

Chairperson of the Committee on European  
Affairs and Oversight of the European Funds of  
the National Assembly of the Republic of  
Bulgaria  
Kristian Vigenin MP

To: [kristian.vigenin@parliament.bg](mailto:kristian.vigenin@parliament.bg)  
CC/ [SG-TF-SUBSIDIARITY@ec.europa.eu](mailto:SG-TF-SUBSIDIARITY@ec.europa.eu)  
[secretariat@cosac.eu](mailto:secretariat@cosac.eu)

Dear Colleague,

**Re:** Contribution from the European Affairs Committee of the *Assembleia da República* to the work of the *task force on subsidiarity, proportionality and doing less more efficiently*

Following your letter of 11 May calling for contributions or recommendations for the proceedings of the above-mentioned task force, I am sending you, attached to this letter, the contributions of the European Affairs Committee of the *Assembleia da República*, unanimously approved at our meeting of 5 June 2018.

I wish you all the best with your work and hope that this contribution can help us reach the common goal of enhancing the role of our parliamentary institutions in the European decision-making process, making it more participatory, more democratic and closer to citizens.

Yours sincerely,

The Chairwoman



(Regina Bastos)

**Attachments:** One document

**Contribution from the European Affairs Committee of the *Assembleia da República* to the work of the *task force on subsidiarity, proportionality and doing less more efficiently***

The European Affairs Committee,

Bearing in mind:

1. The importance of the work of the *task force on subsidiarity, proportionality and doing less more efficiently*;
2. The request for contributions and recommendations of 11 May made by the Chairperson of the Committee on European Affairs and Oversight of the European Funds of the National Assembly of the Republic of Bulgaria, as serving Chair of COSAC and member of the task force;
3. The need to enhance the role of national Parliaments in the European decision-making process, recognising that, in order to do so, a merely formal fulfilment of the provisions of Protocol 2 of the Treaty on the Functioning of the European Union (TFEU) is not enough, and it is necessary to find mechanisms to achieve more effective participation, making the process more democratic and closer to citizens;
4. The context in which reflections on the future of Europe are being developed;

Approves the following contribution, to be considered in the recommendations that will be adopted by the task force:

**I. Regarding better application of the principles of subsidiarity and proportionality in the work of the European institutions and, specifically, regarding practical ways of improving political dialogue with national Parliaments, as well as the process laid down in Protocol 2 of TFEU.**

1. All proposals for improving participation of national Parliaments in the European decision-making process should be made within the framework of the current Treaty of Lisbon, and the Committee is against any proposal that entails revision of the Treaty, both because it believes the current time is not favourable to do so and because it understands that there is still enormous potential to improve the mechanisms for national Parliaments' participation in the European decision-making process within the scope of the current texts in force.

2. The Committee agrees with most of the contributions submitted in due course by the Czech, Dutch and Danish Parliaments and by the Chairman of the European Affairs Committee of the Austrian *Nationalrat* containing concrete proposals to clarify the responsibilities of the different actors in the European decision-making process, with special focus on the following:

2.1. Extending the deadline for parliamentary scrutiny of the principle of subsidiarity, considering that the current 8 weeks are often too little, especially during times of holidays or parliamentary recess. In order to extend the deadline without revising the text of the Treaties, we agree with the proposed suspension of the calculation of the eight weeks during these times, like the practice followed in August;

2.2. The need to improve the way the contributions of national Parliaments are considered by the European Commission, either by establishing a reply deadline or by way of a commitment from the Commission to consider not only matters of subsidiarity but also arguments regarding the proportionality, legality and substance of proposals. It is further considered necessary for there to be a clear explanation in the answers given to Parliaments on the way their contributions have been considered, and the tendency to give a single reply to all Parliaments that raise subsidiarity issues should be avoided. If a legislative proposal is replaced or amended as the result of these contributions, the explanatory memorandum for the reformulated initiative should clearly explain which amendments were made in order to comply with the principle of subsidiarity;

- 2.3. Wider use of the “green card”, which national Parliaments can use to submit legislative proposals, with a commitment from the European Commission to justify any decision not to legislate on the proposed theme;
- 2.4. Last but not least, the need for an increase in political dialogue, particularly through the early involvement of national Parliaments at the pre-legislative stage of the process, actively taking part in the consultation stage and submitting contributions within the scope of green and white papers, with a commitment from the European Commission to integrate contributions in the legislation that is eventually drawn up.

**II. Regarding the identification of political areas in which, over time, decision-making and/or implementation may be delegated, fully or partly, or definitively returned to Member States.**

1. The debate on identifying political areas in which delegation or return of powers to Member States could be envisaged should be held closely with the currently ongoing discussion on the Multiannual Financial Framework (MFF) 2021-2027, which establishes new priorities and competences for the European Union;
2. In light of the fact that the MFF was only presented on the 2 May and as the process of discussing and approving the framework is longer than the term of the task force, established for 30 June, the European Affairs Committee believes that reflection on this topic is still early, at this stage;
3. Any reflection on returning policy or areas of certain policy to national, regional or local scope should be made based on a rationale of efficiency and decision-making at the most suitable level, avoiding exploitation of this by Eurosceptic groups that advocate for competences to be fully returned to state level;
4. In this context, the European Affairs Committee believes that, rather than a return of competences, what is needed is, on the one hand, investment in the quality and relevance of

European legislation and, on the other, better functioning and coordination of the competences held by each of the interlocutors in the European decision-making process.

Assembleia da República, 5 June 2018

The Chairwoman of the Committee



**(Regina Bastos)**