



**ASSEMBLEIA LEGISLATIVA DA
REGIÃO AUTÓNOMA DOS AÇORES**

**RELATÓRIO DA DESLOCAÇÃO A FLORENÇA
26- 29 de Novembro de 2005**

I – REUNIÃO COMITÉ PERMANENTE CALRE (27.11)

Primeira reunião sob a nova presidência da CALRE, agora liderada pelo Presidente do Conselho Regional da Toscana (Itália), Ricardo Nencini, o qual, desde logo, mostrou vontade em continuar com o trabalho começado pelo anterior Presidente, ao mesmo tempo que pretende introduzir algumas novidades.

Ponto 1 – Referência ao acordo assinado em 21 de Novembro pelo Presidente Nencini e a REGLEG que prevê a instituição de um inter grupo para trabalho conjunto com o Comité das Regiões.

Ponto 2 – Distribuição de trabalho

(anteriormente) Presidência Benach:

Subsidiariedade – Peter Straub

Carta das Regiões – Parlamento da Toscana

E-democracy – Parlamento Basco

Proposta Presidência Nencini:

Subsidiariedade + participação na legislação comunitária + diálogo estruturado - Peter Straub (que assumirá a próxima presidência da CALRE)

Carta das Regiões: criação de uma secção África (acordo com a ONU para promover descentralização naquele continente) - Parlamento das Canárias

E-democracy + técnicas de democracia parlamentar – Parlamento da Catalunha



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Ponto 3 - Outras propostas:

Presidente Tesini (Conselho Regional da Região Autónoma Friuli Venezia Giulia - Itália):

- . Alargamento da atenção ao Centro-Leste da Europa e Região dos Balcãs;
- . Interesse pelas Euro Regiões: criação de um grupo de trabalho específico para esta matéria;
- . No Plenário de Outubro de 2006 devem ser postos na ordem do dia:
 - EuroRegiões
 - Balcãs
 - Alargamento da UE

Presidente Nencini:

. Sede da Região da Toscana, em Bruxelas, pode ser utilizada como sede de trabalho para a CALRE

. Dois aspectos novos em relação ao programa anterior:

1. Criar uma coordenação das várias Comissões de Relações Europeias entre os Parlamentos Regionais (Comissão Permanente + Comissões Especiais) para melhorar conhecimentos científicos, tecnológicos, políticos, etc. Ou seja, conhecer o modo de funcionamento dos outros Parlamentos.
2. Elaborar um projecto definido sobre a nova Constituição Europeia respeitante às Regiões.

Ficou claro na Conferência de Barcelona que não apenas a EU sofreu uma paragem depois dos referendos na França e na Holanda mas também que as Regiões não tinham uma presença forte e que viram as suas funções limitadas.

Cada vez mais as Regiões do Centro-Leste e do Leste da Europa pedem às Regiões CALRE apoio para as suas actividades e para compreender como funciona a democracia descentralizada. O tema foi abordado com a Carta das Regiões.

Proposta: construir, até ao final do próximo ano, uma organização da democracia descentralizada da EU.

Hipótese de trabalho:

1. Apoio de grandes sujeitos da democracia europeia
2. Financiamentos que vão além dos dos parceiros da CALRE (ONU)
3. Estatuto que preveja órgãos da seguinte natureza:
 - Uma espécie de Conferência Geral composta por todos os Parlamentos Europeus;
 - Uma Assembleia Geral,
 - Um Conselho – Comité Permanente da CALRE
 - Uma representação sem poder legislativo



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Presidente Nencini: comprometeu-se a apresentar um projecto concluído sobre estas matérias, na próxima reunião do Conselho Permanente, em Janeiro próximo.

Ponto 4 – Novo Regulamento interno da CALRE

Questão do método de votação a adoptar (unanimidade/maioria absoluta): depois de ouvidos os Presidentes com assento no Comité Permanente, Presidente Nencini vai apresentar uma proposta, resultado das diversas intervenções.

Próxima reunião Plenária terá lugar em finais de Outubro de 2006, em Trieste ou em Veneza.

II – SEMINÁRIO INTERNACIONAL “A DEMOCRACIA REGIONAL E O PAPEL DAS ASSEMBLEIAS REGIONAIS NA PAZ, DESENVOLVIMENTO E PROMOÇÃO DAS DIVERSIDADES”, no âmbito do grupo de trabalho da Carta das Regiões / CALRE / Conselho da Europa – Congresso das Autoridades Locais e Regionais

Em 19 de Setembro de 2003, em Florença, 192 Presidentes de Assembleias Regionais concordaram com um “Carta das Regiões Europeias”, que dá início a um diálogo entre as Assembleias Regionais Europeias – legislativas e não-legislativas – acerca do seu papel de representação política, da proximidade aos cidadãos, da democracia regional e da participação no processo de decisão europeia.

A 9 de Julho de 2004 teve lugar uma segunda reunião, em Arnhem, Holanda, graças à Assembleia de Gelderland, que contou com uma grande participação de Presidentes e com um importante documento final sobre o papel das Assembleias Regionais na Europa.

Assim, o Secretariado da Carta das Regiões Europeias e a CALRE, com o apoio do Presidente do Congresso das Autoridades Locais e Regionais do Conselho da Europa, a Assembleia das Regiões Europeias e outras entidades, planearam um Seminário Internacional em Florença, em 28 de Novembro de 2005, com dois objectivos:

- a) Desenhar um panorama sobre a democracia regional e o papel das Assembleias regionais de cada Estado europeu;
- b) Definir uma lista de objectivos comuns sobre democracia regional.

Para o Seminário foram convidados, como oradores, os Presidentes das Assembleias Regionais a fim de se pronunciarem sobre o estado da democracia regional e o papel das Assembleias Regionais.

Em anexo, encontra-se o trabalho apresentado por Sua Excelência o Presidente da Assembleia Legislativa da Região Autónoma dos Açores, Dr. Fernando Menezes. No processo referente a esta deslocação (Proc.º n.º 30.12) encontram-se contributos de outros Presidentes de outras Regiões europeias.

Neste Seminário estiveram presentes 31 países europeus, de Portugal à Rússia.

AT



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Deste encontro internacional resultaram as seguintes decisões:

- Apoiar debates nacionais em cada País, com base no documento acordado no Seminário sobre “Princípios Básicos da Democracia Regional”;
- Estabelecer um sistema de informação entre todas as Assembleias Regionais Europeias;
- Organizar um “Congresso de Assembleias Europeias Regionais” com a participação de Presidentes e delegações de todas as Assembleias Regionais da Europa;
- Dar um mandato a todos os Presidentes participantes no Seminário em Florença e a todos os membros do Secretariado da Carta para preparar a organização de tal Congresso;
- Atribuir um mandato à Assembleia da Toscana com o apoio dos membros da Carta para organizar os recursos necessários para realizar esses objectivos ■



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**THE AUTONOMOUS REGION OF THE AZORES
PORTUGAL**

The Azores, the Autonomous Region of the Azores, in its official designation, is part of the Portuguese Republic, and so is the Autonomous Region of Madeira.

Located precisely in the middle of the Atlantic Ocean, between Europe and North America, the Azorean archipelago is on the same parallel as Lisbon, at latitude 39 43' / 36 55' N.

It is composed of nine islands, with a total surface area of 2,333 km² and an Exclusive Economic Zone extending over 100 miles. The size of the islands ranges between 747 km² (São Miguel island) and 17 km² (Corvo island). The peak of the volcano of Pico reaches a height of 2,351 meters, constituting the highest point to be found on either the Azores or in the mainland of Portugal.

The population of the Region stands at 241 763 inhabitants (2001 census).

Politically, the Azores is an autonomous region since 1976, within the context of the Portuguese Republic. Its political and administrative autonomy is defined in the Text of the national Constitution and in the Political and Administrative Statute of the Region. Furthermore, the Region is also a part of the European Union, where it is classified as an ultra peripheral region of the territory of the Union, according to what is stipulated in article 299, nº 2 of the Treaty of European Union.

According to the more recent statistics, in 2002, the Azorean Gross Domestic Product reached 2,4 thousand million Euros. In comparison with the previous year, this represented a nominal growth of 8, 2%, higher than the national average, 4, 8%. , meaning that the Region has been strengthening notoriously its importance within the context of the country as a whole.

The Autonomous Region of the Azores is self-governing, with an ample legislative autonomy, consubstantiated in the Constitution of the Portuguese Republic and in its Political and Administrative Statute of Autonomy.

The organs of self-government of the Region are: the Legislative Assembly – a unicameral Parliament made up of 52 deputies, elected by direct and universal suffrage every four years (the last election took place on October 17, 2004); and the Regional Government – of parliamentary legitimacy, made up of a President, a Vice-President and 7 Regional Secretaries.

The Portuguese Republic is represented in the Azores and Madeira by two representatives of the Republic, nominated by the President of the Republic having heard the Republic's Government.

The Autonomous Regions of the Azores and Madeira have legislative competencies on all matters enunciated in each respective political-administrative statute that are not reserved to the sovereignty organs (the Assembly and the Government of the Republic). All those matters pertaining to National Defence, Justice and Foreign Affairs are exclusive of the Portuguese State. Both Autonomous Regions possess the same powers and are similarly organized. Being the



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representative organs of the Regions, the activities of the Regional Legislative Assemblies are of two major types: they produce the regional legislation and control the action of the government.

The Regional Legislative Assembly is composed of Deputies, elected by direct, secret universal suffrage, in agreement with the principle of proportional representation, by electoral circle. Each island constitutes an electoral circle, designated by its respective name. Each circle elects two Deputies plus one extra for each 6000 voters or a fraction above 1000.

Deputies exercise their mandate freely and they are guaranteed conditions that enable them to perform their functions efficiently, namely to maintain the indispensable contact with the electorate and to be kept regularly informed.

The Status of Deputies to the Regional Legislative Assembly is equal to the Status of Deputies to the Assembly of the Republic with respect to rights, privileges and immunity consecrated by the Constitution.

Deputies may not be harmed or in any way have their rights diminished, namely with regard to their access to positions of employment, in their permanent employment or entitlement to social benefits because of the fulfilment of their office.

The fulfilment of a term of office counts as time of service for all effects.

Deputies shall be allowed permanent status throughout the term of office.

The Social Security scheme that is applied to civil servants is also applied to deputies.

If a deputy should opt for a security scheme provided by his or her professional activity, the Assembly is responsible for satisfying the conditions that apply to the respective employer.

Deputies have the following powers:

- To introduce proposals which initiate laws of the Assembly, regional bills, amendment proposals, and resolution proposals;
- To propose motions (this power may only be exercised in combination by a minimum of five Deputies or by one parliamentary group).
- To request and obtain from the Regional Government or from the organs of any public regional body, such data, information and official publications as they may consider necessary useful for the performance of their office;
- To address questions to the Regional Government concerning its actions or the actions of the Regional public service;
- To open two debates in each parliamentary session on matters of regional policy, through interpellation to the Regional Government (this power may only be exercised in combination by a minimum of five Deputies or by one parliamentary group).
- To request the setting up of Regional legislative committees of inquiry (this power may only be exercised in combination by a minimum of five Deputies or by one parliamentary group).
- To request the Constitutional Tribunal to declare the unconstitutionality or illegality of any norms, as provided by the Constitution. This power shall be exercised by a minimum of one tenth of the Deputies.



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- Deputies shall not table regional bills or amendment proposals that involve an increase in expenses or a reduction of the revenue of the Region defined in the Budget;
- Deputies who have tabled a motion of censure of the Regional Government which has not been approved, may not table any other proposal during the same legislative session.

(7) The political and administrative regime specific to the archipelagoes of the Azores and Madeira is grounded in their geographic, economic, social and cultural characteristics, as well as in the historical autonomist aspirations of the insular populations.

The autonomy of the regions aims at the democratic participation of the citizens in their political life, the social and economic development of the islands and the defence of the regional interests, as well as the strengthening of national unity and the ties of solidarity among all Portuguese.

(8) We aim at the promotion of equal representation of men and women, although there is no quota mechanism for that effect.

(9) The Legislative Assembly of the Autonomous Region of the Azores has its own autonomous budget, approved by the Assembly itself.

(10) The Regional Government is held politically responsible before the Regional Legislative Assembly.

The Programme of the Government is tabled before the Regional Legislative Assembly within a 15 day period of installation of the Regional Government.

The Regional Government may ask the Regional Legislative Assembly, on one or more occasions, for the approval of a motion of confidence upon its actions or for a vote of confidence on any matter of relevant interest to the Region.

If Government proposals for regional legislative decrees are not passed this does not imply refusal of confidence.

The Regional Legislative Assembly may pass a motion of censure on the Government with respect to the implementation of its Programme or to any matter of particular interest to the Region, on the proposal of one quarter of the Deputies entitled to vote or of any parliamentary group.

A motion of censure shall not be considered until seven days after it has been tabled and the respective debate may not exceed two days.

If a motion of censure is not passed, its signatories shall not table another such motion during the same legislative session.

11. Regarding the relationship between the regional government and the Assembly in international and European affairs:

The Regional Government has the power:



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- To participate in the negotiation of international treaties and agreements of direct concern to the Region and to administer any resulting benefits;
- To provide its opinion, on its own initiative or when requested by the organs with supreme authority, on questions of concern to the Region, and on the definition of the positions of the Portuguese State within the ambit of the implementing the European Union in matters of specific interest to the Region;
- To participate in the European affairs, through representation in the respective regional institutions and in the delegations involved in Community decision-making processes, where these relate to matters of specific interest to the Region.

And the Regional Legislative Assembly of the Azores has the following powers:

- To define guidelines for the Region's intervention in the European Union and to accompany and appreciate the activity developed in this area by the Regional Government, by approving guiding motions and instruments furthering economic and social development;
- To provide their opinion, on their own initiative or when requested by the organs with supreme authority, on matters of specific interest to the Region, and in the definition of positions of the Portuguese State in the context of the European Union;
- To participate in European affairs through representation in the respective regional institutions and in the delegations involved in Community decision making processes, when these relate to matters of specific interest to the Region;
- To establish cooperation with other foreign regional bodies and to participate in organisations whose aim is to promote inter-regional dialogue and cooperation, in accordance with the guidelines defined by the organs with supreme authority on issues of foreign policy;
- To elect persons for any positions which, by law, it is for the Assembly to designate.

According to the Constitution of the Portuguese Republic, the powers of the Autonomous Regions in this context are the following:

- To participate in the negotiations of treaties and international agreements that directly concerns them, as well as in the benefits issuing from them;
- To cooperate with other foreign regional entities and to participate in organisms aiming at the promotion of inter-regional dialogue and cooperation, in accordance with the orientations defined by the organs of sovereignty competent in the field of foreign policy;
- To speak up, on its initiative or following a request of the organs of sovereignty, on all those matters that fall in their sphere of competences, as well as on matters that are of their specific interest and regarding the positions to be adopted by the Portuguese State within the context of the process of European integration;
- To participate in the process of European integration, by means of sending representatives to the respective regional institutions as well as to the national delegations involved in the decision making process of the European Union, whenever may be at stake matters that concern them. Furthermore, the Regions also have the capacity to transpose juridical acts of the Union.

In what concerns the appointment of regional representatives at European level, there are Regional Deputies, indicated by the Region, in the European Parliament integrated in the national list of the various political parties.



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(13) There is an agreement between the central parliament and the regional Assembly on the subsidiarity check. The Constitution of the Portuguese Republic demands the consultation of the Regional Parliaments on these matters.

Concerning the relations among the Region, the Regional Assembly and the local authorities there is cooperation between the three, in accordance with their respective competencies. Local authorities are autonomous in relation to Regional Authorities.

The Law of Regional Finance regulates the financial relations between Portugal and its Autonomous Regions. Regional revenue includes: the Region's own revenue – all taxes generated in the Region, for example taxes on personal and corporate income and VAT; (taxes are collected at the national level. The taxes of the Region are calculated in proportion to its population); Funds transferred to the Region from the National Cohesion Fund (for the financing of major projects, of national interest); and the Structural Funds ensuing from the fact that the Azores are an ultra peripheral region of the European Union (art. 299, nº 2 of the TEU).

CALRE, Charta of the Regions, International Seminar, Florence, 28th November, 2005