



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 12 December 2011**

**18492/11**

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<b>INST</b>	<b>640</b>
<b>PARLNAT</b>	<b>309</b>

**COVER NOTE**

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from: The President of the Romanian Senate  
date of receipt: 8 December 2011  
to: President of the Council of the European Union

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006  
[doc. 15250/11 FC 40 REGIO 86 CADREFIN 90 CODEC 1635 - COM(2011) 612 final]  
- *Opinion<sup>1</sup> on the application of the principles of Subsidiarity and Proportionality*

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Delegations will find attached the above-mentioned document.

Encl.

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<sup>1</sup> This opinion is available on the parliamentary EU information exchange site (IPEX) at the following address: <http://www.ipex.eu/ipex/cms/home/Documents/pid/10>



*Parlamentul României*  
*Senat*

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Bucharest, 30th November 2011  
Courtesy translation

**OPINION**

**of the ROMANIAN SENATE, on the  
Proposal for a Regulation of the European Parliament and of the Council on the Cohesion  
Fund and repealing Council Regulation (EC) No 1084/2006**

**COM(2011) 612 final**

**The Senate of Romania** has checked the compliance with the subsidiarity and proportionality principles of the **Proposal for a Regulation of the European Parliament and of the Council on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006 – COM (2011)612 final**, according to the provisions of the Treaty of Lisbon (Protocol no.2).

Taking into account the report of the Committee on European Affairs, **the Plenum of the Senate**, during its session of the 29th November 2011, has found that the examined proposal, elaborated according to article 177 al 2 of the Treaty on the Functioning of the European Union is in compliance with the principle of subsidiarity and the principle of proportionality as defined by article 5 of the Treaty on the European Union. Nevertheless, following the analysis of the content of the proposal and in the perspective of the negotiations to come, the Senate underlines the following issues:

- a) There is important the proposal by the European Commission of a fair and transparent methodology of determining the amounts to be transferred from the amount allocated to each Member State from the Cohesion Fund, taking into account their involvement in the list of projects proposed in the annex of the regulation on the Facility "Connecting Europe" that subsequently to be discussed with the Member States, and not to consider a fixed percentage from the Cohesion Fund allocation by Member State;
- b) There are not enough data provided by the European Commission on how to use the amounts to be transferred from the amount allocated to each Member State from the Cohesion Fund and there is no specification on what happens if these amounts are not used;
- c) Need to reanalyze the list of project proposals referring to the regulation on the Facility "Connecting Europe".

**PRESIDENT OF THE SENATE  
VASILE BIAGA**