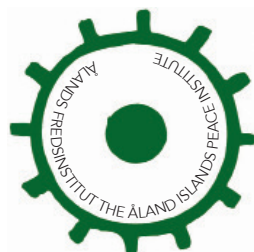


Autonomies interacting with the EU -
Exploring Variations between the Åland Islands,
South Tyrol, and the Faroe Islands

Susann Simolin





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Åland har varit en del av Europeiska unionen i 25 år. Ålands fredsinstitut och ÅSUB har fått i uppdrag av Ålands landskapsregering att utreda EU-medlemskapets betydelse för Åland. Utredningen består av flera delar som presenteras i öppna seminarier och publiceras som rapporter under hösten 2020-2021.

This report is published as part of a study commissioned by the Åland Government on the experiences of 25 years of EU membership. The study is conducted by the Åland Islands Peace Institute in cooperation with Statistics and Research Åland (Åsub).

Preface

The present report is published as one of the outcomes of a yearlong study of the 25 first years of membership in the European Union (EU). It takes a comparative approach looking at the Ålandic experiences in comparison to empirical data from South Tyrol in Italy and the Faroe Islands in Denmark. While Åland and South Tyrol are both within the EU, the Faroe Islands remain outside, even though the report documents a close interaction between the Faroes and the EU. Using unique interview data against a sound theoretical framework, Susann Simolin looks at EU membership and EU interactions as a continuum. The report documents how sub-state entities, however small their resources, position themselves and navigate across multi-level systems and across, occasionally, contradictory principles.

The study “25 years of EU membership – Ålandic Experiences” is a project commissioned by the Åland Government and conducted in cooperation with Statistics and Research Åland (Åsub). Nine researchers and authors have been involved in this effort. One earlier report, “The EU referendums on Åland: An overview of the EU debates in the Åland Parliament during autumn 1994” by Hasan Akin-tug, has been published in English, while the other reports (four published and two forthcoming) have been published in Swedish. All outcomes are available open access online at the website of the Åland Islands Peace Institute www.peace.ax

Special thanks to Anna Jackson for her always careful language editing. Warm thanks go to all those who have been willing to share their knowledge and expertise with us in interviews and seminars throughout this effort.

Sia Spiliopoulou Åkermark
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Contents

Contents	4
1. Introduction	5
1.1 Case Selection	5
1.2 Theoretical Framework	5
1.3 Methods, Materials and Main Questions	6
2. The Åland Islands, South Tyrol and the Faroe Islands in context.....	9
2.1 Territory, Population, Economic Situation	9
2.2 Background of the Autonomy.....	10
2.3 Position in the State Structure and Scope of Autonomy	12
2.4 Status of the Regions in Relation to the EU	15
3. Channels for Participation in or Co-operation with the EU.....	20
3.1 Åland - Participation on a Legal Basis and Mostly in National Work.....	21
3.2 South Tyrol: Political Bargaining in Brussels and in Rome	23
3.3 The Faroe Islands: Co-operation Through Bilateral Negotiations and Diplomacy.....	26
Table : Overview of chaneln	28
4. What EU Means for the Regions	29
4.1 The Core Ideas of European Integration	29
4.2 Effects on the Autonomy of the Regions	31
4.3 Contemporary Ambitions and Future	34
5. Concluding remarks	38
Literature.....	40

1. Introduction

This report is part of a study conducted by the Åland Islands Peace Institute and Åland Statistics on the Åland Islands' 25 years of European Union (EU) membership. It aims to enhance the understanding of the region's relationship with the EU by comparing it to that of two other sub-state entities, one inside and one outside of the EU.

1.1 Case Selection

The cases which will serve as references for this study of the Åland Islands are South Tyrol - which is inside of the EU together with its core state Italy -, and the Faroe Islands which is outside of the EU, although its core state Denmark is a member. Just like Åland, South Tyrol is an asymmetric autonomy with legislative competences. It is a trilingual, land-locked region in Central Europe which is part of a regionalized, rather than unitary or federal, state. It has a population that supersedes that of Åland, but which is still small in relation to that of the core state Italy or larger regions in Europe. As the region outside of the EU, the Faroe Islands were chosen as they are comparable to Åland in that they are a group of islands with a small population, and are a sub-national entity with legislative powers. The Faroe Islands are, occasionally, brought up as a positive model for Åland in Ålandic media and political debates. From an Ålandic perspective it is often concluded that the Faroe Islands have seen a positive and dynamic development of their autonomy; that the state of Denmark is benevolent to Faroese aspirations for more autonomy; and that much leeway is given for Faroese involvement in international matters.

1.2 Theoretical Framework

This report thus focuses on previous research which examines EU regions, and in particular, regions with legislative powers and their challenges and opportunities in relation to the EU. The EU can be considered as a multilevel political system: i.e. a system of governance where power is distributed across multiple echelons within the EU's power structures, within states, and within substate entities.¹ This premise of multilevel governance, which is often used to describe the EU's power structures, refers not only to the administration of the EU at various levels, but to a system of continuous negotiation with both public and private actors, through both formal and informal channels.² Thus the governance of the EU occurs simultaneously within both a hierarchical power matrix, and within a horizontal management structure.

In contrast to the perception of the multiple levels of governance within the EU, it has also been asserted that the EU suffers from "regional blindness"; that it recognizes and cooperates only with states, and not with regions, and that it is only the states, and not the regions, that have direct decision-making power within the EU's institutions.³ However, whilst the manner in which states organize themselves internally is not a matter for the EU, the EU tends to foster regionalization: for example, EU regional policy is based on the idea that there should be regions where funds can be allocated, thus inducing the political demand to create regional areas in member states whom do not already have them.⁴

1 Keating 2017; Hepburn 2008, p. 540.

2 Palermo and Kössler 2017, p. 26.

3 Palermo and Kössler 2017, p. 24, Tatham 2019, p. 216.

4 Palermo and Kössler 2017, p. 24.

Furthermore, the position of the regions in the EU-system has been strengthened over time. Bengoetxea maintains that the first phase in the development of the relationship of EU institutions and treaties with the regions was marked by said regional blindness. The next phase, after the Maastricht Treaty (1992), was characterized by regional myopia - the EU began to acknowledge regions but not their specifics: for example, regions were to coexist with cities in the Committee of the Regions.⁵ Following the Treaty of Lisbon (2007), the EU began to see the regions more clearly, and developed a vision which included them. Today, according to Bengoetxea, it is not possible to understand European integration without including the regional level.⁶

Previous research on the EU and its regions has shown that the EU can have both an enhancing and inhibiting, strengthening and weakening, effect on regions' room for maneuver in terms of autonomous decision-making and local adaptations.

Research often shows that regions are losing legal competence but, at the same time, can use the EU as an international platform to pursue their agenda, and can expand their economic possibilities by using opportunities for EU-funding. Regions are not only objects upon which the EU and states exercise their powers, but also actors and subjects through which these changes are brought about, and by employing different strategies and tools, these regions also attempt to influence the EU.⁷ Plangger summarizes that the EU both strengthens and weakens the regions, and that the regions both adapt to the framework set by the EU and try to influence the EU's structures.⁸

5 The Committee of the Regions is an advisory body established in 1994, representing Europe's regional and local authorities. EU online, "Committee of the Regions".

6 Bengoetxea 2014, pp. 235-239.

7 Hepburn 2008, p. 540; Tatham 2019; Plangger 2018.

8 Plangger 2018.

The theoretical perspective is chosen since it can reflect the situation and position of the Åland Islands and its opportunities and challenges in relation to the EU. In addition, the situation and position of South Tyrol can easily be accommodated within this framework. However, the position and situation of the Faroe Islands is different since the Faroe Islands are outside of the EU and thus not a region within the EU. Rather, they function as a third country in relation to the EU. In this report they are, however, conceptualized as a "region" (with legislative powers) and as an "autonomous territory".

The theoretical framework is designed for regions which are part of the EU. Thus, for the Faroe Islands, because they are an outsider to this framework this report will discuss how their experiences correspond or differ to the other two regions, which are members of the EU, and in particular in relation to Åland.

To some extent, the framework can also illuminate the effects of the EU on the autonomy of the regions. However, the framework is not adequate to give an in-depth analysis of the tripartite relationship EU-state-region, nor how the EU may influence the degrees of separation and integration of territorial autonomies in relation to the core state. These aspects are thus covered in the report to a limited extent only.

More detailed theoretical considerations will be briefly provided in the beginning of each of the following chapters: 2 (The Åland Islands, South Tyrol and the Faroe Islands in context), 3 (Channels for participation in or co-operation with the EU), and 4 (What EU means for the regions).

1.3 Methods, Materials and Main Questions

This report is based on a previous report written in Swedish, where, amongst other aspects, the ambitions, experiences, and strategies of Åland as a member of the European Union have been discussed. The report 'Att påverka och

påverka – Ålands ambitioner och självbestämmande inom EU' [To be Affected and to Affect – the Autonomy and Ambitions of the Åland Islands within the EU]⁹ was published as part of a series which analysed various aspects of the experiences Åland had during 25 years of EU membership.¹⁰

The theoretical approach of that report was the same as has been briefly outlined above. The theoretical parts and the case study of Åland in the present report are closely based on the findings in the Swedish report.

The main questions of the report were:

- How does the Ålandic Government describe what EU-membership has meant for Åland - both in general and with regards to Åland's autonomy?
- How has Åland responded to the influence of the EU - through adaptation, and through participating in and trying to influence the EU?

The report sought answers to these questions in public documents (The Åland Government's memorandum on EU-matters to the Parliament of Åland 1990-2018) and through two interviews with politicians and three civil servants on Åland.

The report concluded that the EU was considered the best possible or least worst alternative for Åland when Finland and Sweden joined in 1995. Government documents, as well as informants, describe overall benefits from membership with the EU, but also administrative challenges and significant difficulties with loss of competences. Three main ambitions of Åland in relation to the EU were discerned: 1) to main-

tain or expand the scope and depth of autonomy, 2) to enhance Åland's influence in the EU, and 3) to maintain or improve the economy of Åland. The report focused on the first two of these ambitions.

The findings in the previous report lay the foundation for the questions that will be asked in the present report. In relation to the other two regions:

- How do their general context and relationship to the EU correspond and deviate to that of Åland?
- How does the EU impact the region and how is the EU perceived? (the "meaning" of the EU to the region)
- How can the region participate in, or co-operate with, and potentially influence the EU?¹¹

The aim of the comparison is to enhance the understanding of why Åland has made the choices it has made, and what opportunities and challenges it is facing within the EU.

For the present study, academic literature, as well as a small number of official documents from South Tyrol and the Faroe Islands, have been examined. Interviews have been conducted with two civil servants working for the South Tyrol Government and three experts on the legal and/or political situation of South Tyrol; one civil servant working for the Government of the Faroe Islands and one expert on the political situation of the Faroe Islands; and one civil servant from Åland with experience from working for the Åland Government in Brussels.

More interviews were conducted for South Tyrol than for the Faroe Islands because, as a member of the EU, South Tyrol has more

9 Simolin 2021, "Att påverkas och påverka – Ålands ambitioner och självbestämmande inom EU". Report No 2/2021 in the Report series of the Åland Islands Peace Institute.

10 The study was commissioned by the Åland Government and conducted by the Åland Islands Peace Institute in cooperation with Statistics and Research Åland (Åsub). Information about the project and links to all the reports can be found here: <https://peace.ax/en/the-significance-of-eu-membership-for-aland/>.

11 Building upon studies of the available literature, and in an attempt to answer these questions, background texts were written for each region. PhD-student Hasan Akintug (Helsinki University) conducted background research on the Faroe Islands while the report author looked into the other two regions. These texts were the foundation for formulating interview questions and parts of the draft text have been included in various sections of the final report.

channels for participation which could be investigated. Interviewees are anonymous in the text and footnotes refer to “Interview South Tyrol/Faroe Islands/Åland”. The names of the interviewees are, however, listed among the sources.

This report is a commissioned investigation conducted with a limited period of time, and so the academic ambition level has been adapted to the pre-requisites. The report’s focus is Åland; its main aim is to draw conclusions relevant to Åland. The two other cases function as references to Åland and the study does not employ a strictly comparative method.

It should be acknowledged that the examination of Åland in this report is more comprehensive than those of South Tyrol and the Faroe Islands, as only a limited amount of literature on the two latter regions’ relationship to the EU was found in English, and since only a limited number of interviews could be conducted. The description of South Tyrol and the Faroe Islands’ relationships with the EU is therefore incomplete and limited to aspects that may be relevant to shed light on the experiences of Åland in the EU.

The author wishes to thank all interviewees for generously sharing information. The interviewees were offered the possibility to read and comment on relevant sections of the report. However, the responsibility for possible misunderstandings and mistakes rests with the author.

2. The Åland Islands, South Tyrol and the Faroe Islands in context

Research on the European Union and the regions has maintained that the EU affects regions within it differently, and in dissimilar ways, depending on their characteristics and capacities. Conversely, it was found that the strategies and channels that regions chose for participation, and to potentially affect, the EU vary depending on a number of factors.

The impact of the EU on separate regions and the regions' reactions and actions vis-à-vis the EU depend – amongst other things – on the size of the region and its constitutional and economic disposition within the state. The national structure of a state; the degree of centralization and decentralization; the disposition of the region within the state; the affluence of the region, and how populous it is; all affect not only how the region is impacted, but how it can both participate in and influence the European Union.¹² For example, resourceful regions may benefit from the EU in order to strengthen their position on the national stage.¹³

According to Tatham: "For weaker regions European integration may bring greater opportunities than constraints; however, this may differ for stronger regions. Regions benefiting from greater self-government capacities – meaning that they combine an administration autonomous of central government, which has wide policy competences, some degree of financial and fiscal autonomy, and an elected assembly and executive (in some cases with primary legislative powers) – are more deeply affected."¹⁴

It is outside of the scope of this report to try to assess the potential causal relationships between

the context of a region and how it is affected by, or is inclined and able to affect the EU. To understand the motivations, challenges, and opportunities of a region it is, however, necessary to establish its milieu, and for this purpose the background factors identified by Tatham and other scholars can be useful.

In this chapter the backdrop of the regions this report focuses on will be discussed. Their geopolitical position, population size, economic pre-requisites, aspects of diversity (identity/language), position in the state structure, autonomous powers, inter-governmental relations, and political party system etc.

2.1 Territory, Population, Economic Situation

The three cases which are discussed in the present report share some similarities, but also have significant differences. Where Åland and the Faroes are island groups incorporated in Nordic countries, South Tyrol is a landlocked region in Central Europe and access to the region is restricted by the mountains surrounding it, though this does give the region an "island feel".

South Tyrol is the region which is most geographically connected to the EU as it is situated in central Europe and has physical borders to other regions within EU-states. The Åland Islands have been described as surrounded by EU-principles, as mainland Finland to the east and Sweden to the west are both EU-members. However, the waters surrounding the Åland archipelago both connect and separate it from these neighbors. The Faroe Islands is the most geographically remote from its core state as well as from other EU-members.¹⁵

The Åland Islands, located in the Baltic Sea

¹² Tatham 2019, pp. 214.

¹³ Bursens and de Blauwer 2018, p. 598; Fleurke and Willemse 2007, p. 85.

¹⁴ Tatham 2019, p. 214.

¹⁵ See footnote 71.

between Finland and Sweden, is an autonomous, demilitarized, neutralized, and Swedish speaking part of a predominantly Finnish speaking Finland. Åland is an archipelago consisting of 6,500 islands and skerries.

South Tyrol, located in the mountains of northern Italy, is an autonomous province which borders Austria and Switzerland. Almost 70% of the population declare themselves to be German-speakers, 26% Italian, and 4.5% speak the Rhaeto-Romance language Ladin.¹⁶ Officially named the Autonomous Province of Bolzano - South Tyrol, the area is one of two autonomous provinces which together form the autonomous region of Trentino-Alto Adige/South Tyrol, the other being, officially, named the Autonomous Province of Trento, or Trentino.

The Faroe Islands are a group of islands located in the North Atlantic region. They consist of 18 islands of which 17 are inhabited. Faroese is the principal language, but also Danish shall be taught and may be used as well as Faroese in public affairs.¹⁷

Population wise, South Tyrol is the largest region of the three with around 530.000 inhabitants, the Faroe islands have a population of 53.000 inhabitants and Åland is the smallest with its 30.000 inhabitants.

In economic terms, according to data from 2018, the Faroe Islands had the highest GDP per capita (€52,665), South Tyrol followed (€47,700) and Åland had the lowest GDP per capita (€37,200).¹⁸ While they all outperformed the EU average, in absolute terms, all three regions are small in terms of economy as well as population when compared to other regions.

16 Alber and Zwilling 2016, p. 1. Data from the 2011 census. All citizens are assumed to have declared themselves as belonging to one of the three recognized language groups.

17 1948 Home Rule Act, Section 11.

18 Numbers for Åland and South Tyrol are from Eurostat, for the Faroe Islands from the World Bank. N.B. that the effects of the COVID-19 pandemic on the economy of the regions has not been considered here.

2.2 Background of Autonomy

All three territories are united in that they all include one or more population groups with distinct features differing from the majority of the state, something which has been linked to demands for self-determination either through secession or enhanced self-rule. In all three entities the majority language is different than the majority state language. All three regions strive to develop their autonomy, and in all three regions political parties differ in their positions on the desired degree of separation from, and co-operation with, the core state. Whereas some political parties promote secession, it is not currently presented as a majority position, or as a goal at a Government level in any of the regions.

The autonomy/ of Åland was established in the 1920s in response to the 'Åland question' – tensions between Finland and Sweden due to Ålandic demands to be reunited with Sweden, rather than remaining a part of Finland which had become independent from Russia in 1917. The matter was referred to the League of Nations, which in 1921, established that the sovereignty of Åland belonged to Finland. However, it ensured that guarantees for the language and culture of Ålanders would be added to the Autonomy Act which the Finland Parliament had passed in 1920, but which the unofficial Åland Parliament had rejected at that time. In addition, Åland would be demilitarized and neutralized – that is, it would be kept out of military action, including during wartime.¹⁹

The Swedish language, autonomy, and more recently the demilitarization of Åland are amongst the cornerstones for the perception of a separate Ålandic identity, distinct from identities in Finland and Sweden.²⁰

19 Protocols from the meetings of the League of Nations and international agreements concerning Åland have been compiled by the Åland Cultural Foundation, here: <https://kulturstiftelsen.ax/app/uploads/2020/07/english-3-3-1.pdf>. For an in-depth description of the historical events see Barros 1968.

20 Edquist and Holmén, 2015, pp. 234-235; State

Although today there is a strong feeling of distinctiveness, there is no political aspiration on Åland to rejoin Sweden. Judging from elections - where in 2019 the only party advocating independence (in due time) won one seat out of 30 in the Åland Parliament - there is no strong support for independence either. This conclusion is supported by a survey from 2020, which found that there was only 2.6% support for independence among the electorate.

According to the same survey, there is an overwhelming support for autonomy (89.3%), however, there is also strong support also for widening the scope of the autonomy (50%). 4.7% of support was found for closer integration with Finland.²¹ Accordingly, the political parties on Åland differ in their positions on the exact degree of separation from and co-operation with the state. They are also characterized by an urban-rural and a right-left divide. The political parties on Åland which take part in elections to the Åland Parliament, and which form the Government of Åland, are independent from parties in mainland Finland. However, they do interact and have stronger or looser connections with ideological peers both in Finland and in Sweden.²²

South Tyrol was a part of the crown province of Tyrol in the Habsburg Empire until the empire dissolved and South Tyrol was ceded to Italy in 1919. The German speakers in South Tyrol were promised territorial and cultural autonomy, but instead, under fascist rule, experienced repression and Italianization. After World War II, the Paris Peace Treaty (1946) confirmed that South Tyrol belonged to Italy, but through the bilateral Austrian-Italian Gruber-Degasperi Agreement annexed to the treaty, the German speakers were ensured minority protection and autonomy. Austria's official role as protecting power was also confirmed. To fulfil the agreement Italy estab-

2009.

21 Lindqvist 2020, pp. 58, 74.

22 Lindqvist 2020.

lished the autonomous region of Trentino-Alto Adige/South Tyrol. However, in the region over 70% of the population were Italian speakers. The German speakers were not satisfied with this solution and tensions led to bombings, and in 1960 Austria asked the UN to take a position on the matter.²³

The South Tyrolean Peoples Party (Südtiroler Volkspartei, SVP) played a crucial role in the process, collecting, amongst other things, 158,000 signatures supporting self-determination. After negotiations at various levels, the Autonomy Statute of 1948 was amended in 1972. Through this statute, and subsequent negotiations, most legislative and administrative powers have, by today, been transferred from the regional to the provincial level. The conflict was formally closed at the UN General Assembly in 1992 at Austria's request.²⁴

In the autonomous province, German speakers form a local majority and a power-sharing system has been formed to guarantee that all the three language groups - German, Italian, and Ladin - are represented in political and administrative bodies.²⁵ This system affects the political landscape which is characterized by a center-periphery dimension and an ethno-linguistic divide.²⁶ German-speaking regionalist parties dominate the party political system, while the Italian-speaking arena reflects the national party system.²⁷ The dominant party since 1945 - which governed the province for 70 years with an absolute majority of seats in the regional assembly until 2013 - has been the aforementioned SVP, which is an autonomist and EU-friendly party who want to accommodate the interests of the German and Ladin speakers.²⁸

23 Alber and Zwilling 2016, pp. 2-7; Woelk 2013, pp. 127-130.

24 Alber and Zwilling 2016, pp. 2-7; Woelk 2013, pp. 127-130.

25 Alber and Zwilling 2016, p.7; Woelk 2013, p. 130.

26 Scantamburlo 2020, p. 6-7.

27 Scantamburlo 2020, p. 6-7; Utz 2016, p. 3.

28 Scantamburlo 2020, pp. 2, 5; Utz 2016.

In 2013, secessionist parties accounted for 27% of the popular vote, however, in 2018 those parties only reached 12%.²⁹ According to Larin and Rögglä, “the combination of economic prosperity with the fact that most of the taxes levied in the province are returned to it has made South Tyrol the envy of Italy and encouraged strong support for territorial autonomy across all of the linguistic groups.”³⁰

The Faroe Islands came under the control of Norway in 1035, and then, together with Norway, fell under Denmark-Norway rule in 1380. Following the disintegration of subsequent Nordic unions and the Danish Colonial Empire, the Faroe Islands remained under Danish rule. In the 1880s a romantic nationalist awakening led to the promotion of a Faroese identity within the Danish realm. Since this time a defining feature of the political scene on the Faroe Islands has been how to relate to Denmark.

The islands were occupied in 1940 by the UK while Germany occupied mainland Denmark, and after the Second World War, in 1946, an independence referendum was held which resulted independence being proclaimed following a slim majority. Denmark refused to recognize the result, but negotiated a Home Rule Act with the Faroese in 1948. In 1998 separatist-oriented political parties became a majority in the Faroese Parliament and negotiations with the Danish government on independence were initiated. A few years later a treaty establishing a sovereign Faroese state in a 'free association' with Denmark was drafted by the Faroese Government.³¹ However, this project never materialized. In 2005 the scope of Faroese autonomy was enhanced through a Foreign Policy Authority Act and a Takeover Act.³²

At a cultural level, the Faroese today perceive

themselves to be a nation and a people.³³ On a political level the description of the status of the Faroe Islands varies. According to the Home Rule Act of the Faroe Islands the Faroes constitute “a self-governing community within the Danish Kingdom”, while examples of terminology used by the Faroese Government include: “a self-governing nation under the external sovereignty of the Kingdom of Denmark”, and “a self-governing nation within the Danish Realm”.³⁴

Faroese political parties are entirely separate organisations, however, some have links to the parties on the Danish mainland. Today Faroese politics functions mainly on two planes: the right-left axis and the separatist-unionist axis.³⁵ In later years the balance between unionists and separatists in the Faroese Parliament, as well as in the society, is about 50-50.³⁶ While full Faroese independence is not foreseen in the immediate future, the issue of sovereignty for the Faroe Islands has been a recurring topic on its political agenda. One reason given for not pursuing full independence is the economic dependence on Denmark, however, the proportion of economic support from Denmark has decreased significantly in recent years.³⁷

2.3 Position in the State Structure and Scope of Autonomy

The Faroe Islands, Åland Islands, and South Tyrol can all be defined as autonomous regions in asymmetrical systems which foresee self-rule, but not a high degree of shared rule, in participation in central governance of the whole state. All three regions have legislative competences, however, in contrast to the two others, the scope of

29 Scantamburlo 2020, p. 13.

30 Larin and Rögglä 2019, p. 17.

31 Adler-Nissen 2014, pp. 56-59.

32 Adler-Nissen 2014, p. 58; Ackrén 2017, pp. 234-236.

33 Interview Faroe Islands; Lyck 2014, p. 144.

34 Visit Faroe Islands online, “The Faroe Islands in a seashell”; Ministry of Foreign Affairs of the Faroe Islands, “An updated EU Arctic Policy”.

35 West 2020, p. 14.

36 Parliament of the Faroe Islands online, Leaflet on the Faroese Parliament; Interview Faroe Islands.

37 Adler-Nissen 2014; Government of the Faroe Islands online, “The Faroese economy is more self-sufficient and independent than ever”..

competences in financial and international matters is broader in the Faroe Islands than in the two other regions.³⁸

While Åland is the only autonomous region in Finland, there are two such territories in Denmark: the Faroe Islands and Greenland. Italy is a regionalized state where regions enjoy different levels of autonomy, and South Tyrol is one of only two autonomous provinces in the country³⁹. Italy is not a federal state, and the regions can impact the center only to a limited extent.

The foundations of Åland's autonomy rest in the decision made by the League of Nations in 1921; in guarantees issued by the League; and in the bilateral agreement between Sweden and Finland which followed.⁴⁰ It has been asserted that the special status of Åland should be considered as customary international law.⁴¹ This autonomy is also constitutionally entrenched, and the Autonomy Act cannot be amended without the approval of both Finland and Åland.⁴² The legislative and administrative tasks of Åland are carried out by Lagtinget (the Åland Parliament) and the Åland Government.

The legislative authority of Åland includes: municipal administration and municipal elec-

tions; public order and security; building and housing; protection of the environment; protection of cultural heritage; health care; social welfare; education; culture; postal communications; radio and television; farming and forestry; hunting and fishing; road and boat traffic; employment; and trade.⁴³ Taxation falls under Ålandic competence to a limited extent only; instead tax levied by the state is transferred back to Åland after calculations based on the economic performances of Finland and of Åland.⁴⁴ The budget is an Ålandic competence.

There are several contact points for co-operation and dispute resolution between Åland and the State. For example, the Governor representing the state on Åland, the Åland delegation (an expert body with representatives from both Åland and the state) as well as the president of the republic and the Supreme Court all have their roles.⁴⁵ Åland forms its own constituency in the national elections and is entitled to one of two hundred seats in the Parliament of Finland.

The state of Italy has developed an asymmetrical regional system with fifteen ordinary regions and five autonomous regions, of which Trentino-Alto Adige/South Tyrol is one. As mentioned above, this region is comprised of the two provinces of Bolzano/Bozen-South Tyrol and Trento, which are the only two autonomous provinces in Italy. Whilst the autonomy is regulated through an autonomy statute covering the whole region, the legislative and administrative powers are directed by the provinces.⁴⁶ The autonomy statute is constitutionally entrenched and cannot be changed without the consent of the provinces.

South Tyrol has a bilateral relationship with the state through a "commission of six" which includes representatives from the province and

38 Lindström and Lindholm 2021, pp. 52-53.

39 Note the difference between autonomous regions and autonomous provinces

40 On the 27th June 1921, the so-called 'Åland Agreement' between Sweden and Finland was annexed to the League of Nations decision, where six guarantees for the protection of the Ålandic people became part of the international settlement. The guarantees concerned Swedish as a language of instruction in schools; land rights in order to keep the Åland territory in the hands of the residents; franchise (voting) restrictions for outsiders; procedures for appointing a Governor that would have the confidence of both Åland and Finland; regulations for tax revenues and other economic prerequisites for the autonomy; and regulations for international monitoring of the guarantees by the League of Nations and the Permanent Court of Justice.

41 Spiliopoulou Åkermark, et al. 2019, pp. 9-10; Suksi, 2013, pp. 39-40; Suksi 2005, p. 17; Benedikter 2009, p. 43.

42 Constitution of Finland section 120, 1991 Autonomy Act, section 69.

43 1991 Autonomy Act, section 27; Spiliopoulou Åkermark, et al., 2019, p. 56.

44 1991 Autonomy Act; Simolin 2018, p. 28.

45 Spiliopoulou Åkermark et. al. 2019.

46 Alber and Zwilling 2016, p. 11.

the state. The commission for the province may steer the development of the autonomy through decrees which cannot be overruled by the state. Together with the province of Trento, a “commission of twelve” can direct the development of the Trentino-Alto Adige/South Tyrol region.⁴⁷ The autonomous provinces can also interact with and influence the state together with the other regions in Italy through a Standing Conference of the State and Regions.⁴⁸

The population of the region is represented at a national level through election of representatives to the national two chambered Parliament (the Senate and the Chamber of Deputies). The most relevant conflict resolution mechanism in the event of tensions between the central government, the regions, and the autonomous provinces, is the Constitutional Court.⁴⁹

The province of South Tyrol has a high degree of internal self-determination through exclusive or secondary legislative and administrative powers in many economic, cultural, and social matters.⁵⁰ Whilst it is the state that collects taxes, it is the province that is entitled to almost all tax revenue from its territory and who makes decisions on the budget.⁵¹

47 Alber and Zwilling 2016, pp. 3, 10, 18; Woelk 2013, p. 128. NB The Commission of Six is an under-commission of the Commission of 12.

48 Alber and Zwilling 2016, p. 18; Woelk 2008, p. 126.

49 Bilancia et. al. 2010, p. 166.

50 Woelk 2013, p. 132; Lindström 2020, p. 28. “Exclusive competences are freely exercised, in conformity with the Constitution, international obligations and the basic principles of the Italian legal system, as well as in conformity with the fundamental principles of socio-economic reforms. Provincial secondary legislation has, in addition, also had to respect ordinary Italian laws. Secondary legislative powers include local police issues, elementary and secondary education, commerce, apprenticeships and vocational training, employment issues, public performances concerning public order and concessions for establishments open to the public, industrial protection, water supplies, hygiene and public health (including hospital services), and sport and recreation.”; Alber and Zwilling 2016, p. 16.

51 Alber and Zwilling 2016, p.16

Section 1 of the Home Rule Act of the Faroe Islands reads: “Within the framework of this Act the Faroes constitute a self-governing community within the Danish Kingdom. In conformity therewith the Faroese people, through its elected representatives, the Løgting [Parliament of the Faroe Islands] and an executive established by the latter, the landsstýri [the Cabinet of the Faroe Islands], takes over within the framework of States the administration and government of special Faroese affairs as indicated in this Act”.⁵² Adler-Nissen assessed that “The Home Rule Act allows for continuous changes to the division of competences between the Danish state, leading to what could be called an ‘ever looser union’”.⁵³

The formal status of the autonomy of the Faroe Islands in the state structure is debated.⁵⁴ The Danish Constitution only mentions the Faroe Islands in the context of local election laws, referenda arrangements, and representation in the Danish Parliament, where the Faroe Islands have two representatives.⁵⁵ The autonomy of the Faroe Islands is therefore not entrenched in the Danish constitution, and Suksi asserted that, from a “purely formal perspective”, the autonomy of the Faroe Islands could be regarded as a “simple delegation of powers”,⁵⁶ something which would allow Denmark to unilaterally abolish the autonomy.⁵⁷

However, Suksi found that, at the same time, “... the Danish autonomy arrangements contain clear elements that separate them from the regular framework of a unitary state, recognize them [Faroe Islands and Greenland] as distinct units in the Danish realm and connect them to the concepts of a minority or a people”.⁵⁸ Fur-

52 1948 Home Rule Act, section 1.

53 Adler-Nissen 2014, p. 60.

54 West 2020, p. 12.

55 Constitution of Denmark, sections 28, 42, 86; Suksi 2014, p. 40.

56 Suksi 2014, p. 41.

57 Adler-Nissen 2014.

58 Suksi 2014, p. 41.

thermore, the preamble of the 2005 Takeover Act states that the law is an agreement between the Faroe Islands Government and the Danish Government as two equal partners.⁵⁹ Suksi concluded that, “It seems that a federative relationship of some sort between the three parts of the Danish realm (Denmark proper, the Faroe Islands, and Greenland) is emerging”.⁶⁰

The Home Rule Act of 1948 enumerates competences in two lists. List A (Special Faroese Affairs) includes education, taxation, administration, agriculture, fisheries, culture, health and social services. List B contains matters that will be transferred to the Faroes upon their request.⁶¹ The Home Rule Act of 1948 and the 2005 Take Over Act regulate the division of competences. There are five areas in which the state maintains authority which cannot be taken over by the Faroe Islands, these are the constitution; citizenship; the Supreme Court, foreign, security and defence policy; foreign exchange and monetary policy. All other affairs can be taken over by the Faroese authorities, either directly or in some cases after negotiations with Denmark.⁶² The Faroe Islands have gradually taken over more and more competencies, and is today in charge of most issue areas.⁶³

The Foreign Policy Authority Act of 2005 allows the Faroe Islands to “negotiate and conclude agreements under international law with foreign states and international organisations which relate entirely to subject matters under the jurisdiction of the authorities of the Faroes”. There are however some restrictions, for example this right does not apply to agreements which affect the security and defense policy of Denmark, nor regarding agreements which are to apply to Denmark. Faroese membership of international organisations is possible provided that

“it is consistent with the constitutional status of the Faroes”, however, the Faroes cannot become a member of international organizations where Denmark is already a member. Furthermore, the act presupposes close co-operation between the Faroe Islands and Denmark in order not to disregard the overall interests of Denmark.⁶⁴

2.4 Status of the Regions in Relation to the EU

Both Åland and the Faroe Islands today have a particular status vis-à-vis the EU. They can be classified as ‘ad hoc arrangements’.⁶⁵ Åland is included but with exceptions, whereas the Faroe Islands remain outside of the EU but with special agreements with the EU on certain matters of interest. In many ways the relation of the Faroe Islands to the EU is that of a third country, but the position of the Faroe Islands as a political entity outside of the EU, with vast self-determination but still part of an EU member state, is also described as a grey zone which leads to the Faroe Islands ‘falling between the chairs’ from time to time.⁶⁶ In contrast to the other two entities, South Tyrol is included in the European Union without any special agreement, nor protection for its status or from unwanted effects of the Common Market why it will not be elaborated upon in this section of the report.⁶⁷

When Finland acceded to the EU, Åland had a relatively favorable position what regards the economy, the scope and depth of self-government, as well as its level of regional integration as it was already part of the Nordic co-operation. In those respects, Åland had a position to defend and protect. While the Government of Åland recognized benefits with international co-operation, open markets, and free trade, and did not consider the alternative of staying outside of the EU as attractive when Finland and Sweden decided to accede, it also saw the risk that the au-

59 Suksi 2014, 15, Hartmann 2019.

60 Suksi 2014, p. 40.

61 1948 Home Rule Act, Adler-Nissen 2014, p. 16.

62 2005 Takeover Act

63 Adler-Nissen 2014, p. 60, West 2020, p. 12.

64 2005 Foreign Policy Authority Act.

65 Ackrén 2021 forthcoming.

66 Interview Faroe Islands.

67 Peterlini 2013, p. 139; Lindström 2020, pp. 23, 27.

tonomy of Åland would diminish, and the economy might be negatively affected, unless certain guarantees and exceptions could be negotiated.

According to memorandums from the Åland Government to the Åland Parliament, and interviews with politicians and civil servants in the administration, the aims upon admission to the EU were, from Åland's perspective, for Åland to maintain its position and keep avenues open for future possibilities to develop the economy and the autonomy.⁶⁸ Åland's primary interests upon joining the EU were to protect Åland's special status, its autonomy, and its economy through a tax exemption, which was seen, above all else, as vital.

The basis for why Åland was able to choose whether to join the EU together with Finland in 1995 can be found in the Autonomy Act, which stipulates that, if a treaty that Finland has concluded contains provisions within the authority of Åland, the consent of the Åland Legislative Assembly is needed in order to have the provision to enter into force in Åland.⁶⁹

That both Finland and Sweden would join the EU meant Åland would be geographically surrounded by EU-principles even if remaining outside, which was one reason that membership was considered the best possible or least bad alternative for Åland. In fact, the question has been raised on whether Åland, in practice, actually had a choice to stay out of the EU.⁷⁰ When Åland attained exemptions for the most important issues

68 Simolin 2021.

69 1991 Autonomy Act, section 59.

70 One of the chief negotiators for Åland, Peter Lindbäck, who was - at the time - the Head of the Administration of the Åland Government, in a radio interview 10 years after accession, noted that Åland would be surrounded by EC-principles (European Community) and that, in his view, there was no realistic alternative to accession. On a different note, the positions of Finland and Denmark towards the options of the entities have not been investigated here, but some informants have made statements indicating that Finland was not very open to the possibility for Åland to remain outside of the EU, whereas Denmark was open to a non-membership for the Faroe Islands.

related to its status and economics,⁷¹ and for avenues of participation in the EU, it was considered 'good enough', despite some requirements, such as its own seat in the European Parliament, not being met.⁷²

After two referendums - first, a nation-wide referendum concerning whether Finland would join the EU, and a second held on Åland exclusively regarding Åland's choice in which 73.6% of the population of Åland voted for membership - the Åland Parliament voted for accession.⁷³

Protocol No. 2 of Finland's accession treaty to the EU - the 'Åland Protocol' - which was annexed to Finland's treaty of accession to the EU, regulates Åland's relationship with the EU. It confirms Åland's special status under international law and details special provisions for the right to buy land and conduct business in Åland, which are parts of the guarantees for the language and culture based in agreements from 1921. According to the protocol, Åland is regarded as a third territory with respect to indirect taxation.⁷⁴

71 Protocol No. 2 on the Åland Islands, attached to the Treaty of Accession of Finland to the European Union, contains special provisions for purchasing of real estate and the right to conduct business in Åland. It also states that Åland shall be regarded as a third territory with respect to indirect taxation. This provision enables the sale of tax-free goods to passengers travelling between the Åland Islands and other EU Member States. Suksi 2011, pp. 159-160.

72 Simolin 2021.

73 Akintug 2020; Finland's Ministry for Foreign Affairs, The special status of the Åland Islands; Åland Parliament, Åland och EU.

74 The provision in Protocol 2 (a) reads: "The territory of the Åland islands - being considered as a third territory, as defined in Article 3 (1) third indent of Council Directive 77/388/EEC as amended, and as a national territory falling outside the field of application of the excise harmonization directives as defined in Article 2 of Council Directive 92/12/EEC - shall be excluded from the territorial application of the EC provisions in the fields of harmonization of the laws of the Member States on turnover taxes and on excise duties and other forms of indirect taxation. This exemption shall not have any effect on the Community's own resources. This paragraph shall not apply to the provisions of Council Directive 69/335/EEC, as amended, relating to capital duty.

This ‘tax-exemption’ enables the sale of tax-free goods to passengers travelling between the Åland Islands and other EU Member States, including mainland Finland.⁷⁵

In view of EU accession, a core interest of the Faroe Islands was to stay in control over the management of fisheries in Faroese waters. According to Rebhan, in the early 1960’s, the then ruling unionist Government of the Faroe Islands had been in favour of following Denmark into the EU. However, support later changed to rejection due to concerns related to the Common Fisheries Policy (CFP) which was adopted in 1970. The EU member states were not willing to allow for any permanent exception from the CFP that would satisfy the Faroese.⁷⁶

When Denmark joined the EU (EC) in 1973, the Faroe Islands were excluded from the Danish membership through a special protocol in Denmark’s accession treaty. According to this protocol the Faroe Islands had the option to be included in Denmark’s membership should the Faroese Parliament express its interest until 31 December 1975. However, in January 1974 the Faroese Parliament unanimously decided to remain outside.⁷⁷

75 1994 Accession Treaty of Finland to the European Union, Protocol No. 2 on the Åland Islands; Suksi 2011, pp. 159-160.

76 Rebhan 2014, pp. 66, 154. Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010, 2010, p. 42. Rebhan explains that the CFP “... was based on the principle of equal access of member states to the fishing limits of other member states. The unionist government could not accept that it would only keep its twelve-mile fishing limit temporarily. Nor could it accept that it would not be able to extend this limit at a later point of time in order to exclude other EC fishermen from it. It feared that the trend towards extensions of fishing limits to 200 miles worldwide would increasingly exclude the Faroese distant-water fishing fleet from its traditional catching areas. At the same time, they would not be able to take up fisheries in Faroese waters instead, as the Faroes would not profit from an extended fishing limit, if they joined the EC. In addition, EC membership would threaten the basis of existence of Faroese coastal fishermen. Remaining outside the EC was therefore the lesser of two evils for the unionist government.” Rebhan 2014, p. 154.

77 Rebhan 2014, pp. 61-62.

In relation to the EU, the Faroe Islands (unlike Greenland) are not an “overseas territory” but are treated as a third country which manages its relationship with the EU through bilateral treaties.⁷⁸ These include a treaty on fisheries, a free trade agreement limited to goods, and an agreement on scientific and technological cooperation.⁷⁹ The trade agreement also includes a Veterinary Protocol and since 2005 the Faroes have also been part of the System of Pan-European-Mediterranean Cumulation.⁸⁰ In addition to have stayed outside of the EU, the Faroe Islands are not a part of either the EFTA or the EEA.⁸¹

In the North Atlantic, the Faroe Islands are not alone in having chosen to stay outside of the EU. The Faroe Islands’ immediate neighborhood consists of non-EU members including Iceland, Greenland, Norway, and, following Brexit, the UK. It has been argued that Iceland, the Faroe Islands, and Greenland all have rejected EU membership for similar reasons, and that the interests and political strength of the fisheries sector

78 Stephan 2017, p. 292; Ackrén 2021 forthcoming; Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010, p. 39.

79 The Faroe Islands are also seeking to join the ERASMUS and Creative Europe programmes.

80 Government of the Faroe Islands online, “The Mission of the Faroes to the EU”; EFTA online, “Accession of the Kingdom of Denmark in respect of the Faroe Islands, to the regional convention on pan-euro-mediterranean preferential rules of origin” (This agreement is signed by “the Kingdom of Denmark in respect of the Faroe Islands”); European Commission online, “Diagonal Cumulation”.

81 The European Free Trade Association (EFTA) is the intergovernmental organisation of Iceland, Liechtenstein, Norway and Switzerland with a goal to promote free trade and economic integration between its members. EFTA online, “The European Free Trade Association”. Three of the EFTA members are also members of the European Economic Area (EEA) which “... unites the EU Member States and the three EEA EFTA States (Iceland, Liechtenstein, and Norway) into an Internal Market governed by the same basic rules. These rules aim to enable goods, services, capital, and persons to move freely about the EEA in an open and competitive environment, a concept referred to as the four freedoms.” EFTA online, “European Economic Area (EEA) / Relations with the EU”.

was one reason why EU-membership was turned down twice in referendums also in Norway. According to Rebhan, “Rejection of the EU’s Common Fisheries Policy is found to be the main explanation for North Atlantic Euroscepticism”.⁸²

Informants and literature agree that the question of fisheries has been a main concern for the Faroe Islands in relation to potential EU-membership – not only at the time of Denmark’s accession but also afterwards. It is not merely a question of economic concerns, but is also a question of retaining decision-making powers. In a report published in 2010 by Danish and Faroese officials, it is stated that: “From an economic point of view there seems to be general political concern about the EU Common Fisheries Policy (CFP), which would require the Faroes to relinquish exclusive competence over their fundamental economic source of income in favour of an uncertain measure of influence within the EU.”⁸³ In Rebhan’s words, the main reason for the Faroe Island’s continuous rejection of EU membership has been “the unwillingness to transfer national sovereignty over their fisheries resources to the EU”.⁸⁴ Furthermore, according to the same author, “this rejection is rather based on the political concern in the Faroe Islands and Greenland to transfer national sovereignty over their single most important resource to the EU than on economic concerns about their fisheries sectors”.⁸⁵

According to Rebhan, the Faroe Islands are in a “European policy deadlock”. In contrast to its neighbours, Norway and Iceland which are independent states and EEA-members, and Greenland which qualifies for OCT status, they have no automatic access to the free market but have so far not been willing to give up sovereignty, in particular over the fisheries sector.⁸⁶

82 Rebhan 2014.

83 Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010, p. 9.

84 Rebhan 2014, p. 168.

85 Rebhan 2014.

86 Rebhan 2014, p. 161.

Faroe-EU relations are further complicated by the differing political views on the status of the Faroe Islands and its relationship to Denmark which exist on the islands.⁸⁷ The political parties in the Faroes are divided in their ambitions for whether to continue as a part of the Danish realm or strive for independence, and an EU-membership would affect the relationship between the Faroes and Denmark.⁸⁸

There is a political desire for a closer relationship to the EU, and several options have been considered.⁸⁹ In a report by Danish and Faroese officials to the Faroese Minister of Foreign Affairs published in 2010, four main alternatives were outlined: 1) Increased bilateral cooperation with the European Union, 2) The Faroe Islands as a part of Danish EU membership, 3) Independent Faroese membership of the EU or 4) Faroese EEA membership.

Alternatives 3 and 4 would require independence and alternative 2 would probably mean a closer relationship with Denmark, why due to the differing political ambitions regarding the status of the Faroe Islands they are all politically difficult. The report from 2010 maintains that political concerns in the debate on the Faroes in relation to alternative 2 have been: “... issues such as loss of the benefits of autonomy, the assumed necessity to negotiate with Brussels through Denmark on matters presently subject to exclusive Faroese competence, lack of visibility/exposure, inadequate representation in the EU institutions, the CFP and marginalisation. A general worry is that being part of the Danish EU membership would tie the Faroes closer to Denmark, making it very difficult to eventually form a Faroese state.” In relation to alternative 3, it is also questioned to what extent the EU is

87 Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010, p. 9, Rebhan 2014, Adler-Nissen 2014.

88 Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010, p. 9, Adler-Nissen 2014, p. 74.

89 Adler-Nissen 2014, p. 56.

interested in granting full membership to micro states. Alternatives 2 and 3, membership either within Denmark or independently, are expected to restrict Faroese traditional hunting and sheep slaughtering practices. All three options 2,3 and 4 are assessed to carry administrative and financial challenges.⁹⁰

However, option number 1 – increased bilateral cooperation with the EU – is an option which would leave the legal and political relationship between the Faroe Islands and Denmark intact. This has also been the preferred alternative. The report maintains that "The political and legal preconditions exists for either continuing to expand the current framework of cooperation on a case-by-case basis or by creating a new bilateral agreement", and also consider "... the legal preconditions for a customs union are present in principle".⁹¹

The Faroe Islands are currently working to have a closer relationship with the EU.⁹² It is reported that Denmark supports this ambition, and that there is also an interest from the side of the EU.⁹³ According to one informant, there is no lack of support from Denmark, therefore it is now up to the Commission, the EEAS, the other member states and the EP how to process will proceed. To what extent and degree relations will deepened remains to be seen.

90 Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010.

91 Faroe Islands and Denmark joint report to the Faroese Minister of Foreign Affairs 2010, 2010, p. 11.

92 Government of the Faroe Islands online, "European Union".

93 Interview Faroe Islands.

3. Channels for Participation in or Co-operation with the EU

Regions within the EU are not only objects upon which the EU and states exercise their powers, but also actors and subjects through which these changes are brought about, and by employing different strategies and tools, these regions also attempt to influence the EU, something which can be called Regional Mobilization.⁹⁴ Often, the methods that a region can use in efforts to participate in and influence the EU are divided into two main groups – regions can act via the state, or directly to Brussels; and in the latter case they can either cooperate with the state or find their own channels in order to bypass their state. Both avenues are common, and regions have increased their activities in both arenas over time. In particular, it is regions with legislative powers that frequently use both intra-state and extra-state channels for influence.⁹⁵

These channels of communication can be divided in slightly different ways: according to Tatham, intra-state channels include institutionalized participation through national administrative and legal bodies; specific mechanisms for consultation; informal lobbying on the national stage; through the permanent representatives of the state in Brussels; or by giving the region access to the Commission or Council of the Regions working groups and meetings.⁹⁶ Thus, when a region participates in national work in Brussels, it is considered as intra-state activity.

The regions can also independently participate directly with EU bodies. Tatham has identified six main avenues, or “opportunity structures”⁹⁷

through which regions can use their direct contacts within the EU: through the Committee of the Regions, the Council of Ministers, the EU Commission, the European Parliament, regional Brussels offices, and through European networks and associations.⁹⁸ When such extra-state channels are employed, the activity can be described as paradiplomacy, i.e. involvement of regions in international affairs.⁹⁹

Since before Finland’s accession, whether through the state or through EU-regulations, Åland has strived - but not succeeded - to receive a seat in the European Parliament, something which is described as a democratic deficit. Instead, Åland’s opportunities to participate in EU-work have developed gradually - particularly possibilities to take part in work at the national level.

Both Åland and South Tyrol can implement EU-legislation in their competences and in their territory. However, when it comes to preparation of EU-legislation, Åland’s ability to participate in national work is significantly more comprehensive than South Tyrol’s. While most aspects of the participation of Åland in EU-matters are based on provisions in the Autonomy Act, for South Tyrol, political influence and bargaining in Rome and in Brussels is described by informants as a more important means for influencing than results from the provisions for regional participation enshrined in the Constitution.

94 Hepburn 2008, p. 540; Tatham 2019; Plangger 2018.

95 Tatham 2019, pp. 219-220; Bursens and de Blauwer 2018, pp. 598-599.

96 Tatham 2008, p. 493.

97 Tatham 2008.

98 Tatham 2008, p. 493. According to Tatham (2015, p. 2) 7% of lobbyists in Brussels are regions. Regions with and without legislative power are represented through 200-250 regional offices. On average, regional offices in Brussels employ about five and a half full-time staff.

99 See Tatham 2018, p. 281 for a discussion on the concept of paradiplomacy. He interprets international affairs as “non-domestic affairs, that is, beyond the borders of the region’s embedding state”, and emphasizes that paradiplomacy regards diplomacy in parallel with state diplomacy.

South Tyrol (through political party SVP) has a member of the European Parliament, which means it has secured the direct influence within the EU - which Åland lacks. On the other hand, Åland has more developed opportunities for participation in the national preparatory work of Finland, and has access to the Council since its representative in Brussels has diplomatic status. It can be assessed that, in Brussels, Åland is closer to its core state than the other two regions: their representations are more loosely connected to their states and South Tyrol has its own MEP.

The relations between the Faroe Islands and the EU are bilateral, and the Faroes function as a third country in relation to the EU, albeit with some restrictions as Foreign Policy is mostly the competence of Denmark. The Faroe Islands interact with the EU mainly through its diplomatic mission in Brussels and in negotiations with the Commission.

3.1 Åland-Participation on a Legal Basis and Mostly in National Work

In relation to the EU, influence and participation has been a major concern for the Åland Government since the accession negotiations. The Åland Government realized early on that Åland would lose competences through membership of the EU, which would not be compensated for by direct influence in any of the Union's decision-making bodies, i.e. the Council, the Commission or the European Parliament. Efforts were therefore made to maximize the opportunities for influence and participation in other ways, both nationally and in Brussels. According to one informant, the Finnish government realized the seriousness of Åland's loss of competence and immediately agreed to changes to strengthen Åland's influence. A new chapter - 9a - was speedily added to the Autonomy Act to cover EU-matters.¹⁰⁰

When flaws in participation were detected over time, or due to changes in the EU-system, the pro-

100 Simolin 2021.

visions in Chapter 9a have been supplemented several times. The regulations in chapter 9a now cover preparation of national positions, implementation of decisions made in the European Union, the position of Åland in cases pertaining to treaty violations, in cases pending before the Court of Justice of the European Communities, and the state liability of Åland.¹⁰¹ Åland's participation in the EU has thus developed gradually, especially in terms of participation in national work. The provisions are, today, far-reaching and one of the informants stated that they would find it difficult to foresee further significant improvements to the legislation, in view of the limits set by the fact that only states can be members of the EU and have full access to the decision-making structures.¹⁰²

With regard to preparation of national positions, the Åland Government is kept informed and has the opportunity to participate in the work of the national authorities preparing EU-matters. According to civil servants on Åland, in most instances Åland is content with the positions of Finland, and no further measures need be taken. Nevertheless some challenges are prevalent. Firstly, is for Åland to detect which upcoming regulations might have impact, and to detect this at an early stage when it is still possible to affect Finland's preparatory work and try to influence the EU. Secondly, is that preparation on the mainland occurs in the Finnish language and translation is often unavailable. Thirdly, when Finland has differing view than Åland there is little Åland can do. However, at the request of the Åland Government, the position of Åland will be communicated when Finland's positions are presented in the European Union institutions.¹⁰³

On implementation of decisions made in the European Union, the stance is that Åland shall deal with matters within the Åland jurisdiction. In some cases the measures taken by Åland and

101 1991 Autonomy Act, chapter 9a.

102 Interview Åland.

103 1991 Autonomy Act, chapter 9a.

Finland are dependent on one another and the parties consult each other. However, if only one measure can be taken in the member state, it is Finland that decides after having taken the opinions of Åland into consideration.¹⁰⁴

In cases when the actions or inactions of the Åland Government result in infringement of EU treaties, it is Finland that risks being brought before the European Court of Justice or be liable to pecuniary sanctions. The Autonomy Act includes provisions on how Åland may take part in preparations for proceedings in the court as well as to be liable for the sanctions.¹⁰⁵

If a treaty that Finland has concluded contains provisions within the competence of Åland, the consent of the Ålandic Legislative Assembly is required for these provisions to enter into force in Åland, and this includes EU-treaties.¹⁰⁶ This can be viewed as a special channel for participation in EU-matters, and has been used extensively by Åland in connection with treaty changes; partly to try to influence the content of the treaties, and partly to put pressure on Finland to give Åland more influence in EU-matters - especially through a seat in the European Parliament.

Åland has no direct influence on any of the three decision-making levels within the EU: the Commission, the Council, or the European Parliament. In Brussels, Åland's main avenues for interaction with the EU-institutions are mostly through the state.

In government documents and interviews, the fact that Åland does not have its own seat in the European Parliament is described as a democracy problem and the Åland Government consistently tries to assert the right to such a seat. In the absence of its own parliamentary seat, Åland cooperates with other Members of the European Parliament, partly through informal meetings and partly through a formalized co-opera-

tion with the Swedish People's Party in Finland, through which Åland may appoint an assistant to one of Finland's MEPs.¹⁰⁷

Åland may make direct contact with the Commission in matters falling within the powers of Åland and concerning the implementation of decisions made in the European Union.¹⁰⁸ Åland also takes part in the open consultations of the Commission.

At the beginning of Finland's EU membership Åland actively participated in networks and associations such as the Baltic Sea Seven Islands (B7), the Conference of Peripheral Maritime Regions (CPMR), and The Conference of European Regions with Legislative Power (REGLEG): lobbying to raise the status of the islands within the EU and have the specificities of islands taken into account in decision-making. However, some of these bodies are no longer active, and Åland has chosen to depart from other associations, such as the CPMR, because - as reported by civil servants on Åland - the cost-benefit ratio was thought to be too small.¹⁰⁹

According to the Autonomy Act, Åland is entitled to one of Finland's seats on the Committee of the Regions. It is the Speaker of the Parliament of Åland who takes up this position and who also participates in The Conference of European Regional Legislative Assemblies (CALRE), a network which unites seventy-four presidents of European regional legislative assemblies. Åland also participates in other forums where EU matters are included on the agenda, such as the Nordic Co-operation and the Baltic Sea Parliamentarian Conference (BSPC).

Recently, the new body RLEG has been established as a forum where regions with legislative powers can co-operate in relation to the conference of the future of Europe, and Åland takes part here. Åland also co-operates with individu-

104 1991 Autonomy Act, chapter 9a.

105 1991 Autonomy Act, chapter 9a.

106 1991 Autonomy Act, section 59.

107 Simolin 2021.

108 1991 Autonomy Act, section 59b.

109 Simolin 2021.

al regions to pursue shared interests; for example, Åland and South Tyrol have joined forces in efforts to affect copyright legislation.¹¹⁰

In some instances, ministers from Åland have taken part in the national delegations at meetings in the Council of Ministers. The possibility for a minister from the Åland Islands to participate in the council meetings is, by several informants, described as a not very influential strategy as meetings happen too late into the process to affect decision-making. However, among this report's informants there is also a deviating opinion according to which the meetings of the Council in early stages of a process are important, that Ålandic presence in the room can put pressure on Finland's representatives to consider Ålandic positions, and, at a more general level, Ålandic ministers overall ought to spend more time in Brussels.¹¹¹

In the absence of direct participation in decision-making in Brussels, the Åland official at the Finnish Permanent Representation in Brussels is seen as particularly important for finding information about decisions that are underway at an early stage; for gaining access to meetings and people in Brussels; and to advance Åland's positions. The official is formally employed by the Finnish Ministry for Foreign Affairs but works only for Åland, and at the expense of the Åland Government. The representative works both at a national level within the framework of the Finnish representation, and independently through their own contacts with institutions, organisations, and other regions represented in Brussels.¹¹²

Åland thus does not have a separate regional office, but a representative located at the Permanent Representation of Finland who acts independently.¹¹³ The representative has the diplo-

matic status of Minister-Counsellor (which corresponds to deputy head of a mission). It is the Åland Government that instructs the representative and pays their salary, and the regional representative acts on behalf of Åland and can take their own initiative. However, according to one informant, the custom is that Finland is kept informed and if Åland and Finland have differing positions, meetings with EU institutions will be attended by both the Åland representative and a representative of Finland.¹¹⁴

The Åland representative has access to the Council, which is described as important as well as rare among asymmetric autonomies though for federal entities it is more common. Due to their accreditation, the Åland representative can initiate ad-hoc meetings with the Commission.¹¹⁵

Interviews also show a perception that Åland could participate more actively both directly in Brussels and in Helsinki. That this does not happen is primarily due to a lack of resources, but in other contexts it is also mentioned that there is a lack of interest in and knowledge about EU-issues among members of the Åland legislature.¹¹⁶

3.2 *South Tyrol: Political Bargaining in Brussels and in Rome*

South Tyrol's avenues for participation in the EU are a combination of channels provided for all Italian regions; channels it has as autonomous province; the co-operation with (Italian) Trento and (Austrian) Tyrol in an EGTC (European Grouping of Territorial Cooperation)¹¹⁷; channels in

on gathering information to more focus on impact - and so that the representation has become less integrated into the Finnish Permanent Representation, why today, even if it has no separate office premises, the representation in Brussels can be conceptualized as a Regional Office. Blomberg 2021, forthcoming.

114 Interview Åland.

115 Interview Åland.

116 Simolin 2021.

117 EGTC is a legal instrument for facilitating cross-border, transnational, and interregional cooperation.

110 Simolin 2021.

111 Simolin 2021.

112 Simolin, 2021; Interview Åland. For studies of the role and mandate of the representative in Brussels see Blomberg 2020, 2021.

113 According to Blomberg, the role of the representative has developed over time - from a focus

Brussels; a seat in the European Parliament; a seat in the Committee of Regions; and a regional office (the Common Representation of the European Region Tyrol–South Tyrol–Trentino in Brussels).

Foreign policy is the jurisdiction of the Italian state, and for a long time the external representation and involvement in decision-making processes within the EU remained a state monopoly.¹¹⁸ Special regions could implement EC law in fields where they had exclusive competences from the beginning, but the state kept control of concurrent legislation until the mid-1970s, when the involvement of regions increased.¹¹⁹ Since the Constitutional reforms of 2001 regional participation in EU affairs, and the direct regional enactment and application of EC/EU law, are included in the Constitution of Italy.¹²⁰

According to the Constitution: “The Regions and the autonomous provinces of Trent[o] and Bolzano take part in preparatory decision-making process of EU legislative acts in the areas that fall within their responsibilities. They are also responsible for the implementation of international agreements and EU measures, subject to the rules set out in State law which regulate the exercise of subsidiary powers by the State in the case of non-performance by the Regions and autonomous provinces.”¹²¹

Interviewees point out that there is a difference between the preparatory phase and the phase of implementation, and whilst the implementation phase is fully delegated to South Tyrol, the scope for participation in the preparatory phase is very limited.

118 Woelk 2008, p. 136; Ackrén 2011, p. 22; Lindström 2020, p. 27.

119 Woelk 2008, p. 136.

120 Woelk 2008, p. 138. “All regions are vested with a general power of direct enactment and application of EC/EU normative acts as well as international treaties, independent from the nature of the competence concerned (exclusive, concurrent or residual).” Law 131/2003 “Provisions for the adaptation of the Law of the Republic to the Constitutional law”, Article 5.

121 Constitution of Italy, section 117.

The previously mentioned Standing Conference for Cooperation between the State, the Regions and the Autonomous Provinces¹²², together with an informal Conference for the Presidents of the Regions, have become the institution which formulates and expresses the regions’ opinions on EU proposals which concern their powers or interests.¹²³ It has a consultative role and can discuss all political issues of regional interest, including EU-matters but excluding foreign and defense policy, and judicial affairs. Only the executive is represented in these meetings, which take place ‘behind closed doors’.¹²⁴

The Constitution describes direct contacts and regional participation in the decision-making process, and regions are entitled to regional representation in the Government’s delegations in Brussels.¹²⁵ Furthermore, the Regions and Autonomous Provinces may participate in the Council of the EU, the Commission, and in their working groups and expert committees, following an agreement in the State-Regions Conference. The national delegation to the Council of Ministers may be chaired by regional representatives and must comprise at least one representative from the special status Regions and Autonomous Provinces.¹²⁶ However, even if the provisions for regional participation in the Constitution are generous, later national regulations interpret the provisions in the Constitution in a more restrictive direction. It is also said that it is the implementation phase that has been empha-

122 Conferenza permanente per i rapporti tra lo Stato, le Regioni e le Province Autonome. Hereinafter: “Standing Conference”.

123 Woelk 2008, p. 139–140.

124 Interview South Tyrol.

125 “Regioni participate both directly and indirectly in Brussels itself. Indirect participation comes by means of the four regional representatives, appointed by the Conferenza Stato-Regioni, that are part of Italy’s permanent representation in Brussels (COREPER).” Bilancia et. al 2010, p. 159–160. (The publication uses the terms “stato” and “regioni” which is Italian for ‘state’ and ‘region.’)

126 European Committee of the Regions online, “Italy”.

sized rather than participation in preparation of EU-regulations and decision-making.¹²⁷

According to interviews, the scope of participation for Italian regions, through State channels, is more accessible on paper and more restricted in practice. The standing conference is important but has a consultative rather than legally binding role. The possibilities for the regions to take part in the national delegations to the EU are considered to be very restricted. Furthermore, there are a limited number of seats assigned to the regions, and it is the state which decides over the rotation, which means it is very difficult to plan ahead or build alliances. According to one informant it would be considered out of the question for a regional minister to represent the state in the Council.¹²⁸

According to provisions in the Constitution, the regions also have the possibility of asking the Italian Government to file appeals to the European Court of Justice on their behalf.¹²⁹ Moreover, provided the matter is within their remit, the government is obliged to appeal to the EU Court of Justice against EU decisions if the Standing Conference requires it with an absolute majority of the special status Regions and Autonomous Provinces.¹³⁰

The mandate of the Commission of 12 and of 6 – which is considered as the perhaps most important instrument for the development of the autonomy – builds on the Autonomy Statute where EU-matters are not included, and hence EU-matters are not formally within their scope. The Commission is, however, described as a forum for negotiation rather than strictly rules-based, thus it is possible that EU-matters can be informally raised in meetings which take place behind closed doors. Another forum for negoti-

ation is the national parliament, where the votes of the representatives from the South Tyrolean party SVP may be important to national governments that govern on slim majorities.¹³¹

In 1995 South Tyrol opened a representative office in Brussels together with Austrian Tyrol and Trentino. This was contested by the Italian Government on the grounds that it was foreign policy and thus under the jurisdiction of the state. However, the Constitutional Court ruled against the government on this matter, and legislation was later passed allowing all regions to establish offices in Brussels for relations with the EU's institutions.¹³²

In contrast to the Åland Government's representative in Brussels, the two staff sent by South Tyrol to the representative office have no diplomatic status and hence are not accredited to the EU-institutions. They promote both interests specific to South Tyrol; the joint interests of the Euroregion – e.g. regarding Common Agricultural Policy impact, or infrastructure in Alpine regions; and the interests of the European Grouping of Territorial Cooperation (EGTC). The staff of South Tyrol in the regional office fall under the presidency of the South Tyrol Government and have no formal links to the Permanent Representation of Italy in Brussels.

The tasks include information, networking, and lobbying, and staff have a technical, facilitating, and supporting role rather than a political one. The office is working both with financial issues and with monitoring upcoming legislation, however part of the work is managed within the administration in South Tyrol.¹³³

127 Interview South Tyrol.

128 Interview South Tyrol.

129 Woelk 2008, p. 139; European Committee of the Regions online, "Italy".

130 European Committee of the Regions online, "Italy".

131 Interview South Tyrol.

132 Engl and Zwilling 2008, p. 168.

133 Interview South Tyrol. The office in Brussels works with direct funding, whereas there is a department within the administration in South Tyrol which manages indirect funding, such as structural funds, ERDF, ESF, Interreg, and the Agriculture Department manages structural funds in agriculture.

In Brussels, South Tyrol has access to the European Parliament through its MEP. The position is not guaranteed for South Tyrol, but specific rules apply to minority language parties in the elections, and at least one seat in the European Parliament has been secured by SVP in all Italian elections to the European Parliament since 1979.¹³⁴ The MEP of Tyrol may also act as an ally.¹³⁵

Of Italy's 24 representatives in the European Committee of the Regions (CoR), 14 are nominated by the regions. South Tyrol, for its part, has one representative. According to interviews in South Tyrol, participation in the CoR is considered important, whereas Bilancia et. al., asserts that, for the regions of Italy, "Regional participation in the Committee of Regions (CoR) has not seemed to bring practical benefits, partially due to CoR's mixed composition consisting of representatives from regional and local bodies".¹³⁶

In Brussels, South Tyrol often co-operates with other mountain regions as they often have common interests. Among the associations and networks that South Tyrol takes part in and which are mentioned by the informants are Euromontana, the Vanguard initiative, ERRIN (The European Return and Reintegration Network), the ALPINE Convention, EUSALP (EU Strategy for the Alpine Region) and the Association of European Border Regions (AEBR). In addition, South Tyrol can participate in networks both for Italian regions and for German speaking regions. South Tyrol is also a member of the Conference of European Regional Legislative Assemblies (CALRE).

134 As a linguistic minority party SVP is not required to reach the national threshold of 4% on its own, but needs to secure a set number of votes (50,000) and can connect with a larger party to pass the threshold.

135 Interview South Tyrol.

136 Bilancia et.al. 2010, p. 161.

3.3 The Faroe Islands: Co-operation Through Bilateral Negotiations and Diplomacy

As a third country in relation to the EU, the Faroe Islands do not participate in the common decision-making process but co-operate with the EU on a bilateral basis in concert with EU staff responsible for EEA-countries and small states.

For the Faroe Islands, their representation in Brussels is the main entry point for contacts within the European Union and the main formal contact with EU institutions is through bilateral treaties discussed with the Commission.¹³⁷

The Mission of the Faroe Islands in the European Union was founded in 1998. Its purpose is "to facilitate and enhance cooperation, contacts and the exchange of information between the Faroe Islands and the EU institutions and EU member states in all areas of mutual interest".¹³⁸ The office has a role in most of the contact between the Faroe Islands and EU institutions, including beyond the areas where bilateral agreements exist (trade, fisheries and research cooperation). Among the prioritized matters at the moment are; a deepened political relationship as well as; efforts to join both ERASMUS (European Community Action Scheme for the Mobility of University Students) and Creative Europe.¹³⁹

The Mission is a part of the Faroese Foreign service and acts in practice independently from the Danish Permanent Representation. At the same time the staff at the Mission enjoy diplomatic status through Denmark and are thus accredited to EU institutions. The staff is directed by the Faroe Islands and represents an entity outside of the EU, while at the same time they strive to be transparent and in continuous con-

137 Interview Faroe Islands.

138 Government of the Faroe Islands online, The Faroe Islands and the European Union.

139 Ministry of Foreign Affairs of the Faroe Islands, "An updated EU Arctic Policy", p. 6; Interview Faroe Islands.

tact with the Danish representation in Brussels.¹⁴⁰ In matters directly affecting the Faroe Islands, and in particular their relationship to Denmark, according to one interviewee, if interests coincide there is a possibility that Denmark would act in a way that also serves the Faroe Island's interests.

The European Commission is the main organ that the Faroe Islands has contact with via bilateral treaties and the joint committees that are responsible for them. The staff at the Mission in Brussels have meetings with representatives at different levels in the Directorate-Generals (DG) for trade and research, with the Commissioners, and their cabinets before decisions are made in the formal joint committee meetings. Questions on fisheries are primarily managed from the Faroe Islands rather than from Brussels, and so there is frequent and direct contact between the Ministry of Fisheries in the Faroe Islands and the Directorate-General of Maritime Affairs and Fisheries (DG MARE). Meetings are also held with DG staff in some other areas where the Faroe Islands have special interests, such as DG of Education and Culture.¹⁴¹

As a non-member, the Faroese have no representation in the European Parliament. There is no delegation in the Parliament responsible for the Faroe Islands, which is something the Faroe Islands would like to see changed.¹⁴² There is a delegation responsible for EEA-countries and the Arctic northern hemisphere, which has an annual meeting with the West Nordic council, as well as the Nordic Council, where the Faroe Islands are a member.¹⁴³ The Mission in Brus-

sels also has contacts with MEPs who work on Arctic affairs and with MEPs from the Nordic countries.¹⁴⁴

As a non-member the Faroe Islands Government does not participate in the Council. However, in recent years the office in Brussels has intensified their contact with the Council's EFTA-group which is in charge of EEA-countries, the small states in Europe as well as the Faroe Islands. The mandate on trade is presented to this working group before joint committee meetings, and so this group is "the link to the member states" for the Faroe Islands. Furthermore, even if the staff of the Mission in Brussels, as Danish diplomats, are automatically accredited to the Council, this channel is not used as the Council is a forum for members and the Faroe Islands are a non-member.

The Faroese do not participate in the Committee of Regions, as it is deemed irrelevant for the Faroe Islands as a non-member who also see themselves as a country rather than a region. As a non-member the Faroes are not automatically included in associations and networks that are relevant for members. However they are active in networks and cooperation in Brussels e.g. a third country group on fisheries and in a Nordic group on cultural cooperation where Åland is also active. In addition, the Faroe Islands have associated membership in the Brussels cluster of the EU National Institutes for Culture (EUNIC).¹⁴⁵

An arena that the Faroe Islands have access to is the European External Actions Service (EEAS), which is the European Union's diplomatic service. The EEAS are also represented in joint committee meetings.¹⁴⁶

140 Bartman 2006, p. 550; Interview Faroe Islands. As previously mentioned, the 2005 Foreign Policy Authority Act presupposes close co-operation between the Faroe Islands and Denmark.

141 Interview Faroe Islands.

142 Interview Faroe Islands.

143 European Parliament online, "Delegations": DEEA - the European Parliament's Delegation for Northern cooperation and relations with Switzerland and Norway and to the EU-Iceland Joint Parliamentary Committee and the European

Economic Area (EEA) Joint Parliamentary Committee.

144 Interview Faroe Islands.

145 Interview Faroe Islands.

146 Interview Faroe Islands.

Access to EU in Brussels	Åland	South Tyrol	Faroe
European Parliament	No own MEP. Informal contacts with relevant MEPs. Assistant to MEP of the Swedish People's Party of Finland (SfP).	SVPs MEP (since 1979) Not guaranteed, but election rules consider position of linguistic minorities. MEP of Tyrol an important contact.	No MEP. No delegation in EP responsible for FO. Contact is with individual MEPs and through West Nordic Council.
Council	Minister from Åland can take part in Council meetings with FI delegation. Representative in Brussels accredited through FI Permanent Representation, can take part in meetings, represent Finland and set up own meetings.	Legal basis for participation, but in practice, mostly informed through briefings held by Permanent Representation for all Italian regions.	Contact with the Council's EFTA-group, which is involved in preparations for trade negotiations and hence FO's "link to the member states".
Commission	Autonomy Act provides for direct contact in implementation phase. Representative in Brussels accredited through FI Permanent Representation, and can request meetings. Open consultations.	Legal basis for regional participation in commission. ST can have own contacts with staff, level depend on DG and subject. Notifies Italy if considered needed.	Bilateral joint committees on trade and research. Contacts with staff and Commissioners before meetings. Fisheries, contacts with DG MARE. Informal contacts with other DGs.
Direct representation in Brussels	No independent regional office as such – Åland government representative at permanent Representation of Finland. Focus on legal matters.	Regional office together with Austrian Tyrol and Trentino (independent from Permanent Representation of Italy). Covers both financial and legal matters.	Mission of the FO to the European Union, part of FO Foreign service. Independent from DK Permanent Representation but acts transparently and within own domains. Involved in all Faroese relations to the EU.
Committee of Regions	One seat held by Speaker of the Åland Parliament.	One seat held by Head of the Government of South Tyrol (President).	Not relevant. (Non-member which sees itself as a country, not a region.)
Networks	Examples: RLEG and Conference of European Regional Legislative Assemblies (CALRE).	Examples: Conference of European Regional Legislative Assemblies (CALRE), Euro-montana. EIRNN, Vanguard initiative, EUSALP, Alpine Convention	As non-member many networks are excluded, but e.g. third country group of fisheries.
Other	Autonomy Act: If Åland has differing position than the state, Åland can demand Finland state Åland's position to EU institutions.		As a third country FO has contacts with the European External Actions Service EEAS.

Table: Overview of channels

The table lists the regions' access points in Brussels, including both formal and informal access to EU-institutions as well as adjacent organizations and networks. Deviating from Tatham's division of national and extra-national channels, it includes regional access to EU-bodies both

through the state and independently. Participation in national work conducted in the national state is not included in the table, but only participation in Brussels.

4. What EU Means for the Regions

The EU affects the regions within it in a multitude of ways, both directly and indirectly. The legislative and administrative competences of the EU and the regions coincide in many fields. The EU Regional Committee estimates that approximately 70% of EU legislation has a direct regional or local impact.¹⁴⁷ The overlap in authority is, according to Tatham, particularly evident in areas such as the environment, transport, agriculture, fisheries, regional economic development, and spatial planning.¹⁴⁸ In spheres where the competences of the EU and the regions overlap, the regions must implement EU policies and regulations.

Previous research on the EU and its regions has shown that the EU can have both an enhancing and inhibiting, a strengthening and weakening, effect on regions' room for maneuver. Research often shows that regions are losing legal competence whilst simultaneously using the EU as an international platform to pursue their agenda and strengthen their position at a national level, and can expand their economic opportunities by utilising EU-funding.

The literature describes how the EU weakens the autonomy of regions through the aforementioned “regional blindness” and through “competency creep” - where the competences of the EU institutions are expanded leading to what is usually known on Åland as “leakage of competences”. Decision making is shifted from a national to a European level and is moved away from the reach of regions without compensation in the form of direct influence within the EU.¹⁴⁹ In addition, the competences retained by

a region may also be affected by EU regulations, which limits the possibilities for independent decision-making.¹⁵⁰

However the EU can also offer opportunities for strengthening regions, both through financial support and through multi-level governance. This includes the ability of regions - through the EU - to have access to new arenas where they may act and gain influence, and the ability of the EU to act as a powerful ally to a region in situations where a region may have opposing interest with its central state.¹⁵¹

Instead of an either-or perspective, the research shows that both can be true: that the EU has both a weakening and a strengthening effect.¹⁵²

4.1 The Core Ideas of European Integration

At the time of accession and later, for the Åland Islands, the EU's basic ideas on economic stability, peace and security for citizens, free movement of goods, services and capital, and cross-border cooperation with equal access to the market for all people are described as positive. Several informants remarked that the EU has probably had positive effects for Åland at an overall level - for example in terms of security policy situation and open borders - but this is also something that is difficult to measure, as one does not know what the world would have looked like without the EU, or what Åland's situation would be outside the EU.

It has been claimed the effects of the EU at this level may have been less noticeable for

147 Tatham 2019, p. 214.

148 Tatham, 2019, p. 213-214.

149 Abels and Battke 2019, p. 2; Bourne, 2003, s.597; Plangger 2018 pp. 1-2; Bursens and de Blauwer

2018, p. 600.

150 Plangger 2018, p. 3.

151 Bourne, 2003, p. 598, Plangger 2018, p. 2, Fleurke and Willemsse 2007, p. 70.

152 Plangger 2018 p. 2

Åland than for many other countries and regions; the EU peace project and the security policy aspect may have been less noticeable to the demilitarized Åland than in many other places and the EU's effects on free movement may be less important for Åland than for many others, as Ålanders have nonetheless traveled around the world with shipping.¹⁵³

In addition, at the time of EU accession, Nordic co-operation was already well developed and Åland already had access at a Nordic level to some of the freedoms offered by the EU at the European level.¹⁵⁴ Furthermore, the tax exemption from the EU has consequences for cross-border trade, and can be interpreted as making the borders more dense. An interviewed politician maintained that the tax border was seen as essential to protect tax-free sales and, consequently, ferry-traffic to the islands. However, this also implies that Åland not only lost the prospect of an open border with Sweden and the rest of the EU, but also got a less open border with Finland.¹⁵⁵

Open borders and EU as an entity for peace have a different meaning in South Tyrol than in Åland. The conflict between Italy and Austria was officially settled only in 1992. At that time the autonomy of South Tyrol had been strengthened and the tide turned so that people started to immigrate to an economically viable South Tyrol rather than emigrate from it. The EU-membership of Austria in 1995 and the subsequent introduction of the Schengen Area, meant that new steps towards cross-border co-operation could be taken.

According to Larin and Røggla, the border between Austria and Italy was “effectively

erased” in 1997. In fact, this softening of borders which led to possibilities for enhanced co-operation with Austria is described as quite crucial both in the literature and by interviewees. It has been described that the EU for South Tyrol has meant moving the region from the periphery to the center. According to informants in South Tyrol, it is part of the South Tyrolean identity to be European and consider South Tyrol as being situated in the heart of Europe and functioning as a bridge builder between Italy and Austria – “it is almost a brand”.¹⁵⁶

In addition, one interviewee intimated that a European identity might also be important to overcome extreme discourse which may be encouraging divisions between the linguistic groups in South Tyrol.¹⁵⁷ According to Engl and Zwilling, “due to European integration, economic and political progress could be reached in this border region, which for decades had been a symbol of separation and a battle-line in both world wars.”¹⁵⁸

Even if Eurosceptic voices can be heard in South Tyrol all interviewees asserted that opinion on the EU is mostly positive. According to one informant, in South Tyrol, discourse on the EU describes it as a ‘savior’ for minority regions, which is a perception said to be prevalent among minority regions in Europe. The hardening of borders in relation to the recent migration crisis and Covid-19 pandemic has been perceived very negatively among the population. In Åland the border restrictions during the pandemic have also raised awareness of the importance of open borders.

The situation for the Faroe Islands can be described as quite different due to its geographic location and its status as a non-member. One informant said that the issue of peace has never been as pressing out in the North Atlantic as in

153 Simolin 2021.

154 The Nordic co-operation among other things include and agreement on a Common Nordic Labour Market and a Nordic Passport Control Agreement, which regulates waiving of passport checks at internal Nordic borders. Nordic cooperation - Nordic agreements and legislation.

155 Simolin 2021.

156 Similar assessments were made by three of the informants.

157 Interview South Tyrol.

158 Engl and Zwilling 2008, p. 169.

mainland Europe. Open borders may also have a different implication for a remote island than for land-locked South Tyrol or the 'EU-surrounded' Åland Islands. Borders are softened in certain areas through the trade and fisheries agreements, but in other fields the EU has led to the necessity to find solutions to border obstacles, including in relation to Denmark.¹⁵⁹

It is not within the scope of the report to try to assess the economic impact of the European Union on the regions, but a few observations can be made. All three regions have a GDP per capita which outperforms the EU average.¹⁶⁰ South Tyrol has seen a positive economic development, and this development has occurred during the time when it has been a part of the EU. The importance of European funds are highlighted in some of the interviews. For the Faroe Islands, their dependence on state subsidies had been decreasing prior to the pandemic.¹⁶¹

In the case of Åland, based on the material, the informants' statements, and investigations which were reviewed in the previous report, it was not possible to deduce any unambiguous view on whether the EU had a promoting or inhibiting effect on Åland's economic position as a whole. In addition, studies have indicated that, in many ways, the EU has affected the economy of Åland only marginally, and even after accession to the EU Åland has continued to trade mostly with Finland and in the immediate neighborhood: indeed, during the first few years of membership integration with Finland in this field increased.¹⁶²

159 Interview Faroe Islands.

160 Based on statistics from before the COVID-19 pandemic.

161 Government of the Faroe Islands online, "The Faroese economy is more self-sufficient and independent than ever".

162 ÅSUB 2009:14, pp. 69-73; Palmer 2021, p. 58.

4.2 Effects on the Autonomy of the Regions

As discussed, the EU can simultaneously have both enhancing and constraining effects for autonomy of the regions within it. According to literature and interviews, this is true both for Åland and South Tyrol. Sources describe the fact that Åland's special status is noted in Finland's accession treaty with the EU as an important enhancement and protection of the autonomy at an international and legal level. However, EU membership is described to entail a transfer of power to the Union, a transfer of powers vis-à-vis the state, and thus a loss of decision-making power, which, according to the Åland Government, has not been compensated to an adequate degree with direct influence within EU decision-making bodies (primarily an MEP for Åland). One of the informants stated the paradox as follows: "Self-government has been strengthened in theory and weakened in practice".¹⁶³

In theory, EU membership should not affect the division of competences between Åland and Finland. However, the logic of the EU's multi-level governance is not always compatible with a bilateral division of authority between a state and a region.¹⁶⁴ It had already been noted during the negotiations for the Treaty of Amsterdam (1997), that "it is difficult to assess whether new provisions are the competence of the state, the region or both, as the Autonomy Act regulates the division of labor nationally but does not take into account jurisdictions which are exclusively reserved to the Community".¹⁶⁵

Åland, in areas within its jurisdiction, must go through Finland to present its views to the EU - and in some cases must consult with Finland or even comply to Finland's decisions on how EU

163 Simolin 2021.

164 Simolin 2021, Suksi 2011, p. 594. See also Spiliopoulou Åkermark's (2021) report in the study on the EU and Åland about the different logics.

165 Åland Government memorandum to the Åland Parliament on EU-matters 4/97-98. (Author's translation).

policies should be implemented rather than being able to take its own decisions. This is referred to as “behörighetsläckage” - leakage of competences to Finland due to the EU-membership.

In summation, the problems that the Åland Government perceives can be divided into five areas: 1) Åland has no direct representation in the EU institutions and must go through Finland for influence; 2) the logic of a strict division of competences between the state and Åland’s autonomy, does not always correspond with the logic of EU, which leads to loss of competence and a dependence on Finland (for example when EU foresees only one decision or authority per member state); 3) there are gaps in ensuring that Åland has appropriate insight and influence in all phases of preparation, decision-making, implementation of EU-regulations, and infringement procedures; 4) Åland’s participation is hampered by the fact that the preparatory work at a national level is performed in Finnish; 5) Åland has a small administration, which leads to a lack of resources and difficulties in detecting problems at an early stage when it is still possible to achieve changes.¹⁶⁶

On Åland, the EU legal system is described as burdensome, as there are detailed rules to be implemented and often very complex systems designed to suit larger Member States rather than small regions. In the areas where regions have legislative competence, the same requirements are imposed on a region as on a state. Thus the regulations to be implemented are described as much more comprehensive than what would be needed for Åland.¹⁶⁷

In addition, there are smaller but symbolically important issues where EU regulations have been resisted by the Government of Åland and public opinion, concerning spring bird hunting for Eider Ducks and sales of oral tobacco.¹⁶⁸

166 Simolin 2021.

167 Simolin 2021.

168 For a legal account, see Suksi 2011, pp. 599.

For South Tyrol, even though some scholars mention that deepening EU integration means legislative powers are lost, the phenomenon is not described as a major concern in the interviews. However, when specifically asked, informants say officials are aware that it is necessary to be alert and that it is perceived that it would be of importance to have EU-matters regulated in the autonomy statute. It is also mentioned that, as the scope of EU-legislation grows, the question of overlapping competences is likely to become more pressing.

In the Government programme for 2018-2023, the development of a Europe of the Regions is described as a chance for South Tyrol to strengthen its autonomy.¹⁶⁹ In a study of the positions that South Tyrolean regionalist parties hold towards European integration and the European Union, Utz found that the effects of the EU on autonomy was one of the major topics in this field.¹⁷⁰ The dominant regionalist party, SVP, “frames its support for the integration process predominantly by referring to the opportunities European integration offers for enhancing the province’s level of self-government.”¹⁷¹ In these statements the party representatives highlighted the empowering effect that European integration has on sub-state territorial entities. Other political parties, instead, have expressed concerns regarding the EU’s impact on minority protection and territorial self-government.¹⁷²

Like Åland, despite the overall view of the EU as a facilitator for development of auto-

169 South Tyrol Government programme for 2018-2023.

170 Utz 2016, p. 4. Positions expressed in parliamentary debates during the regional parliament between 1989-2015 were examined.

171 Utz 2016, p. 51.

172 Utz 2016, p. 53-54. Other opinions voiced in the debates have regarded the EU environmental policies - which have been considered as both positive and too lax by some - the EU’s policy-making has been framed as overly bureaucratic and corrupt, and there have also been some negative opinions expressed on the EU’s facilitation of immigration into South Tyrol.

my, concerns have been expressed in South Tyrol concerning the compatibility of the EU system and the autonomy system. In the 1980s, with deepening European integration, the implementation of the European Common Market, and the simultaneous process of increased autonomy for South Tyrol, the level of apprehension increased and, “it was with a sense of dismay that having fought for and won the meaningful autonomy sought, the South Tyroleans should now see [...] the main pillars of the autonomy [...] challenged, not by the aggressive nationalism of the past, but by that very European internationalism they had for so long unswervingly supported”.¹⁷³

The opinion that EU regulations directly - as well as indirectly through state regulations - do not give much room for local adaptability can be found both on Åland and in South Tyrol. One informant claimed that while, “what is coming from the EU” is generally seen in a positive light and is considered to be modern politics, most EU regulations and programmes are not adapted for small entities. For instance, structural funds and operational programmes were found by the informant to offer little leeway for autonomous decision making; which can only be addressed at a national rather than EU-level. According to the informant there is no purview for South Tyrol to deviate from the rest of Italy: “... we depend 100% on the national authorities”. In this sense the informant perceived that South Tyrol is losing autonomy.

In relation to South Tyrol, Woelk summarized that, “European integration offers opportunities, but also potential risks for Regions. [...] the open borders and Austria’s membership are certainly huge advantages for a peripheral territory. However, the difficulties in regional participation in the European decision-making process cannot be overlooked: besides the capacity and resource problems for small Regions and the un-

173 Alcock 1992, p.17-36.

satisfactory participation at national level, it is hardly possible for autonomous Regions to represent or defend their specific interests in any effective way. Finally, the logic of the internal market and the imperative of uniform application of EU Law risks limiting the sphere of regional differentiation and autonomous decisions.”¹⁷⁴

However, in South Tyrol, such concerns seem to be overshadowed by the positive aspects of international co-operation, open borders to Austria, and the perception of having moved from the periphery of Italy to the center of Europe. The point of departure at accession may play a crucial role here. When Italy joined the EC South Tyrol did not have much autonomy to lose nor did it have a choice in joining. Having gained autonomous powers during its time as an EU member, potential losses of competences may not have been as noticeable as in Åland. Unlike Åland it never experienced a sudden shift. When Finland ascended to the EU, Åland had to implement over 1200 legal acts,¹⁷⁵ whereas the legal systems of South Tyrol, Italy, and the EU have developed in parallel, as Italy was a founding member of the EU. In Italy it is said that the EU has also affected the internal relations. Europeanization has been, “a driving factor for reforms in the Italian regional system, notably regarding regional participation in the implementation of EU law and in European policy-making.”¹⁷⁶

The non-membership of the Faroe Islands affects its relationship to Denmark, and more widely its “role in the world”, as one interviewee put it. When Denmark acceded in 1973, the core interest of the Faroe Islands was to stay in control over fisheries, something which is of significance both for the level of autonomy and for

174 Woelk 2013, p. 134-136.

175 According to Peter Lindbäck who was Head of Administration of the Åland Government 1987-1999, interview in Nyman 2000, p. 140.

176 Bilancia et. al. 2010 p. 144. See also Engl and Zwilling 2008, p. 173.

the economy. According to Rebhan, the two issues are closely linked: “The preservation of national sovereignty was so significant because it meant remaining in control over Faroese fisheries resources”.¹⁷⁷

Like the other two entities, even though the Faroe Islands have remained outside of the EU, it can be said the EU has had both enhancing and constraining effects on the autonomy of the Faroe Islands. Since Denmark acceded to the EU in 1973, the autonomy of the Faroe Islands has been strengthened and more competences have been transferred to the Faroes. According to the informants, the fact that the Faroe Islands remained outside of the EU has contributed to this trend, as the Faroe Islands needed more competences in the field of external relations in order to bilaterally negotiate with the EU, amongst others, on trade and fisheries.

Informants also asserted that being a “third country” in relation to the EU defines the Faroe Islands as a separate entity from Denmark in relation to the EU. This entails running its own negotiations and making its own bilateral agreements with the EU, as well as pursuing its own goals, which may at times differ from those of Denmark. For example, during the “Mackerel Wars” (2013–2014) when the Faroe Islands and the EU could not agree on fishing quotas, Denmark abstained from voting in the Council when it was clear that it had a function of double representation in the conflict. Denmark also closed their ports to Faroese vessels due to measures adopted by the EU.¹⁷⁸

The Faroe Islands are not affected by the EU legal system to the same extent as the other two regions due to non-membership of the EU. Still, informants assess that there are both direct and indirect effects of EU regulations which impact Faroese legislation and administration. The most noticeable effects are where the relation-

ship to the EU is defined in a bilateral agreement, e.g. trade, fisheries, and research, though indirect effects can also be discerned. In some areas the Faroe Islands can be said to be affected by the “Brussels effect” – like all entities exporting products into the EU market, the Faroe Islands must adhere to EU standards on products.¹⁷⁹ Even trade relations with Iceland – which is not an EU-member but is an EEA-member, are affected. For example, Iceland is bound by EU-regulations on meat production and cannot import meat from the Faroe Islands.¹⁸⁰

The Faroe Islands are also affected by EU-law in fields that are Danish competence, such as financial services, an area where the EU gradually has been taking over competences. There are also examples of the Faroe Islands voluntarily adhering to EU legislation in areas of Faroese competence, such as insurance where the Faroe Islands have an interest in being able to establish companies in the EU, and rules on data protection of personal data, where the Faroe Islands have implemented GDPR. Indirect effects can also be detected due to “policy transfer”: when drafting new laws Faroese legislators examine the formation of laws in Denmark and other Nordic countries, and as these countries are either EU or EEA members, their laws are affected by EU or EEA-regulations.¹⁸¹

4.3 Contemporary Ambitions and Future Prospects in Relation to the EU

On a political level, the EU does not appear to attract very much attention on Åland, despite estimates showing that more than half of Ålandic legislation is affected by EU Regulations.¹⁸² For example, in the Åland Government program for the term of office 2019 to 2023, the

179 Ackrén 2021 forthcoming. See also Hartmann 2019, p. 9.

180 Interview Faroe Islands.

181 Interview Faroe Islands.

182 According to Gunnar Jansson, lawyer and former Member of the Parliament for Finland. Seminar on Åland and the EU, 15.12.2020, online.

177 Rebhan 2014, 153–155.

178 Adler-Nissen 2014, p. 66.

EU is not mentioned even once. In a recent Parliamentary session celebrating the anniversary of Ålandic autonomy, the heads of the parliamentary groups spoke on the first 99 years of autonomy in a series of speeches, and the EU did not have a prominent position in this exposé – it was hardly mentioned. In interviews, Ålandic politicians have claimed that the interest for EU matters among parliamentarians on Åland is very low. Interviewed civil servants on the other hand, perceive the EU as quite influential and present.¹⁸³

The view of the EU in South Tyrol deviates from that of the rest of Italy, and whilst the European dimension is certainly present in the South Tyrolean government programme, according to Bilancia et. al. (2010) “the European discourse, while frequently used in rhetorical terms, is essentially ignored at regional level. Even when European issues are at stake (such as agriculture, which is among the most Europeanized policies, but belongs entirely to the regioni [regions]), they are not presented as such in political debate.”¹⁸⁴

In interviews, the EU has been described as remote in relation to the Faroe Islands, both geographically and consciously – the EU just is not very present in the minds and debates of people living on such far-away islands.

As has been noted, the EU has been accused of being “regionally blind”, but perhaps are some regions similarly “EU blind”?

In the Government programme of South Tyrol for 2018-2023¹⁸⁵, the EU and the Euroregion are allotted one chapter each, out of a total of nine. The chapters focus on South Tyrol as a part of Europe, on the Euroregion of Tyrol, South Tyrol and Trentino, and on cross-border co-operation in the neighborhood. The chapter heading “for a common Europe of the regions”

indicates an optimistic view of the accommodation of regions within the EU. Aspirations include strengthened networks, more co-operation with networks in Brussels and with Austria, and removing practical obstacles to free movement - in particular travelling.

The Government of the Faroe Islands seeks a closer relationship with the EU. On its webpage the Government maintains that “... the Faroese Government is seeking to develop a broader cross-cutting framework for future co-operation with the European Union. As a nation in Europe, the Faroe Islands wish to have better access to relevant aspects of pan-European cooperation, and a more dynamic basis to improve existing relations with the EU and extend them to new and emerging areas of mutual collaboration.”¹⁸⁶

Some believe that the extent to which the EU affects the Faroe Islands will increase in the future. Rebhan argues that as Denmark’s integration in the EU increases, “Denmark’s political institutions are likely to increasingly transfer sovereignty to the EU” in policy areas which are likely to remain an exclusive competence of the Danish Realm (constitutional matters, citizenship, highest jurisdiction, foreign policy, security and defense policy and currency and monetary policy).¹⁸⁷ Following Rebhan, “In the long run, this could mean that it will be the EU that determines Faroese and Greenlandic policies in these areas and not the Faroese and Greenlandic Home Rule governments, although the Faroes and Greenland are not EU members.”

The ambitions and goals of the Åland Islands, in view of the EU, are described in memorandums from the Åland Government to the Parliament of Åland. Upon Finland’s accession to the EU, Åland strove to protect and safeguard its autonomy and economy to prevent them from

183 Simolin 2021.

184 Bilancia 2010, p. 158.

185 South Tyrol Government programme for 2018-2023.

186 Government of the Faroe Islands online, “European Union”.

187 Rebhan, 2014, p. 161.

deteriorating. Three areas have remained core ambitions of Åland in relation to the EU: 1) to maintain or expand the autonomy, 2) to enhance Åland's influence in the EU, and 3) to maintain or improve the economy of Åland.

The latest memorandum on external politics from the Åland Government to the Åland Parliament 2020–2021 can serve as an example, describing the ambitions in relations to the EU as follows:

“For Åland, there is every reason to continue pursuing an active EU policy. As the EU gains access to new budgetary resources, Åland must ensure that the support programs are adapted so that they can be used efficiently in small autonomies such as Åland. When discussions about new areas of competence arise, Åland must continue to be involved in shaping Finland's positions in accordance with the Autonomy Act, while at the same time influencing the discussion at an EU level to ensure that new EU competences do not risk affecting the autonomy negatively. The Åland Government is concerned about how the Commission is increasingly demanding, for example, a single national plan per member state in various areas. For the Åland Government, it is of significant importance that the Commission takes Åland's constitutional status into account in both new bills and in the work with various funds and programs.”¹⁸⁸

The Åland Government expresses ambitions towards gaining influence in EU institutions. However, there are slightly different views on the extent of Åland's opportunities to garner that influence. Compared to other regions in the EU, Åland has, according to one interviewed politician, “very limited room for maneuver, it is close to zero. Åland is a weak region within the EU in terms of co-determination or influence

188 Memorandum on external politics from the Åland Government to the Åland Parliament 2020–2021, p. 18. (Author's translation).

and Finland is a weak country within the EU. It depends a lot on individuals and whether they can be heard, both for Finland and Åland. We are so small and Finland is so small.”¹⁸⁹

Other interviewees were more optimistic, and among them there was agreement that in order to gain influence, problems must first be discovered early in the preparation phase. Secondly, the opportunities to influence are greater if Åland and Finland agree, or if Åland has other allies with the same interests. Finally, that it is easier to influence details rather than more advanced matters.¹⁹⁰

Even though the Ålandic Government memorandums over the years have, on occasion, expressed extensive ambitions – to attain as much autonomy and the best economy possible within the EU – the memorandums and interviews with politicians reveal a more defensive strategy. In practice the strategy has often been to implement what must be implemented, prioritize very strictly where to try to influence, and attempt to detect and avoid problems before it is too late.

This trend is engendered by Åland's small size and thus limited human resources and financial assets, which must cope with complex EU rules that are often adapted for much larger constituents than Åland. Therefore, the administration and, especially, the officials of Åland have been forced to prioritize the implementation of mandatory EU rules, while the capacity for seeking opportunities to benefit from EU membership or lobbying for changes in upcoming legislation has been considered significantly more limited.¹⁹¹

Interviewees expressed that it may be desirable for Åland to participate more actively, both directly in Brussels and in Helsinki. That this does not happen is primarily due to a lack of resources.

189 Simolin 2021.

190 Simolin 2021.

191 Simolin 2021.

In fact, civil servants, from the other two regions, share this assessment, saying that they “could” or “should” work more actively when it comes to detecting upcoming legislative changes, or for lobbying in Brussels. However, all three are comparatively small regions with limited resources, which constrains their possibilities to foresee which areas would be important and should be lobbied.

There is research (although not covering the Nordic countries) to indicate that they are correct: in one study, officials’ supranational embeddedness was found to be one of the two most crucial factors to determine a region’s (self-perceived) influence in the EU. The other factor being a region’s size in terms of population.

Tatham concluded that, in order to influence EU policies, regions should “increase their interaction with EU institutions and bodies...”¹⁹²

In interviews on South Tyrol, it has been asserted that also South Tyrol is too small, and that the possibilities to impact the EU are marginal. Neither the literature nor the interviewees have emphasized the need to influence upcoming legislation to the same extent as in Åland. In fact, it seems Åland has higher ambitions to try to detect and influence upcoming regulations than South Tyrol, and perhaps also more faith in the feasibility of influencing the EU. It can be noted that this is in spite of South Tyrol having a larger population and representation in the European Parliament, something which Åland lacks.

¹⁹² Tatham 2015. Using data from a telephone survey of senior regional officials in 60 regions and five countries, who amongst others reported on attributed influence – i.e., peer or self-assessed influence, Tatham investigated the determinants of regional influence. No data was collected in northern countries, and Tatham concluded that the findings should not be generalized to, among others, Nordic countries which represent a different country type than those included in the survey. However, the findings can be viewed as a vantage point for discussion of factors that may be relevant for motivations behind regional mobilization as well as perceptions of levels of influence, also in the cases chosen for this report.

5. Concluding remarks

This report aims to enhance the understanding of Åland's relationship to the EU, by comparing its situation to that of two other sub-state entities, South Tyrol in Italy which is inside of the EU, and the Faroe Islands which are outside of the EU, although its core state – Denmark – is a member.

As anticipated in the introduction, the focus on research of the EU's enhancing and constraining effects on the room of manoeuvre for the regions within it was useful in analyzing how the EU affects the Åland Islands and South Tyrol, how the EU is perceived in the regions, and how they participate in and try to influence the EU. To some extent, the framework can also illuminate the situation of the Faroe Islands, as an outsider in relation to the EU. However, in order to analyze, in depth, the tripartite relationship of EU-state-region, and in particular how the EU influences the relationship of the regions and their core state, a different theoretical framework would be needed.

Can Åland learn something from how others maintain or enhance their autonomy and participate in and try to influence the EU? It has been found that, while the comparison of Åland to other regions can certainly enhance the understanding of why Åland has made the choices it has made, and the opportunities and challenges it is facing within the EU, it did not identify "lessons" to be learned at a policy level.

This is partly due to the differing contexts of the regions, including their opportunities and political ambitions; and partly because the report does not dive into strategies, mechanisms and techniques used in the regions' administrative and standard work with the EU – an area where it is suspected it is more likely that "best practices" might be identified.

In line with findings in previous research on EU and the regions, it was found that the EU affects all three regions, both the ones within it and the one outside of the Union, but that it affects them differently and in dissimilar ways. Furthermore, it can be argued that the EU has had both strengthening and weakening effects for all three regions, though the advantages and disadvantages they experience differ.

It can be argued that EU membership is a spectrum, a continuum. It is not a question of either-or: fully in or fully out; fully independent or fully embedded – but a variety of parameters in a range. Even if it is formally not included in the EU, the Faroe Islands is still integrated to some extent. The Åland Islands have exceptions for features of its autonomy and economy which positions it mostly inside, but also partly outside, of the EU. Out of the three regions, it can be argued that South Tyrol is the most integrated, legally, politically, and mentally, with no legal exceptions and with a political goal to integrate more.

In a globalized world, states and sub-state entities alike must navigate within complex multi-level systems where a number of conflicting principles are embedded. Following the end of the Second World War, the competences of the state have been expanded and strengthened whilst simultaneously eroded. Since the 1970s, the state has increasingly relinquished power both upwards and downwards through processes of Europeanisation and decentralization. These two processes, in turn, are driven by conflicting logics. While the EU project is about coordination and homogenization, regionalization is about differentiation and distinctiveness.¹⁹³

193 See Tatham, 2019, pp. 211-217.

Autonomous regions in Europe – whether within or without the EU – are navigating in continuums of independence, integration, and embeddedness where they strive to balance their wish for self-determination and protection of their distinctiveness with their need for co-operation and participation.

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