

REGIONALIZATION – EUROPEAN APPROACHES

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Abstract. *On regionalization at the European level there is a strategic plan; seven years of cohesion policy¹ takes into account the number of NUTS II regions in Europe and the level of development (GDP) of them in the current. So if Romania wanted to have another administrative division, had to notify the Commission by February 2013 for the new structure to operate in the EU system, in January 2015. Regionalization can still become a great opportunity, given that the project will be placed in a future draft Country – Romania 2020, or why not Romania 2030. But Brexit can bring many surprises.*

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1. Foreword

The issue of regional development was initially discussed at the European Council. On January 1957, the European Council took the first step towards local authority representation through the creation of Local and Regional Conference in Europe. In 1994, the Congress of Local and Regional Authorities of Europe (CPLRE) was established as an advisory body of the Council of Europe, replacing the Conference of Local and Regional Authorities of Europe.

Territorial spatial planning as a strategic priority at European level has been raised since the 60s. In 1968 was published the report "Regional planning, an European problem", prepared by the Working Group of the Council of the European Conference of Ministers responsible for Spatial Planning. Ratio was developed 15 years later, the ***European Charter for Regional for territorial-spatial Planning***, known as the Charter of Torremolinos (Spain), adopted in 1983, the European Ministers responsible for spatial planning, meeting in the 6th session organized under the auspices of the ***Council of Europe***.

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¹ The EU's cohesion policy is established on the basis of seven-year programming periods; the current period covers 2014-2020.

According to the Torremolinos Charter, its objectives are: balanced socio-economic development of the regions, improving quality of life, responsible management of natural resources, environmental protection and rational use of land.

By the Treaty of Maastricht on European Union EU leaders decide to set up the Committee of the Regions (CoR) as a consultative assembly that will give regions and cities the opportunity to be heard in decision-making in the EU and will be a direct link between the institutions of the Brussels and citizens. Under the treaty, the European Commission and the EU Council are obliged to consult the CoR on key areas of regional interest. In March 1994, the CoR organizes its first plenary session in Brussels.

From a conceptual standpoint, the Committee of the Regions, in its Declaration on Regionalism in Europe, adopted by the General Assembly in Bâle on December 4, 1996, at Article 1.1 defines the Region – "being the territorial public entity corresponding to the level immediately below that of the state and provided with a government that has its own political power".

Committee of the Regions is currently composed of 353 members (and as many alternates) from all the 28 member states.

In 1999, the Informal Council of Ministers responsible for Spatial Planning in the European Union approved "Perspective on Spatial Development of the Europe – ESDP²", but remained only a consultative document, given that spatial planning policy or spatial development was not mentioned in the European treaties.

The project of Spatial Development of Europe – ESDP was stopped, but the European Commission has remained consistent concerns in the field, in 2007, the year of adoption of the Lisbon Treaty being also the year in which the European Union (EU) has taken aim that "*the Union promotes economic, social and territorial cohesion and solidarity among Member States*³".

Ministers responsible for spatial planning and territorial development, in cooperation with the European Commission and with the approval of the Committee of the Regions launched the Territorial Agenda 2007.

Subsequently the European Commission in 2008 developed the *Green Paper on Territorial Cohesion – Transformation territorial diversity into strength*. (Green Paper on Territorial Cohesion) document refers including to ESDP principles in 1999.

² European Spatial Development Perspective – ESDP.

³ Treaty on European Union, Consolidated 2010, Art. 3 paragraph 3.

Ministers responsible for spatial planning and territorial development, in cooperation with the European Commission and with the consent of the Committee of the Regions, we revised Territorial Agenda launched in 2007 and we agreed on the new Territorial Agenda of the European Union in 2020 (AT2020). "Territorial Agenda of the European Union 2020 – For a smart, sustainable and favorable to the inclusive, made of Diverse Regions" (ATUE 2020), adopted on May 19, 2011, reaffirms the common aim of EU territorial cohesion.

In section (8) they define territorial cohesion, we quote: *"We believe that territorial cohesion is a set of principles for harmonious territorial development, balanced, effective and sustainable. This creates equal opportunities for citizens and businesses, wherever they are, allowing them to exploit the full potential of the territory. Territorial cohesion reinforces the principle of solidarity to promote convergence between the economies of the territories more developed and less developed"*.

EU territorial priorities defined by AT 2020 are:

- promoting polycentric and balanced territorial development;
- encouraging integrated development in cities, rural areas and specific;
- territorial integration in cross – border and transnational cooperation;
- ensuring the global competitiveness of regions based on strong local economies;
- improving regional connections for individuals, communities and businesses;
- managing and connecting ecological values, landscape and cultural regions.

The EU also goes on. Under the Lisbon Treaty EU Macro – regional projects was launched by two projects: Baltic Sea Euroregion – 8 states and Danube Euroregion (Romania Austria). Euro-regions can be defined as areas or regions and not only economic interference, in which two or more States jointly harness human and material resources through the initiation and development of activities and programs for agriculture, industry, transport and communications, tourism, trade etc.

2. General aspects of administrative-territorial organization of Romania in the postwar period

Administrative-territorial organization is an activity that aims at the establishment on the territory of a state of several administrative units that allow the state to be able to lead and govern society. [1]

We present only the organization process, after August 23, 1944, which reached the current administrative-territorial division in Romania:

By law no. 5/1950 were abolished 58 counties (and the 424 mesh and 6,276 rural and urban communes), being replaced by 28 regions (composed of 177 districts, 148 towns and 4,052 villages).

By R. P. Romania Constitution since 1952, the number of regions was reduced to 18: Arad, Bacău, Baia Mare, Bârlad, Bucharest, Cluj, Constanța, Craiova, Galați, Hunedoara, Iași, Oradea, Pitești, Ploiești, Stalin, Suceava, Timisoara and for first time after the union it was created an administrative entity on ethnic criteria Hungarian Autonomous Region (renamed in 1960 the Autonomous Region Mureș-Hungarian).

By Decree no. 12/1956 were abolished Arad and Bârlad.

The Law no. 2/1968 returned to the interwar tradition of sharing administrative-territorial districts of the country (those 39 counties, Bucharest, 236 cities, including 47 cities and 2706 villages shared with members 13149. – that were added along the two counties (Călărași, Giurgiu) – *By Decree of the State Council no. 15 of 23 January 1981. There are currently 41 counties and Bucharest.*

The current administrative – territorial organization of Romania is regulated in the Constitution in 1991, revised art. Article 3. (3), Law no. 215/2001 on local government, republished art. 20 – corresponding to the administrative-territorial provided by Law no. 2/1968 on the administrative organization of the territory of RS Romania, as amended by the Decree no. 15 of January 23, 1981, still in force.

Thus the Constitution, revised, provides in Article 3. Para. (3) *The territory is organized administratively into communes, towns and counties. Under the law, some towns are declared municipalities.*

Administrative-territorial units, provided by law, are legal entities of public law with full legal capacity and its heritage. These are legal issues of holding tax reference and accounts with the territorial units of treasury and banking units. In justice, administrative units are represented, as appropriate, by mayor or county council president.

The establishment, in 1998, the 8 "development regions" was not made with the intention of administrative decentralization (in fact, the decentralization of state powers), but to attract European funds and bureaucratic order of presentation of statistical data.

In the draft of the revision of the 2013 Constitution provided in the explanatory memorandum, creating an administrative system compatible with European, introducing a new administrative-territorial level- region, changing art. 3. 120-123 of the current Constitution.

Constitutional Court Decision no. 334/2013 published in Official Gazette no. 407 of 5 July 2013, stating that the constitutional threshold of 30 % for the validation of a referendum to amend the Constitution, provided that the application of this should be made 1 year after the adoption amendment, virtually blocked the amendment of the Constitution and thus promote a bill for a new administrative-territorial division of Romania.

3. Decentralization fundamental condition for the success of regionalization

By the Treaty of Lisbon the European Union (EU) has taken aim that *the Union shall promote economic, social and territorial cohesion and solidarity among Member States.*

But the Union has not set a timetable or promoted in this respect a law.

The European Commission, in a recent intervention considers that the authorities in Romania should focus their efforts on the absorption of European funds through existing administrative-territorial structure.

However, current regulations providing for concrete in the field: Regulation no. 1059/2003 EC of the European Parliament and of the Council establishing a common classification of territorial units for statistics (NUTS), as amended by: Regulation no. 1888/2005 EC Regulation no. 105/2007 EC Regulation no. 176/2008 EC

Regulation provides three NUTS levels:

Level	Minimum	Maximum
NUTS 1	3 millions	7 millions
NUTS 2	800,000	3 millions
NUTS 3	150,000	800,000

In Annex no. 1 it provides for Romania:

NUTS 3 – those 41 counties + Bucharest.

NUTS 2 – current eight regions develop provided under Law. 315/2004 on regional development in Romania.

NUTS 3 – macro: no. 1 (North-West and Centre), no. 2 (North-East and South-East), no. 3 (South Muntenia Bucharest – Bucharest – Ilfov), no. 4 (South-West Oltenia and Western).

It also provides that if in a Member State there are no administrative units of a size consistent with the nomenclature, they are aggregating an

appropriate number of existing administrative units, and will be called non-administrative units.

It is not only comparable statistics. "Regulation" 1059/2003 is explicit: "NUTS classification subdivides the economic territory of the Member States ... in territorial units". It is therefore ultimately the economy of those countries. [5]

Such data reported are processed through Eurostat – system managed by the European Statistical System Committee (the body that is responsible for statistical subordinated European Commission).

It is true that, of all European funds, 35% are allocated to regional development. But equally true is that the new EU financial year 2014-2020 was negotiated and European money will continue to run through specific mechanisms – implementing bodies as: Unit Management, Monitoring Committee, Regional IBs etc.

The process of decentralization

The new decentralization framework law no. 195/2006 defines decentralization as – transferring administrative and financial power from the central government to the local government or the private sector.

Without a genuine decentralization, regionalization process remains a purely technical operation and image, devouring new budgetary resource.

Decentralization process started with *the Law on local public administration no. 69/1991*, repealed by *Law no. 215/2001 on local government*, republished continued with the *Law 393/2004 on the Statute of local elected officials*, the *Framework Law no. 195/2006 on decentralization*, repealing *Framework Law on Decentralization. 339/2004* and the recent *Law (promoted by accountability) on the measures of decentralization of powers exercised by ministries and specialized agencies of the central government and of public administration reform measures* (challenged in the Constitutional Court).

The new law establishes that, powers of local authorities will get:

- Public health services at the county level;
- Management of river and maritime tourist beaches of rivers, streams;
- Management of the water systems;
- Environment, Fisheries and Aquaculture;
- Management of sports facilities and youth, school camps, recreation centers, houses of culture of students and sports clubs to local level;
- Development and tourism promotion;

- Organizes and conducts educational activities extracurricular / non-formal type with children's clubs;
- Protection of cultural heritage in the county.

4. Instead of conclusions

On Regionalism at the European level there is a strategic planning. So if Romania would have liked to have another administrative-territorial division, should notify the Commission until February 2013 that the new structure to operate in the EU from 1 January 2015. Perhaps when you complete the revision of the Constitution by referendum and change the current art. Article 3. Para. 3 (by introducing forms of administrative organization – region) and 2015 or 2016 and then promulgate new regulations on Romania's administrative-territorial organization, we work in the EU system in 2020. Regionalization itself cannot bring prosperity. Regionalization can become a great opportunity in the future, however, if contained in a Draft country – Romania 2020 or – Romania 2030. But Brexit can bring many surprises. [10]

REFERENCES

- [1] Bahrin Dorel, *Short Treaty on Public Administration*, Victor, Publishing House, Bucharest, 2009, pp. 117-135.
- [2] Barna, Radu Cristia, *Regional Development in Europe*, Publishing House for Foundation for European Studies, 2007, pp. 97-145.
- [3] Constantin, Daniela Luminita, *Introduction to the theory and practice of regional development*, Economic Publishing House, 2000, pp. 201-230.
- [4] Pascariu Gabriel, *Course of Regional Development* UAUIM Faculty of urbanism, 2006/2007(http://www.iaim.ro/catedre/urbanism/note/dezvoltare_regionala) pp. 45-90.
- [5] Regulation no. 1059/2003 EC of the European Parliament and of the Council on establishing a common classification of territorial units for statistics (NUTS), as amended by: Regulation no. 1888/2005 EC Regulation no. 105/2007 EC Regulation no. 176/2008 CE ([http://eur-lex.europa.eu/ Notice.do?val=285326:cs&lang=ro&list](http://eur-lex.europa.eu/Notice.do?val=285326:cs&lang=ro&list)).
- [6] Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general rules for the European Regional Development Fund, European Social Fund and the Cohesion Fund and repealing Regulation (EC) No. 1260/1999, Official Journal of the EU L 210 (July 31 2006). ([http://ec.europa.eu/regional_policy/ sources/docoffic/official/regulation/newregl0713_en.htm](http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/newregl0713_en.htm) and http://www.fseromania.ro/images/downdocs/reg1083_ro.pdf)

- [7] Regional Operational Programme of Romania 2007-2013 (http://www.mie.ro/_documente/POR/POR_august_07.pdf)
- [8] http://ec.europa.eu/eurostat/ramon/nuts/splash_regions.html – NUTS Classification
- [9] *History of regional development policy in the European Union* http://ec.europa.eu/regional_policy/policy/history/index_ro.htm
- [10] http://ec.europa.eu/eurostat/statistics-explained/index.php/Regional_policies_and_Europe_2020