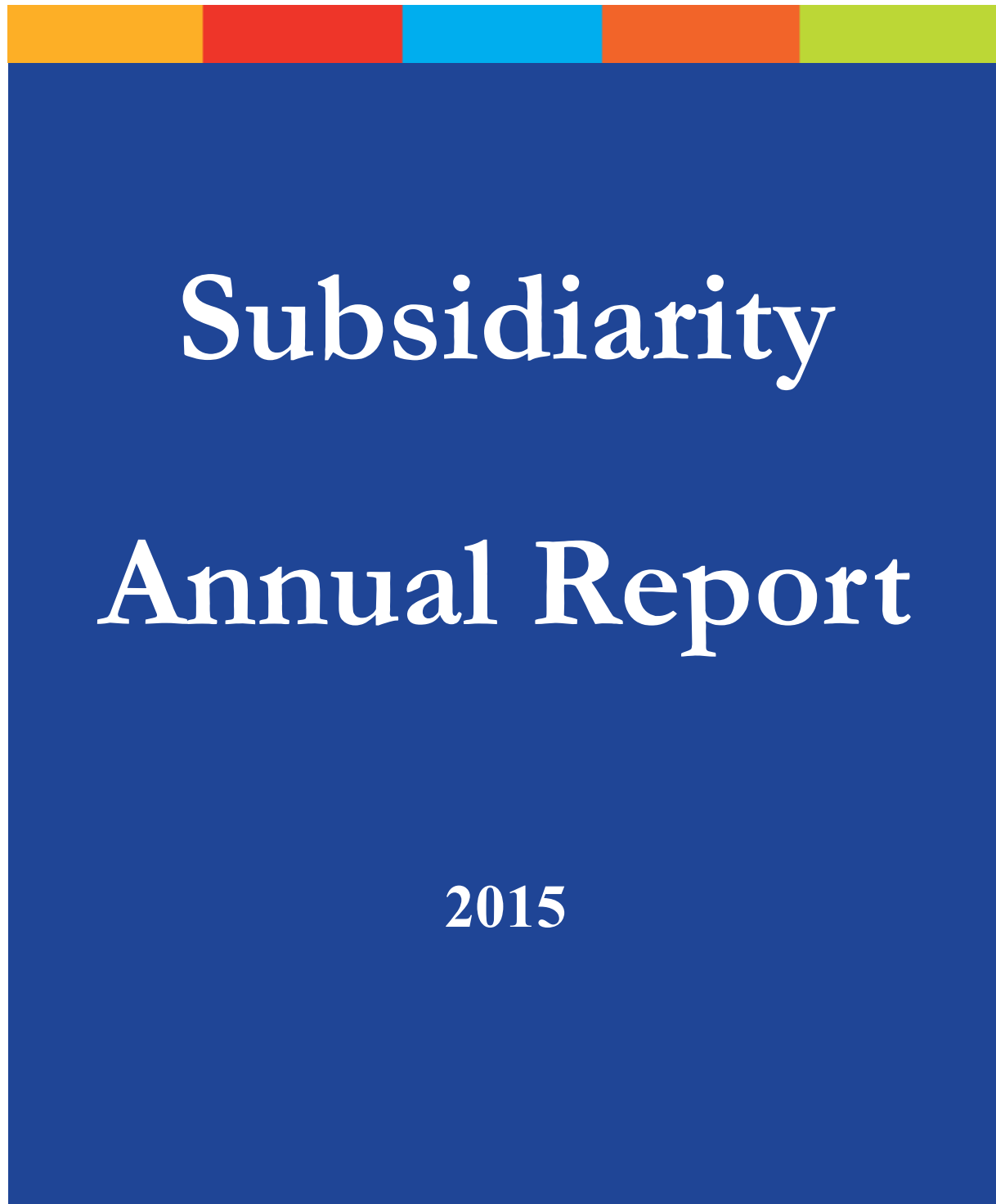


EUROPEAN UNION



Committee of the Regions



Subsidiarity

Annual Report

2015

1. Introduction

This sixth Annual Report on Subsidiarity sets out the subsidiarity and proportionality-related activities of the Committee of the Regions (CoR) in 2015. The CoR adopted and implemented its third Subsidiarity Work Programme (SWP)¹ on the basis of the Work Programme of the European Commission.

The European Commission made subsidiarity and proportionality its priorities and gave the responsibility to ensure the respect for these principles to its First Vice-President. Therefore, the European Commission's 2015 Work Programme², with 23 new initiatives, had a specific focus on subsidiarity and proportionality. Moreover, the work programme applied the principles of political discontinuity and better regulation to reduce "EU interference on the issues where Member States are better equipped to give the right response at national and regional level"³. The First Vice-President, Mr Timmermans, speaking at the 7th Subsidiarity Conference⁴, emphasised in this context that the Commission needed expertise and input from the Committee of the Regions (CoR).

The sixth Annual Report on Subsidiarity has two main aims: to outline the Committee of the Regions' subsidiarity monitoring activities during the year and their impact, and to give an overview of other important subsidiarity-related activities. The report presents the main features of the Subsidiarity Work Programme 2015, followed by a summary of activities carried out with a view to its implementation in 2015 (part 2). The governance structure and tools for subsidiarity monitoring are described (part 3) and the impact of the monitoring is then assessed by examining the content of relevant CoR opinions with regard to subsidiarity (part 4). Part 5 is devoted to the most important events of the year and activities in the field of subsidiarity. Finally, conclusions are drawn and the outlook for the following year is presented (part 6).

¹ CdR 01517/2015, adopted by the Bureau on 15 April 2015.

² COM (2014) 910 final.

³ *Idem*, p. 2.

⁴ The 7th Subsidiarity Conference took place on 17 November 2015 in Brussels; see part 5 for more details.

2. Subsidiarity Work Programme 2015

2.1 Adoption

In accordance with the Subsidiarity Monitoring Strategy⁵, a Subsidiarity Work Programme for 2015 was drawn up using a procedure comprising several steps. The first step consisted of an initial pre-selection of legislative initiatives from the European Commission Work Programme 2015 by the Subsidiarity Expert Group based on the criteria set out below and information available at that stage. For the first time, representatives of national parliaments have been engaged in an exchange of views on the priority-setting for the Subsidiarity Work Programme in a session alongside the Subsidiarity Expert Group⁶.

The following selection criteria were applied:

- a) initiatives should present a clear political interest for local and regional authorities;
- b) initiatives should touch on competences of local and regional authorities;
- c) initiatives should bear a potential subsidiarity dimension.

The second step entailed the presentation of the draft Work Programme at the CIVEX commission meeting on 24 February and endorsement by the Subsidiarity Steering Group by written procedure on 16 March 2015. The final programme was adopted by the CoR Bureau on 15 April 2015.

The Subsidiarity Work Programme also included the tools available to the CoR for subsidiarity monitoring, to be activated throughout the year in the light of the institutional calendar and the actual content of proposals (Appendix 1).

2.2 Implementation

On the basis of the Subsidiarity Work Programme, the CoR administration set up an internal early flagging system to ensure the proper monitoring of the selected EU initiatives that might raise subsidiarity concerns. The implementation of the SWP requires the involvement at the earliest possible stage of all relevant political and administrative stakeholders, with a view to identifying and planning subsidiarity monitoring activities. In 2015, one initiative described in the following point was thus monitored with the help of the tools available. As several initiatives in the Commission's Work Programme were published as non-legislative ones, they could not be monitored as initially planned⁷.

⁵ R/CdR 606/2012 item 7a), adopted on 2 May 2012.

⁶ The SEG meeting took place on 25 February 2015.

⁷ See point 2.2.4.

2.2.1 Decision-making process on genetically modified food and feed

In its opinion "**Decision-making process on genetically modified food and feed**⁸" (rapporteur Marc Weinmeister, DE/EPP), the CoR considered that "*a prohibition option entails unreasonably high hurdles for a Member State to overcome before it can exercise this option at national level and impose a ban; this raises subsidiarity concerns and indicates that the proportionality principle would clearly be breached under this proposal*".

The underlying Proposal for a Regulation as regards the possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory⁹ had been submitted to a consultation of the Subsidiarity Expert Group¹⁰. The experts concluded that the draft regulation complied with the principles of subsidiarity and proportionality, but some of them raised the question of whether the draft Regulation really enables Member States to lawfully impose national bans and restrictive measures concerning genetically modified food and feed. This concern has been echoed in the CoR opinion.

2.2.2 Better Regulation Agenda

The Better Regulation package¹¹ was an initiative to be followed with special focus. The input provided by a discussion held during the 6th meeting of the Subsidiarity Expert Group on 29th June 2015 was sent to the rapporteur, Spyros Spyridon (EL/EPP). The Subsidiarity Expert Group broadly welcomed the package, not least because several demands of the CoR put forward in the past have been taken into account and the Commission has committed to providing more thorough justifications concerning compliance of legislative initiatives with the principles of subsidiarity and proportionality. However, the experts considered that Commission proposals should better take account of the local and regional level of governance. The CoR opinion on the framework communication "Better regulation for better results - An EU agenda"¹² reflected these concerns and called on the Commission and the co-legislators to consult the CoR and local and regional authorities more closely when carrying out impact assessments throughout the policy lifecycle. Moreover, the CoR welcomed the extension of consultations to include local and regional authorities, stakeholders and citizens in the preliminary legislative stages and in the implementation of legislation.

8 [CdR 03636/2015](#)

9 COM (2015) 177 final

10 See point 3.2 for details concerning the Expert Group.

11 COM (2015) 215 final, published on 19 May 2015

12 CdR 04129/2015

2.2.3 Initiatives not submitted to subsidiarity monitoring

The following initiatives included in the SWP were dealt with by non-legislative Commission acts, and in consequence were not submitted to subsidiarity monitoring:

- Strategic Framework for the Energy Union
- Labour Mobility Package
- European Agenda on Migration

One more initiative from the Subsidiarity Work Programme 2015 - the legislative proposals of the Circular Economy Package replacing the withdrawn proposal on the review of EU waste targets from 2014¹³ - was not monitored in 2015, as the proposals were presented in December 2015. The proposals were thus included into the Subsidiarity Work Programme 2016.

3. Political governance and CoR tools for subsidiarity monitoring

3.1 Subsidiarity Steering Group

The Subsidiarity Steering Group was set up in September 2012 in order to provide political governance for subsidiarity monitoring at the CoR and to ensure coordination between the administrative and political activities of the CoR on subsidiarity matters. During the reference year, the Subsidiarity Steering Group further consolidated the subsidiarity monitoring activities and adapted them to the reorganisation of the CoR Secretariat General, in order to use all synergies resulting from the attachment of subsidiarity monitoring activities to the CIVEX commission, at political and administrative level. In this framework, the Steering Group adopted an internal working document laying down such an adapted governance structure.

Furthermore, the Subsidiarity Steering Group also played an important role at the 7th Subsidiarity Conference on 17 November 2015¹⁴. Each Steering Group member had a specific role of "first respondent" giving impetus to the discussion. Moreover, the chair of the Subsidiarity Steering Group moderated the High-level panel and the closing session of the Conference.

Attention should also be drawn to the key role played by Steering Group members in raising awareness of subsidiarity and proportionality monitoring and helping the CoR to establish contacts with national and regional parliaments.

The activities of the Steering Group in 2015 helped to ensure that subsidiarity matters had a high profile in the CoR's political activities.

¹³ Proposal for a directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment 28/10/2014, COM (2014) 397.

¹⁴ See point 6 for more details.

3.2 Subsidiarity Expert Group

Under the revised subsidiarity strategy, the Subsidiarity Expert Group was set up to provide back-up for subsidiarity monitoring with expert knowledge from the local and regional level. The members of the group were selected for their expertise and experience in subsidiarity monitoring from among the members of the Subsidiarity Monitoring Network.

The Subsidiarity Expert Group made one of its most important contributions at the beginning of the subsidiarity monitoring cycle, during the preparation of the CoR Subsidiarity Work Programme. At the beginning of 2015, the experts assisted the CoR in the selection of subsidiarity priorities from the European Commission's Work Programme 2015. The involvement of the experts ensures that initiatives that are particularly relevant from the point of view of subsidiarity and of interest to regional and local authorities are selected to form part of the CoR Subsidiarity Work Programme in order to be subject to thorough subsidiarity monitoring.

As already mentioned above (points 2.2.1 and 2.2.2), the Subsidiarity Expert Group dealt intensively with two dossiers of the Subsidiarity Work Programme 2015, and the outcome has been forwarded to the relevant rapporteur. Furthermore, members of the Expert Group actively contributed to the discussion on subsidiarity and proportionality during the 7th Subsidiarity Conference.

The experts' contribution to the CoR's consultative activities creates a link to the subsidiarity debate in Member States, strengthens mutual comprehension and brings the CoR closer to its local and regional partners and thus to the needs of Europeans. In fact, the Expert Group also serves as a network of "core" CoR contact points for subsidiarity in Member States. Consequently, the active participation of the SEG helps create a culture of subsidiarity in Europe.

3.3 Subsidiarity Monitoring Network

Through the Subsidiarity Monitoring Network¹⁵ launched in 2007, the CoR enables its partners to become involved in various phases of the EU decision-making process. This is an important function in view of the Lisbon Treaty, which underlines the local and regional dimension of subsidiarity and strengthens the CoR's role with regard to subsidiarity monitoring. The network grew further in 2015 and included 150 partners at the end of the year¹⁶. The newcomer in 2015 was the Mecklenburg-Vorpommern State Parliament (Germany), a regional assembly with legislative powers. The Network now includes local and regional authorities and their associations, regional parliaments as well as a few national parliaments and national CoR delegations. Efforts will be continued to encourage the active participation of all network partners in consultations and subsidiarity-related activities and to further extend the network, so as to gain EU-wide representation.

¹⁵ <http://portal.cor.europa.eu/subsidiarity/thesmn/Pages/default.aspx>

¹⁶ See list of partners in Appendix 2.

4. Subsidiarity in CoR opinions

Pursuant to Rule 55(2) of the Rules of Procedure¹⁷, the CoR assesses in its opinions compliance of legislative proposals based on shared competences with the subsidiarity and proportionality principles.

The CoR adopted 46 opinions in 2015¹⁸. Out of these 46 opinions, six referred to a legislative proposal and five included an assessment of compliance with the subsidiarity principle. One of them, the opinion on the **Decision-making process on genetically modified food** and feed was part of the Subsidiarity Work Programme 2015 (see chapter 2.2.1). The opinion "**Towards a circular economy: review of EU waste legislation**"¹⁹ concerned the previous legislative proposal in this context²⁰, which had finally been withdrawn by the European Commission, and was adopted by the CoR in February 2015. It did not identify subsidiarity problems, but highlighted proportionality issues "with regard to the varying levels of implementation of the current targets and the timetable for the new targets envisaged by the Commission". It thus reflected the outcome of the consultation of the Subsidiarity Monitoring Network and the Subsidiarity Expert Group in 2014 on the legislative proposal at stake²¹.

The opinion on "**Interoperability as a Means for Modernising the Public Sector**"²² concluded that the underlying legislative proposal²³ complied with the principles of subsidiarity and proportionality, but called for effective involvement of local and regional authorities during the implementation of the programme on interoperability solutions and common frameworks for European public administrations, businesses and citizens (ISA²).

In the opinion²⁴ on the "**Investment plan and European Fund for Strategic Investments**"²⁵ the CoR found that "the main objective is to contribute to a relaunch of investments at European level with clear transnational aspects" and thus concluded on compliance with the subsidiarity principle. Moreover, it considered the draft regulation as an appropriate legal instrument which respects the proportionality principle.

17 [OJEU L65/41](#), 5.3.2014

18 See Appendix 3 for an overview of opinions adopted between 1 January and 31 December 2015.

19 CdR 2014/4083

20 COM (2014) 397

21 Consultation report:
http://portal.cor.europa.eu/subsidiarity/news/Documents/Waste%20Consultation/Report_revision_%20EU_waste_legislation_FINAL.pdf

22 [CdR 05514/2014](#)

23 COM (2014) 367 final

24 [CdR 00943/2015](#)

25 COM (2015) 10 final

In the opinion²⁶ on the **Tax Transparency Package**²⁷ the CoR was convinced by the arguments presented in the explanatory memorandum of the legislative proposal on the added value of legislating at European Union level, and concluded on compliance with the principles of subsidiarity and proportionality.

The opinion²⁸ on the Proposal for a Council Decision on "**Guidelines for the employment policies of the Member States**"²⁹ did not contain an assessment of compliance with the principles of subsidiarity and proportionality, but a general reference to subsidiarity. The opinion acknowledged that the guidelines, addressed to Member States, should be implemented in partnership with the local and regional authorities "*which, considering their competences and capacities in the fields covered by these guidelines and according to the principle of subsidiarity, are essential for designing and implementing National Reform Programmes*". The draft Council Decision is a legislative proposal with a specific character insofar as it does not contain concrete legislative measures which could be submitted to a subsidiarity monitoring, but guidelines with common priorities and targets supposed to guide national employment policies and reform programmes. However, there were no apparent subsidiarity or proportionality concerns in this context. For these reasons, a more general reference to subsidiarity appears to be sufficient, even if formally the opinion did not comply with Rule 55(2) of the Rules of Procedure.

Forty opinions were adopted on non-legislative initiatives; out of these twenty-one include a reference to subsidiarity and eight a reference to proportionality although it is not a mandatory requirement under the Rules of Procedure.

There was no need for the Subsidiarity Steering Group to intervene and table amendments in view of compliance with Rule 55(2). This is an important step forward and confirms that the quality of subsidiarity references in CoR opinions has improved.

In terms of support for the assessment of compliance with the subsidiarity and proportionality principles at administrative level, the Subsidiarity team contributed in seven cases to policy analyses for rapporteurs at the request of thematic commission secretariats. This helped to inform rapporteurs early in the drafting process about the requirements of the Rules of Procedures and the content and form of the compliance assessment.

5. Subsidiarity-related events and activities

A major event in the area of subsidiarity was the 7th **Inter-Institutional Subsidiarity Conference**, jointly organised by the CoR and the Flemish Parliament, which took place on 17 November 2015 at the Flemish Parliament in Brussels. It gathered over 200 participants from different national and EU

26 [CdR 02697/2015](#)

27 COM (2015) 129 final; COM (2015) 135 final

28 [CdR 01419/2015](#)

29 COM (2015) 98 final

institutions and representing all relevant levels of governance. Six months on from the publication of the Commission's Better Regulation package, the conference also provided an opportunity to discuss how to make its proposals a practical reality. The conference brought together key institutional players, and among the speakers were the First Vice-President of the European Commission Frans Timmermans, Minister Nicolas Schmit representing the Luxembourg Presidency of the Council of the EU, and the Chair of the European Parliament's Legal Affairs Committee, Pavel Svoboda. The debate made it clear that Better Regulation and its application in practice were a matter of primary concern not only for the EU institutions and Member States, but also for local and regional authorities who brought unique added value to EU policy development and to the legislative process. It was also concluded that in order to have better regulation, the principles of subsidiarity and proportionality must be correctly applied. Moreover, the conference triggered an exchange of practical experiences between players from different levels of governance and provided an opportunity to build a bridge between the activities of the Luxembourg Presidency and the vision of the incoming Dutch Presidency³⁰.

With a view to fostering the subsidiarity culture and information exchange with partner organisations, the CoR stepped up its relationship with the Conference of European Regions Legislative Assemblies (CALRE) by signing a Memorandum of Understanding³¹ on 9 July 2015. The CoR participated in the meeting of the Subsidiarity Working Group of CALRE on 10 July and exchanged with CALRE members on subsidiarity-relevant dossiers of the work programme.

Regarding relations with regional parliaments, the CoR developed a pilot project of awareness-raising activities (information and training sessions open to regional parliaments and governments, politicians and administrative staff) in order to explain the principle of subsidiarity, the (political) importance of subsidiarity monitoring and the role of the CoR in this framework. Cooperation with the Italian Conference of Regional Parliaments and Italian Senate was established and the first event in this framework was organised for the beginning of 2016.

6. Conclusion and outlook

In 2015, subsidiarity monitoring at the CoR was further consolidated by the implementation of the third Subsidiarity Work Programme. The monitoring tools at hand, such as the Subsidiarity Monitoring Network, the Subsidiarity Expert Group and REGPEX, have enabled the CoR to successfully carry out this task. The Subsidiarity Steering Group further consolidated the subsidiarity monitoring activities and adapted them to the reorganisation of the CoR Secretariat General, in order to be able to use all synergies resulting from the attachment of subsidiarity monitoring to the CIVEX commission, at political and administrative level.

³⁰ The report on the key messages of the Conference is available at <http://portal.cor.europa.eu/subsidiarity/Pages/default.aspx>

³¹ http://www.calrenet.eu/wp-content/uploads/2015/05/Memorandum_NCSL_CALRE_2015.pdf

The CoR is strongly committed to its specific responsibilities with regard to subsidiarity monitoring resulting from the Lisbon Treaty and therefore continues its efforts to ensure the effective application of the subsidiarity principle and to contribute to the creation of a subsidiarity culture within the EU.

The CoR notes with satisfaction that subsidiarity monitoring is becoming increasingly important in the inter-institutional debate and that the European Commission places particular emphasis on subsidiarity. However, the CoR considers that it is necessary to further highlight the importance of subsidiarity monitoring and to exchange information and experiences with national and regional parliaments in this context.

Appendix 1: Tools and procedures for monitoring subsidiarity priorities

The following table shows the different tools available for subsidiarity monitoring:

Tool	Description	Timing in decision-making process	Stakeholders involved	Decision to use specific tool	Outcome
Targeted consultation	Online consultation of SMN partners and the SEG on subsidiarity, proportionality and possibly better law-making in order to provide input to a CoR draft opinion	Legislative process during the preparation of a CoR draft opinion for the meeting of the thematic commission	SMN partners, possibly other stakeholders (such as EU 2020 partners)	Subsidiarity Steering Group or rapporteur ³²	Report summarising the main findings of the consultation, to be sent to the rapporteur and the European Commission
Open consultation	Online spontaneous contributions of SMN partners on subsidiarity, proportionality and better law-making	Any time	SMN partners	SMN partners	Contributions to be sent to rapporteur (if applicable and translated if needed)
EWS file on REGPEX ³³	Subsidiarity-related information concerning a specific file published on REGPEX; SMN partners' contributions translated into English and published on REGPEX	First eight weeks of legislative process	Governments and parliaments of regions with legislative powers (other SMN partners may also participate) via REGPEX	Subsidiarity Steering Group	Report summarising the main findings of the REGPEX contributions, to be sent to the rapporteur and the European Commission
Subsidiarity Expert Group consultation	Online consultation of experts on subsidiarity aspects of specific initiatives	Any time	Members of the Subsidiarity Expert Group	Subsidiarity Steering Group/ rapporteur ³⁴ / administration ³⁵	Report summarising the main findings of the consultation, to be sent to the rapporteur and possibly the European Commission

³² The Subsidiarity Steering Group should be informed.

³³ Priority initiatives to be monitored through EWS files published on REGPEX are to be defined by the Subsidiarity Steering Group at a later stage, as the content of actual legislative proposals to be published becomes clearer. This may be used as a separate tool or it may feed into the targeted consultation.

³⁴ The Subsidiarity Steering Group should be informed.

³⁵ The Subsidiarity Steering Group should be informed.

These tools can be activated depending on the nature of the proposals and the timing and calendar of CoR opinions. The Subsidiarity Steering Group will keep the Bureau informed of the implementation of the Subsidiarity Work Programme.

Appendix 2

List of partners **The CoR Subsidiarity Monitoring Network**

150 partners at 31 December 2015

Parliaments or assemblies representing regions with legislative powers

Lower Austria State Parliament	Austria
Burgenland State Parliament	Austria
Carinthia State Parliament	Austria
Tyrol State Parliament	Austria
Vorarlberg State Parliament	Austria
Upper Austria State Parliament	Austria
Flemish Parliament	Belgium
Walloon Parliament	Belgium
Brussels-Capital Region Parliament	Belgium
French Community Parliament	Belgium
Åland Parliament	Finland
Bavarian State Parliament	Germany
Baden-Württemberg State Parliament	Germany
Hesse State Parliament	Germany
North Rhine-Westphalia State Parliament	Germany
Lower Saxony State Parliament	Germany
Saxony-Anhalt State Parliament	Germany
Schleswig-Holstein State Parliament	Germany
Thüringen State Parliament	Germany
Hamburg City Parliament	Germany
Saxon State Parliament	Germany
Mecklenburg-Vorpommern State Parliament	Germany
Emilia Romagna Regional Legislative Assembly	Italy
Marche Regional Legislative Assembly	Italy
Sardinia Regional Legislative Assembly	Italy
Tuscany Regional Legislative Assembly	Italy
Trento Autonomous Province Legislative Assembly	Italy
Friuli – Venezia Giulia Regional Assembly	Italy
Abruzzo Regional Assembly	Italy
Calabria Regional Assembly	Italy
Piedmont Regional Assembly	Italy
Lombardy Regional Assembly	Italy
Sicilian Regional Assembly	Italy
Lazio Regional Assembly	Italy
Azores Legislative Assembly	Portugal

Madeira Legislative Assembly	Portugal
Asturias Legislative Assembly	Spain
Basque Regional Parliament	Spain
Canary Islands Regional Assembly	Spain
Catalan Regional Parliament	Spain
Extremadura Regional Assembly	Spain
Galician Regional Parliament	Spain
Navarre Regional Parliament	Spain
Welsh National Assembly	United Kingdom
Northern Ireland Assembly (NIA)	United Kingdom

Governments or executives representing regions with legislative powers

Lower Austrian State Government	Austria
Vienna City Municipal Executive	Austria
Steiermark State Government	Austria
Vorarlberg State Government	Austria
Upper Austrian State Government	Austria
Flemish Government	Belgium
Bavarian State Government	Germany
Hesse State Government	Germany
Lower Saxony State Government	Germany
Saxony State Government	Germany
Rhineland-Palatinate State Government	Germany
Hamburg City Senate	Germany
Abruzzo Regional Government	Italy
Bolzano/Bozen – South Tyrol Provincial Government	Italy
Lombardy Regional Government	Italy
Piedmont Regional Government	Italy
Veneto Regional Government	Italy
Emilia Romagna Regional Government	Italy
Friuli Venezia Giulia Regional Government	Italy
Azores Regional Government	Portugal
Madeira Regional Government	Portugal
Basque Government	Spain
Canary Islands Government	Spain
Galicia Regional Government	Spain
Madrid Regional Government	Spain
Valencia Regional Government	Spain
Murcia Regional Government	Spain
Asturias Regional Government	Spain
Scottish Government	United Kingdom

Local or regional authorities without legislative powers

Sofia City	Bulgaria
Zlín City	Czech Republic
Auvergne Regional Council	France
Dunkirk Urban Community	France
Eure General Council	France
Augsburg City	Germany
Erlangen Municipality	Germany
Patras Municipality	Greece
Budapest City	Hungary
Alessandria Province	Italy
Radviliškis District Municipality	Lithuania
Flevoland Provincial Government	Netherlands
Twente Network City – (inc. municipalities of Almelo, Borne, Hengelo, Enschede and Oldenzaal)	Netherlands
Overijssel Province	Netherlands
Łódź City	Poland
Łódź Region Marshal's office	Poland
Wielkopolska Region Marshal's office	Poland
Pomeranian Regional Parliament	Poland
Masovian Region Marshal's office	Poland
Silesian Region Government	Poland
Tavira City	Portugal
Hunedoara City	Romania
Galați County Council	Romania
Harghita County Council	Romania
Košice Autonomous Region Government	Slovakia
Nitra Self Governing Region	Slovakia
Izola City	Slovenia
Barcelona Provincial Council	Spain
Ceuta Autonomous City	Spain
Madrid City	Spain
Gothenburg	Sweden
Västra Götaland County	Sweden
Skåne Regional Government	Sweden

Associations of regional and/or local authorities

Arco latino	European association
Assembly of European Regions	European association
Association of European Border Regions	European association
Conference of European Regional Legislative Assemblies (CALRE)	European association
Council of European Municipalities and Regions (CEMR)	European association

Eurocities	European association
REGLEG	European association
Austrian State Governors' Conference	Austria
Union of Cyprus Municipalities	Cyprus
Danish Regions	Denmark
Denmark Local Government	Denmark
Association of Finnish Local and Regional Authorities	Finland
Association of Mayors and Elected Representatives of Lozère	France
Conference of Atlantic Arc Cities	France
French Regions Association	France
German Association of Towns and Municipalities	Germany
German County Association	Germany
Association of Prefectoral Authorities of Greece (ENAE)	Greece
AICCRE - Italian Section of the Council of European Municipalities and Regions	Italy
Conference of the Presidents of the Italian Regional Parliaments	Italy
Union of Italian Provinces (UPI)	Italy
Latvian Association of Local and Regional Governments	Latvia
Lithuanian Association of Local Authorities	Lithuania
Association of the Provinces of the Netherlands (IPO)	Netherlands
Association of Netherlands Municipalities (VNG)	Netherlands
Association of Romanian Municipalities	Romania
Association of Romanian Cities	Romania
National Union of County Councils	Romania
Association of Municipalities of Aragon	Spain
Federation of Provinces and Municipalities of Extremadura	Spain
Eixo Atlántico	Spain / Portugal
Association of Swedish Local and Regional Authorities (SALAR)	Sweden
Convention of Scottish Local Authorities (COSLA)	United Kingdom

CoR national delegations

Irish Delegation to the CoR	Ireland
Luxembourg Delegation to the CoR (Syvicol)	Luxembourg
Maltese Delegation to the CoR	Malta
Romanian Delegation to the CoR	Romania
United Kingdom Delegation to the CoR (LGA)	United Kingdom

National Parliaments

Austrian Federal Council (Bundesrat)	Austria
French Senate	France
Hellenic Parliament	Greece
Italian Senate	Italy
Portuguese Assembly	Portugal

Appendix 3: Overview of opinions adopted between 1 January and 31 December 2015

CoR commission	Number of opinions adopted from 1 January 2015 to 31 December 2015	Number of opinions on legislative proposals	Number of opinions containing an assessment of compliance with subsidiarity principle	Number of opinions containing an assessment of compliance with proportionality principle	Related SEG / SMN consultation	Number of opinions adopted in a policy area of mandatory CoR consultation	
						Legislative proposals	Non-legislative initiatives
CIVEX	8	0	0	0	1 ³⁶	0	0
COTER	9	1	1 (compliance)	1 (compliance)	0	1	7
ECON	6	1	1 (compliance)	1 (compliance)	0	0	1
ECOS	4	0	0	0	0	0	1
EDUC	2	1	1 (compliance)	1 (compliance)	0	1	1
ENVE	8	1	1 (compliance)	1 (non-compliance)	0	1	7
NAT	4	1	1 (non-compliance)	1 (non-compliance)	1	1	0
SEDEC	5	1	0	0	0	1	4
TOTAL	46	6	5	5	2	5	21

³⁶

For the opinion on "Better regulation for better results" (CdR 04129/2015) there was no written consultation, but an input based on SEG meeting discussion was provided for the rapporteur, Mr Spyridon.

CIVEX

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ³⁷	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other reference to subsidiarity / proportionality / better regulation
CIVEX-V/050 COR-2014-04527-00-00-AC-TRA COM (2014) 158 final	12 February 2015	Own-initiative opinion Local and regional authorities and the multilevel protection of the rule of law and fundamental rights in the EU	No	No	No	No	No	Yes (subsidiarity/ proportionality, better regulation)
CIVEX-VI/001 COR-2014-05701-00-01-AC-TRA COM (2014) 335 - final COM (2015) 44 – final	3 June 2015	Own-initiative opinion A decent life for all: from vision to collective action	No	No	No	No	No	Yes (subsidiarity, better regulation)
CIVEX-VI/003 COR-2014-05704-00-00-AC-TRA	4 June 2015	Own-initiative opinion Local and regional support for fair trade	No	No	No	No	No	No

³⁷

During the legislative procedure

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory³⁷	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other reference to subsidiarity / proportionality / better regulation
CIVEX-VI/002 COR-2014-05726-00-01-AC-TRA COM (2014) 700 - final	16 April 2015	Own-initiative opinion Enlargement Strategy and main challenges 2014-2015	No	No	No	No	No	Yes (subsidiarity)
CIVEX-VI/004 COR-2015-02671-00-02-AC-TRA JOIN (2015) 6 - final	9 July 2015	Opinion Towards a new European Neighbourhood Policy	No	No	No	No	No	Yes (subsidiarity)
CIVEX-VI/005 COR-2015-02606-00-01-AC-TRA	13 October 2015	Own initiative opinion European Citizens initiative	No	No	No	No	No	Yes (subsidiarity, better regulation)
CIVEX-VI/006 COR-2015-02607-00-00-AC-TRA COM (2015) 240 - final	3 December 2015	Own-initiative opinion European Agenda on Migration	No	No	No	No	No	Yes (subsidiarity and better regulation)

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory³⁷	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other reference to subsidiarity / proportionality / better regulation
CIVEX-VI/007 COR-2015-04129-00-01-AC-TRA COM (2015) 215 - final	14 October 2015	Opinion Better regulation for better results	No	No	Yes (SEG) ³⁸	No	No	Yes (subsidiarity, proportionality and better regulation)

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No written consultation, but an input based on SEG meeting discussion was provided for the Rapporteur, Mr. Spyridon.

COTER

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ³⁹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
COTER-V/053 COR-2014-06247-00-00-AC-TRA COM (2014) 494 - final	12 February 2015	Own initiative opinion Guidelines on the application of the measures linking effectiveness of the European Structural and Investment Funds (ESIF) to sound economic governance	No	Yes	No	No	No	No
COTER-VI/002 COR-2015-00487-00-00-AC-TRA	17 April 2015	Own-initiative opinion The improvement of the implementation of the Territorial Agenda of the European Union 2020	No	Yes	No	No	No	Yes (subsidiarity/ proportionality)

³⁹

During the legislative procedure

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ³⁹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
COTER-VI/001 COR-2014-06248-00-01-AC-TRA	9 July 2015	Own-initiative opinion Outcome of the negotiations on the partnership agreements and operational programmes	No	Yes	No	No	No	Yes (subsidiarity, proportionality, better regulation)
COTER-VI/003 COR-2015-00943-00-03-AC-TRA COM (2014) 903 - final COM (2015) 10 - final	16 April 2015	Opinion Investment Plan and European Fund for Strategic Investments	Yes	Yes	No	Yes (compliance)	Yes (compliance)	No
COTER-VI/004 COR-2015-01426-00-00-AC-TRA COM (2011) 144 - final	16 April 2015	Own-initiative opinion Implementation of the 2011 White Paper on Transport	No	Yes	No	No	No	No
COTER-VI/005 COR-2015-01772-00-00-AC-TRA	14 October 2015	Own-initiative opinion Financial instruments in support of territorial development	No	Yes	No	No	No	Yes (better regulation)

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ³⁹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
COTER-VI/006 COR-2015-03219-00-00-AC-TRA COM (2015) 300 - final	14 October 2015	Own-initiative opinion The Draft EU Budget for 2016	No	No	No	No	No	Yes (subsidiarity and proportionality)
COTER-VI/008 COR-2015-04285-00-00-AC-TRA	3 December 2015	Own-initiative opinion Territorial Vision 2050, what future?	No	Yes	No	No	No	Yes (better regulation)
COTER-VI/007 COR-2015-04286-00-00-AC-TRA	13 October 2015	Own-initiative opinion Strengthening cross-border cooperation: the need for a regulatory framework?	No	Yes ⁴⁰	No	No	No	Yes (subsidiarity, proportionality and better regulation)

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As far as territorial cohesion (Article 177 and Article 178 TFEU) is concerned.

ECON

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ⁴¹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ECON-VI/001 COR-2015-01184-00-01-AC-TRA COM (2015) 63 - final	8 July 2015	Own-initiative opinion Building a Capital Markets Union	No	No	No	No	No	Yes (better regulation)
ECON-VI/002 COR-2015-01185-00-01-AC-TRA COM (2015) 12 - final	8 July 2015	Own-initiative opinion Making the best use of the flexibility within the existing rules of the Stability and Growth Pact	No	No	No	No	No	Yes (better regulation)

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During the legislative procedure

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁴¹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ECON-VI/004 COR-2015-02697-00-02-AC-TRA COM (2015) 129 - final COM (2015) 135 - final COM (2015) 136 - final	14 October 2015	Own-initiative opinion Tax Transparency Package	Yes	No	No	Yes (compliance)	Yes (compliance)	Yes (better regulation)
ECON-VI/005 COR-2015-02698-00-00-AC-TRA	4 December 2015	Own-initiative opinion The local and regional dimension of the sharing economy	No	Yes ⁴²	No	No	No	Yes (subsidiarity)
ECON-VI/003 COR-2015-02700-00-00-AC-TRA	4 December 2015	Own-initiative opinion The local and regional dimension of the Trade in Services Agreement (TiSA)	No	No	No	No	No	Yes (subsidiarity/ better regulation)

⁴²

Will depend on legal basis of potential legislative proposals.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁴¹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ECON-VI/006 COR-2015-03865-00-00-AC-TRA COM (2015) 302 - final	4 December 2014	Own-initiative opinion A fair and efficient corporate tax system in the European Union	No	No	No	No	No	Yes (subsidiarity, proportionality, better regulation)

ECOS

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ⁴³	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ECOS-V/061 COR-2014-04330-00-01-AC-TRA COM (2014) 332 - final	12 February 2015	Opinion An EU Strategic Framework on Health and Safety at Work 2014-2020	No	Yes	No	No	No	Yes (subsidiarity, better regulation)
ECOS-V/062 COR-2014-04331-00-00-AC-TRA COM (2014) 440 - final COM (2014) 446 – final	12 February 2015	Own-initiative opinion Green Action Plan for SMEs and Green Employment Initiative	No	No	No	No	No	Yes (better regulation)
ECOS-V/064 COR-2014-05386-00-00-AC-TRA COM (2014) 469 - final	12 February 2015	Opinion Extending geographical indication protection to non-agricultural products	No	No	No	No	No	Yes (better regulation)

⁴³

During the legislative procedure

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁴³	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ECOS-V/063 COR-2014-05385-00-00-AC-TRA	12 February 2015	Own-initiative opinion The Transatlantic Trade and Investment Partnership (TTIP)	No	No	No	N/A ⁴⁴	No	Yes (better regulation)

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Policy area of exclusive EU competence where the principle of subsidiarity does not apply.

EDUC

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ⁴⁵	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
EDUC-V/045 COR-2014-05514-00-00-AC-TRA COM (2014) 367 - final	11 February 2015	Opinion Interoperability as a means for modernising the public sector	Yes	Yes	No	Yes (compliance)	Yes (compliance)	Yes (subsidiarity, proportionality, better regulation)
EDUC-V/046 COR-2014-05515-00-00-AC-TRA COM (2014) 477 - final	16 April 2015	Own-initiative opinion Towards an integrated approach to cultural heritage for Europe	No	Yes	No	No	No	Yes (subsidiarity)

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During the legislative procedure

ENVE

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ⁴⁶	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ENVE-V/048 COR-2014-04083-00-01-AC-TRA COM (2014) 398 - final COM (2014) 397 - final	12 February 2015	Opinion Towards a circular economy: review of EU waste legislation	Yes ⁴⁷	Yes	Yes (SMN) ⁴⁸	Yes (compliance)	Yes (non-compliance)	Yes (better regulation)
ENVE-V/049 COR-2014-04084-00-02-AC-TRA COM (2014) 445 - final	17 April 2015	Opinion Resource efficiency opportunities in the building sector	No	Yes	No	No	No	Yes (subsidiarity)
ENVE-VI/001 COR-2014-07256-00-02-AC-TRA	3 June 2015	Own-initiative opinion Better protecting the marine environment	No	Yes	No	No	No	Yes (proportionality)

⁴⁶ During the legislative procedure

⁴⁷ As far as COM (2014) 397 final is concerned.

⁴⁸ Consultation run in 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁴⁶	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
ENVE-VI/002 COR-2015-01535-00-02-AC-TRA COM (2015) 81 - final	14 October 2015	Own-initiative opinion Towards a global climate agreement in Paris	No	Yes	No	No	No	No
ENVE-VI/003 COR-2015-01536-00-01-AC-TRA COM (2015) 82 - final COM (2015) 80 - final	14 October 2015	Own-initiative opinion Energy Union Package	No	Yes	No	No	No	Yes (subsidiarity, better regulation)
ENVE-VI/004 COR-2015-01693-00-01-AC-TRA	14 October 2015	Own-initiative opinion Developing the potential of Ocean Energy	No	Yes	No	No	No	No
ENVE-VI/005 COR-2015-02624-00-01-AC-TRA	4 December 2015	Own-initiative opinion Contribution to the fitness check on the EU Birds and Habitats Directives	No	Yes	No	No	No	Yes (better regulation)
ENVE-VI/006 COR-2015-02592-00-01-AC-TRA	4 December 2015	Own-initiative opinion The future of the Covenant of Mayors	No	Yes	No	No	No	Yes (subsidiarity and better regulation)

NAT

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ⁴⁹	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
NAT-VI/001 COR-2015-00642-00-01-AC-TRA	16 April 2015	Own-initiative opinion The future of the dairy sector	No	No	No	No	No	No
NAT-VI/002 COR-2015-02712-00-01-AC-TRA	13 October 2015	Own-initiative opinion The future of European aquaculture	No	No	No	No	No	No
NAT-VI/003 COR-2015-03636-00-00-AC-TRA COM (2015) 177 - final COM (2015) 176 - final	13 October 2015	Own-initiative opinion Reviewing the decision-making process on genetically modified organisms (GMOs)	Yes	Yes	Yes (SEG)	Yes (non-compliance)	Yes (non-compliance)	Yes (proportionality)
NAT-VI/006 COR-2015-02798-00-00-AC-TRA	13 October 2015	Own-initiative opinion The simplification of the Common Agricultural Policy (CAP)	No	No	No	No	No	Yes (better regulation)

⁴⁹

During the legislative procedure

SEDEC

Overview of opinions adopted between 1 January 2015 and 31 December 2015

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory ⁵⁰	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
SEDEC-VI/001 COR-2015-01419-00-00-AC-TRA COM (2015) 98 - final	3 June 2015	Opinion Guidelines for the employment policies of the Member States	Yes	Yes	No	No	No	Yes (subsidiarity, better regulation)
SEDEC-VI/002 COR-2015-01689-00-00-AC-TRA	3 December 2015	Own-initiative opinion Standards of Remuneration in Employment in the EU	No	Yes	No	No	No	Yes (subsidiarity)
SEDEC-VI/004 COR-2015-01691-00-00-AC-TRA	3 December 2015	Own-initiative opinion The role of the social economy in restoring economic growth and combating unemployment	No	Yes ⁵¹	No	No	No	Yes (subsidiarity and better regulation)

⁵⁰ During the legislative procedure

⁵¹ As far as social cohesion is concerned

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁵⁰	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion	Assessment of compliance with proportionality principle in the opinion	Other mention of subsidiarity / proportionality / better regulation
SEDEC-VI/003 COR-2015-01690-00-01-AC-TRA	13 October 2015	Own-initiative opinion Review of the Audiovisual Media Services Directive	No	Yes ⁵²	No	No	No	No
SEDEC-VI/005 COR-2015-02646-00-00-AC-TRA COM (2015) 192 - final	13 October 2015	Own-initiative opinion Digital Single Market	No	Yes	No	No	No	No

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As far as culture (Article 167 TFEU) is concerned.

For further information please contact:

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