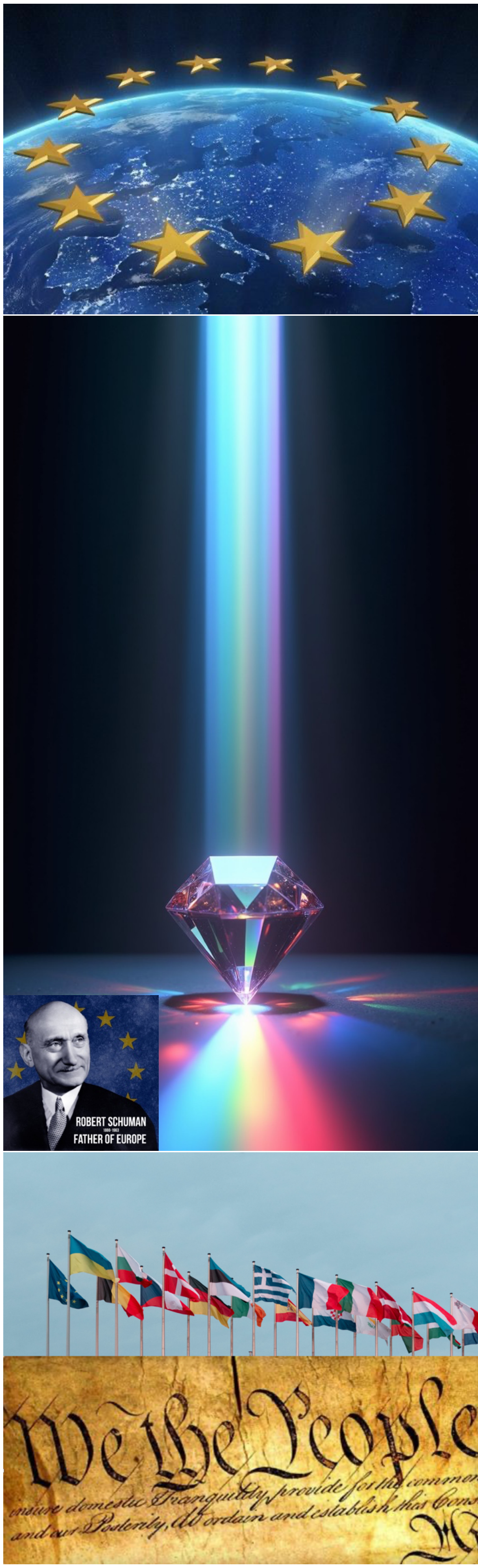

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Working Paper 8

A Bottom-up EU Subsidiarity Audit

Project Schuman2030
Working Paper 8
A Bottom-up EU Subsidiarity Audit

Status: Work In Progress

Note:
This is Work In progress. As feedback is collected, arguments raised and more data is discovered, we expect the project to evolve. As this project is an ambitious undertaking, we kindly invited interested parties to join the effort.

1 Objective of the Audit

1.1 Introduction

Europe is facing a crisis on multiple fronts. The brilliant project initiated by Robert Schuman in 1950 achieved a remarkable European Economic Community but it turned into an overregulated European Political Union with the Lisbon Treaty as its back-door Trojan horse. The EU increasingly regulates every aspect of its citizen's daily life, very often completely ignoring the diversity of cultures and histories among its member states.
The overregulation, often ideologically inspired, has not helped its economy. Heavy taxpayer funding is not sufficient if companies are burdened with regulations and long investment delays. Regulations can't be exported; products and technology must be competitive on a world-wide scale. The EU is weak geo-politically and lacks a common strategic and unified defence. It lacks a long-term vision notwithstanding the often-empty declarations made by its political leaders. Calls for more sovereignty threaten the union, whereas hard-core federalists want to increase the centralisation without taking into account the reality in the field.

Schuman2030 proposes an alternative way. Schuman2030 recognises the need for strength at the European federal level for the domains where it is needed. Defence, International Affairs, Long Term strategy and Cross-border high speed transport are some of the most obvious domains. At the same time Schuman2030 recognises that overregulation has to be constrained and competences should be returned to the member-states if the European level brings no benefits. In order to have an objective view and what needs to be federal of member state level, a Bottom-Up Subsidiarity Audit is proposed. See https://schuman2030.eu/wp8-bottom-up-subsidiatity-audit/ for more details.

The Schuman2030 proposed structure of a future European Union strictly separates federal and member state competences. See www.schuman2030.eu/WP6 for more details. At the EU federal level, we only retain the competences that need to be federal because they imply cross-border trans-national matters that member states cannot address themselves, either by the nature of the competence, either because they need all member states to reach the required level of resources to be efficient. Clear examples are defence and trans-European high-speed transport. The first objective of the regulations and directives audit is to clearly identify these federal competences, independently of current EU treaties. By clearly identifying them Schuman2030 believes that this will focus the efforts and strengthen the results.

A second objective is to identify those competences that are currently regulated at the EU level, but could as well be handled by the member states. This will reduce the burden at the EU level so that it can focus on the real EU federal competences, often domains in which Europe is currently weak on the geo-political scene or has not reached significant results yet. An important benefit will also be that member states will regain part of their lost sovereignty, which is currently a source of friction in the EU. Hence, the criterium to apply is to what extent a competence that is returned to the member state will be beneficial or not for the member states, again independently of what the EU treaties stipulate. If there is no added value to have it regulated at the European level, then the competence should be returned to the member states.
It should be noted that some competences are shared in nature, making a clear separation not always clear-cut. As a general rule we adopt the guideline that the shared part, read federal part, should essentially be a guideline or a norm, not a binding law. The implementation however is a member state matter, even if a template proposal can be part of the EU federal guidelines.
A last objective is detecting inconsistencies or indications of inadequacy in the current EU regulation. Subsidiarity audits have been done in the past but they mainly looked at the legality of the regulations, which is seldomly a point of discussion because the EU treaties are used as justification and in case of discussion, the Court of Justice of the European Union (CJEU) has made a final verdict.
Note: to simplify the text we often only use the term “regulations” while we mean to include “directives” and other manifestations of EU law.

1.2 Status of the Audit

At the moment of writing this first version of the WP8 document, the project is in an early stage. The objectives have been put forward and an implementation approach outlined.
As the reader will see, the task is immense and complex. For this reason, Schuman2030 aims to use the latest AI technology available to speed up the work. Nevertheless, this work requires multiple iterations, starting with a more extensive semi-manual audit of selected regulations to further refine the methodology. Human supervision and validation will remain mandatory at each step.

1.3 Call for participation

There are multiple reasons why the project should be done in cooperation with other organisations, experts and EU participants. The reasons are clear and clarified more in detail in this text. There is the sheer volume of regulations and directives, distributed over many diverse

domains. It will not be sufficient to scrutinize the regulations on the basis of a member state or federal competence criterium, especially as competences have shared components often requiring experts' judgement. But it has also been revealed that the factual base for regulations can be discussed. Some regulations are clearly manifestations of regulatory overreach and bureaucratic zeal. And last but not least, the EU-speak language used is certainly not promoting democratic participation and control.
To evaluate this a wide range of expertise and viewpoints are needed. Therefore, we invite the reader to considering how they can participate and support the project, in all objectivity and without any ideological bias.

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3 Challenges in executing the Audit

3.1 The first challenge: the sheer volume of EU legal "acts"

The active core body of EU law (the *acquis communautaire*) is technically close to 170,000 pages in a single language, if one counts all 24 official languages, historical amendments, and preparatory acts, that we easily cross into the millions. This was an estimated count in 2007. Src: https://www.europeansources.info/record/how-big-is-the-acquis-communautaire.
The total of adopted legal acts since 1990 is more than 52000 "acts (src: https://eur-lex.europa.eu/statistics/legal-acts/2025/legislative-acts-statistics-by-type-of-act.html)
To prevent this from becoming an absolute labyrinth, the European Union maintains a structured, open-source data systems that classify every single regulation, directive, and decision into distinct categories.
The primary systems used to classify and extract this data are structured as follows:

3.1.1 Classification methods

3.1.1.1 Subject matter ("The Directory")

The legislation is organized into 20 main subject areas, such as:

* Agriculture
* Energy
* Environment
* Taxation
* Transport
* Employment and Social Policy
* External Relations

This is the most direct approach for categorization by topic. The entire hierarchy can be consulted on the EUR-Lex website.

3.1.1.2 ***Type of Legal Act*** *Regulations are classified by their legal nature:*

- **Regulations**: Directly applicable laws in all member states.
- **Directives**: Laws that set goals for member states to achieve via their own national laws.
- **Decisions**: Binding on specific recipients (countries or companies).
- **Treaties**: The foundational laws of the EU (derived from the Lisbon Treaty)

3.1.1.3 Sector Codes (Celex Numbers)

Every document in EUR-Lex has a unique **Celex number** which includes a sector code indicating its category:

- Sector 1: **Treaties**
- Sector 2: **International agreements**
- Sector 3: **Secondary legislation** (Regulations, Directives, Decisions)
- Sector 4: **Complementary legislation** (e.g., rules of procedure)
- Sector 5: **Preparatory acts** (proposals, opinions)
- Sector 6: **Case law**
- Sector 7: **National measures implementing EU law**

3.1.1.4 Specialized Nomenclatures:

For specific domains like trade and statistics, the EU uses detailed classification systems linked to regulations:

- NACE: Statistical classification of economic activities.
- CPA: Statistical classification of products by activity.
- Combined Nomenclature (CN): For customs and tariff classification of goods.

3.1.2 The 35 Acquis Chapters (The Political Framework)

When candidate countries are preparing to join the EU, the entire mountain of EU regulations is reorganized into **35 Negotiation Chapters**. Src: https://enlargement.ec.europa.eu/enlargement-policy/conditions-membership/chapters-acquis_en. This is a highly practical way to look at EU law from a compliance and governmental perspective. For example:

- *Chapter 1:* Free movement of goods
- *Chapter 10:* Information society and media
- *Chapter 27:* Environment
- *Chapter 32:* Financial control

3.1.3 The EUR-Lex Directory of Legal Acts (The Legal Hierarchy)

If one wants to browse or filter current regulations by their legal subject matter, the official **EUR-Lex** portal organizes all legislation in force into **20 main analytical chapters**, which are further broken down into thousands of specific sub-chapters.

Chapter	Denomination	Total Acts
1	General, financial and institutional matters	2015
02	Customs Union and free movement of goods	1406
03	Agriculture	4268
04	Fisheries	864
05	Freedom of movement for workers and social policy	902
06	Right of establishment and freedom to provide services	892
07	Transport policy	1219
08	Competition policy	2048
09	Taxation	275
09.30	Indirect taxation	1
09.30.20	Excise duties	1
10	Economic and monetary policy and free movement of capital	753
11	External relations	7236
11.40	Bilateral agreements with non-member countries	1
11.60.40	Trade protection	1
12	Energy	597
13	Industrial policy and internal market	2823
14	Regional policy and coordination of structural instruments	467
15	Environment, consumers and health protection	4157
16	Science, information, education and culture	631
17	Law relating to undertakings	135

18	Common Foreign and Security Policy	1019
19	Area of freedom, security and justice	1215
20	People's Europe	141
	Total:	33067

One can browse this hierarchy directly on the EUR-Lex Directory of Legal Acts page. It allows clicking down into any sub-category to see the exact regulations assigned to it.

Links:
- [EUR-Lex - Directory of EU Legislation] (https://eurlex.europa.eu/browse/directories/legislation.html)
- [EUR-Lex - Types of documents] (https://eurlex.europa.eu/content/tools/TableOfSectors/types_of_documents_in_eurlex.html)
- [European Union - Types of legislation] (https://european-union.europa.eu/institutions-law-budget/law/types-legislation_en)

3.1.4 EuroVoc (The Semantic Dataset)

For a deeper, data-driven approach, the EU uses **EuroVoc**, a massive, multidisciplinary, multilingual thesaurus managed by the Publications Office of the EU. Instead of a rigid folder structure, EuroVoc operates like a highly advanced tagging taxonomy.
It consists of **21 macro-domains and 127 sub-domains**, containing thousands of standardized keywords. Every time a new regulation is passed, indexing experts (and increasingly, AI tools) tag the document with relevant EuroVoc concepts.
Main EuroVoc Domains include:

- Politics (e.g., executive power, electoral procedure)
- Economics (e.g., economic analysis, regions and regional policy)
- Trade (e.g., consumption, marketing, international trade)
- Finance (e.g., taxation, banking, monetary relations)
- Social Questions (e.g., health, demographics, culture)
- Transport (e.g., maritime, air and space transport)

Where to get the raw data: For building an app or doing data analysis, the entire EuroVoc classification dataset is open-source. One can download it in **Excel, XML/RDF, or SKOS format** directly from the **EU Vocabularies portal** or via the EU's Linked Open Data Cloud.

3.1.5 Omnibus Packages

Recently, the EU has launched a series of simplification "**packages**" under its "Red Tape Cutting" initiative—heavily driven by the 2024 Draghi Report on EU competitiveness—aiming to reduce administrative burdens by 25% for major corporations and up to 35% for SMEs.
This is a recent initiative. While aiming at reducing and simplifying the administrative burden, it does not delete or effectively reduce any administrative regulation. It highlights that:
1. The EU does not want to reduce the regulatory burden. Many of the Omnibus amendments mainly postpone the implementation for pragmatic reasons (because the deadlines are not realistic). Even when postponed, they will hit smaller companies sooner or later.

2. The bureaucratic zeal in the regulations and directive is evident: elements of the regulation they must be repealed or postponed even before they come into effect.
3. The EU aim for a unified internal market but the result is often in conflict with member state regulations, raising the economic compliance cost for companies. An example is the Packaging and Packaging Waste Regulation (PPWR) EU 2025/40.

A **package** is a **political and administrative term** used by the European Commission for a bundle of legal proposals. Rather than passing dozens of separate, minor laws to adjust different sectors, the EU groups them into a single "package" to amend multiple existing Directives and Regulations simultaneously.
To become legally binding, the components within the package must still be formally voted on and enacted as individual **Regulations or Directives** by the European Parliament and the Council.
An Omnibus package acts like an "all-in-one" updates folder. For example, Omnibus IV (the package that includes the battery relief measures) is broken down into specific legal instruments:

- Proposed Regulations: To directly amend existing Regulations (like the EU Battery Regulation and F-gas rules).
- Proposed Directives: To instruct member states to alter national laws regarding financial frameworks (like MiFID II).

Each numbered package targets a different regulatory environment:
1. Omnibus I & II: Corporate Sustainability & Finance
Focus: Major ESG and investment frameworks.
Core Laws Affected: The Corporate Sustainability Reporting Directive (CSRD), the Corporate Sustainability Due Diligence Directive (CSDDD), and the EU Taxonomy Regulation.
What they did: Introduced the famous "Stop-the-Clock" measure, delaying mandatory sustainability reporting deadlines by 1 to 2 years so companies had more time to prepare.
2. Omnibus III: Agriculture & Farmers
Focus: Easing rules for the Common Agricultural Policy (CAP).
What it does: Following widespread farmer protests across Europe, this package slashed administrative red tape, doubled certain small-farm support payments, and granted national governments major flexibility in how they enforce environmental guidelines (like fallow land requirements).
3. Omnibus IV: Product Manufacturing & Supply Chains
Focus: Industrial competitiveness, digitalization, and relief for Small Mid-caps (SMCs).
Core Laws Affected: The EU Battery Regulation and the F-gas Regulation.
What it did: Eased the due diligence reporting frequencies, raised the compliance threshold to a €150 million turnover, and delayed the battery due diligence enforcement date to August 2027. (src.: https://www.algoodbody.com/insights-publications/eu-omnibus-iv-further-simplifications-for-businesses)
4. Omnibus V: Defence Readiness
Focus: Boosting the EU's military production capabilities.
What it does: Simplifies cross-border defence procurement, accelerates the approval of permits for military manufacturing facilities, and eases restrictions on the European Defence Fund

(EDF). The goal is to clear out regulatory roadblocks to help facilitate up to €800 billion in defence spending.

5. Omnibus VI: Chemicals & Cosmetics

Focus: Easing compliance costs for the chemical and personal care value chains.

What it does: Streamlines the complex interplay between the Classification, Labelling, and Packaging (CLP) Regulation and the Cosmetics Regulation. It provides manufacturers with clearer guidelines and a more streamlined path to get safe ingredients exempted from broad hazard bans.

6. Omnibus VII (Digital)

Focus: This package focuses on streamlining and modernizing the EU's digital acquis, cybersecurity frameworks, and the Artificial Intelligence Act.

What it does: It reduces regulatory duplication and adjusts compliance timelines for AI systems and data rules to enhance digital sovereignty and reduce administrative overhead

7. Omnibus VIII: Environmental Permitting & Circular Economy

Focus: This package focuses on cutting regulatory complexity and reporting burdens across industrial emissions, waste management, and circular economy laws.

What it does: It harmonizes extended producer responsibility (EPR) reporting rules, temporarily suspends specific authorized representative mandates, and repeals redundant structures like the SCIP database.

8. EU Omnibus IX (Automotive)

Focus: This package focuses on optimizing technical standards and testing procedures for motor vehicles within the European market.

What it does: It simplifies vehicle type-approval requirements and grants targeted exemptions—such as easing speed limitation device rules for certain electric vehicles.

9. EU Omnibus X (Food and Feed Safety)

Focus: This package focuses on streamlining cross-cutting rules governing the food chain, agricultural feed safety, official controls, and animal health.

What it does: It amends or repeals cumbersome administrative procedures across plant protection and biocidal product regulations to cut compliance costs while maintaining high safety standards.

10. EU Omnibus XI (Taxation)

Focus: This package focuses on rationalizing the EU tax framework to ease compliance obstacles for cross-border commercial activities.

What it does: It streamlines administrative cooperation, simplifies intra-EU withholding tax protocols, and removes regulatory redundancies while keeping strong safeguards against tax evasion.

11. EU Omnibus XII (Energy Products)

Focus: This package focuses on modernizing regulatory compliance and market transparency requirements for energy-related consumer goods.

What it does: It updates energy and tyre labelling regulations by expanding digital compliance alternatives for manufacturers, suppliers, and retailers.

Src: https://eur-lex.europa.eu/eli/dir/2026/470

Directive (EU) 2026/470 of the European Parliament and of the Council of 24 February 2026 amending Directives 2006/43/EC, 2013/34/EU, (EU) 2022/2464 and (EU) 2024/1760 as regards certain corporate sustainability reporting requirements and certain corporate sustainability due diligence requirements (Text with EEA relevance)

3.1.6 How to Programmatically Query the Data

If one wants to scrape or run data analytics on EU regulations categorized by these frameworks, one doesn't have to read the pages manually. The EU provides a public **SPARQL endpoint (called Cellar)**.
By writing a quick query against Cellar, one can ask the database for example:
"Return the titles and text of all active Regulations under EuroVoc Domain 52 (Environmental Policy) or EUR-Lex Chapter 15 passed in the last 12 months."

3.2 Second challenge: the factual base of EU regulations

In order to have better idea on what such an audit entails, a few regulations and directives are manually analysed in a pre-audit. This has highlighted some worrisome aspects:

- The EU treaties (aka. the Lisbon treaty) are sufficiently vague to allow a rather broad interpretation of don't clearly separate EU level from member state competences.
- In particular the Lisbon treaty absorbed support for the UN human rights declaration. It was found that this is widely used as a justification whereas the factual grounds are lacking or can be discussed (example: the working time directive is justified on the basis of an obligation to take care of worker's health).
- Another justification is the goal of the "single internal market". While this is a clear objective of the EU treaties, the question is if a regulation using it as a justification is an effective means to address the issue. The banana regulation (EU Regulation (EC) No 1617/2001) for example stipulates specific shapes for bananas in different classes, but no data is available on how many bananas are sold in the market for each type. The question is to be asked is whether the regulation carries sufficient economic or social added value to justify its existence.
- Is an EU regulation the right instrument? By using such a wide justification, regulations can totally miss their mark. The working time directive is justified by the health of workers but how does time registration contribute to it?

3.3 Third challenge: the EU-speak legal language of EU regulations

A major practical issue is that the regulations use a typical EU-speak legalized language and structure of the texts. This makes it even hard to read and understand them. In the manual pre-audit we came across a text of 10 pages whereby the only relevant statement was just one sentence at the end. In addition, one has to consult sometimes the whole history to understand the meaning of every term use. This makes analysis a lot more complicated as the text needs to be semantically understood in order to apply the auditing criteria.

3.4 Fourth challenge: bureaucratic overreach of EU regulations

Another aspect that undermines the effectiveness of the regulations is bureaucratic overreach. Often, the regulations not only define general principles but also include binding requirements in terms of reporting and even assigning specific persons and material implementations aspects. Examples are the battery regulation and the packaging directive. Because these are binding to every legal entity without considering practical elements, such as size of the organization, they are obstacles to economic development and acceptance. Some of the regulations are also in clear contradiction of establishing a global internal market.

3.5 Defining the audit criteria

While textual analysis can identify possible candidate regulations in order to select them for the EU Federal level of member states level, this will likely not be sufficient as this assignment is to be considered in a broader context that might not be visible in the text.
Following criteria (derived from Treaty protocols and case law) can applied:

- **Transnational Character:** Does the issue have cross-border aspects that Member States cannot address satisfactorily on their own? If an issue is purely internal, it fails this test. One can also use the opposite criterium: will a competence that is returned to a member have a negative impact for the member states? If there is no negative impact, then it can be returned to the member states.
- **Conflict with Treaty Requirements:** Would national action alone conflict with the core requirements of the Treaties (e.g., the single market) or significantly damage other Member States' interests? If there is no benefit or impact on other member states, then the competence can be returned to the member states.
- **Scale and Effects:** Would action at the EU level produce clear benefits compared to national action due to its scale or effects? (This is often called the "EU added value" test).

If a regulation does not meet these criteria, it is theoretically a candidate for competence to be returned to Member States.

In a second step, shared competences will need to divided in a federal and a member state part. Some common-sense judgement will be needed.

In a third step, one could analyse the regulations more deeply: is the regulation justified on a factual base? Is the regulation not unnecessarily complex and bureaucratic and too demanding in additional resources? Is a regulation then right instrument for a given goal? Or does it contain aspects that violate the internal market?

Hence, even if AI can provide an initial identification, scrutinizing by human experts will be required. Practically speaking, this might not be reachable in practical terms because of the sheer volume of regulations and their intrinsic complexity.

The results however will be very helpful for defining operational rules for the Impact Office proposed in WP6.

4 How to execute a bottom-up subsidiarity audit?

To operationalize a "bottom-up" subsidiarity analysis across the massive ocean of EU law, one needs a methodology that separates areas where the EU has an unchangeable mandate from areas where power is legally shared and could theoretically be pushed back down to member states. Under the Treaties of the European Union, the principle of subsidiarity only applies to areas that do not fall under the EU's exclusive competence.
Here is a structured framework and data-driven approach to filtering and analyzing EU regulations for this exact purpose.

Step 1: Filter Out "Untouchable" Competences (The Legal Basis Filter)

Before looking at individual regulations, one must filter them by their **Legal Basis** (the specific article of the Treaty on the Functioning of the European Union, or TFEU, that allows the regulation to exist). Every document in the EUR-Lex database contains this metadata.

One can instantly categorize regulations into three buckets based on TFEU Articles 3, 4, and 6:

Competence Type	Description	Subsidiarity Application	Analysis Status
Exclusive (Art. 3 TFEU)	Only the EU can legislate (e.g., Customs Union, Eurozone monetary policy, Common Commercial/Trade Policy).	**Does not apply.** By definition, these cannot be handled at a lower level without rewriting the EU Treaties.	Can be excluded from analysis in a first step but analysed for possible shared competences
Shared (Art. 4 TFEU)	Both the EU and Member States can legislate. Member States lose power *only* when the EU chooses to act.	**Strongly applies.** This is the primary target. The EU may have overreached where a local solution would suffice.	Primary Target.
Supporting / Coordinating *(Art. 6 TFEU)*	The EU can only support or supplement actions of Member States (e.g., Culture, Tourism, Education, Youth).	**Applies.** The EU cannot harmonize national laws here, but regulations should be checked for "mission creep."	Secondary Target.

Data Action:
Query the EUR-Lex database via its SPARQL endpoint or use the advanced search to **exclude** all acts whose legal basis falls under Article 3 TFEU. Focus the dataset strictly on **Article 4 (Shared)** domains, such as the Internal Market, Environment, Transport, and Consumer Protection.

Step 2: Analyze the "Type" of Act (Regulations vs. Directives)

In EU law, the legal instrument chosen matters deeply for subsidiarity:

- **Regulations:** Are automatically binding and directly applicable in all member states simultaneously. They leave little no room for national tailoring.
- **Directives:** Set a binding goal but leave the *choice of form and methods* to national parliaments.

If one finds an issue under a **Shared Competence** handled by a *Regulation* where a *Directive* (or a non-binding Recommendation) would have sufficed, then one has identified a prime candidate for "bottom-up" subsidiarity repatriation.

Step 3: Text-Mining and NLP Indicators for Subsidiarity Deficit

Once we have the dataset of Shared Competence laws, one can use Natural Language Processing (NLP) or keyword clustering to flag regulations that exhibit signs of centralization. Look for the following indicators in the text:

<u>**Indicator A**: "Full" vs. "Minimum" Harmonization</u>

- **Minimum Harmonization:** The text allows member states to set stricter national rules if they wish. (Highly compatible with subsidiarity).
- **Full/Maximum Harmonization:** The text explicitly bans member states from maintaining or introducing rules different from the EU standard.
- **Data Strategy**: Flag regulations containing phrases like "Member States may not maintain or introduce provisions other than..." or "total harmonization."

<u>**Indicator B**: The "Cross-Border" Justification</u>

For the EU to legally justify acting under subsidiarity, the issue *must* have a cross-border dimension that cannot be solved individually.

- **Data Strategy***:* Analyze the recitals (the introductory "Whereas" clauses at the beginning of every regulation) for sentences justifying EU action. If the cross-border justification is weak or generic (e.g., simply asserting that "fragmentation hinders the internal market" without localized data), the competence is a candidate for repatriation.

Step 4: Leverage Existing "Subsidiarity" Datasets

One does not have to start from scratch. There are two existing institutional data streams that map exactly to the objective:

1. **IPEX (Interparliamentary Information Exchange):** When the EU proposes a law, national parliaments have 8 weeks to object if they feel it violates subsidiarity (the "Early Warning Mechanism"). If enough parliaments object, they issue a "Reasoned Opinion" (Yellow or Orange Card).
    - *How to use it:* Scrape IPEX data to find which EU regulations faced the highest resistance from national parliaments on subsidiarity grounds.
2. **The Committee of the Regions (CoR) Subsidiarity Grid:** The CoR utilizes a standardized **Subsidiarity Assessment Grid** to evaluate whether EU actions are necessary or proportionate. One can review their published opinions to find specific legislative areas flagged as better handled at the regional or national level.

Summary of the Data Pipeline

To build the analysis model, one would:

- Filter by Metadata (Exclude Art. 3 TFEU)
- Filter by Instrument (Focus on Regulations over Directives)
- Run Text Analytics (Flag "Full Harmonization" and weak cross-border justifications)
- Cross-reference with External Data (National Parliament objections on IPEX).

5 The objective of Schuman2030: finding the supra-national competences

This is part of a reform concept for Europe (EU) that would establish Federal Councils but strictly limited to supra-national competences (e.g. Defence, Europe-wide transport, ...). This requires a subsidiarity audit whereby competences that are not fully supra-national are returned to the member states and shared competences are clearly separated.
See **www.schuman2030.eu/WP6**.

The **Schuman 2030 WP6** vision represents a profound structural shift: moving away from the current "top-down" centralized model towards a Swiss-inspired, bottom-up federation. Under this concept, the proposed **Federal Councils** are stripped of micro-regulatory power and laser-focus strictly on existential, supra-national matters (like European Defence and trans-European infrastructure), while the overwhelming remainder of the 100,000+ page *acquis communautaire* is audited and returned to Member States.
To execute a data-driven **Subsidiarity Audit** that achieves this clean separation, the core logic of the analysis must invert the current EU approach. Instead of asking, *"Can the EU add value by regulating this?"* the audit must ask, ***"Is it physically or geopolitically impossible for Member States to handle this individually?" or "Will a member state have negative consequences if a competence is no longer handled at the EU level?"***
A framework utilizing EU open-data systems can operationalize this audit for the reform concept.

1. The Three-Tier Competence Filter
Using the metadata in the EUR-Lex database, the audit would classify all existing regulations and directives into a strict, new three-tier framework based on the Schuman 2030 criteria:

1. Federal (purely supra-national) Competences
2. Separated intersect Competences : coordination but integrated
3. Repatriated Competence: fully returned to member state

New Category	Action Plan for Existing Regulations	Typical EuroVoc / EUR-Lex Domains
Tier 1: Purely Supra-National *(Federal Council)*	**Retain & Consolidate.** Laws covering true pan-European public goods where fragmentation creates immediate systemic failure.	Defence, Border/Customs control, Macro-Energy Grids, Core Euro-Transport Corridors, Space/Satellites.
Tier 2: Separated Intersect *(Coordinated Integration)*	**Drastically Prune.** Convert heavy *Regulations* into bare-minimum *Directives* or technical interoperability standards. No micro-management.	Cross-border rail signaling (ERTMS), Telecom roaming protocols, Cross-border pollution, Asylum processing standards.

Tier 3: National Sovereignty *(Fully Repatriated)*	**Repeal at EU Level.** Return 100% of the legislative competence to national or regional parliaments.	Consumer protection details, Labor law, Health/Hospital administration, Domestic transport, Local environment/waste.

2. Data-Mining the Acquis for "Regulatory Overreach"
To find candidate laws for repatriation (Tier 3), one can run automated script-filtering across the text of EU laws using specific indicators of centralization.

A. The "Administrative Burden" & "Micro-Detail" Filter
Top-down overreach often reveals itself in text length and the sheer density of obligations.

- **The Audit Metric:** Identify regulations under "Shared Competences" (e.g., Environment, Agriculture, Consumer Protection) that rank in the top 20% for word count, annexes, or articles.
- **The Text Signal:** Query the text for compliance micro-management phrases: *"Member States shall establish a national registry..."*, *"The competent authority must report every X months..."*, or highly specific technical product definitions that have no bearing on cross-border trade. These are immediate indicators of a law, or t least part of it, that should be repealed and replaced by local legislation or deleted.

B. The "Direct Applicability" Inversion
Under the Schuman2030 concept, a Federal Council should rarely issue directly binding *Regulations* on domestic societies.

- **The Audit Metric:** Isolate all active **EU Regulations** passed under TFEU Article 4 (Shared Competences).
- **The Action:** The audit flags these for mandatory conversion into either a *Member State Treaty* or a non-binding *Recommendation*, returning the actual legislative drafting to national parliaments.

3. Re-evaluating the "Justification Recitals"
Every EU legal act begins with a series of introductory justifications known as "Recitals" (e.g., *"Whereas the harmonization of X is necessary to ensure the functioning of the internal market..."*).
To separate Tier 1 from Tier 3, the audit can use Natural Language Processing (NLP) to critique these justifications against a **Swiss-style Subsidiarity Index**:

1. **The Scale Test:** Does the problem originate from an external threat or a border-transcending physical reality? (e.g., military Defence, carbon emissions). If **Yes** Potential Federal Council competence.
2. **The Systemic Impact Test:** If one Member State changes its rule on this specific matter, does the entire European single market structurally collapse, or does it merely create local regulatory competition? If it just creates competition (e.g., differing corporate governance rules or local labour standards), it fails the supra-national test **Immediate Repatriation.**

4. Leveraging the IPEX "Historical Resistance" Data
To fast-track the audit, one can look at where the system has already experienced political friction. By scraping data from the **IPEX database**, one can map out every "Reasoned Opinion" (subsidiarity objection) ever submitted by national parliaments over the last two decades.
If multiple national parliaments (e.g., the Dutch Senate, the Danish Folketing, or the French National Assembly) flagged an EU proposal as a violation of subsidiarity, that specific regulatory domain is highly likely to contain laws that fit perfectly into the **Repatriated Zone**.

How this powers WP6
By utilizing this data strategy, the Schuman 2030 project can move from a theoretical concept to presenting a concrete, quantitative catalogue. One could effectively state:

"Our audit of the 100,000-page acquis shows that exactly X% of current EU text oversteps supra-national needs and can be cleanly legally dissolved, leaving the Federal Councils to run a lean, highly efficient framework focused purely on Europe's global resilience."

6 What can be done to accelerate the work?

Starting with a pilot domain is the most pragmatic way to stress-test the methodology before scaling it to the entire *acquis*. Choosing **Defence** and **Energy** is a brilliant strategic pairing because they represent opposite ends of the spectrum:

- **Defence** is a classic "Tier 1" candidate—a pure pan-European public good where fragmentation equals vulnerability.
- **Energy** is a complex "Tier 2/3" battleground involving shared cross-border grids (supra-national) heavily entangled with domestic generation mixes and local taxation (national sovereignty).

To accelerate the upfront planning and reduce the manual labour, AI can act as a technical and analytical sandbox.

1. Write the Data Extraction Scripts (SPARQL & Python)
One doesn't need to browse EUR-Lex manually to find the pilot data. AI can write the precise **SPARQL queries** or **Python extraction scripts** needed to pull from the EU's public "Cellar" database.

- **What AI can do:** Provide you with the exact code to download all active regulations, directives, and recitals tagged under EuroVoc domains for *Energy* (Domain 66) and *Defence* (Sub-domain 0821). This instantly isolates the pilot dataset.

2. Design the "Subsidiarity Prompt Matrix" for NLP
When ready to audit thousands of pages of legal text via AI, the AI needs strict logic to determine if a law should be repatriated. AI can help you engineer and refine the **system prompts** and logical decision trees.

- **What AI can do:** Draft the prompt frameworks that look for linguistic "smoking guns" of centralization, such as:
  - *Over-regulation signals*: Identifying words like "shall establish a registry," "mandatory reporting," or highly prescriptive technical specifications.
  - *Harmonization type:* Classifying whether a text enforces "maximum harmonization" (encroaching on member states) or "minimum standards" (respecting subsidiarity).

3. Execute a Pre-Classification Taxonomy Map
Before extracting a single document, we can map out the current EU sub-categories for the pilots and hypothesize where they should fall under the Schuman 2030 framework.

Here is a preliminary map of how AI can help pre-sorting the **Energy Sector**:

	Tentative Audit Action	**Schuman 2030 Tier Allocation**
Trans-European Energy Networks (TEN-E)	Retain & Optimize	**Tier 1 (Federal Council):** Essential for cross-border infrastructure interconnectivity.
Emergency Gas/Oil Storage Reserves	Convert to Strategic Treaty	**Tier 2 (Coordinated Intersect):** Collective security requirement, but execution can be national.
Energy Efficiency of Buildings (Insulation/Boilers)	Repeal at EU Level	**Tier 3 (Repatriated):** Purely domestic building codes with zero cross-border single-market impact.

4. Run "Mock Audits" on Sample Legislation
To ensure the legal criteria are airtight, we need to test them on actual text.

- **What AI can do:** If one pastes the text or the introductory recitals of a specific, controversial energy or Defence regulation into the AI chat, AI can run a manual "mock audit" on it. AI will break down its legal basis, flag its centralizing elements, and provide a recommendation on how to decouple it based on the WP6 criteria.

7 Prior projects and subsidiarity audits

Based on the search results and the Schuman2030 document, here is an overview of the subsidiarity audits and regulatory review projects that have already been undertaken by the EU, along with an analysis of how they differ from the Schuman2030 proposal.

7.1 The "Yellow Card" Early Warning System (2009–Present)

This is the only formal **subsidiarity audit mechanism** currently embedded in the EU treaties (Protocol No. 2 of the Lisbon Treaty).

Mechanism: National parliaments have 8 weeks to review draft EU legislative acts. If one-third (or one-quarter for justice/home affairs) of national parliamentary chambers issue a "reasoned opinion" claiming a violation of subsidiarity, a "**Yellow Card**" is triggered.

Track Record: **Triggered only 3 times** since 2009:

1. **2012 (Monti II Regulation)**: Concerning the right to take collective action. The Commission withdrew the proposal, though it claimed subsidiarity was not the primary reason.
2. **2013 (European Public Prosecutor's Office)**: 14 chambers objected. The Commission maintained the proposal, arguing it complied with subsidiarity.
3. **2016 (Revision of the Posting of Workers Directive)**: Objections were raised, but the Commission proceeded with the legislation.

Orange Card: Never used. This would require a majority of national parliaments to object and could potentially block a proposal, but the threshold is extremely high.

Limitations vs. Schuman2030:

- **Reactive, not Proactive**: It only reviews new proposals, not the existing stock of laws (acquis).
- **Non-Binding**: Even when triggered, the Commission can ignore the objection (as seen in 2013 and 2016) provided it issues a reasoned response.
- **Coordination Burden**: Requires rapid coordination among 27+ parliaments within 8 weeks, which the Schuman2030 document cites as impractical

7.2 REFIT Programme (Regulatory Fitness and Performance Programme)

Launched in 2012 and ongoing, this is the EU's primary **regulatory audit project**, but it differs fundamentally from a subsidiarity audit.

Objective: To ensure EU laws are "fit for purpose" by identifying burdens, inconsistencies, gaps, and inefficiencies. The goal is simplification and cost reduction, not necessarily returning competences to Member States.

Methodology:

- **Fitness Checks**: Comprehensive evaluations of entire policy frameworks (e.g., pesticides, food safety, social acquis) to see if they work together effectively.
- **Evaluations**: Assessing specific laws for effectiveness, efficiency, relevance, and coherence.
- **Stakeholder Feedback**: Uses the "Have Your Say" portal to collect evidence from businesses and citizens on regulatory burdens.

Results:

- Has led to the withdrawal of some proposals and the simplification of others.
- Maintains a REFIT Scoreboard tracking hundreds of initiatives.

Limitations vs. Schuman2030:

- **No Competence Question**: REFIT asks "Is this law working well?" but rarely asks "Should the EU be making this law at all?" It assumes the EU's competence is valid and seeks to optimize it.
- **Centralized:** Conducted by the European Commission itself, lacking the independent, neutral status proposed for the Schuman2030 Impact Office.
- **Incremental**: Focuses on tweaking and simplifying, not on the structural "return of powers" envisioned by Schuman2030.

7.3 Conference on the Future of Europe (2021–2022)

While not a formal audit, this pan-European deliberative process generated thousands of citizen proposals regarding EU competences.

Relevance: Many citizen recommendations called for more EU action (e.g., health, climate), while others called for less bureaucracy.

Outcome: The final report fed into Commission proposals, but it did not result in a systematic review of existing competences or a "subsidiarity audit" in the Schuman2030 sense.

7.4 Key Differences: Existing Mechanisms vs. Schuman2030 Proposal

Feature	Existing EU Mechanisms (Yellow Card / REFIT)	Schuman2030 Proposal
Scope	**New laws** (Yellow Card) or **Efficiency** of existing laws (REFIT).	**Systematic review of entire *acquis*** to determine l*evel* of competence (Federal vs. National).
Goal	Better regulation, simplification, cost reduction.	Structural rebalancing: Returning overreached competences to Member States.
Authority	Commission-led (REFIT) or weak parliamentary check (Yellow Card).	Independent Impact Office with binding assessments; Senate with veto power on subsidiarity.
Outcome	Recommendations, minor revisions, occasional withdrawal.	Legal conversion: Binding laws converted to non-binding guidelines; explicit repeal of EU-level rules.
Trigger	Ad-hoc (Yellow Card) or Commission planning (REFIT).	Mandatory Moratorium: Pause on new laws during the audit; systematic domain-by-domain review.

Conclusion

No project comparable to the **Schuman2030 Subsidiarity Audit** has ever been undertaken.

- The **Yellow Card** is a weak, rarely used political check on new legislation.
- **REFIT** is a technical optimization exercise that assumes the EU's right to regulate is fixed.

The Schuman2030 proposal is unique because it explicitly challenges the location of sovereignty, aiming to structurally shrink the EU's legislative footprint in domestic areas while strengthening it in strategic ones. The "pilot domain" approach you suggested (starting with Defence or Energy) would be the first time such a competence-rebalancing audit is attempted in practice.

7.5 Other projects and audits

There have been several significant initiatives to audit EU competences and regulations prior to the Schuman2030 proposal. These projects provide valuable precedents, methodologies, and lessons learned that can accelerate the work of a future Schuman2030 Subsidiarity Audit.

Here is a summary of the key initiatives you mentioned and others:

7.5.1 UK Review of the Balance of Competences (2012–2014)

This is the most comprehensive national audit of EU competences ever undertaken.

- **Scope:** Launched by the UK Coalition Government, it examined 32 distinct policy areas (e.g., Single Market, Environment, Justice, Defence) to assess whether the EU was acting at the right level.
- **Methodology:** It was an evidence-based review, publishing detailed reports for each area based on thousands of submissions from businesses, NGOs, academics, and individuals. It asked: "What are the advantages and disadvantages of EU-level action for the UK?"
- **Outcome:**
    - Produced a massive library of sectoral reports (published 2013–2014).
    - **Crucially, it did not produce a final synthesizing conclusion** or a government recommendation on which powers to reclaim. It presented evidence but stopped short of proposing a "rebalancing" plan.
- **Lesson for Schuman2030**: The UK Review proves that a granular, evidence-based audit is feasible. However, its failure to draw political conclusions highlights the need for the Schuman2030 Impact Office to not just gather data, but to make binding recommendations based on clear criteria (the "Cross-Border Impact" test).

7.5.2 Dutch Subsidiarity Review (2013)

- **Context:** Announced by Prime Minister Mark Rutte and Foreign Minister Frans Timmermans (who later chaired the EU Task Force) to complement the UK review.
- **Focus:** Specifically targeted the application of the **subsidiarity principle**. It aimed to identify areas where the EU could "do less more efficiently."
- **Outcome:** The review was less extensive than the UK's and was criticized for excluding Dutch MEPs from the consultation. It reinforced the political message that the Netherlands wanted a more modest EU but did not result in a formal legislative proposal to return powers.
- **Lesson for Schuman2030**: Highlights the importance of **inclusive participation** (Parliament, Commission, national experts) to ensure the audit's findings are politically legitimate and not dismissed as partisan.

7.5.3 EU Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently" (2018)

- **Context:** Established by Commission President Jean-Claude Juncker and chaired by First Vice-President Frans Timmermans.
- **Goal:** To propose concrete ways to strengthen the application of subsidiarity and proportionality in EU policymaking.
- **Key Recommendations**:
    - **Early Involvement**: Involve national and local parliaments earlier in the legislative process.

    - **Shared Understanding**: Create a common methodology for assessing subsidiarity.
    - **Focus on Existing Laws**: Suggested looking more closely at existing legislation to see if it still meets the subsidiarity test.
    - **"Fit for Future" Platform**: Led to the creation of this high-level expert group to advise on simplification and burden reduction.
- **Outcome:** The Commission adopted a "Subsidiarity Package" in October 2018, implementing some procedural changes (e.g., better justification in impact assessments). However, it did not launch a systematic audit to return competences.
- **Lesson for Schuman2030**: This was an internal EU reform effort. It shows that even with high-level political will, the existing system tends toward procedural tweaks rather than structural rebalancing. Schuman2030's proposal for an Independent Impact Office with binding authority is a direct response to this limitation.

7.5.4 Open Europe's "Top 100 EU Regulations" Audit (2009–2015)

- **Context:** Conducted by the think-tank Open Europe (now part of Onward).
- **Focus:** A cost-benefit analysis of the 100 most burdensome EU regulations for the UK economy.
- **Findings:** Estimated that these 100 regulations cost the UK economy billions annually (figures ranged from £24bn to £33bn). It highlighted that impact assessments often underestimated costs and overestimated benefits.
- **Nature:** This was a advocacy-driven audit, designed to make a political case for deregulation or Brexit, rather than a neutral government review.
- **Lesson for Schuman2030**: Demonstrates the power of quantifying regulatory burden. The Schuman2030 Impact Office should adopt similar rigorous cost-analysis methods to make its "neutral facts" compelling and undeniable.

7.5.5 Academic and Think-Tank Analyses

Numerous academic projects have analysed subsidiarity:

- **Subsidiarity Monitoring Network**: Involves regional parliaments (e.g., Committee of the Regions) but focuses on early warning rather than retrospective audit.
- **Jean Monnet Centers & Universities**: Various legal scholars have published detailed critiques of specific EU competences (e.g., environmental law, social policy) but these are fragmented by topic.

7.5.6 How These Precedents Accelerate Schuman2030 Work

The Schuman2030 team does not need to start from zero. They can leverage these past efforts:

1. **Adopt the UK's Evidence Base**: The 32 UK Review reports (2012–2014) are a ready-made database of stakeholder views on competences. Schuman2030 can re-

analyze this data through its new "Cross-Border Impact" lens, saving years of primary data collection.

2. **Refine the Methodology**: The 2018 EU Task Force recommendations on "shared understanding" can be used to draft the initial criteria for the Schuman2030 audit, refining them to be more binding.
3. **Quantify the Burden**: Open Europe’s cost-calculation methods can be adapted for the **Impact Office’s cost analyses**, ensuring that the financial argument for returning competences is robust.
4. **Avoid Past Pitfalls**:
    - Avoid the UK’s mistake: Do not just publish evidence; make binding recommendations (via the Senate veto and Impact Office authority).
    - Avoid the Dutch mistake: Ensure broad inclusion of all political actors (MEPs, national MPs, experts) to prevent accusations of bias.
    - Avoid the EU Task Force’s limitation: Do not settle for procedural improvements; aim for structural competence transfer.

Conclusion:

While no initiative has ever successfully returned significant competences to Member States, some analytical groundwork has been laid. The UK Review alone provides a massive head start. The Schuman2030 proposal’s innovation is not in discovering the problems (which these audits have already documented) but in creating the institutional machinery (Senate, Impact Office, 80% voting rule) to actually act on the findings. Starting with a pilot domain like Defence or Energy, using the UK’s sectoral reports as a baseline, would allow the project to move rapidly from "concept" to "implementation blueprint."

7.5.7 References

The historical attempts to audit and split EU competences were not short pamphlets; they were massive state-level and academic undertakings. The following high-impact, verified frameworks and functional, direct URLs can be utilized to build the Schuman 2030 WP6 methodology.

1. The UK Government Balance of Competences Review (2012–2014)

This is the most exhaustive audit of the *acquis communautaire* ever conducted by a member state. It produced 32 deep-dive sector reports analyzing where the EU overstepped or added value.
The Main Archive Hub: gov.uk Review of the Balance of Competences
Explanation: This is the official landing page containing the complete collection of all 32 reports, covering everything from Energy and Environment to Foreign Policy.
Defence & Foreign Policy Case Study: Sanctions Policy Evidence Dossier
Explanation: A raw evidence report within the review analyzing exactly how supra-national foreign policy instruments operate and where national vs. central execution creates friction (Portela, 2014).
Constitutional Critique: SIEPS Analysis of the Review & Subsidiarity

Explanation: A substantial report by the Swedish Institute for European Policy Studies evaluating the UK review alongside the Dutch parliamentary subsidiarity audits, mapping out how national parliaments interact with the Early Warning Mechanism (Hettne, 2014).

2. The EU Institutional Task Force on Subsidiarity (2018)

Spurred by the UK and Dutch audits, European Commission President Juncker established an official task force to figure out how the EU could be "big on big things and small on small things."

The Structural Evaluation: Europe Must Deliver at the Level Closest to the Citizens

Explanation: Published via the Martens Centre, this paper provides a thorough analysis of the Task Force's work, detailing the design of their "Active Subsidiarity Grid" and exposing the institutional gridlock encountered when trying to peel back EU regulations (Schneider, 2019).

3. Academic "Competence Allocation" Operational Blueprints

To turn the pilot concepts (like Energy) into strict legal criteria, these highly cited academic papers provide the mathematical and legal frameworks to separate shared powers.

- The Energy & Environment Blueprint: Subsidiarity in European Environmental Law: A Competence Allocation Approach

Explanation: Published in the *Harvard Environmental Law Review*, Dr. J. van Zeben bypasses vague political rhetoric by dividing shared regulations into distinct phases: norm setting, implementation, and enforcement (van Zeben, 2014). It serves as a perfect plug-and-play matrix for the Energy pilot.

- The 2026 Systemic Critique: Subsidiarity in the EU: Rhetoric or Reality?

Explanation: A recent, highly critical evaluation that tracks over 1,200 national parliament objections (Paas, 2026). Crucially for the project, it compares the EU's failures directly to US federalism (the Commerce Clause and anti-commandeering doctrine) to show how a true federal model can legally lock central authorities out of domestic spheres.

References

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7.6 More recent audits

The timing matters immensely because the nature and volume of EU regulation have changed dramatically in the last decade, particularly since the Lisbon Treaty (2009) and accelerating after 2015.
Most of the major audits mentioned (UK Review, Dutch Review, Open Europe) were conducted between 2009 and 2015. They predate the most aggressive phase of EU regulatory expansion. Therefore it makes sense to limit the audit to the post Lisbon period

7.7 The "Post-2015 Regulatory Surge"

The Schuman2030 document correctly identifies that the most significant "overreach" has occurred in the last 8–10 years, driven by:

- The European Green Deal (2019–present): A massive legislative package (Fit for 55, CBAM, Nature Restoration Law) that dictates national energy mixes, building standards, and land use.
- Digital Sovereignty Push: GDPR (2018), Digital Services Act (2022), Digital Markets Act (2022), and the AI Act (2024). These are highly prescriptive, detailed regulations that leave little room for national adaptation.
- Health & Crisis Response: The EU's expanded role during the pandemic (joint procurement, health union proposals) and the energy crisis (price caps, mandatory gas reduction).
- Delegated Acts Explosion: As noted in the Schuman2030 paper, the use of Delegated Acts (Commission-made laws with limited parliamentary scrutiny) has surged to over 3,000 per year, creating a "regulatory dark matter" that earlier audits never fully captured.

Why previous audits are partly outdated

1. Missing the "Green & Digital" Tsunami: The UK Review (2014) barely touches on climate regulation at its current scale or digital platform governance. An audit today would find that environmental and digital policy now constitute a much larger share of the "burden" than the single market rules that dominated earlier reviews.
2. Shift from "Market Making" to "Society Shaping": Early EU regulation focused on harmonizing standards to enable trade (e.g., product safety, mutual recognition). Recent regulation increasingly dictates social and industrial policy (e.g., mandatory EV sales bans, diversity reporting, due diligence on supply chains). This represents a qualitative shift in competence that old audits did not anticipate.
3. The "Delegated Acts" Blind Spot: Earlier reviews focused on primary legislation (Directives/Regulations). They did not adequately account for the explosion of secondary legislation (Delegated/Implementing Acts), which now drives much of the day-to-day regulatory burden.

The Opportunity for a New Subsidiarity Audit

This gap creates a unique opportunity for the Schuman2030 initiative. A modern audit would not just repeat the UK Review; it would specifically target the post-2015 regulatory stock.

Accelerated Work Plan for a Modern Pilot Audit:
Instead of starting from scratch, the Schuman2030 team can:

1. Filter the **Acquis** by Date: Isolate all regulations and delegated acts adopted after 2015. This immediately narrows the scope to the most controversial and "overreaching" layer of EU law.
2. Focus on the **New Giants**: Prioritize the audit of the Green Deal, Digital Package, and Health Union proposals. These are the areas where the "cross-border impact" test is most debatable and where national pushback is strongest.
3. Update the **Cost Data**: The Open Europe cost figures (from 2015) are obsolete. A new pilot audit could commission rapid sector-specific cost updates for Green and Digital regulations, using the same methodology but applied to the new laws.
4. Leverage **Recent Complaints**: Use the Yellow Card attempts (even if unsuccessful) and national court challenges (e.g., German Constitutional Court rulings on climate laws) as a "shortlist" of regulations that Member States already suspect are overreaching.

8 Conclusion:

No comprehensive subsidiarity audit exists for the post-2015 regulatory era. The existing reviews are historical artifacts that describe a smaller, less intrusive EU. This makes the Schuman2030 proposal not just relevant, but urgently necessary. The "pilot domain" approach (e.g., auditing only Energy or Defence) is the perfect way to tackle this modern layer of regulation without getting bogged down in the entire 70-year history of the EU. It allows the project to address the current crisis of overreach directly.

This material is prepared with the help of Monica,, Claude 4.6 Opus, Gemini, and Euria AI assistants.