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***EU Interparliamentary cooperation in the context of the debate on
subsidiarity and proportionality***

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When we reflect on subsidiarity, we of course have in the back of our heads that European Treaties lay the foundation for different roles and powers of institutions, including national parliaments in the European legislative process. I also think it is good to remind ourselves from time to time that we also have a world class standards and practices in legislative drafting, impact assessment, transparency, consultations with interests representatives, access to documents.

Interinstitutional agreement on better law making between the three institutions has strengthened those rules and standards and practices.

And, of course, we, European and national parliamentarians, on the top of our own specific roles and powers, we have also a joint responsibility for ensuring the democratic legitimacy of the process. And in some areas we have the double legitimacy challenge to cope with.

Subsidiarity has been with us as a concept throughout the European integration history. I agree fully with Frans Timmermans that looking for definition of it would not bring much value added to our considerations.

Core principles of subsidiarity are so basic that nobody can deny their value, so the real issue is the implementation of subsidiarity. Indeed, our challenge has always been to turn it into a practical concept reflecting EU political values.

But we must not forget that subsidiarity is not about doing what we want at local, national or European level but about doing our part of common objectives at all levels of European governance.

As various institutions, various levels of governance, at various stages of legislative process are involved, some coordination among all mechanisms upholding subsidiarity rule is needed. That implies working together.

The work of the Task force on subsidiarity, proportionality and doing less more efficiently is highly appreciated in this context and we regret that the format chosen has not allowed the EP to participate.

As we have limited time for introductory comments, I would like to address directly only a few issues with a hope they might add new dimension to your reflection.

European institutions, and this is true for the EP and the Commission and the council, have developed rules and practices to protect subsidiarity from the early stage of legislation. A strong vocation is there. Every year we have joint declaration of the European Parliament, the European Commission and the Council on the annual work program, where subsidiarity features high, in line with Interinstitutional Agreement on Better Law Making. As of next year we will move toward strategic programming preserving hopefully the same approach. Let me mention here as well that EP looks into reasoned opinions with full attention even if their number does not reach the necessary threshold.

In the context of subsidiarity related concerns, we see frequently comments on the choice of the legal form for a new legislation, between a directive, a framework directive or a regulation. Let me say that the choice depends usually on the policy area and whether there is the need to go for full harmonization or not. Your preferred option as national parliaments is usually a directive. Directives have to be transposed into national legislation and they offer at national level space for debates and awareness raising. These are certainly good arguments but we also see that it can also lead to a lot of gold plating. This brings risk to the single market integrity.

With regards to the need of improving the early warning system, in addition to what national parliaments point to, which is the procedure as such where we largely share your views, I would add that the system could benefit from enhanced dialogue among national parliaments' and between national parliaments and European institutions, from intensity of contacts and more effective exchange of documents. Also, from better focusing of the inter-parliamentary meetings across all the

platforms for dialogue we have developed and this we should do together, and from the focus of reasoned opinion on subsidiarity.

However, let me underline that when we try to improve the early warning system, we should clearly spare no efforts to avoid a shift toward more lengthy legislative processes. Good balance is needed, and, last but not least, we should take into account the risk of increasing the work load of the European Commission.

When I think of the factors which lead to your reasoned opinions going rather often beyond the subsidiarity dimension, I have the impression that the communication channels on those additional dimensions of your opinions do not function well.

If we had a better dialogue on the future, more debates, I would say more conclusive debates, more clarity on where we want to go together, maybe we could have the early warning system truly focused on subsidiarity. I hear from some national chambers that this is often the only channel for passing their comments and views on political priorities of Europe and on future of Europe in general.

Of course truly respecting and caring about subsidiarity implies that there are no one off solutions, we will not fix all implementation related imperfections of the subsidiarity principle through a one off event or an ad hoc process, important as they might be. I am sure we all agree that it is and will always be a living process. So I am sure this task force opens a process of a joint work that makes Europe better and better connected with citizens.

To conclude, let me say that when we pass laws, we must make sure that they meet subsidiarity standards. That goes without saying. But our responsibility goes further. We must also, through our oversight over executive, ensure that these laws are implemented in line with those standards.