

EUROPEAN UNION



Committee of the Regions



Subsidiarity

Annual Report

2014

EUROPEAN UNION



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SUBSIDIARITY ANNUAL REPORT 2014

FOR INFORMATION

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1. Introduction

In 2014 subsidiarity was an important topic on the EU agenda, becoming even more important at the end of the year: Jean-Claude Juncker made subsidiarity and proportionality the main guidelines for the Commission, highlighting that the Member States and not the EU should act "where they are more legitimate and better equipped to give effective policy responses at national, regional or local level, in line with the principles of subsidiarity and proportionality"¹.

The subsidiarity-related activities of the Committee of the Regions (CoR) in 2014 are set out in the fifth Annual Report on Subsidiarity. In 2014, the Committee of the Regions adopted and implemented its second Subsidiarity Work Programme (SWP)². Three initiatives were closely monitored from the point of view of subsidiarity and proportionality: the review of legislative proposals concerning clean air, organic production and waste. Moreover, the SWP 2014 focused on the selective monitoring of delegations of power to the Commission; therefore, several empowerment clauses for delegated acts contained in those three proposals have been the subject of consultations with the Subsidiarity Expert Group members and the Subsidiarity Monitoring Network partners. In addition to the Subsidiarity Work Programme initiatives, all opinions on legislative proposals had to include an assessment of compliance with the subsidiarity and proportionality principles according to the new CoR Rules of Procedure³. Furthermore, the CoR was actively raising awareness about subsidiarity and proportionality through events devoted to this topic and further developing its relations with other institutions and partner organisations.

The fifth 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 2014, followed by a summary of activities carried out with a view to its implementation in 2014 (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 Jean-Claude Juncker: opening statement by Jean-Claude Juncker at the European Parliament plenary session, 15 July 2014.

² CdR 7657/2013, adopted by the Bureau on 29 January 2014.

³ The revised Rules of Procedure were adopted on 31 January 2014 and entered into force on 6 March 2014 (OJEU L 65/41, 5.3.2014).

2. Subsidiarity Work Programme 2014

2.1 Adoption

In accordance with the Subsidiarity Monitoring Strategy⁴, a Subsidiarity Work Programme for 2014 was prepared and adopted by the CoR Bureau on 29 January 2014⁵. The SWP 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 2014 by the Subsidiarity Expert Group (SEG) based on subsidiarity relevance and information available at that stage. The second step entailed a review of the selection and an orientation debate by the Subsidiarity Steering Group (SSG), which met on 27 November 2013.

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.

At its meeting on 27 November 2013, the SSG also decided to extend the SWP to two further aspects: selective (subsidiarity) monitoring of empowerment clauses for delegated acts and monitoring of discussions in some Member States and at EU level concerning a stricter application of the principle of subsidiarity and the *Review of the Balance of Competences between the UK and the EU*.

The last step included a more in-depth discussion of pre-selected initiatives during a meeting with the SEG on 17 December 2013, which took account of the guidance provided by the SSG. The final SWP was endorsed by the SSG by written procedure on 10 January 2014 and submitted to the CoR Bureau.

The SWP 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 (Annex 1).

2.2 Implementation

On the basis of the SWP, 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 2014, three initiatives described in the following subchapters were thus monitored with the help of the tools available. Several initiatives in the Commission's Work Programme were not published, or were published as non-legislative ones, so they could not be monitored as planned⁶.

⁴ R/CdR 606/2012 item 7a), adopted on 2 May 2012.

⁵ CdR 7657/2013, adopted by the CoR Bureau on 29 January 2014.

⁶ See point 2.24.

2.2.1 Review of clean air legislation

Regarding the review of EU clean air legislation⁷, the CoR invited the experts of the SEG to provide a subsidiarity and proportionality analysis of the legislative proposals. Based on these contributions as well as on relevant decisions by national and regional parliaments, an analysis drafted by the Secretariat General for the CoR rapporteur⁸ concluded that there was no breach of the two principles. In addition to that, it was discussed whether the delegations of powers contained in the draft Directive on national emission reductions concern non-essential elements, and whether a potential breach of Article 290 (1) TFEU to this effect could be relevant in terms of subsidiarity and proportionality. As a result, it was considered that the elements that the Commission is entitled to regulate were non-essential and that there was thus no subsidiarity/proportionality concern in this specific case. In general, the CoR Legal Service considered that problems of subsidiarity should in principle not arise in the context of delegated acts. In the CoR opinion⁹ adopted at the plenary session in October 2014, it was concluded that the proposal was in line with both the subsidiarity and proportionality principles, and agreed that air pollution was a transnational phenomenon that had to be tackled at European level.

2.2.2 Review of organic production legislation

With regard to the review of organic production legislation¹⁰, a consultation of the SEG and the SMN on subsidiarity- and proportionality-related issues was launched in parallel with the Early Warning System (EWS) eight-week period (23 May to 30 July 2014). Most respondents opposed removing the possibility for Member States to grant exceptions to the rules governing organic production and raised concerns from the point of view of subsidiarity. With regard to proportionality, they considered that the proposal went too far, as there were other, less restrictive ways of achieving the intended objectives. The CoR opinion¹¹ reflected these concerns regarding subsidiarity and proportionality, as well as regarding the extensive use of empowerment clauses for delegated and implementing acts in the proposal, stating that "production rules in particular are of essential importance for the continuity of the organics sector at local and regional level" and that "the essential elements of an area shall be reserved for the legislative act".

⁷ Proposal of the European Parliament and the Council for a Directive on the limitation of emissions of certain pollutants into the air from medium combustion plants, COM (2013) 919 final; proposal for a Directive of the European Parliament and the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC, COM (2013) 920 final.

⁸ Issued on 18 March 2014.

⁹ CdR 1217/2014.

¹⁰ Proposal for a Regulation of the European Parliament and of the Council on Organic Production and Labelling of Organic Products, COM(2014) 180 final and related Communication COM(2014) 179 final.

¹¹ CdR 4832/2014.

2.2.3 Review of waste legislation

The review of waste legislation¹² was of particular interest to the CoR since, in most Member States, local and regional authorities are responsible for the implementation of EU waste legislation. Consultation of the SEG and the SMN, running in parallel with the EWS eight-week period (25 July to 6 October 2014), showed that most respondents did not see subsidiarity problems resulting from the new EU waste targets. However, several respondents raised concerns related to proportionality, questioning the feasibility of the new waste targets and highlighting the different levels of implementation of the current waste targets throughout the EU. Moreover, the substantial number of empowerment clauses for delegated acts contained in the legislative proposal was seen as cause for concern.

In order to define the potential territorial impact of the proposal, the CoR and ESPON¹³ co-organised a territorial impact assessment (TIA) workshop¹⁴ on 9 September 2014, which showed that certain types of regions face limitations in achieving the proposed targets, and that the proposal had to proceed with caution.

The main results of the consultation and the TIA exercise are set out in the CoR draft opinion¹⁵.

2.2.4 Initiatives not submitted to subsidiarity monitoring

The institutional agenda prevented proper subsidiarity monitoring of the European Accessibility Act, since the initiative was not issued during the year as expected. It should also be noted that this initiative is not taken up in the Commission's 2015 work programme.

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

- 2030 Framework for climate and energy policies¹⁶
- Framework for safe and secure unconventional hydrocarbon extraction¹⁷
- Urban mobility¹⁸.

¹² 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, COM(2014) 397 final.

¹³ The European Observation Network for Territorial Development and Cohesion.

¹⁴ With this workshop the CoR undertook the territorial impact assessment under its TIA strategy using the Quick Scan methodology developed by ESPON and DG REGIO.

¹⁵ CdR 4083/2014; refers to the draft opinion as the final opinion was adopted at the CoR plenary session on 11-12 February 2015.

¹⁶ COM(2014) 15 final.

¹⁷ COM(2014) 23 final.

¹⁸ COM(2013) 913 final.

It was decided not to issue an opinion on the recast and merger of three directives in the area of information and consultation of workers¹⁹, and consequently this could not be monitored from the point of view of subsidiarity.

2.3 Selective monitoring of delegated powers

In 2014 the CoR Secretariat General explored the relevance of subsidiarity and proportionality monitoring of delegated powers on the basis of selected cases, as there may be situations where the power transferred to the Commission to adopt delegated acts could be problematic with regard to subsidiarity and proportionality. The CoR does not participate in expert groups which assist the European Commission in the preparation of delegated acts and it is not involved in the revocation procedure. It does, however, have a responsibility to scrutinize whether delegated powers are properly attributed within the limits set by the Treaty and whether the principles of subsidiarity and proportionality are upheld.

As indicated in points 2.2.1 – 2.2.3, empowerment clauses for delegated acts contained in the legislative proposals reviewing EU legislation on clean air, organic production and waste have been the subject of consultations with SEG members and the SMN partners. The majority of respondents mainly referred to the considerable number of delegations and made the point that in several cases the Commission would be empowered to regulate essential elements having an impact on local and regional authorities.

It can be concluded that delegated powers, particularly for the adoption of delegated acts by the Commission, remain a concern for SEG experts and SMN partners, even if a direct link with subsidiarity and proportionality cannot always be clearly established. Therefore, the CoR Secretariat General will continue to analyse this topic in selected cases in the context of better regulation.

2.4 Subsidiarity-related activities in the Netherlands and the United Kingdom

In the reference year, a debate on subsidiarity and proportionality has been triggered in two EU countries, namely the Netherlands and the UK. The Dutch paper on *Testing European legislation for subsidiarity and proportionality*²⁰ has asked whether current European legislation complies with these principles, whereas the UK's *Review of the Balance of Competences*²¹ and the section on subsidiarity and proportionality has performed a broader analysis of how the principles of subsidiarity and proportionality apply in areas of European Union action.

¹⁹ This concerns Directive 98/59/EC on collective redundancies, Directive 2001/23/EC on transfers of undertakings and Directive 2002/14/EC establishing a general framework relating to information and consultation of workers in the EU.

²⁰ 21 June 2013, available at <http://www.government.nl/documents-and-publications/notes/2013/06/21/testing-european-legislation-for-subsidiarity-and-proportionality-dutch-list-of-points-for-action.html>.

²¹ Review of the Balance of Competences between the United Kingdom and the European Union. Subsidiarity and Proportionality. December 2014; available at <https://gcn.civilservice.gov.uk>.

The Dutch government's report on *Testing European legislation for subsidiarity and proportionality* of June 2013 doubted whether specific existing European legislation complied with subsidiarity and proportionality. It was followed by an international conference on "EU Smart Regulation" on 7 May 2014 at The Hague, where several SEG members and representatives of the CoR Secretariat General participated and analysed the best possible ways to share tasks between the national and the EU level to ensure better regulation.

The *Review of the Balance of Competences between the United Kingdom and the European Union carried out by the British government* and the section on subsidiarity and proportionality (published in December 2014)²² take account of the evidence submitted by various stakeholders.

This report includes a broad analysis of the application of the principles of subsidiarity and proportionality in areas of EU action as well as of the roles of relevant actors in this context. Moreover, it includes future options and challenges in subsidiarity and proportionality monitoring. The CoR Secretariat General followed this exercise and participated in a seminar organised by the UK government in Brussels. While the CoR does not necessarily support all the conclusions of the final report on this exercise, it should be noted that the report highlights the importance of the subnational level in subsidiarity monitoring and therefore suggests a change to the UK approach by stressing "the importance of adequate structures, processes and time frames to ensure adequate consultation of devolved administrations and assemblies, as well as local authorities within the UK on EU proposals."²³

As the debate begun in these two countries has not spread to other EU countries, there was no sufficient basis to carry out a comparative study on this topic and to investigate whether and to what extent the subsidiarity principle plays a role in this political context and whether these initiatives could be relevant to the CoR's subsidiarity monitoring activities. The ideas about stricter monitoring and the balance of competences aiming to achieve more effective subsidiarity scrutiny were discussed in detail and developed in the subsidiarity workshop which took place in June 2014 (see chapter 5).

3. Political governance and CoR tools for subsidiarity monitoring

3.1 Subsidiarity Steering Group

The Subsidiarity Steering Group (SSG) 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 SSG closely followed the implementation of the Subsidiarity Work Programme and shaped the discussion at meetings of the political groups and thematic commissions and at CoR plenary sessions.

²² Review of the Balance of Competences between the United Kingdom and the European Union. Subsidiarity and Proportionality. December 2014; available at <https://gcn.civilservice.gov.uk>.

²³ Point 3.45 on page 99.

Moreover, the SSG actively contributed to the discussions on the future of the CoR on the occasion of its twentieth anniversary, providing input on subsidiarity and proportionality matters for the anniversary declaration of the CoR. Attention should also be drawn to the key role played by SSG members in raising awareness of subsidiarity and proportionality monitoring and forming views on the application of the subsidiarity and proportionality principles in events throughout the year (see chapter 5).

In reviewing the year 2014, it can be concluded that the committed work carried out by the SSG ensured that subsidiarity matters had a high profile in the CoR's political activities.

3.2 Subsidiarity Expert Group

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

The SEG 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 end of 2013, the experts assisted the CoR in the selection of subsidiarity priorities from the European Commission's Work Programme 2014. The involvement of the SEG 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.

In 2014 the SEG contributed to three consultations, one of which targeted the SEG only (for details see chapter 2.2). SEG members contributed to the discussion on the application of the subsidiarity and proportionality principles during the workshop in June 2014, along with the discussion on REGPEX use during the meeting with REGPEX partners. SEG members also worked on practical approaches to subsidiarity scrutiny and one of the experts developed a matrix tool allowing for analysis of individual components of a legislative proposal and tested it on the review of waste legislation.

The experts' contribution to the CoR's consultative activities creates a link to the subsidiarity debate in the 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 SEG serves as a network of "core" CoR contact points for subsidiarity in the 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 Network (SMN)²⁴ 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 2014 and included 149 partners at the end of the year²⁵. Among the newcomers were one association of local and regional authorities (Eixo Atlántico) and two regional assemblies (Lazio Regional Assembly and Upper Austria State Parliament). The SMN now includes local and regional authorities and their associations, regional parliaments as well as a few national parliaments and national CoR delegations, representing all Member States with the exception of Estonia and Croatia. Efforts will be continued to further extend the network so as to gain EU-wide representation and encourage the active participation of all partners.

During 2014 the SMN was consulted twice, on the review of organic production legislation and the review of waste legislation. Their contribution made it possible to provide subsidiarity analyses, was useful to CoR rapporteurs and encouraged the CoR's subsidiarity monitoring.

3.4 Study on Platforms and Networks

With a view to its 20th anniversary in April 2014, the CoR undertook a wide-reaching discussion on the future of the CoR by looking back, taking stock and setting a new forward-looking political agenda for the next term of office. In this context a study on platforms and networks was commissioned, in order to make recommendations on how to improve links between their activities and the CoR's political work in the mid to long term, focusing on what the networks and platforms could deliver. Over the years, several platforms, networks and expert groups have been set up to reinforce the work of the CoR, including the SMN. These networks enable CoR members to work together on specific topics and/or around specific geographical interests, while also remaining open to players outside the CoR. They enable the CoR to organise consultations and improve the quality of its consultative work, thereby consolidating its role as spokesman for regional and local authorities.

The preliminary results of the study were presented at the meeting of the CoR networks and platforms in December 2014. Regarding the SMN, the preliminary conclusions were that the governance structure was good and the network was useful for its members. It was pointed out that there was a need to facilitate exchanges of good practices and that new opportunities and synergies should be explored in the framework of the agreement with the European Parliament. The final study will be published in 2015 and it will suggest how to make better use of these existing platforms for the benefit of the local and regional authorities in the EU, improving their effectiveness, visibility and political impact and looking at them from the outside.

²⁴ [CoR - The Subsidiarity Monitoring Network](#).

²⁵ See list of partners in Appendix 2.

4. Subsidiarity in CoR opinions

On 31 January 2014, the CoR adopted its revised Rules of Procedure in accordance with Article 306.2 TFEU. The revised version includes a number of important changes, namely the obligation to include a reference to the principles of subsidiarity and proportionality²⁶ in the opinions on legislative proposals. Consequently from March 2014 onwards, opinions on legislative proposals had to include an assessment of the proposals' compliance with the principles of subsidiarity and proportionality, whereas before it was required to include merely a reference to the application of the subsidiarity principle.

The CoR adopted fifty-seven opinions in 2014²⁷. Of these, fourteen referred to a legislative proposal and twelve included an assessment of compliance with the subsidiarity principle. Two opinions referring to a legislative proposal did not comply with Rule 55(2) of the Rules of Procedure, but they dealt with a proposal in a policy field where consultation of the CoR is not mandatory.

The opinion on the **proposal for a Directive on lightweight plastic carrier bags**²⁸ concerns a policy field (Article 114 TFEU, approximation of laws) where consultation of the CoR is not mandatory and where the CoR consequently cannot bring a legal action before the Court of Justice of the EU. Furthermore, the opinion is clearly in favour of the proposal and therefore of policy action at EU level, and even calls for more ambitious measures ("*believes, in the light of recent CoR opinions, that the European Commission proposal is not ambitious enough for the prevention of lightweight plastic bags*", point 8). The opinion on the proposal for a **Regulation on Information provision and promotion measures for agricultural products on the internal market and in third countries**²⁹ contained no subsidiarity assessment and did not comply with Rule 55(2) either. However, this regulation concerns the Common Agricultural Policy (Articles 42 and 43 TFEU), a policy area where there is no obligation to consult the CoR. Moreover, the opinion "*welcomes and endorses the European Commission's proposal for a regulation*" (point 1), and therefore the rapporteur has not raised any subsidiarity or proportionality concerns. To sum up, all CoR opinions adopted in 2014 referring to a legislative proposal within a policy area on which consultation is mandatory included an explicit reference to subsidiarity.

Three of all CoR opinions issued on legislative proposals in 2014 raised concerns with regard to the compliance of EU legislative initiatives with the principles of subsidiarity and proportionality.

²⁶ The revised Rules of Procedure were adopted on 31 January 2014 and entered into force on 6 March 2014 (OJEU L 65/41, 5.3.2014).

²⁷ See Appendix 3 for an overview of opinions adopted between 1 January and 31 December 2014.

²⁸ CdR 8067/2013.

²⁹ CdR 8096/2013.

The opinion on the Proposal for a Council Regulation on the Establishment of the European Public Prosecutor's Office (EPPO)³⁰ argued that the sub-national dimension has to be adequately considered when assessing the sufficiency of Member State action, whereas the principle of subsidiarity as enshrined in Article 5(3) of the Treaty on European Union differentiates between the central, regional and local levels. Therefore, the opinion urged that, in future proposals, the Commission take proper account of the regional and local dimensions of subsidiarity.

The opinion on the proposal for a Decision of the European Parliament and of the Council on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work³¹ expressed "reservations regarding the compliance of the proposal's mandatory nature with the principle of subsidiarity, as the legal basis for the proposal, Article 153 of TFEU only allows measures designed to encourage cooperation between Member States". Moreover, the opinion noted that the Commission's assessment of the proposal's compliance with the principles of subsidiarity and proportionality merely justified the choice of the legal instrument and cited the overall added value of the proposal, rather than justifying mandatory participation in the platform.

The opinion on the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1308/2013 and Regulation (EU) No 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments³² suggested, with regard to the subsidiarity principle, that "all educational measures relating to the scheme should be taken principally at the level of individual Member States and that no minimum level of funding be imposed on them", and called to "include in the Regulation a recommendation that the Member States make more use of feedback from local and regional authorities, since these bodies are closest to the end user and target group; in particular, local authorities should be involved".

Forty-three opinions were adopted on non-legislative initiatives, out the thirty-six opinions which were adopted under the new Rules of Procedure (after 6 March 2014), fifteen include a reference to subsidiarity and four include a reference to proportionality although it is not a mandatory requirement. Three of the opinions on non-legislative initiatives even contain an assessment of compliance with subsidiarity and proportionality.

As already observed in previous years, subsidiarity is definitely becoming a point of reference for the drafting of opinions. The Secretariat General has established procedures to support rapporteurs with regard to subsidiarity and proportionality analysis and to monitor the compliance of draft opinions tabled for plenary sessions with its Rules of Procedure which require subsidiarity assessment.

³⁰ CdR 6520/2013.

³¹ CdR 03236/2014.

³² CdR 1278/2014.

In the framework of this internal monitoring, the SSG intervened in one case and tabled an amendment regarding the content of the subsidiarity and proportionality assessment³³ which was then integrated into the final opinion.

In terms of support for the assessment of compliance with the subsidiarity and proportionality principles, in 2014 the Subsidiarity team in the Secretariat General contributed in nine cases at the request of the thematic commissions. This helped to inform rapporteurs early in the opinion-making process about the requirements of the Rules of Procedures and the content and form of the compliance assessment.

In conclusion, it is very satisfying to note that during 2014 only two opinions on legislative proposals did not comply with Rule 55(2) of the revised CoR Rules of Procedure and that there was not a single instance within a policy area on which consultation is mandatory. This is a great step forward and confirms that the quality of subsidiarity references in CoR opinions has clearly benefited from the political governance role played by the SSG and the contribution of the various monitoring activities.

5. Subsidiarity-related events and activities

A workshop on "Subsidiarity monitoring under scrutiny: More, less or different?"³⁴ took place on 11 June and brought together stakeholders from the EU, national and regional level, to follow up on the key messages of the 6th Subsidiarity Conference 2013³⁵ and to explore new approaches and solutions for effective subsidiarity monitoring. One of the key messages of the Berlin Conference was that subsidiarity monitoring should be strengthened at the pre-legislative stage and not limited to the legislative phase.

Workshop participants agreed that acting upstream is necessary and explored ways to get involved as early as possible. It was confirmed once again that the effective application of the subsidiarity principle enhances democratic legitimacy. It was considered that "effective" does not mean "stricter", and can be achieved through stronger inter-institutional cooperation. It was reaffirmed in the workshop that genuine cooperation by all relevant levels of governance is vital and that a culture of subsidiarity which places the citizen at the centre of EU policies needs to be developed.

One more relevant event in the area of subsidiarity, a conference on "the role of regional parliaments in EU affairs" took place on 2 July³⁶. It was organised jointly by the CoR and the University of Tübingen (Germany). The event aimed to raise awareness of the role of and challenges facing regional parliaments in the context of the EWS, with a view to enhanced inter-parliamentary cooperation.

³³ Before the plenary session of January 2014, concerning the opinion on *The Establishment of the European Public Prosecutor's Office*.

³⁴ Following the "world café" approach.

³⁵ <http://portal.cor.europa.eu/subsidiarity/SiteCollectionDocuments/Final%20Brochure.pdf>.

³⁶ Proceedings available at <http://www.cor.europa.eu/en/events/Pages/regional-parliaments-conference.aspx>.

Finally, a meeting of REGPEX³⁷ partners and a meeting of other CoR internet platforms, both in December, agreed that it was necessary to raise regional parliaments' awareness of subsidiarity issues and to support them with tools for information exchange. Based on the needs and expectations expressed by participants during these events, the CoR will explore possibilities for subsidiarity awareness-raising and training initiatives at regional level.

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) which aligned its subsidiarity monitoring activities with the CoR's Subsidiarity Work Programme and sees the CoR as the key channel for passing messages on subsidiarity at EU level. Finally, efforts to establish closer relations with national parliaments led to an invitation to present the CoR's subsidiarity monitoring activities at a Monday Morning Meeting in July and to national parliaments' representatives participating in CoR events. Close contacts were kept up with the European Commission and the European Parliament and subsidiarity consultation reports were sent to the relevant units.

6. Conclusion and outlook

In 2014, subsidiarity monitoring at the CoR was further consolidated by the implementation of the second Subsidiarity Work Programme. The political governance provided by the Subsidiarity Steering Group as well as 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. Several initiatives of particular interest to local and regional authorities were monitored from the point of view of subsidiarity and proportionality, and for the first time emphasis was placed on delegations of powers to the Commission in selected cases.

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 new 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 in this context. Particular emphasis should be placed on the regional level. The aim of the CoR's subsidiarity-related activities in 2015 is to reinforce the established patterns of cooperation with its institutional and other partners and to raise awareness of the importance of subsidiarity in general and the role that regional parliaments can play in the framework of the Early Warning System in particular.

³⁷ REGPEX (REGional Parliaments information EXchange) is a subsection of the SMN website consisting of a database designed to assist regions with legislative powers with regard to the EWS. It was launched by the CoR in 2012: <http://corportal/subsidiarity/regpex/Pages/default.aspx>.

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 (like EU 2020 partners)	Subsidiarity Steering Group or rapporteur ³⁸	Report summarizing 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 ³⁹	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 ⁴⁰ / administration ⁴¹	Report summarising the main findings of the consultation, to be sent to the rapporteur and possibly the European Commission

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.

³⁸ The Subsidiarity Steering Group should be informed.

³⁹ 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.

⁴⁰ The Subsidiarity Steering Group should be informed.

⁴¹ The Subsidiarity Steering Group should be informed.

Appendix 2

List of partners
The CoR Subsidiarity Monitoring Network

149 partners at 31 December 2014

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
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 2014

CoR commission	Number of opinions adopted from 1 January 2014 to 31 December 2014	Number of opinions on legislative proposals	Number of opinions containing an explicit reference to subsidiarity (Rule 51(2))*	Number of opinions containing an assessment of compliance with subsidiarity principle**	Related SEG / SMN consultation	Number of opinions adopted in a policy area of mandatory CoR consultation	
						Legislative proposals	Non-legislative initiatives
CIVEX	6	1	1	0	0	0	0
COTER	8	1	1	0	0	1	7
ECOS	12	5	1	5 (4 compliance; 1 non compliance)	0	2	3
EDUC	8	1	2	1 (compliance)	0	0	4
ENVE	9	3	2	1 (compliance)	2	2	5
NAT	11	3	1	5 (3 compliance; 2 non compliance)	1	0	2
BUDG	3	0	0	0	0	0	0
TOTAL	57	14	8	12	3	5	21

* Rule 51(2) of the Rules of Procedure of the CoR, which states that "Committee opinions shall contain an explicit reference to the application of the subsidiarity and proportionality principles", were in force from 10 January 2010 until 5 March 2014.

** From 6 March 2014 new Rules of Procedure of the CoR entered into force. Rule 55(2) of the new Rules of Procedure of the CoR states that "Committee opinions on proposals for legislative 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 the subsidiarity and proportionality principles. Other Committee opinions may refer, if necessary, to the application of the principles of the subsidiarity and proportionality principles whenever appropriate."

CIVEX

Overview of opinions adopted between 1 January 2014 and 31 December 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁴²	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2013) 534 – final COM (2013) 532 – final COM (2013) 533 – final COM (2013) 535 – final CdR 6520/2013	30 January 2014	Opinion Proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office	Yes	No	No	N/A ⁴³	Yes (subsidiarity, proportionality)
COM (2013) 700 – final CdR 6834/2013	2 April 2014	Opinion Enlargement Strategy and Main Challenges 2013-2014	No	No	No	No	Yes (better law making)
COM (2014) 144 – final COM (2014) 154 - final CdR 8115/2013	25 June 2014	Own-initiative opinion The future EU policies in Justice and Home affairs	No	No	No	No	Yes (subsidiarity, proportionality, better law making)

⁴² During the legislative procedure.

⁴³ Not applicable under the former Rules of Procedure of the CoR, before 6 March 2014.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory⁴²	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
JOIN (2014) 12 – final CdR 4459/2014	3 December 2014	Opinion Neighbourhood at the Crossroads: Implementation of the European Neighbourhood Policy in 2013	No	No	No	No	No
CdR 4460/2014	3 December 2014	Own-initiative opinion Reconnecting Europe with its citizens - more and better communication at local level	No	No	No	No	Yes (subsidiarity, proportionality)
CdR 5728/2014 ⁴⁴	4 December 2014	Own-initiative opinion The efforts to promote genuine solidarity on a real European migration policy	No	No	No	No	Yes (subsidiarity, better law making)

⁴⁴

Italian Presidency referral letter of 20 June 2014.

COTER

Overview of opinions adopted between 1 January 2014 and 31 December 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2013) 621 – final COM (2013) 623 – final SWD (2013) 324 – final COM (2013) 622 – final CdR 6651/2013	30 January 2014	Opinion NAIADES II package	Yes	Yes	No	N/A	Yes (subsidiarity, proportionality)
CdR 6902/2013	25 June 2014	Own-initiative opinion Towards an integrated Urban Agenda for the EU	No	Yes	No	No	Yes (subsidiarity, proportionality, better law making)
COM(2014) 357 final SWD(2014) 190 final SWD(2014) 191 final CdR 23/2014 ⁴⁵	26 June 2014	Opinion EU Strategy for the Adriatic and Ionian Region (EUSAIR)	No	Yes ⁴⁶	No	No	Yes (subsidiarity, better law making)

⁴⁵ Letter of the Greek Presidency: 4 November 2013.

⁴⁶ As far as territorial, economic and social cohesion, transport, energy and environment are concerned; will depend on each legal basis of possibly forthcoming legislative proposals.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
SWD (2013) 527 – final SWD (2013) 525 – final SWD (2013) 526 – final SWD (2013) 524 – final COM (2013) 913 – final CdR 90/2014	25 June 2014	Opinion Urban Mobility Package	No	Yes	No ⁴⁷	No	Yes (subsidiarity, better law making)
CdR 1691/2014	8 October 2014	Own-initiative opinion Mobility in geographically and demographically challenged regions	No	Yes	No	No	Yes (subsidiarity)
CdR 2994/2014	3 December 2014	Own-initiative opinion An Alpine macro-regional strategy for the European Union	No	Yes ⁴⁸	No	No	Yes (subsidiarity, better law making)

⁴⁷ CoR Impact Assessment workshop on "Urban dimension of the EU transport policy: the future urban mobility package", held on 13 June 2013.

⁴⁸ As far as territorial, economic and social cohesion, transport, energy and environment are concerned; will depend on each legal basis of possibly forthcoming legislative proposals.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
SWD (2014) 194 – final CdR 4895/2014	3 December 2014	Own-initiative opinion Multimodal travel information, planning and ticketing services	No	Yes	No	No	Yes (better law making)
COM (2014) 473 - final CdR 4896/2014	3 December 2014	Own-initiative opinion Sixth report on economic, social and territorial cohesion	No	Yes	No	No	Yes (better law making)

ECOS

Overview of opinions adopted between 1 January 2014 and 31 December 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2013) 462 - final CdR 6862/2013	31 January 2014	Own-initiative opinion European Long-term Investment Funds	Yes	No	No	N/A	Yes (subsidiarity)
COM (2013) 690 – final CdR 6863/2013	31 January 2014	Own-initiative opinion The social dimension of the Economic and Monetary Union	No	No	No	N/A	Yes (better law making)
COM (2013) 798 - final CdR 103/2014	3 April 2014	Opinion Amendment of the directives on exclusions for seafarers	Yes	Yes	No	Yes (compliance)	Yes (proportionality)

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
Communication from the Commission – Guidelines on state aid for rescuing and restructuring non-financial undertakings in difficulty (5 November 2013) Revised opinion CdR 7451/2013	31 January 2014	Revised opinion EU guidelines on state aid for rescuing and restructuring firms in difficulty	No	No	No	N/A ⁴⁹	No
COM (2013) 882 - final CdR 1319/2014	3 December 2014	Own-initiative opinion EU Quality Framework for anticipation of change and restructuring	No	Yes	No	Yes (compliance)	Yes (proportionality, better law making)
COM (2013) 857 – final CdR 111/2014	3 April 2014	Opinion Quality Framework for Traineeships	No	Yes	No	No	Yes (better law making)
COM (2014) 6 - final CdR 1315/2014	25 June 2014	Opinion Labour Mobility and Strengthening of EURES	Yes	No	No	Yes (compliance)	Yes (subsidiarity, proportionality)

⁴⁹ Policy area of exclusive EU competence.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2014) 25 – final COM (2014) 14 - final CdR 1344/2014	3 December 2014	Opinion Industrial Policy Package	No	No ⁵⁰	No	No	No
COM (2014) 40 - final COM (2014) 43 - final CdR 1321/2014	26 June 2014	Own-initiative opinion Structural reforms of EU banks and transparency in shadow banking	Yes	No	No	No	No
CdR 2234/2014	25 June 2014	Own-initiative opinion A European homelessness strategy	No	Yes	No	Yes (compliance)	Yes (subsidiarity, better law making)
COM (2014) 168 - final CdR 3235/2014	7 October 2014	Opinion Long-term financing of the European economy	No	No	No	No	No
COM (2014) 221 - final CdR 3236/2014	7 October 2014	Opinion A European Platform against undeclared work	Yes	Yes	No	Yes (non compliance: "reservations")	Yes (subsidiarity, proportionality)

⁵⁰

As far as internal market is concerned; as this draft opinion covers several policy fields, it will depend on each legal basis of possibly forthcoming legislative proposals.

EDUC

Overview of opinions adopted between 1 January 2012 and 31 December 2012

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2013) 627 - final CdR 5960/2013	30 January 2014	Opinion European single market for electronic communications	Yes	No	No	N/A	Yes (subsidiarity, proportionality)
COM (2013) 654 final CdR 6183/2013	30 January 2014	Opinion Opening up Education	No	Yes	No	N/A	Yes (better law making)
COM (2013) 499 – final CdR 5961/2013	30 January 2014	Opinion European higher education in the world	No	Yes	No	N/A	Yes (subsidiarity)
CdR 672/2014	7 October 2014	Own-initiative opinion Measures to support the creation of high-tech start-up ecosystems	No	No	No	No	Yes (better law making)
COM (2014) 72 - final CdR 2448/2014	4 December 2014	Own-initiative opinion Internet policy and governance	No	No	No	No	Yes (subsidiarity, better law making)
COM (2014) 272 - final CdR 3660/2014	4 December 2014	Own-initiative opinion European film in the digital era	No	Yes	No	Yes (compliance)	Yes (proportionality, better law making)

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
CdR 4165/2014 ⁵¹	4 December 2014	Own-initiative opinion The importance of an interconnected Europe, focusing on the potential of the ICT sector as a source of growth	No	No ⁵²	No	No	Yes (better law making)
CdR 3921/2014	4 December 2014	Own-initiative opinion Recognition of skills and competences acquired through non-formal and informal learning	No	Yes	No	No	Yes (subsidiarity, proportionality)

⁵¹ Italian Presidency referral letter of 20 June 2014.

⁵² As far as research and technological development are concerned; as this draft opinion covers several policy fields, it will depend on each legal basis of possibly forthcoming legislative proposals.

ENVE
Overview of opinions adopted between 1 January 2014 and 31 December 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2013) 169 - final CdR 5810/2013	30 January 2014	Opinion Green Paper on Framing 2030 Climate and Energy Policy	No	Yes	No	N/A	Yes (subsidiarity)
COM (2013) 516 - final CdR 5880/2013	30 January 2014	Opinion Proposal for a Regulation amending the Waste Shipments Regulation	Yes	Yes	No	N/A	Yes (subsidiarity, better law making)
COM (2013) 761 - final CdR 8067/2013	3 April 2014	Opinion Proposal for a Directive on Lightweight Plastic Carrier Bags	Yes	No	No	No (but no subsidiarity concerns)	Yes (better law making)
CdR 8068/2013 ⁵³	2 April 2014	Opinion Affordable energy for all	No	Yes	No	No	No
CdR 7987/2013 ⁵⁴	25 June 2014	Outlook opinion The Seventh Environment Action Programme and the sustainable city	No	Yes	No	No	Yes (subsidiarity, better law making)

⁵³ Letter from Greek Council Presidency of 4 November 2013.

⁵⁴ Referral letter from the European Commission of 27 November 2013.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
CdR 8074/2013 ⁵⁵	26 June 2014	Outlook opinion Multilevel governance in promoting the EU Biodiversity Strategy 2020 and implementing the international Aichi targets	No	Yes	No	No	Yes (better law making)
CdR 8053/2013	2 April 2014	Own-initiative opinion New Guidelines for State Aid for Energy	No	No	No	N/A ⁵⁶	Yes (subsidiarity)
COM (2013) 918 - final COM (2013) 919 - final COM (2013) 920 - final CdR 1217/2014	7 October 2014	Opinion The Clean Air Policy Package for Europe	Yes	Yes	Yes ⁵⁷	Yes (compliance)	Yes (proportionality)
COM (2014) 15 – final CdR 2691/2014	7 October 2014	Opinion A policy framework for climate and energy in the period from 2020 to 2030	No	Yes	No	No	Yes (subsidiarity, better law making)

⁵⁵ Referral letter from the European Commission of 13 December 2013.

⁵⁶ Policy area of exclusive EU competence.

⁵⁷ CoR Secretariat analytical note on subsidiarity and proportionality related aspects, 18 March 2014, including contributions of members of the Subsidiarity Expert Group.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
<i>COM (2014) 397 final COM (2014) 398 final CdR 4083/2014</i>	<i>12 February 2015⁵⁸</i>	<i>Towards a circular economy: review of EU waste legislation</i>	<i>Yes⁵⁹</i>	<i>Yes⁶⁰</i>	<i>Yes⁶¹</i>	<i>Yes (compliance)</i>	<i>Yes (proportionality, better law making)</i>

⁵⁸ Here is referred to the draft opinion as the final opinion was adopted at the February 2015 Plenary session.

⁵⁹ As far as COM (2014) 397 is concerned.

⁶⁰ As far as COM (2014) 397 is concerned.

⁶¹ Consultation of the Subsidiarity Expert Group and the Subsidiarity Monitoring Network from 25 July till 6 October 2014.

NAT
Overview of opinions adopted between 1 January 2014 and 31 December 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2013) 659 - final CdR 7115/2013	30 January 2014	Opinion A new EU Forest Strategy: for forests and the forest-based sector	No	No	No	N/A	No
SWD (2013) 328 – final CdR 7114/2013	31 January 2014	Opinion Health Inequalities in the European Union	No	No	No	N/A	Yes (subsidiarity, proportionality, better law making)
COM (2013) 812 – final CdR 8096/2013	2 April 2014	Opinion Information provision and promotion measures for agricultural products on the internal market and in third countries	Yes	No	No	No (no concerns)	Yes (better law making)
COM (2013) 838 – final CdR 1277/2014	26 June 2014	Opinion Agricultural genetic resources - from conservation to sustainable use	No	No	No	No	Yes (better law making)

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2014) 32 – final CdR 1278/2014	7 October 2014	Opinion The aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments	Yes	No	No	Yes (non compliance)	Yes (better law making)
COM (2014) 86 – final CdR 2645/2014	7 October 2014	Opinion European strategy for Coastal and Maritime Tourism	No	No	No	No	Yes (subsidiarity)
COM (2014) 180 – final COM (2014) 179 – final CdR 4832/2014	4 December 2014	Opinion Policy package on organic production	Yes	No	Yes ⁶²	Yes (non compliance)	Yes (proportionality (non compliance), better law making)
COM (2014) 216 – final CdR 2646/2014	26 June 2014	Opinion The post 2015 Hyogo Framework for Action	No	No	No	Yes (compliance)	Yes (subsidiarity, proportionality)
COM (2014) 219 - final CdR 4833/2014	4 December 2014	Opinion "mHealth"	No	Yes	No	No	Yes (subsidiarity, better law making)

⁶²

Consultation of the Subsidiarity Expert Group and the Subsidiarity Monitoring Network from 16 April till 26 May 2014.

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
COM (2014) 254 - final/2 CdR 4835/2014	3 December 2014	Opinion Innovation in the Blue Economy: Realising the potential of our seas and oceans for jobs and growth	No	No	No	Yes (compliance)	Yes (proportionality)
COM (2014) 215 – final CdR 4834/2014	3 December 2014	Opinion Effective, accessible and resilient health systems	No	Yes	No	Yes (compliance)	No

BUDG

Overview of opinions adopted between 1 January 2014 and 31 December 2014

Opinion reference #	Date	Title	Legislative proposal?	Policy field within which consultation of the CoR is mandatory	SEG / SMN consultation	Assessment of compliance with subsidiarity principle in the opinion?	Other mention of subsidiarity / proportionality / better lawmaking?
CdR 8129/2013	26 June 2014	Own-initiative opinion The Execution of the EU Budget	No	No	No	No	No
CdR 1750/2014	26 June 2014	Own-initiative opinion The Draft EU Budget for 2015	No	No	No	No	No
CdR 4885/2014	3 December 2014	Own-initiative opinion Promoting quality of public spending in matters subject to EU action	No	No	No	No	Yes (subsidiarity)

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