# European governance: tripartite contracts and agreements between Community, States and regional authorities

2003/2088(INI) - 06/11/2003

The committee adopted the own-initiative report drawn up by Sir Neil MacCORMICK (Greens/EFA, UK) in response to the Commission paper on tripartite contracts and agreements between the Community, the States and regional and local authorities. MEPs urged the Commission to press ahead with its pilot programme and said that the cases involved should be of a sufficient range and number to provide a proper test of this method for achieving flexibility in implementing legislation. The Commission should also ensure that the programme is properly monitored and that Parliament is provided with full information enabling it to carry out its own evaluation. The committee warned that the large number of relevant territorial authorities in the EU meant that there was a danger that a device intended to achieve a more simple and flexible administration of the law could in fact give rise to extreme complexity and "undermine its normative purpose". Tripartite contracts or agreements should therefore be used only for genuinely unusual cases and conditions. When they are used, moreover, the political responsibility must remain clearly recognisable to citizens. The committee pointed out that responsibility for implementing Community law ultimately lies with the Member States and that the latter may under no circumstances deflect responsibility for failure to comply with such law onto the regional or local authorities. MEPs also recommended that agreements and contracts should set detailed targets, be of fixed duration and specify the results to be achieved by the end of the period laid down. Lastly, they approved of the Commission's plan to restrict itself, in the first instance, to launching pilot tripartite agreements and said that, once it had assessed them and drawn relevant conclusions, the Commission should submit a report to Parliament on the functioning of the agreements and the way in which they had helped to improve the implementation and transparency of Community policies.