiency of the Regions in the implementation of EU law is directly related to the degree of regional involvement in the decision-making process. Based on this statement, it is possible to affirm that the capacity of the interregional Conferences representing the regional executives and the regional councils to coordinate their position in the political dialogue leading to the definition of the Italian position on EU proposals is to be considered strategic also for the adjustment to EU norms and duties. In this sense, a stronger cooperation between the Conference of the Regions and the Conference of the Presidents of Regional Councils should ideally be based on a daily exchange of information, analytical support, and opinions.

In conclusion, regional involvement in the EU decision-making process has sometimes been considered if not as an obstacle, then at least as a brake to an efficient decision-making process. In order to avoid this risk, transforming regional participation as a real key factor for the democratisation of national procedures related to EU affairs, it is important to safeguard the rationality of such procedures. Some steps forward in this direction have



recently been taken thanks to the latest reforms of the Italian legislation on participation in the EU. But some weaknesses still remain and it is mainly through the initiative of regional actors and on the basis of daily practice that such risks will be avoided.

The longstanding tension towards the recognition of a legitimacy criterion for the EU architecture has recently grown in importance, as the Eurozone crisis started questioning the “output legitimacy” of the EU institutional system and its policies. The need to counterbalance the effects of the financial and economic crisis has led the European institutions to urge for the adoption of quick and intrusive measures, investing some of the core competences of the Member States, in particular those relating to the budgetary and financial decision-making. This situation boosts the need for democratic legitimacy of the EU institutions, due to the fact that the increased risk of a possible divergence between European budgetary and financial policies and voters’ preference makes it more difficult to justify the autonomy of the EU legal order.

* Counselor at the Italian Senate, Rome.

^I For an overview of the difficulties characterising this institutional evolution, see D’Atena 2000: 555 ff.

^{II} On the enormous differences which have characterised regional mobilisation in EU affairs across Europe, see Loughlin 1996a: 141 ff. and Marks - Nielsen - Ray - Salk 1996: 164 ff.

^{III} Part of the literature (D’Atena 1985: 789 ff.; Marini 2003: 158 ff.) has instead distinguished between two forms of regional cooperation at the State decision-making stage in EU affairs: the procedure-based cooperation, which is characterised by a process of consultation by the central authority with each regional entity; and the structure-based cooperation, which instead ends in the establishment of an organism representative of the interests of territorial autonomies. On this point, see also Parodi 2003: 420 ff.

^{IV} In compliance with art. 58.4 of the Law n. 52/96, all the Italian Regions have in fact promoted the creation of connection offices in Bruxelles; such offices are legitimised to develop direct relations with EU institutions in subjects falling within their area of competence.

^V For a general overview of the main tools and procedures adopted by Italian Regions with regard to regional participation at the stage of the implementation of EU decisions, see Bini 2011: 825 ff.

^{VI} Apart from these institutional channels of representation, part of the literature has analysed the lobbying activity carried out by regional entities both collectively (through organisms such as the Assembly of the Regions of Europe, the Council of the Regions and of the Municipalities of Europe, or through associations linking the regions located in the same geographic area or assimilated by common economic interests) and individually, which is considered as a form of ‘informal’ channel of representation (Hooge - Marks 1996: 73 ff.; Brunazzo 2005).

^{VII} For an overview of the main functions of regional assemblies in EU affairs (legislative function; control of the executive; subsidiarity monitoring procedures; co-operation with other regional assemblies; information of citizens), see Álvarez Conde 2006: 26; Fasone 2009: 420.

^{VIII} On the difference between the vertical and the horizontal forms of cooperation, see Bifulco 1995: 257 ff.

^{IX} On the role and origins of the intergovernmental conferences, see, in the Italian literature, Pastori 1994; Azzena 1999; Pizzetti 2000; Carpani 2006, *passim*; Ceccherini 2009.

^X The Committee was established by the decree of the Prime Minister dated 20 November 1980.

^{XI} Subject-competent ministers and administrative representatives of central and local administrations were moreover admitted to participate to the meetings of the Conference.



^{XII} See Mangiameli 2010: 262. On the pre-existing experiences of horizontal cooperation among Regions, see Covino 2006: 2316 ff.

^{XIII} This evolution in the institutional role and position of the Conference has been accompanied by the achievement of new forms of functional autonomy by the organism and has given place to the approval of common statements, representing the position of all Regions. For further details, see Ferraro 2007: 712 ff.

^{XIV} On the origins and powers of the CoR, see, among others, Calabrese 1997: 481 ff.; Loughlin 1996b: 417 ff.; McCarthy 1997: 439 ff.; Bindi Calussi 1998: 225 ff.

^{XV} Each Regional Council, in fact, approved in 1994 a regional law in order to regulate its participation in the activity of the Conference, including the financial profiles (since the Conference depends for its funding on the annual conferral resources provided by regional assemblies).

^{XVI} Falcon 2001: 327 ff. has criticised the fact that not all the Regions participate at the CoR, which prevents the development of specific regional interests, ending in a generic representation of the levels of government.

^{XVII} Art. 6 *bis* of the Law n. 11/2005 has in fact provided that also regional legislative assemblies must be involved in the procedure for the appointment of the Italian representatives within the Committee of the Regions; moreover, the Government, with statement n. 9/2320, has specified that this norm must be interpreted as a commitment to appoint Regional Councils' representatives within the Committee of the Regions through the Conference of the Presidents of Regional Councils.

The Conference of the Presidents of Regional Councils itself has adopted, on 20 September 2012, a statement fostering the introduction, in agreement with the Conference of the Regions, of a common procedure enabling the definition of a shared position before the EU institutions, and in particular before the Committee of the Regions.

^{XVIII} The Conference has in fact approved, before the elections of the EU Parliament of 6-7 June 2009, a Memorandum of Understanding directed to the Italian representatives in the EU Parliament in order to raise awareness for the strategic role of regional parliaments in the EU architecture. Moreover, the Conference has promoted the involvement of Italian MEPs at the meetings of the Joint Committee of the Italian Chamber of Deputies, the Senate, and the Conference of the Presidents of Regional Councils.

A dialogue with the EU Parliament has been searched by the Conference also through the approval of statements on specific issues; see for instance the statement approved on 20 September 2012 on the EU economy's sustainable development. For further details, see Conference of the Presidents of Regional Councils 2013.

^{XIX} *Accordo interistituzionale*, signed on 20 July 2009 by the Minister for European Policies and the Conference of the Presidents of Regional Councils.

^{XX} In the long period, however, the capacity of the Italian Regions to ascertain their domestic power in the EU affairs sector has been much weaker compared to their European counterparts; on this point, see Börzel - Risse 2000: 6-7.

^{XXI} An attempt to regulate the participation of Regions in the European decision-making process can be found also in the previous Law n. 183/1987, the so called "Legge Fabbri". See Cattarino 1991: 969 ff.

^{XXII} See in particular law n. 52/1996, legislative decree n. 281/1997, and law n. 128/1998.

Art. 2.3 of the legislative decree n. 281/1997.

^{XXIV} Art. 5.2 of the legislative decree n. 281/1997.

^{XXV} See art. 23 of the German Constitution.

^{XXVI} See art. 23d of the Austrian Constitution.

^{XXVII} See the *'Accord de coopération entre l'Etat fédérale, les Communautés et les Régions, relatif à la représentation du Royaume de Belgique au sein du Conseil de Ministres de l'Union Européenne'*, signed on 8 March 1994.

^{XXVIII} These innovations aside, Law n. 11/2005 confirmed much of the procedures already regulated by Law n. 86/89, including (in art. 17) the creation of a dedicated Community Session of the State-Regions Conference, the recognition of the Conference's entitlement to express its opinion on general directives concerning the implementation of Community Acts affecting regional competences and on the Community Law, and so on. On the relationship of Law n. 11/2005 with the pre-existing legislation, see Cannizzaro 2005: 153 ff.

^{XXIX} The literature (see Paterniti 2005) has expressed an overall satisfaction about the extension of the informative duties of the Government, evidencing, on the one hand, that all EU acts (and not just EU acts of regional relevance) must now be submitted to the Regions and, on the other hand, that such a submission is supposed to be immediate (thus avoiding the risk of a belated dispatch of EU acts, by large measure



implicit in the system regulated by Law n. 86/89 - on this point, see Caranta 1997, 1234). For an overview of the informative deadlines introduced by Law n. 11/2005, see Pocar 2005: 32 ff.

XXX According to part of the literature, the constitutional reform of 2001 could have enabled a revision of the pre-existing mechanisms for the participation of regional entities in the EU directed at promoting the representation of regional entities both in the EU decision-making process and in the definition of the national position on EU issues; see, among others, Chiti 2002: 1401 ff.; Anzon 2003, *passim*; Califano 2005: 8 ff.

XXXI This provision was implemented by the Agreement signed by the State-Regions Conference on 16 March 2006.

XXXII The internal organisation and functioning of CIACE is regulated by the Decree of the President of the Council of Ministers of 9 January 2009, 'Regulation of the internal functioning of the Interministerial Committee for Community and European Affairs, established by the Chair of the Council of the Ministers, in compliance with art. 2 of the Law 4 February 2005, n. 11', and by the Decree of the Ministry for Community Policies of 9 January 2006, 'Regulation of the internal functioning of the Technical Standing Committee established by the Department for the coordination of the Community policies in compliance with art. 2.4. of the Law 4 February 2005, n. 11'. Both Decrees are published on the *Gazzetta ufficiale* of 3 February 2006 - General Series, n. 28. For more information on the institutional functions of the CIACE, see Cartabia - Violini 2005: 482 ff.; Puoti 2006: 481 ff.

XXXIII The representation of regional interests within the CIACE is granted also by art. 2.4, which provides for the establishment of a technical Committee whose main task is to prepare the meetings of the CIACE. The technical Committee is chaired by the Ministry for Community Policies and is composed of senior officials specialised on the subjects to be discussed. When the technical Committee deals with issues of regional interest, its composition is integrated with competent regional ministries and its meetings take place at the headquarters of the State-Regions Conference. Literature (Paterniti 2005) observed that the regional integration of the technical Committee is potentially more effective than regional participation at the CIACE.

XXXIV Moreover, art. 4 of the above mentioned Decree of the Ministry for Community Policies of 9 January 2006 recognises that the effective participation of Regions in the definition of the Italian position in EU affairs is to be executed through the procedures of art. 5 of Law n. 11/2005, which implies that the State-Regions Conference confirms itself as a privileged organism for the cooperation between different territorial entities.

XXXV A more structural form of State-Regions cooperation was offered by art. 5.7 of Law n. 11/2005, which entitled the Department for Community policies to create, for the subjects falling under the competence of the Regions, sectoral national cooperation working groups which could include representatives of the Regions, selected on the basis of criteria decided by the State-Regions Conference, in order to predefine the position to be upheld at EU level. Part of the literature (Cafari Panico 2004) has criticised this new form of cooperation, assuming that it is not clear how it could possibly be coordinated with the other procedures.

XXXVI Part of the literature (Cartabia - Violini 2005: 480) evidenced the asymmetry existing between the extension of the informative prerogative of the Regions (which does not suffer specific limitations) and their participatory rights (limited to subject matters falling within a region's competence).

XXXVII Doubts on the risk that the CIACE could deprive the State-Regions Conference of its powers and role in the EU decision-making process have been raised by Tripodi 2004 and Cafari Panico 2004. On the contrary, Parodi and Puoti 2006 have argued that the roles attributed to the CIACE and the State-Regions Conference are rather complementary.

XXXVIII On the 'weak' nature of this agreement, see Bifulco 2006: 250 f.

XXXIX Some criticism of the short term assigned to the State-Regions Conference in order to define its position has been expressed by Cannizzaro 2006: 153 ff.

XI. Part of the literature (Esposito, 2013) has in fact argued that the title itself of Law n. 243/2012 mentions the participation of Italy "in the definition and implementation of the norms and policies of the EU".

XI.I This shift is in line with the redefinition to thirty days of the duration of the parliamentary scrutiny reserved, now regulated by art. 10 of the Law n. 243/2012.

XI.II In particular, the subsidiarity opinions submitted by the regional councils to the Chamber of Deputies have been considered by the Committee for European Affairs according to art. 127 of the Rules of Procedure. The cooperation with regional assemblies is moreover connected to the ordinary fact-finding proceedings of the preliminary inquiry conducted by the Standing Committees and disciplined by art. 79.4-5-



6 of the Rules of Procedure. This framework implies that the Committee for European Affairs or the other standing Committees can hear a Regional Council or the Conference of the Presidents of Regional Councils. A different solution has been adopted by the Senate of the Republic, which has rather framed the subsidiarity opinions of the regional assemblies within the procedure of the “vote of the Regions”, regulated by art. 138.1. of its Rules of Procedure. As a consequence, the subsidiarity opinions of the Regions are announced to the floor and are then assigned to the competent standing committees.

^{XLIII} As correctly observed (Bini 2011: 830), in fact, every Region has its own representation in Bruxelles, but this institutional presence does not always enable a Region to effectively participate in the EU decision-making; what should be taken into consideration, above all, is in fact the capacity of a Region to truly exercise the powers claimed.

^{XLIV} In the last decade, in fact, the Conference of the Regions itself has tried to promote its autonomous role in the coordination of regional interests. An example of this is to be found in the creation, in 2005, of an *ad hoc* cooperative organism, representing the Presidents of the Regions of South Italy, whose main aim is the definition of a common strategy on European and Mediterranean policies (see ‘La prima Conferenza dei Presidenti delle Regioni centro-meridionali’ (Pescara, 4 luglio 2005), in *Documenti della Rivista giuridica del Mezzogiorno*, n. 2-3, 2005: 467).

^{XLV} This perspective is envisaged in particular in the statement approved on 5 December 2012 by the Conference of the Presidents of Regional Councils.

References

- Agosta Stefano, 2004, ‘Dall’intesa in senso debole alla leale collaborazione in senso forte? Spunti per una riflessione alla luce della più recente giurisprudenza costituzionale tra (MOLTE) conferme e (QUALCHE) novità’, in *Quaderni regionali*, XXIV(2): 703-728.
- Anzon Adele, 1998, ‘Federalismo interno e processo di integrazione europea’, in *Scritti in onore di Serio Galeotti*, Giuffrè, Milano, 53-72.
- Anzon Adele, 2001, ‘L’attuazione degli obblighi comunitari: legge comunitaria e ruolo delle Regioni’, presentation held at the Conference ‘I mutamenti costituzionali in Italia nel quadro della integrazione europea’, 30 March 2001, available at <http://static.luiss.it/semcost/europa/anzon/index.html>.
- Anzon Adele, 2003, *I poteri delle Regioni nella transizione dal modello originario al nuovo assetto costituzionale*, Giappichelli, Torino.
- Armstrong Harvey, 1995, ‘The Role and Evolution of European Community Regional Policy’, in Jones Barry and Keating Michael (eds), *The European Union and the Regions*, Clarendon, Oxford, 23-64.
- Azzena Antonio Alberto, 1999, ‘Conferenze Stato-autonomie territoriali’, in *Enciclopedia del diritto. Appendice*, Vol. III, Giuffrè, Milano, 415-442.
- Berti Giorgio, 1992, ‘Regionalismo europeo nella prospettiva del Trattato di Maastricht’, in *Le Regioni*, XX(5): 1203-1216.
- Bifulco Raffaele, 1995, *La cooperazione nello Stato unitario composto. Le relazioni intergovernative di Belgio, Italia, Repubblica Federale di Germania e Spagna nell’Unione europea*, Cedam, Padova.
- Bifulco Raffaele, 2006, ‘Il modello italiano delle conferenze Stato-autonomie territoriali (anche) alla luce delle esperienze federali’, in *Le Regioni*, XXXIV(2-3): 233-268.
- Bindi Calussi Federiga, 1999, ‘The Committee of the Regions: An Atypical Influential Committee?’, in Van Schendelen Rinus (ed), *EU Committees as Influential Policy Makers?*, Aldershot, Ashgate, 225-249.
- Bini Marzio, 2011, ‘L’attività di attuazione del diritto dell’Unione europea nelle fonti e nelle prassi regionali’, in *Quaderni regionali*, XXXI(3): 825-867.
- Bourne Angela K., 2003, ‘The Impact of European Integration on Regional Power’, in *Journal of Common Market Studies*, XLI(4): 597-620.
- Börzel Tanja and Risse Thomas, 2000, ‘When Europe Hits Home: Europeanization and Domestic Change’, in *European Integration online Papers (EIoP)*, (4 - 15), available at: <http://eiop.or.at/eiop/texte/2000-015a.htm>.
- Brunazzo Marco, 2005, *Le Regioni italiane e l’Unione europea. Accessi istituzionali e di politica pubblica*,



Carocci, Roma.

- Cafari Panico Ruggiero, 2004, 'Il ruolo delle autonomie locali nel progetto di Costituzione europea', presentation held at the University of Verona on 31 March 2004, available at http://fermi.univr.it/europa/seminari/Relazione_1.04.pdf.
- Califano Licia, 2005, 'Regioni e Diritto comunitario', in *Studi urbinati*, LXXIX(1): 7-53.
- Cannizzaro Enzo, 2005, 'La riforma della "legge La Pergola" e le competenze di Stato e Regioni nei processi di formazione e di attuazione di norme dell'Unione europea', in *Rivista di diritto internazionale*, C(1): 153-156.
- Caravita Beniamino, 2002, *La Costituzione dopo la riforma del Titolo V*, Giappichelli, Torino.
- Caranta Roberto, 1997, 'I rapporti tra Regioni e Comunità europea verso un nuovo modello di tutela degli interessi nazionali', in *Rivista italiana di diritto pubblico comunitario*, VII(6): 1219-1243.
- Carpani Guido, 2006, *La Conferenza Stato-regioni: competenze e modalità di funzionamento dall'istituzione ad oggi*, il Mulino, Bologna.
- Carpani, Guido, 2009, 'La collaborazione strutturata tra Regioni e tra queste e lo Stato. Nuovi equilibri e linee evolutive dei raccordi "verticali" ed "orizzontali"', in *federalismi.it*, VII(19), available at www.federalismi.it.
- Carpani Guido, 2012, 'I fattori di unificazione: il ruolo delle Conferenze e degli strumenti di concertazione', in Vandelli Luciano and Bassanini Franco (eds), *Il federalismo alla prova: regole, politiche, diritti nelle regioni*, il Mulino, Bologna, 443-467.
- Cartabia Marta and Violini Lorenza, 2005, 'Le norme generali sulla partecipazione dell'Italia al processo normativo dell'Unione Europea e sulle procedure di esecuzione degli obblighi comunitari. Commento alla legge 4 febbraio, n. 11', in *Le Regioni*, XXXIII(4): 475-513.
- Cassese Sabino and Serrani Donatello, 1980, 'Regionalismo moderno: cooperazione tra Stato e Regioni e tra Regioni in Italia', in *Le Regioni*, VIII(3): 398-418.
- Cattarino Giovanni, 1991, 'Dalla legge "Fabbri" (L. 16 aprile 1987, n. 183) alla legge "La Pergola" (L. 9 marzo 1989, n. 86) e alla prima "Legge comunitaria" (L. 29 dicembre 1990, n. 428)', in *Rivista Amministrativa della Repubblica Italiana*, CXLII(6): 969-973.
- Ceccherini Eleonora, 2009, 'Intergovernmental relations in Italy: the Permanent State-Regions-Autonomous Provinces Conference', in *Revista de la Facultad de Ciencias Sociales y Jurídicas de Elche*, no. 4: 216-238.
- Chiti Mario P., 1993, 'Per una dimensione europea del "nuovo regionalismo"', in *Regione e governo locale*, XV(3): 635-645.
- Chiti Mario P., 2002, 'Regioni e Unione Europea dopo la riforma del Titolo V della Costituzione: l'influenza della giurisprudenza costituzionale', in *Le Regioni*, XXX(6): 1401-1426.
- Comelli Antonio, 1981, 'La Conferenza dei Presidenti delle Regioni', in *Le Regioni*, IX(5): 1143-1148.
- Conference of the Presidents of Regional Councils, 2010, 'Sintesi del lavoro svolto dalla Conferenza dei Presidenti delle Assemblee legislative delle Regioni e delle Province autonome nel corso del 2009', 12 February 2010, available at [http://www.parlamentiregionali.it/dbdata/documenti/\[4b7a6fccd6288\]rel_annuale_2009_sito.pdf](http://www.parlamentiregionali.it/dbdata/documenti/[4b7a6fccd6288]rel_annuale_2009_sito.pdf).
- Conference of the Presidents of Regional Councils, 2013, 'Appuntamenti cronologici del lavoro svolto dalla Conferenza dei Presidenti delle Assemblee legislative delle Regioni e delle Province autonome nel corso del 2012', Dossier no. 10, January 2013, available at [http://www.parlamentiregionali.it/dbdata/news/pdf/\[510a46f344c57\]CRONOLOGIA_2012.pdf](http://www.parlamentiregionali.it/dbdata/news/pdf/[510a46f344c57]CRONOLOGIA_2012.pdf).
- Covino Francesca, 2006, 'Commento all'art. 117, 8° co., Cost.', in Bifulco Raffaele, Celotto Alfonso and Olivetti Marco (eds), *Commentario alla Costituzione*, Utet, Torino.
- D'Atena Antonio, 1985, 'Tra decentramento regionale ed integrazione sopranazionale (sul concorso delle Regioni all'elaborazione degli atti Cee)', in *Giurisprudenza costituzionale*, XXX(4): 789-803.
- D'Atena Antonio, 2000, 'Il difficile cammino europeo delle regioni italiane', in *Le Regioni*, XXVIII(3-4): 555-562.
- D'Atena Antonio, 2002, 'La nuova disciplina costituzionale dei rapporti internazionali e con l'Unione europea', in *Rassegna parlamentare*, XLIV(4): 913-939.
- Dehousse Renaud and Christiansen Thomas (eds), 1995, *What Model for the Committee of the Regions? Past experiences and Future Perspectives*, European University Institute, Florence.



- Desideri Carlo and Santantonio Vincenzo, 1997, 'Building a Third Level in Europe: Prospects and Difficulties in Italy', in Jeffrey Charlie (ed), *The Regional Dimension of European Union. Toward a Third Level Europe?*, Frank Cass, London, 96-116.
- Esposito Antonio, 2013, 'La legge 24 dicembre 2012, n. 234, sulla partecipazione dell'Italia alla formazione e all'attuazione della normativa e delle politiche dell'Unione europea. Parte I – prime riflessioni sul ruolo delle Camere', in *federalismi.it*, XI(2), available at www.federalismi.it.
- Falcon Giandomenico 2001, 'La cittadinanza europea delle Regioni', in *Le Regioni*, XXIX(2): 327-341.
- Fasone Cristina, 2009, 'Le assemblee legislative e regionali e i processi decisionali comunitari: un'analisi di diritto comparato', in *Istituzioni del federalismo*, XXXI(3-4): 1-28.
- Fasone Cristina, 2010, 'L'europeizzazione dei Consigli regionali. Il caso dell'Emilia Romagna – The Europeanisation of the regional Councils. The case of Emilia-Romagna Region', in *Studi parlamentari e di politica costituzionale*, XLIII(167-168): 163-190.
- Fasone Cristina, 2010, 'Sulle proposte volte ad adeguare la legge n. 11 del 2005 e i regolamenti parlamentari al Trattato di Lisbona', available at www.osservatoriosullefonti.it.
- Ferrari Giuseppe Franco, 1992, 'La partecipazione delle Regioni alla produzione del diritto comunitario dopo Maastricht', in *Le Regioni*, XX(5): 1247-1262.
- Ferrari Giuseppe Franco and Parodi Giampaolo, 2002, 'Stato e Regioni' di fronte al diritto comunitario e internazionale', in Ferrari and Parodi (eds), *La revisione costituzionale del Titolo V tra nuovo regionalismo e federalismo*, Cedam, Padova, 429-479.
- Ferraro Luigi, 2007, 'La Conferenza dei Presidenti delle Regioni tra la materia comunitaria e le altre novità di sistema', in *Istituzioni del federalismo*, XXIX(6): 707-739.
- Gambale Piero, 2003, "Prima lettura" del Parlamento per le modifiche alla legge "La Pergola": una nuova cornice normativa per definire la partecipazione del "sistema Italia" nelle politiche UE?, 24 July 2003, available at www.amministrazioneincammino.it.
- Gozi Sandro, 2003, 'Regioni europee e processi decisionali dell'Unione: quale equilibrio? I casi di Belgio, Spagna, Germania e Regno Unito', in *Rivista italiana di diritto pubblico comunitario*, XIII(2): 339-358.
- Greenwood Justin, 2011, *Interest representation in the European Union*, Palgrave Macmillan, London, 3rd edition.
- Holzacker Ronald, 2005, 'The power of opposition parliamentary party groups in European scrutiny', in *The Journal of Legislative studies*, XI(11-3&4): 428-445.
- Hooge Liesbet, 1995, 'Subnational mobilisation in the European Union', in *West European Politics*, XVIII(18-3): 175-198.
- Hooge Liesbet and Marks Gary, 1996, "Europe with the Regions": Channels of Regional Representation in the European Union', in *Publius: The Journal of Federalism*, XXVI(1): 73-91.
- Iurato Giovanna, 2006, 'L'UE e la rappresentanza territoriale regionale', in *Le Regioni*, XXXIV(4): 679-710.
- Iurato Giovanna, 2007, 'La delegazione italiana al Comitato delle Regioni', in *Le Regioni*, XXXV(2): 245-264.
- Jones Barry and Keating Michael (eds), 1995, *The European Union and the Regions*, Oxford University Press, Oxford.
- Liebert Ulrike, 2002, 'Regional Parliaments and Good Governance in the EU', Ceus Working Paper 2002/8.
- Loughlin John, 1996a, "Europe of the Regions" and the Federalization in Europe', in *Publius: The Journal of Federalism*, ... (26-4): 141-162.
- Loughlin John, 1996b, 'Representing Regions in Europe: The Committee of the Regions', in *Regional & Federal Studies*, VI(2): 147-165.
- Lupo Nicola, 2005, 'L'esame parlamentare blocca l'esecutivo', in *Guida al diritto*, 5 March 2005, X(9): 43-46.
- Mangiameli Stelio, 2010, 'Riflessioni sul principio cooperativo, prima della riforma delle Conferenze', in *Istituzioni del federalismo*, XXXII(1): 103-128.
- Manzella Andrea, 2002, 'Il parlamento federatore', in *Quaderni costituzionali*, XXII(1): 35-49.



- Marini Francesco Saverio, 2001, 'La "pseudocollocazione" di tipo organizzativo: il caso della Conferenza Stato-Regioni', in *Rassegna parlamentare*, XLIII(3): 649-679.
- Marini Francesco Saverio, 2003, 'La partecipazione regionale alle decisioni statali dirette alla formazione del diritto dell'Unione europea', in D'Atena Antonio (ed.), *L'Europa delle autonomie: le regioni e l'Unione europea*, Giuffrè, Milano, 157-167.
- Marks Gary, Nielsen François, Ray Leonard and Salk Jane E., 1996, 'Competencies, cracks, and conflicts. Regional Mobilization in the European Union', in *Comparative Political Studies*, XXIX(2): 164-192.
- McCarthy Rosarie, 1997, 'The Committee of the Regions: An Advisory Body's Tortuous Path to Influence', in *Journal of European public policy*, IV(4): 439-454.
- Onida Valerio and Cartabia Marta, 1997, 'Le Regioni e la Comunità europea', in Chiti Mario and Greco Guido (eds), *Trattato di diritto amministrativo europeo. Parte generale*, Giuffrè, Milano.
- Parodi Giampaolo, 2003, 'Interessi unitari e integrazione comunitaria negli ordinamenti decentrati. La "razionalizzazione" degli strumenti di garanzia del principio unitario', in *Quaderni regionali*, XXIII(2): 415-484.
- Parodi Giampaolo and Puoti Maria Enrica, 2006, 'L'attuazione del diritto comunitario nelle materie di competenza regionale dopo la legge n. 11 del 2005', June 2006, available at <http://www.issirfa.cnr.it/3312,908.html>.
- Pastori Giorgio, 1992, 'L'integrazione delle Regioni italiane nell'ordinamento europeo dopo Maastricht', in *Le Regioni*, XXX(5): 1217-1230.
- Pastori Giorgio, 1994, 'La conferenza Stato Regioni fra strategia e gestione', in *Le Regioni*, XXXII(5): 1261-1269.
- Paterniti Francesco, 2005, 'Nuove prospettive nella partecipazione "interna" delle Regioni alla fase ascendente dei processi decisionali comunitari alla luce della legge n. 11/2005', available at www.giustamm.it.
- Pizzetti Franco, 2000, 'Il sistema delle Conferenze e la forma di Governo italiano', in *Le Regioni*, XXVIII(3-4): 478-479.
- Pizzetti Franco, 2001, 'Le "nuove" Regioni italiane tra Unione Europea e rapporti esterni nel quadro delle riforme costituzionali della XIII Legislatura. Nuovi problemi, compiti e opportunità per il potere statutario delle Regioni e per il ruolo del legislatore statale e regionale', in *Le Regioni*, XXIX(5): 803-840.
- Pizzetti Franco, 2002, 'Le Regioni e l'Europa', in *Le Regioni*, XXX(5): 935-949.
- Pocar Fausto, 2005, 'Con l'abrogazione della legge La Pergola maggior peso alla fase ascendente', in *Guida al diritto*, 5 March 2005, X(9): 32-39.
- Puoti Maria Enrica, 2006, 'L'attuazione degli strumenti di partecipazione alla fase ascendente di formazione della normativa comunitaria previsti dalla legge 4 febbraio 2005 n. 11: il Comitato interministeriale per gli affari comunitari europei (CIACE), il Comitato tecnico permanente e i tavoli di coordinamento', in *Diritto e società*, XXXIV(3): 481-506.
- Rivosecchi Guido, 2009, 'Le assemblee legislative regionali nel processo decisionale europeo: una questione aperta', in *Istituzioni del federalismo*, XXXI(3-4): 1-27.
- Ruggeri Antonio, 1984, 'Prime osservazioni sulla Conferenza Stato-Regioni', in *Le Regioni*, XII(4): 700-718.
- Ruggeri Antonio, 2004, 'Unione Europea e Regioni, nella prospettiva del riordino istituzionale e della integrazione delle competenze', in *Rassegna parlamentare*, XLVI(3): 782-798.
- Schmidt Vivien, 1999, 'European "Federalism" and its Encroachments on National Institutions', in *Publius: The Journal of Federalism*, XXIX(1): 19-44.
- Scino Antonio, 2005, 'Giunte e Consigli regionali in prima linea', in *Guida al diritto*, X(9): 47-50.
- Sharpe Laurence James, 1993, 'The European Meso: An Appraisal', in Sharpe (ed), *The Rise of Meso Government in Europe*, Sage Publications, London.
- Strøm Kaare, 1998, 'Parliamentary Committees in European Democracies', in *Journal of Legislative Studies*, IV(1): 21-59. Reprinted in Longley L.D. and Davidson R.H. (eds), *The New Roles of Parliamentary Committees*, Frank Cass, London, 21-59.
- Tizzano Antonio, 1992, 'La partecipazione delle Regioni al processo d'integrazione comunitaria: problemi antichi e nuove prospettive', in *Le Regioni*, XX(3): 603-619.
- Torchia Luisa, 1993, 'The Meso Level in Italy', in Sharpe Laurence James (ed), *The Rise of Meso*



Government in Europe, Sage Publications, London.

- Tripodi Salvatore, 2004, 'La fase indiretta della partecipazione delle Regioni alla formazione degli atti comunitari: alcune osservazioni sul DDL di riforma della "La Pergola"', in *federalismi.it*, II(1), available at www.federalismi.it.
- Violini Lorenza, 2003, 'Il potere estero delle Regioni e delle Province autonome', in Falcon Giandomenico (ed), *Stato, Regioni ed enti locali nella l. 5 giugno 2003, n. 131*, il Mulino, Bologna, 111 ff.
- Weiler Joseph, Haltern Ulrich and Mayer Franz, 1995, 'European Democracy and its Critique', in *West European Politics*, XVIII(3): 4-39.
- Woelk Jens, 2003, 'La partecipazione diretta degli enti substatuali al processo decisionale comunitario. Considerazioni comparative', in *Le Regioni*, XXXI(4): 575-597.