



**European Committee  
of the Regions**

Brussels, 18 January 2024

**224th MEETING OF THE BUREAU OF THE EUROPEAN COMMITTEE OF THE  
REGIONS**

**- 30 JANUARY 2024 –**

**ITEM 7B**

**ANNUAL SUBSIDIARITY WORK PROGRAMME FOR 2024**

*Submitted by the Secretary-General*

**FOR DECISION**

## SUMMARY

**Bureau meeting:** 224

**Date:** 30/01/2024

### Item 7b

#### Annual Subsidiarity Work Programme for 2024

#### Type:

- Document for information / debate
- Document for decision
- Recommendation to the Assembly

#### Short description:

Following the decision of the CoR Bureau of June 2022, the Better Regulation and Active Subsidiarity Steering Group (BRASS-G)<sup>1</sup>, is submitting the CoR 2024 Annual Subsidiarity Work Programme, based on a contribution by the Subsidiarity Expert Group (SEG) and on consultations with the CoR commissions, in order to ensure a consistent approach to the subsidiarity monitoring of legislative initiatives.

#### The Bureau is asked to:

- adopt the **Annual Subsidiarity Work Programme for 2024**

**Remarks:** N/A

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<sup>1</sup> CoR Bureau Decision No [CoR-2022-02422-23](#).

## 1. Introduction

The Subsidiarity Work Programme (SWP) is based on a priority list of proposed initiatives preselected on the basis of the available information from the European Commission Work Programme 2024<sup>2</sup> (ECWP), taking into account the following cumulative criteria<sup>3</sup>:

- 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 preselection takes account of the European Committee of the Regions' (CoR) priorities and initiatives included in the Commission's work programmes.

The Subsidiarity Work Programme provides guidelines for the work to be carried out in 2024 and helps to ensure strategic planning of subsidiarity monitoring activities while also allowing the necessary flexibility to adapt to changes in the institutional and political agenda. It also provides a basis to seek synergies with the CoR's tools in the area of better regulation, such as territorial impact assessments, rural proofing, strategic foresight and, where appropriate, the work of the RegHub initiative and the Fit4Future platform, in the spirit of promoting "active subsidiarity" and in line with the activities under the remit of the BRASS-G.

The BRASS-G will therefore, in addition to identifying a priority list of subsidiarity-relevant files, also follow-up on the subsidiarity-related recommendations of the Conference on the Future of Europe (CoFoE)<sup>4</sup> and on the draft non-paper '*Developing and enhancing the CoR's policy and toolbox on better regulation*'<sup>5</sup> and its Annexes<sup>6</sup>.

In 2024, the **11th Subsidiarity Conference** is planned to take place in Warsaw. This was decided on 20 November 2023, when the BRASS-G members accepted the proposal from Mr Adam Struzik (PL/EPP), President of the Mazovia Region, to host the **2024 Subsidiarity Conference** in October or November 2024. The Conference will build on the [conclusions](#) of the 10th Subsidiarity Conference which was held in Valencia in 2022. The Conference's focus and draft agenda will be fine-tuned in due course.

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<sup>2</sup> The European Commission Work Programme 2024 [https://commission.europa.eu/strategy-documents/commission-work-programme/commission-work-programme-2024\\_en](https://commission.europa.eu/strategy-documents/commission-work-programme/commission-work-programme-2024_en).

<sup>3</sup> Criteria established by the SEG at its first meeting on 25 October 2012.

<sup>4</sup> [Final Report](#) from the Conference on the Future of Europe, May 2022.

<sup>5</sup> COR-2023-04873-00-02-TCD-TRA.

<sup>6</sup> Annex 1 - COR-2023-04873-01-01-TCD-TRA and Annex 2 - COR-2023-04873-02-01-TCD-TRA.

## 2. **Priority Subsidiarity Initiatives for 2024**

**Three priority initiatives** have been identified for monitoring (in application of Rule 54(2) of the CoR's Rules of Procedure which enlarges the scope of the CoR's subsidiarity scrutiny to legal acts<sup>7</sup>) in the **CoR's subsidiarity work programme 2024 (SWP)** on the basis of the European Commission Work Programme 2024 – all of them fall under the European Commission's "**Green Deal**" priority.

In addition, **four additional files are considered to be potentially relevant** and are also recommended for monitoring. These fall under the European Commission's priorities "**A Europe Fit for the Digital Age**" and "**An Economy that Works for People**".

The priority list could be subject to change depending on institutional and political developments, and may be re-assessed once the precise content of the European Commission initiatives is known, or if the Commission proposes other initiatives outside its work programme that 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 (SEG) and REGPEX<sup>8</sup>, the CoR internet platform dedicated to regional parliaments and governments.

Any change in priority files or any additions of relevant dossiers will be proposed to the BRASS-G, taking account of the work programmes of the relevant CoR commissions.

### **The three priority initiatives proposed for subsidiarity scrutiny are:**

#### 1. **2040 climate target** (ECWP no. 2, non-legislative, Q1 2024)

Justification: More than 70% of EU legislation has to be implemented at local and regional level. Climate targets are one area which affects cities and regions, and which has to be implemented very often at local/regional level. Climate targets also cover the public sector (public buildings, local measures to reach targets etc.). Therefore, local competences are affected as most of the initiatives have to be implemented at local/regional level.

#### 2. **Water resilience** (ECWP no. 3, non-legislative, Q1 2024)

Justification: Water supply is always a local or regional issue, as it depends on the locally or regionally available resources. Therefore, water resilience is also a local/regional aspect and priority. Water is clearly a local/regional issue and very often connected to environmental matters for which, in some Member States, the local and regional level is in charge.

#### 3. **European wind power package** (ECWP no. 1, non-legislative, Q4 2023)

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<sup>7</sup> "Committee opinions on proposals for legal acts in areas not falling within the Union's exclusive field of competence shall express a view on the proposal's compliance with the principles of subsidiarity and proportionality."

<sup>8</sup> <http://portal.cor.europa.eu/subsidiarity/regpex/Pages/default.aspx>.

Justification: Electricity has a local/regional impact in general, especially as far as electricity networks are concerned. The lack of electricity supply is a local/regional problem. In some Member States, electricity is a shared competence between the federal and local/regional level. Furthermore, possible EU approaches might affect the regional level.

**The four additional initiatives recommended for observation are:**

1. **Biotech and Biomanufacturing** – EU biotech and biomanufacturing initiative (ECWP no. 6, non-legislative, Q1 2024);
2. **Artificial intelligence to serve European innovation and competitiveness** – Initiative to open up the European supercomputer capacity to ethical and responsible artificial intelligence start-ups (ECWP no. 5, legislative and non-legislative, Q1 2024);
3. **Green and digital transition, open strategic autonomy** – Advanced materials for industrial leadership (ECWP no. 8, non-legislative, Q1 2024); and
4. **European Works Council** – Initiative on rules on the European Works Council (ECWP no. 9, legislative or non-legislative, Q1 2024).

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

The CoR and the European Commission cooperate closely on the basis of a bilateral cooperation agreement dating back to 2012<sup>9</sup>. Over the years, the CoR has continuously built on its relationship with the Commission concerning subsidiarity monitoring, and will also seek to strengthen its position in the context of a possible renewal of that agreement, in light of the CoFoE's recommendations and the conclusions of the 10th Subsidiarity Conference.

Similarly, in accordance with the cooperation agreement between the European Parliament and the European Committee of the Regions, close cooperation will continue with the aim of bringing the suggestions from local and regional authorities to the EP's attention as early as possible in the legislative phase. The JURI and AFCO Committees are clearly prime interlocutors in this regard, however, in the spirit of a lifecycle approach to EU legislation from a better regulation and active subsidiarity point of view, and under the guidance of the BRASS-G, the strong thematic links between CoR commissions and their EP committee counterparts will also be mobilised in this regard.

The CoR will also continue to pursue close cooperation with Regional Parliaments with legislative powers and the Conference of European Regional Legislative Assemblies (CALRE) in terms of subsidiarity monitoring and better regulation. It will also continue cooperation with the European Commission on its annual report on the implementation of the principles of subsidiarity and proportionality<sup>10</sup>.

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<sup>9</sup> Point 23 of the *Protocol on cooperation between the European Commission and the Committee of the Regions* signed on 16 February 2012, OJ C 102, 5.4.2012.

<sup>10</sup> The reports can be found here: [https://commission.europa.eu/law/law-making-process/adopting-eu-law/relations-national-parliaments/annual-reports-application-principles-subsidiarity-and-proportionality-and-relations-national\\_en](https://commission.europa.eu/law/law-making-process/adopting-eu-law/relations-national-parliaments/annual-reports-application-principles-subsidiarity-and-proportionality-and-relations-national_en).

The BRASS-G will also discuss general questions relating to the role of the CoR in monitoring subsidiarity and proportionality, and the contribution of local and regional authorities to better regulation at the CoR's 11th Subsidiarity Conference in Warsaw.

#### **4. Adoption procedure and implementation**

The SWP is prepared in parallel with the work programmes of all CoR commissions. Based on the recommendations made by the SEG in November 2023, the members of the BRASS-G preselected initiatives on the basis of the 2024 Commission Work Programme at their meeting on 20 November 2024.

The adoption of the SWP by the BRASS-G takes place via a written procedure, followed by a formal adoption by the CoR Bureau and by a presentation of the draft SWP to the CIVEX commission for information, while making sure that the work programme has the necessary flexibility to adapt to changes in the institutional and political agenda.

Given that the CIVEX commission oversees subsidiarity and proportionality monitoring and supports the BRASS-G in its coordination function, CIVEX will cooperate closely with all other commissions in the implementation of the work programme. The subsidiarity team in the CIVEX secretariat ensures communication between BRASS-G, the SEG, the members of the subsidiarity network, and the other CoR Commissions, with a view to achieving the smooth implementation of the Subsidiarity Work Programme 2024.

#### **PROPOSAL**

**The Bureau is asked to approve this proposal.**

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