

# European and External Affairs Committee

EUR(3) 04-07 (p4): 27 November 2007

Paper to note

## Title: Committee of the Regions Subsidiarity Monitoring Network ""

### 1. Purpose

This is a paper to note to inform the Committee of the Regions' Subsidiarity Monitoring Network and its potential benefits to the National Assembly for Wales.

### 2. Recommendations

It is recommended that the National Assembly for Wales applies to become a member of the network.

### 3. Background

The principle of subsidiarity is explained as follows on the Committee of the Regions' website:

Subsidiarity is the guiding principle for defining the boundary between Member State and EU responsibilities. If the area concerned is under the exclusive competence of the Community or the Member States, the question does not arise. If instead the competence is shared between the Community and the Member States, the subsidiarity principle clearly establishes a presumption in favour of devolution. In other words, only if the lower decision-making level (local, regional, national) cannot act sufficiently and effectively, can the Union take action.

Over recent years the political significance of the correct application of the principle of subsidiarity in relation to EU proposals has gained in importance. The EU Reform Treaty which was agreed at the Lisbon Informal Summit on 18-19 October 2007 (replacing the EU Constitutional Treaty) includes new provisions on subsidiarity and how it relates to regional and local authorities. It also strengthens the role of national parliaments in monitoring and potentially also blocking any proposals which are not in line with the principle.

The Committee of the Regions (CoR) is exploring ways in which it can have a stronger role with respect to monitoring the application of the principles of subsidiarity and proportionality through the establishment of a pan-EU network. Its purpose is to develop a common understanding of the principles and to test to what extent they can be applied and monitored in practice at the regional and local level.

Further background information can be found on the CoR website:

[http://www.cor.europa.eu/en/activities/sub\\_mon.htm](http://www.cor.europa.eu/en/activities/sub_mon.htm)

The network is still experimental, following two pilot tests which the CoR regarded as a success. The Second Assembly's European and External Affairs Committee participated in the test phase (November 2005 and again in October 2006).

The CoR is now calling on all potential members to formally join - regional assemblies and governments, and associations of regional and local authorities. The network has over 80 members already. Europe's regional legislative assemblies and regional governments make up the largest grouping within the network to date.

It is mainly an e-network, the website is its key tool: <http://www.cor.europa.eu/subsidinet/en/index.htm>

The main advantage will be access to information between the CoR and its partners and the potential to participate in co-ordinated "consultations", if the Assembly so wishes:

From Brussels to partners - the CoR will forward on to its members all new policy and legislative documents of the European Commission as soon as the CoR receives them; they will also be posted under the relevant policy section on the website.

Between partners - its members may actively participate by posting comments on the website on their concerns about any particular legislative proposal at hand.

Impact - a few selected proposals each year will be the basis of a "consultation" with a co-ordinated call for comments from partners on the subsidiarity aspect to check that it conforms with the relevant Treaty principles. These will then be fed into the CoR opinion on the proposal, to ensure greater impact and co-ordination of action between members of the network where there might be some concern.

Contacts - contacts for other members' of the network will be posted on the website. This could facilitate bilateral and multilateral relations between those with responsibility for European policy and legislation in regional assemblies.

The website also includes background information on the EU's main policy areas which impact on regional and local authorities.

### Members Research Service

**November 2007**