SUBSIDIARITY

The principle of subsidiarity is defined in Article 5 of the Treaty on European Union. It aims to ensure that decisions are taken as closely as possible to the citizen and that constant checks are made to verify that action at EU level is justified in light of the possibilities available at national, regional or local level. Specifically, it is the principle whereby the EU does not take action (except in the areas that fall within its exclusive competence), unless it is more effective than action taken at national, regional or local level. It is closely bound up with the principle of proportionality, which requires that any action by the EU should not go beyond what is necessary to achieve the objectives of the Treaties.

There are two Protocols annexed to the Treaty of Lisbon that are key:

- Protocol No 1 on the role of national Parliaments encourages national Parliaments' involvement in EU activities and requires EU documents and proposals to be forwarded promptly to them so they can examine them before the Council takes a decision.
- Protocol No 2 requires the Commission to take into account the regional and local dimension of all draft legislative acts and to make a detailed statement on how the principle of subsidiarity is respected. This Protocol allows national Parliaments to object to a proposal on the grounds that it breaches the principle, as a result of which the proposal must be reviewed and may be maintained, amended or withdrawn by the Commission, or blocked by the European Parliament or the Council.

In the case of a breach of the principle of subsidiarity, the Committee of the Regions or EU countries may refer an adopted act directly to the Court of Justice of the EU.

SEE ALSO

- Committee of the Regions
- Distribution of competences
- National parliaments
- Proportionality principle
- Simplification of legislation
- Summary on the principle of subsidiarity
- The principle of subsidiarity on the European Parliament's website