

Since 2007, the Subsidiarity Monitoring Network
has enabled the CoR to take up the challenge.

For more information :

subsidiarity@cor.europa.eu
www.cor.europa.eu/subsidiarity



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Edited by Directorate E — Horizontal Policies and Networks

Rue Belliard/Belliardstraat, 101
1040 Bruxelles/Brussel BELGIQUE/BELGIË

Tel. +32 22822211 Fax +32 22822325
www.cor.europa.eu



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Subsidiarity Monitoring at the CoR

Taking decisions closest to EU citizens

Subsidiarity

The subsidiarity principle, alongside the principle of proportionality, guides EU action through the following questions (see Art. 5 of the Treaty on European Union):

Should the EU act?

In policy areas which are not exclusively within the EU's competence, the subsidiarity principle ensures that decisions are taken as closely as possible to the citizen and by the most appropriate level of authority. The EU should act only where it can achieve a particular objective better than a central, regional or local entity.

How should the EU act?

The principle of proportionality requires that any action by the Union should not go beyond what is necessary to achieve the intended objectives. Proportionality is thus a guiding principle for defining how the Union should exercise its competence.

REGPEX

The Regional Parliamentary Exchange was launched in February 2012 on the SMN website. It supports regions with legislative powers which may be consulted by their national parliament in the context of the Early Warning System.

(see Art. 6 of Protocol No 2 on the Application of the Principles of Subsidiarity and Proportionality)

The Subsidiarity Monitoring Network

What is it?

A network of about 150 partners

Representing local and regional authorities with and without legislative powers, and associations of local and regional authorities.

An interactive website

Allowing partners to publish their positions on EU policies and legislation; and sharing useful tools such as the CoR Subsidiarity & Proportionality assessment grid.

Activities

Regular consultations

Organised within the CoR institutional consultative work - targeted consultations - or in the EU pre-legislative phase - Impact Assessment consultations.

Subsidiarity Expert Group

Identifies key subsidiarity issues as early as possible in the EU decision-making process, and prepares the CoR Subsidiarity Annual Work Programme.

Action Plan

Involving thematic working groups acting as a catalyst for best practice and a forum for discussion on the implementation of subsidiarity in specific policy areas.

Events and publications

Sustains lively dialogue among all interested parties and mainstreams a subsidiarity culture through: The Subsidiarity Annual Report, studies, Subsidiarity Conferences (Assises), Subsidiarity Thematic Workshops during the CoR Open Days.

CoR and subsidiarity monitoring

As the voice of local and regional authorities within the EU institutional set-up, the CoR is naturally vested with a high level of responsibility for subsidiarity. The Lisbon Treaty has acknowledged this role by granting the CoR the right to initiate proceedings before the EU Court of Justice for annulment of a legislative act on subsidiarity grounds.

To take up the challenge, the CoR has developed special tools such as the Subsidiarity Monitoring Network (SMN) and the CoR Subsidiarity & Proportionality assessment grid, and refined its strategy in May 2012.

The new strategy aims to establish a comprehensive approach for monitoring subsidiarity throughout the entire EU decision-making process, thus consolidating the CoR's readiness regarding a potential action before the Court of Justice. It relies on experts from across Europe (Subsidiarity Expert Group) and is led by CoR members (Subsidiarity Steering Group).

The CoR's ambition is to become the point of reference in terms of subsidiarity within the EU, able to provide quality subsidiarity analyses mainly in its opinions, thereby providing quality input to the subsidiarity debate.

✦ Monitoring subsidiarity within the EU legislative process

The CoR has established mechanisms to incorporate monitoring of the subsidiarity and proportionality principles into its regular consultative activity. Where relevant, CoR opinions are required to address compliance with these two principles and rapporteurs may consult the SMN for this purpose.

✦ Monitoring subsidiarity throughout the entire EU decision-making process

Further, the CoR is developing cooperation with the EU institutions, contributing in particular to impact assessments carried out by the European Commission. Discussions are going on with the European Parliament for possible assessments at a later stage of the legislative process. The CoR has privileged access to local and regional authorities throughout the EU and can play a key role in assessing the potential economic, social and environmental impacts of EU initiatives, from a territorial point of view.

✦ Mainstreaming a subsidiarity culture