



**European Committee
of the Regions**

Brussels, 22 June 2018

184th MEETING OF THE EUROPEAN COMMITTEE OF THE REGIONS BUREAU

- 3 JULY 2018 -

ITEM 7B)

**SUBSIDIARITY WORK PROGRAMME
FOR THE 2ND HALF OF 2018**

Submitted by the Secretary General

FOR DECISION

SUMMARY

Bureau meeting: 184

Date: 3/07/2018

Item 7b)

Subsidiarity Work Programme for the 2nd half of 2018

Type:

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

Short description:

The CoR Bureau decided in its meeting on 30 January 2018 to postpone the adoption of the Subsidiarity Work Programme 2018 until the Task Force on Subsidiarity, Proportionality and "Doing less more efficiently" has finished its work. The mandate of the Task Force ends on 15 July, thus the Subsidiarity Work Programme 2018 has been revised by the Subsidiarity Steering Group. The aim of the Subsidiarity Work Programme is to provide guidelines for subsidiarity activities to be carried out in the 2nd half of 2018.

The Bureau is invited to:

- Approve the revised Subsidiarity Work Programme for the 2nd half of 2018.

Remarks:

NA

Subsidiarity Work Programme for the 2nd half of 2018

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 2018 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 the 2nd half of 2018 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. Due to the establishment of the Task Force on Subsidiarity, Proportionality and "Doing Less more Efficiently" and the participation of the designated CoR members in its work, the CoR Bureau in its meeting on 30 January 2018 has suspended the implementation of the Subsidiarity Work Programme 2018.

2. Priority initiatives

The following **two priority initiatives were identified, along with one additional relevant dossier** for the 2018 SWP in the 2nd half of the year. These additional dossiers could 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.

¹ R/CdR 606/2012 item 7a).

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

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.

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 **Social fairness package**

In the framework of this package of proposals, from a subsidiarity and proportionality monitoring perspective, specific focus could be placed on the legislative initiatives relating to establishing a European Labour Authority published on 13 March 2018⁴.

2.2 **Multi-annual financial framework**

This package published on 2 May 2018 consists, among others, of a comprehensive proposal for the future Multi-annual Financial Framework for the years 2021 to 2027 followed by proposals for the next generation of programmes and new own resources⁵. From a cohesion policy standpoint the issue of potential further allocation of funds to centrally managed programmes or financial instruments (like EFSI) may raise significant subsidiarity concerns. Also, due to local and regional authorities' important role in the management of structural and rural development funds these initiatives should be analysed in detail regarding their conformity with the principles of subsidiarity and proportionality.

3. **Additional relevant initiatives**

3.1 **Fair taxation in the digital economy**

The proposal establishing rules at EU level allowing taxation of profits generated by multinationals through the digital economy, published on 21 March 2018⁶, could raise proportionality concerns as in some member states these issues are dealt with at the subnational level.

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

Based on the protocol on the cooperation between the CoR and the European Commission⁷, the CoR will build on its privileged relationship with the Commission concerning subsidiarity monitoring. 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

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

⁴ COM(2018) 131 final.

⁵ COM (2018) 322, COM (2018) 323, COM (2018) 324, COM (2018) 325, COM (2018) 326, COM (2018) 327, COM (2018) 328.

⁶ COM(2018) 148 final

⁷ 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.

CoR's cooperation with the JURI committee has been reinforced through the establishment of closer relations with the rapporteur on subsidiarity, and this cooperation will be further built upon in 2018.

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.

The CoR also intends to put emphasis on the follow-up of its work in the "Task Force on Subsidiarity and Proportionality and "Doing Less more Efficiently" that was set up on 14 November 2017 by the European Commission and in which the CoR participated with 3 members.

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 2018. 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.

PROPOSAL

Bureau members are invited to approve the present document and the revised Subsidiarity Work Programme for the 2nd half of 2018.
