The principle of subsidiarity as an instrument of EU regional policy

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Abstract – The article highlights the current interpretation of the concept of “subsidiarity”. It is considered the etymology, the nature and the importance of the principle of subsidiarity across the EU, in particular, in the implementation of the Community regional policy. It is performed the historical overview on regulatory consolidation principle in EU law that found its rightful place in the Maastricht Treaty, signed on 7 February 1992. It was found out its features as a tool of regional policy integration association and limits of its application in Ukraine as a candidate for EU membership.

Key words – subsidiarity, principle of subsidiarity, legal standard, political principle, the prerogatives of the national government, the division of powers.

I. Introduction

The etymology and the meaning of “subsidiary” has long hi story, t hat can be found in the writings of philosophers, government and religious leaders back to 19-20 centuries. The implementation of the subsidiarity principle in EU regional policies is associated with the name of Jacques Delor, who is considered to be the founder. In particular, Zh. Delor tried to define the co ntradictions about the future development of the European Union (EU), namely the position of Great Britain to explain European integration that the final goal is the creation of a federation. At present there is no single doctrine or theory that would allow the community to contribute to solving the problems that at traditionally are solved by the regional governments.

It should be noted that at present t here is no definite interpretation of the nature of the principle of subsidiarity. Firstly, it is traditionally understood in the EU as a way of implementing powers. Secondly, t he principle of subsidiarity is an essential tool that is used to interpret the prerogatives of the EU. And finally, it is the fact that the principle of subsidiarity is not limited to the EU level and the states - members but also regions that conduct a control over its compliance across the EU. The principle of subsidiarity is not interpreted as a legal rule. This is primarily a political principle, the use of which depends on a part icular interpretation and is specific to the situation [1].

Therefore, we are more inclined to an integrated vision of the subsidiarity principle. In order to understand that at the regional level, higher authorities of the EU have the competence to solve the problems that are not able to solve the structure of the lower level. In other words, if the regional governments fail to solve the problems, then the problem can only be solved by a higher authority. Si milarly, if the state is unable to solve the problem, then the problem comes from supranational EU institutions (European Commission, European Court, etc.) [5].

II. Main part

The origin of the principle of subsidiarity is related to the Catholic tradition, according to that the society should not interfere in the man’s affairs only when the families of religious and feudal regions are ineffective [2]. It should not be omitted the fact that the principle of subsidiarity is one of the cornerstones of the EU and the dominant requirement of the EU at the end of the local self-government. Resorting to the historical excursion it was b ecome known that the fact that the subsidiarity principle is one of the fundamental components of the supranational EU framework is due to the fact that the principle of subsidiarity is one of the European law had occurred during the Maastricht agreement on 7 February 1992. Due to the complicated situation, the European Parliament, the Council and the Commission decided to codify the principle of subsidiarity on 25 October 1993 [3].

First of all, the principle of subsidiarity has its origins in the regional problems. At the regional scale of the EU, the region is the fundamental component of the supranational structure of the EU. Similarly, it is known that the normative fixing of the subsidiarity principle in the Council's decision on 7 February 1992. Due to the complicated situation, the European Parliament, the Council and the Commission decided to codify the principle of subsidiarity on 25 October 1993 [3].

First of all, the principle of subsidiarity is an essential tool that is used in various fields. Firstly, it is the formation of large-scale networks of various unions and associations of economic, political, trade union, cultural, scientific, sport, public organizations, etc. The principle of subsidiarity is not interpreted as a legal rule. This is primarily a political principle, the use of which depends on a part icular interpretation and is specific to the situation [1].

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The political experts and the specialists in the field of European integration processes unanimously assert the need for practical implementation of the principle of subsidiarity in Ukraine in order to achieve the objectives of European integration. However, you must admit the fact that at the political level the term “subsidiarity” is operated mainly by those forces that require the federalization of Ukraine. Therefore, we can deduce that this term becomes opportunistic political overtones and may become a victim of the struggle for the consolidation of Ukrainian society [2]. In this case the task is to overcome the mismatch between the objective value of the subsidiarity principle for Ukraine and its subjective perception of its political forces.

Conclusion

Taking into account the European aspirations of Ukraine it should be focused on determining the extent of European subsidiarity principle in our country. Firstly, the principle of subsidiarity shouldn’t be applied strictly to the security sector of Ukraine. Secondly, the partial limitation of the powers of the President of Ukraine in the terms of wide implementation of the principle of subsidiarity should not touch his foreign policy functions. Third, the implementation of the principle of subsidiarity shouldn’t facilitate the process of federalization of Ukraine. And the last is that fiscal subsidiarity should not be a consequence of inequality regions of Ukraine by the degree of human development.

References


