# Better lawmaking 1994-1996: application of the subsidiarity principle. Report to the European Council

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OBJECTIVE: to present the first annual report by the Commission on the application of the principle of subsidiarity in 1994, in response to the invitation by the European Council held on 11 and 12 December 1993. CONTENT: this first report is divided into two sections. The first section deals with compliance with the principle of subsidiarity during the legislative process, i.e. when drafting future Community legislation. It notes that: - subsidiarity and proportionality were examined before every new Commission initiative, resulting in fewer, more targeted initiatives; - the Commission decided to withdraw or revise several initiatives tabled before the Council and the European Parliament on the grounds of subsidiarity. In doing so, it went beyond the revision commitments made in Edinburgh. The second section deals with changes to existing legislation which go beyond the principle of subsidiarity in the strict sense of the word. The report describes the state of progress in work to edit and simplify legislation, which has progressed well and already brought in results. The description of the situation in each sector illustrates that, in certain cases, revision work extended to new areas not included in the programme presented to the European Council. The Commission is open to suggestions from outside as regards both future legislation and the revision of existing legislative acts, as the green and white papers and other forms of consultation which it initiates illustrate. It is also more than willing to enter into bilateral dialogue with Member States who so request. Finally, the Commission stresses that subsidiarity objectives will only be achieved if the legislative institutions all pull in the same direction, which is not always the case. For example, the Commission notes that the attitude of the Member States within the Council is more often dictated by their position on the issue than a general desire to comply with Article 3B of the EC Treaty.