



Council of the
European Union

Brussels, 22 September 2021
(OR. en)

12116/21
ADD 1

PARLNAT 166

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 417 final
Subject:	Annexes to the Annual Report 2020 on the application of the principles of subsidiarity and proportionality and on relations with national Parliaments

Delegations will find attached document COM(2021) 417 final.

Encl.: COM(2021) 417 final



Brussels, 23.7.2021
COM(2021) 417 final

ANNEXES 1 to 3

ANNEXES
to the
REPORT FROM THE COMMISSION
ANNUAL REPORT 2020
ON THE APPLICATION OF THE PRINCIPLES OF SUBSIDIARITY AND
PROPORTIONALITY AND ON RELATIONS WITH NATIONAL PARLIAMENTS

ANNEX 1

List of Commission documents on which the Commission received reasoned opinions¹ regarding compliance with the subsidiarity principle from national Parliaments in 2020

	Commission documents	Titles	Number of reasoned opinions (Protocol No 2)	Number of votes (Protocol No 2)²	National chamber submitting reasoned opinions
1	COM(2020) 80	Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)	3	3	AT <i>Bundesrat</i> (1 vote) FR <i>Sénat</i> (1 vote) NL <i>Eerste Kamer</i> (1 vote)
2	COM(2020) 682	Proposal for a Directive of the European Parliament and of the Council on adequate minimum wages in the European Union	2	4	DK <i>Folketing</i> (2 votes) SE <i>Riksdag</i> (2 votes)
3	COM(2020) 445	Amended proposal for a Council Decision on the system of Own Resources of the European Union	1	2	SE <i>Riksdag</i> (2 votes)
4	COM(2020) 579	Amended proposal for a Regulation of the European Parliament and of the Council on the implementation of the Single European Sky (recast)	1	2	MT <i>Kamra tad-Deputati</i> (2 votes)

¹ To qualify as a reasoned opinion as defined in Protocol No 2, an opinion must state why the national Parliament considers that a legislative proposal does not comply with the principle of subsidiarity and be sent to the Commission generally within eight weeks of the transmission of the legislative proposal to national Parliaments in all official languages.

² Under Protocol No 2, each national Parliament has two votes; in the case of a bicameral system, each chamber has one vote. Where reasoned opinions represent at least a third (for proposals under Article 76 of the Treaty on the Functioning of the European Union, a quarter) of all votes allocated to the national Parliaments, the so-called "yellow card" threshold is reached and the draft legislative act must be reviewed. Since the withdrawal of the United Kingdom, 18 out of 54 votes represent a third of all votes allocated. Moreover, the Commission has committed to produce aggregate responses to reasoned opinions issued by national Parliaments representing seven or more votes.

	Commission documents	Titles	Number of reasoned opinions (Protocol No 2)	Number of votes (Protocol No 2) ²	National chamber submitting reasoned opinions
5	COM(2020) 610, 611, 612, 613 and 614	Proposal for a Regulation of the European Parliament and of the Council on asylum and migration management and amending Council Directive (EC) 2003/109 and the proposed Regulation (EU) XXX/XXX [Asylum and Migration Fund]; Amended proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU; Proposal for a Regulation of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817; Proposal for a Regulation of the European Parliament and of the Council addressing situations of crisis and force majeure in the field of migration and asylum ; Amended proposal for a Regulation of the European Parliament and of the Council on the establishment of ' Eurodac ' for the comparison of biometric data for the effective application of Regulation (EU) XXX/XXX [Regulation on Asylum and Migration Management] and of Regulation (EU) XXX/XXX [Resettlement Regulation], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes and amending Regulations (EU) 2018/1240 and (EU) 2019/818	1	2	HU <i>Országgyűlés</i> (2 votes)
6	COM(2020) 22	Proposal for a Regulation of the European Parliament and of the Council establishing the Just Transition Fund	1	1	CZ <i>Poslanecká sněmovna</i> (1 vote)
TOTAL number of reasoned opinions received			9		

ANNEX 2

Number of opinions received by the Commission in 2020 per national Parliament/Chamber (political dialogue and subsidiarity control mechanism)

Member State	Chamber	Total number of opinions ³	Number of which were reasoned opinions (Protocol No 2)
Portugal	<i>Assembleia da República</i>	40	0
Spain	<i>Las Cortes Generales: Senado de España and Congreso de los Diputados</i>	28 ⁴	0
Romania	<i>Senatul</i>	28	0
Czech Republic	<i>Senát</i>	22	0
Romania	<i>Camera Deputaţilor</i>	22	0
Germany	<i>Bundesrat</i>	21	0
France	<i>Sénat</i>	19	1
Czech Republic	<i>Poslanecká sněmovna</i>	17	1
Italy	<i>Camera dei Deputati</i>	10	0
Sweden	<i>Riksdag</i>	10	2
France	<i>Assemblée nationale</i>	7	0
Netherlands	<i>Eerste Kamer</i>	6	1
Italy	<i>Senato della Repubblica</i>	5	0
Austria	<i>Bundesrat</i>	3	1
Germany	<i>Bundestag</i>	2	0
Croatia	<i>Hrvatski Sabor</i>	2	0
Hungary	<i>Országgyűlés</i>	2	1
Lithuania	<i>Seimas</i>	2	0
Malta	<i>Kamra tad-Deputati</i>	2	1
Belgium	<i>Sénat de Belgique / Belgische Senaat</i>	1	0
Denmark	<i>Folketing</i>	1	1
Greece	<i>Vouli ton Ellinon</i>	1	0
Austria	<i>Nationalrat</i>	1	0
Poland	<i>Sejm Rzeczypospolitej Polskiej</i>	1	0
Poland	<i>Senat Rzeczypospolitej Polskiej</i>	1	0
Slovakia	<i>Národná rada</i>	1	0
Belgium	<i>Chambre des Représentants de Belgique / Belgische Kamer van volksvertegenwoordigers</i>	0	0
Bulgaria	<i>Narodno Sabranie</i>	0	0

³ Including both opinions under the ‘political dialogue’ and reasoned opinions received from national Parliaments.

⁴ All joint opinions from the two chambers.

Member State	Chamber	Total number of opinions³	Number of which were reasoned opinions (Protocol No 2)
Cyprus	<i>Vouli ton Antiprosopon</i>	0	0
Estonia	<i>Riigikogu</i>	0	0
Finland	<i>Eduskunta</i>	0	0
Ireland	Houses of the <i>Oireachtas</i> : <i>Dáil and Seanad Éireann</i>	0	0
Latvia	<i>Saeima</i>	0	0
Luxembourg	<i>Chambre des Députés</i>	0	0
Netherlands	<i>Tweede Kamer</i>	0	0
Slovenia	<i>Državni svet</i>	0	0
Slovenia	<i>Državni zbor</i>	0	0
TOTAL		255	9

ANNEX 3

Commission documents generating the highest number of opinions⁵ received by the Commission in 2020 (political dialogue and subsidiarity control mechanism)

Commission document		Title	Total number of opinions ⁶	Number of which were reasoned opinions (Protocol 2)
1	COM(2020) 80, amended by COM(2020) 563	Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)	12	3
2	COM(2020) 37, adjusted by COM(2020) 440	Commission Work Programme 2020	7	0
3	COM(2020) 65	White Paper on artificial intelligence – A European approach to excellence and trust	6	0
4	COM(2020) 445	Amended proposal for a Council Decision on the system of Own Resources of the European Union	5	1
5	COM(2019) 640	Communication to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions – A European Green Deal	5	0
6	COM(2020) 27	Communication to the European Parliament and the Council – Shaping the Conference on the future of Europe	5	0

⁵ The table ranks all Commission documents for which at least five opinions were received. In some cases, the opinion also concerned other Commission documents.

⁶ Including both opinions under the ‘political dialogue’ and reasoned opinions received from national Parliaments.