



**European Committee
of the Regions**

Brussels, 13 November 2018

SUBSIDIARITY WORK PROGRAMME 2019

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1. Introduction

In accordance with the Subsidiarity Monitoring Strategy¹, the Subsidiarity Work Programme (SWP) is prepared by the Subsidiarity Steering Group (SSG) and the Subsidiarity Expert Group (SEG) in coordination with all commissions to ensure a consistent approach to the subsidiarity monitoring of legislative initiatives.

The Subsidiarity Work Programme is based on a priority list, i.e., an initial pre-selection of legislative initiatives included in the 2019 European Commission Work Programme based on the following cumulative criteria²:

- initiatives should present a clear political interest for local and regional authorities;
- initiatives should touch on competences of local and regional authorities;
- initiatives should have a potential subsidiarity dimension;
- preference should be given to legislative proposals. Moreover, the pre-selection takes account of European Committee of the Regions (CoR) priorities and initiatives included in the work programmes of the commissions.

This work programme provides guidelines for the work to be carried out in 2019 and therefore helps to ensure forward-looking and strategic planning of subsidiarity monitoring activities while also ensuring the necessary flexibility to adapt to changes in the institutional and political agenda.

2. Priority initiatives

As the new initiatives presented in the 2019 European Commission Work Programme were mostly non-legislative, the following **three priority initiatives** were identified for the 2019 SWP, exclusively on account of proportionality. No additional dossiers were chosen to replace one or more of the priority initiatives if the latter do not materialise, do not progress sufficiently in 2018 or are not considered sufficiently relevant upon a more detailed analysis. The priority list could also be subject to changes following the institutional and political agenda, once the content of the European Commission initiatives are known and if the Commission submits other initiatives outside its Work Programme which could be relevant in terms of subsidiarity.

Furthermore, the CoR will continue to closely follow the subsidiarity monitoring activities carried out by regional and national parliaments, particularly via its Subsidiarity Expert Group and REGPEX³, the internet platform dedicated to regional parliaments and governments.

¹ R/CdR 606/2012 item 7a).

² Criteria established by the SEG at its first meeting on 25 October 2012.

³ <http://portal.cor.europa.eu/subsidiarity/regpex/Pages/default.aspx>.

Any change of priority files or addition of relevant dossiers would be done in agreement with the SSG, taking account of the work programme of the relevant CoR commission.

2.1 **A sustainable European future**⁴

This initiative contains: Reflection Paper "Towards a Sustainable Europe by 2030, on the follow-up to the UN Sustainable Development Goals (SDGs), including on the Paris Agreement on Climate Change" (non-legislative, Q4 2018). The area of sustainable developments is of importance for local and regional authorities as the common frameworks that are developed within the EU need to leave adequate space and avoid superfluous administrative burden for sub-national levels to realise these goals. As SDGs largely focus on local development measures, any strategy presented by the European Commission has to adhere to the principles of subsidiarity and proportionality.

2.2 **Fair and Future-proof Single Market**

This initiative contains: Communication Towards a fully functioning Single Market in a rapidly changing global environment: eliminating barriers and seizing new opportunities for the benefit of citizens and businesses (non-legislative, Q4 2018). Any new measures for improvement of the Single Market could entail an increase in administrative burden which may not be proportional to the expected benefits of citizens and businesses.

2.3 **Completing the Digital Single Market**

This initiative contains: Coordinated Plan on the development of Artificial Intelligence in Europe (non-legislative, Q4 2018); Action Plan on Disinformation (non-legislative, Q4 2018); Commission Recommendation to establish a format for European Electronic Health Record (non-legislative, Q1 2019). As many regional authorities, especially those with legislative powers, are integrated within health systems, establishing a format for a European Electronic Health Record could entail adjustments of administrative systems and their financing, so a risk in terms of proportionality compliance is possible.

3. **Cooperation with other institutions, organisations, bodies and associations**

Based on the protocol on the cooperation between the CoR and the European Commission⁵, the CoR will build on its privileged relationship with the Commission concerning subsidiarity monitoring. As per the Communication of the European Commission⁶ on strengthening the role of subsidiarity and proportionality, the CoR should facilitate communication between sub-national levels and the European level. Moreover, in accordance with the cooperation agreement, close relations and cooperation between the CoR and the European Parliament should be ensured as early as possible in the legislative phase. The CoR's cooperation with the JURI committee has been reinforced through the

⁴ Descriptions of the three selected initiatives are taken from the Commission Work Programme 2019.

⁵ Point 23 of the Protocol on the cooperation between the European Commission and the Committee of the Regions signed on 16 February 2012, OJ C 102, 5.4.2012.

⁶ COM(2018) 703 final, *The principles of subsidiarity and proportionality: Strengthening their role in the EU's Policymaking*.

establishment of closer relations with the rapporteur on subsidiarity, and this cooperation will be further built upon in 2019.

Cooperation with the national parliaments and COSAC will also continue. Furthermore, the CoR will pursue close cooperation with the Conference of European Regional Legislative Assemblies (CALRE) in terms of subsidiarity monitoring.

5. Adoption procedure and implementation

The SWP is prepared in parallel to the work programme of all CoR commissions. The adoption procedure comprises several steps: firstly the SEG and all commission chairs carry out a pre-selection of initiatives on the basis of the Commission Work Programme 2019. Then, this pre-selection is discussed by the SEG, the draft Subsidiarity Work Programme is prepared and then submitted to the SSG for decision. The SSG Chair presents the draft Subsidiarity Work Programme to the CIVEX commission. Finally, the Bureau adopts the final SWP together with work programmes of all commissions.

Given that the CIVEX commission has responsibility for the oversight of subsidiarity and proportionality monitoring, and in light of the emphasis placed by the European Commission on ensuring that the principle of subsidiarity is fully upheld, the CIVEX commission cooperates closely with all commissions in the implementation of the work programme, making use of all synergies and available resources. For this purpose, CIVEX relies on the work of the Subsidiarity Monitoring Network and its Subsidiarity Steering Group and the Subsidiarity Expert Group.
