



ISSN: 2036-5438

## Early warning and regional parliaments: in search of a new model. Suggestions from the Basque experience

by

Josu Osés Abando\*

Perspectives on Federalism, Vol. 5, issue 2, 2013





## Abstract

The balance sheet of having had the early warning procedure for two years shows that the active role developed by some regional parliaments, like the Basque Parliament, has reached a point of lack of efficacy and confidence.

The Basque Chamber has not limited itself to express a “yes-or-no”-opinion, but has tried to make specific contributions for improving the proper performance of the provisions of Protocol 2 of the Treaty of Lisbon. But the mechanism implemented in Spain does not guarantee the taking into account of the contributions by the regional parliaments, and so we need a new procedural scheme.

The author proposes a step-by-step approach to making a selection of all the initiatives expressed in the yearly legislative program of the European Commission, with a focus on analysing the procedure for selected topics to provide an informational background to the Basque parliamentary committees.

If no solution is found, the early warning system will become a repetitive ritual that will fail due to lack of effective use.

## Key-words

Early Warning, Parliament, Legal Procedure, Regional Institutions, Basque Country



## 1. Introduction

It is not very frequent that a Parliamentary Law incorporates a new procedure that the assemblies have not put in place themselves and which possesses, as yet, unknown functions. This evidence shows, it is true, the difficulty to upgrade a parliamentary institutional framework. But these developments must also be analyzed carefully to evaluate their practical extent.

Such is the case of the so-called "early warning" system that since 2010 has joined the list of competences of our parliaments.

The origin and guidelines of this mechanism have already been studied by several specialists, which dispenses us from pondering about theoretical aspects. On the other hand, the intention of this contribution is to provide some elements about its practical application.

The arguments to be developed, then, are born from a specific experience, which is that of the Basque Parliament. But we believe that this does not imply excessive unilateralism or analytical bias because its procedural rules are very similar to those of other parliaments. On the other hand, the Basque Chamber has been at the forefront of the more proactive parliaments, internalising in this way from the very beginning the interests of bottom-up participation. Therefore, a summary of its performance may have an important significance on the actual effectiveness and future of the Early Warning System's regional participation.

Three years have passed (although our data stop in the autumn of 2012) that let us draw up a balance sheet which, as we already anticipate, forces us to recognize the limitations of this first phase.

Without useless pessimism but professing the necessary recognition of the situation of paralysis which has characterised the review of procedures developed until now, we now provide a critical view accompanied by an outline of innovative proposals.



## 2. The beginning of early warning in the Basque Parliament

Since the double precedent of trials that preannounced the entry into force of the Lisbon Treaty, the Basque Parliament took with dedication to the implementation of a mechanism that would have an impact on the participation of sub-state institutions in the European legislative process (a possibility claimed exclusively by their parliamentary groups in the past).

The three simulations undertaken by the Committee of the Regions between October 2007 and September 2008<sup>I</sup> and the other two directed in 2009 by COSAC<sup>II</sup> configured routes of processing that were later consolidated.

-A logical **preferential relationship with the Basque Government** was established, who committed to the development and elaboration of a report on each of the initiatives that had arrived. This is a point that deserves to be highlighted, because this obligation assumed by the Executive has worked in almost all cases. While in other parliaments either there never were any hearings or governmental information was provided only sporadically, what in the Basque case has remained continuous is the (only informative) advice that, in practice, was received by the parliamentary groups.

It is also necessary to recognize that the fatigue caused by the repetition of procedures without any visible practical effects has become evident in these reports that have sometimes adopted a merely repetitive formula.

- **Training activities** with parliamentarians and senior departmental executive chiefs. The involvement of civil servant lawyers in counselling, follow-up and elaboration activities of the resolutions was also important.

- It became clear that **the natural parliamentary instance for the treatment** of early warnings should be **the sectoral committee affected** (unlike in other parliaments such as that of Aragon, the Canary Islands, Castilla - La Mancha or Castilla y Leon).

This choice was due to the belief that "community matters" could not confine themselves to the stronghold of a single committee responsible for European Affairs but, in line with the consideration of domestic jurisprudence given to Community legislation, should lie with each committee who addressed and informed the European legislative innovations. This kind of socialization of the community required the harmonization of the



actions of each organ, something that has been a major concern of the Basque Parliament's inner bodies.

### 3. The Basque parliamentary rules about early warning

Some statutes of autonomy include in their new versions a provision about regional participation in the control of the principles of subsidiarity and proportionality: the Statutes of Andalusia (Art. 237), Aragon (Art. 93), Balearic Islands (Art. 112, mentioned is only the subsidiarity principle), Castilla and Leon (Art. 62), Catalonia (Art. 188), Navarra (Art. 68.6) and Valencia (Art. 61).<sup>III</sup>

The governing bodies of the Basque Parliament, in turn, have introduced several internal regulations as a sign of the concern to give coherence and homogeneity to the dynamics of the committees.

1. Order of the Presidency of 9.12.2009 on **the procedure to be followed in processing the rapid alert for the verification of compliance with the principle of subsidiarity in relation to policy initiatives of the European Union**. This is the basic text under which the alerts have been developed. However, because of continued doubts, hesitations and even passive attitudes in some committees, there were several complementary agreements. The procedural scheme has been continuously enlarged until its final realization in the agreement of the 13.9.2011 (included below) that sets out the basics of the procedure.

2. Agreement of the Board (Mesa) of Parliament of 20.4.2010 in relation to proposed European regulations which refer to the chamber and **the rule that the corresponding sectoral Committee be responsible to carry a resolution**: while the communications received from the Joint Committee on European Affairs of the Spanish Parliament (*Cortes Generales*) only refer to single pronouncements of the Parliament about the contravention (or not) of the principle of subsidiarity, the Board understood that in case of a negative – or, also, in case of a positive opinion – the committee ought to pass an explicit resolution. This agreement was due to the reflection of a contradictory tension.

Some committees were not involved in the mechanism insofar as they did not issue any decision. Therefore, in roughly a quarter of the initial initiatives there was no opinion by the Basque Parliament.



The other committees performed a more proactive position, as frequently a resolution went beyond the simple alternative of “Yes” or “No”.

Finally, the Board of Parliament (by the mere force of exhortation) established the rule that all committees had to follow a homogeneous and active pattern.

3. Agreement of the Board of 21.9. 2010 on **the establishment of deadlines by the committees**. The Bureau reminded the presidents and lawyers in the various committees that when it was agreed to delegate to the boards of the committees the establishment of the appropriate timeframe, the parliamentary groups also assumed the responsibility to demonstrate their allegations on the violation (or not) of the principle of subsidiarity. In this sense, the Board requested that this timeframe be properly respected and understood to avoid misunderstandings.

4. Agreement of the Board of 29.3.2011 relative to **the duty of resolutions** by the committees in cases of European policy proposals. The intention of the Board was, once again, the unification of the divergent criteria of the different parliamentary committees about resolutions. Hence it was established that in all cases a formal resolution needed to be issued.

5. **Committee decisions**. Following that third Board agreement, the committees equally endorsed a self-regulating way. The right to formulate observations and request hearings (never used) was granted to parliamentary groups, the Government and, where appropriate, to the historical territories (which are similar in extent to the provinces in Italy or the counties in the UK) within a timeframe that ends 10 days before the end of the four weeks in which the Parliament can express his opinion. If observations are not made, the power to develop a resolution that expresses knowledge of the proposed decision is delegated to the officers of the Committee. If motivated remarks are presented, the Committee will be convened to approve a corresponding resolution.

6. Agreement of the Board of 13.9.2011 concerning **the adoption of a common procedure for all the parliamentary committees**. This is, for now, the last link in the chain of internal rules. In short, it was prescribed that the legislative proposal be sent by the Secretary General to all subjects concerned (parliamentary groups, Basque Government, affected committee) and that each body had until 14 days before the expiry of the four weeks available to Parliament to express its opinion.

If within this timeframe nobody questions the implementation of the principle of



subsidiarity by the European initiative at hand, the power to develop a formal resolution acknowledging the proposal is delegated to the Bureau of the respective committee. If, on the other hand, a parliamentary group presents, within the preset timeframe, motivated remarks sustaining that the initiative subjected to evaluation would not conform to the principle of subsidiarity, the committee is convened so that the observations raised can be discussed.

#### 4. Content of the parliamentary resolutions

Although it seems that, as was remarked previously, an answer to the question of the violation of the principle of subsidiarity can only consist in a *Yes* or a *No*, are there other possibilities? Let us look what has been the range of decisions in practice.

**a) Negative opinion.** The most extreme possibility demands thorough knowledge about the material content of a matter to sustain a conclusion as politically relevant. Predictably, there was only one such case, related to the implementation of the *acquis* of the Schengen Agreement.

The Institutional and Internal Affairs Committee of the Basque Parliament estimated that Schengen did not comply with the subsidiarity principle because of the need that the Basque Police (*Ertzaintza*) had be included in the effective presence within that police system. This was an unexpected decision in a political, partisan game without special juridical argumentation.

**b) Absence of participation by and consultation with the autonomous institutions.** Article 2 of the Subsidiarity and Proportionality Protocol demands of the European Commission that, before proposing legislation, it undertakes the relevant consultations which, “where appropriate, take into account the regional and local dimension of the action envisaged.” According to the report of the Basque Government, twice (tourism statistics and energy project aid) such inquiries were not made – facts which were then well reflected in the relevant parliamentary resolution as well.

**c) Lack of impact evaluation criteria.** As in the previous case, but here even more clearly, there are two requirements explicitly contained in the second Protocol of the Treaty of Lisbon. Indeed, Article 5 requires the Commission to assess compliance with the principles of subsidiarity and proportionality, specifically stipulating that all draft legislation



must include a "detailed statement" evaluating the "financial impact and, in the case of a directive, [...] its implications for the rules to be put in place by Member States, including, where necessary, regional legislation".

This provision is so clear that there is no other rational way than to verify the empirical data of subsidiarity objectives.

The two pilot tests of COSAC highlighted the low completion of Article 5 in the following specific items:

- Lack of analysis of the impact of the financial and administrative burdens that would involve regional budgets.
- Non-existent documentary contribution of qualitative and quantitative indicators for the justification of Community action.
- No data on the assessment of compliance with the principle of subsidiarity.

The first early warnings persisted in these critical concentrations and strongly emphasized this deficiency (proposal on the law applicable to divorce and legal separation, crime statistics and services of the Information Society).<sup>IV</sup>

**(d) Lack of statutory competence.** It is meaningful to detail this imperative prerequisite. In fact, it was mentioned that the statutes of autonomy – in their renewed form – incorporate the necessary involvement of autonomous competences. The *Cortes'* Joint Committee works on the basis of full remission of the texts that are received by the European Commission without discrimination by competence criteria. It is the duty of regional parliaments to make the prior check for regional competences. There have been no problems in the determination of the shared character of a competence. In the approximately half a dozen cases that were raised, the out-of-competence character of the matters was absolutely evident and beyond doubt: external borders of the European Union and control of foreign arrivals or criminal investigations; prosecution of delinquencies, interchange of judicial information and so on.<sup>V</sup>

**(e) Matters of provincial competence.** This is a possibility strictly limited to the Basque institutional framework. Aware of the historical and institutional evidence on strong provincial (the three *Territorios Históricos*: *Áraba*, *Bizkaia*, and *Gipuzkoa*) capabilities (notably in the tax field), the resolution of the Presidency of December 2009 already prescribed quite clearly the immediate referral of all community projects to provincial bodies so they could give their opinion. Unfortunately, there has not been any response



coming from these institutions. But, having said that, the Basque Parliament would have to enter into a collaborative liaison with them to achieve an accurate opinion of all Basque institutions.

f) **No transferred competence from the central government to the Basque Community.** Like the last response mode, and according to the Basque Government's report on the proposal on the protection of the rights of intellectual property and the European Observatory on Counterfeiting and Piracy: "having not yet transferred the competence in this matter to the autonomous community, a parliamentary opinion makes no sense".

## 5. Some provisional conclusions

1.- It is clear that these first steps of involving sub-State parliaments have formed a starting point whereby the autonomous communities have tried to manage, firstly, their self-perception as political agents with legislative competence and, also, according to their material possibilities of time and available resources. There have been many institutional events and discussion forums (sponsored by Parliament of Galicia, the Cortes of Aragon, the Parliament of Catalonia, the Basque Parliament etc.); debates within and among parliamentary groups, presidencies, and the spokespersons and boards of political factions; and the parliamentary lawyers in the Chambers have also and frequently assumed a dynamic role by mobilizing and undertaking great efforts. As a result, what can be recognized is that **the "European question" has firmly entered the political agenda of our parliaments.** But to such evidence must be attached an array of contrasts and notorious doubts.

2.- Our experience has shown a certain disorientation about the material object of debates. Initially, the dominant tendency was to limit the debate to a kind of legal study on the alignment with the principle of subsidiarity. The fact that parliaments are neither courts nor legal cabinets has plunged them into a **certain uncertainty about the subject of the procedure** and, even more so, about the role of groups and the virtuality of parliamentary decisions. This perplexity can only be discarded through claiming a political function that will be outlined in the section dedicated to proposing new ways. A political insight must go beyond the reductionist vision of subsidiarity and proportionality. Of course, this does not



interfere with the legislative process of the European Parliament, but serves to reinvigorate the true parliamentary functions: to discuss the basics and political opportunity of a proposal, its scope, costs, and obviously also its chosen normative extension (proportionality). Without regard for this set of issues, it is impossible to reach a proper decision on subsidiarity. To persist in the current, depressing path would condemn parliaments to manifest themselves in a radical way and without details about the violation of fundamental principles when, paradoxically, the multiplicity of bodies involved and of opinions issued characterizes the Community regulatory process better than anything else. The "organized chaos" (an adequate doctrinal expression) of the Treaty of Lisbon is hardly compatible with a rigorist interpretation of Protocol no. 2. In other words, faced with the choice of embarking on opposition to a European initiative (by way of a formal, detailed resolution issued within a short time span and with the predictable risk for one's political image), nothing but emphasized indolence can be expected from parliaments that are inexorably inundated in these matters. Examples that can, and should, point to something else than a strict subsidiarity accommodation are offered by the practice of the Joint Committee of *Cortes*, with precedents such as the following:

- Reports nos. 1 and 15/2010 (Information Systems Agency): Although the Joint Committee did not observe any violation, it advised the European Commission not to create a new entity but to entrust the management to the existing FRONTEX. In the same way, Report no. 21/2010 on the European Maritime Safety Agency.

- Opinion 3/2012 (water policy) made specific recommendations.

- Opinion 1/2011 (energy products): a negative opinion based precisely on the fact that the proposal was not accompanied by the schedule of evaluation required in Article 5 of Protocol 2 (analogous to the Basque examples cited above).

3-A feeling of **imbalance between the institutional efforts made and the results obtained** is also notorious in relation to the previous evidence. So if there is no minimal utility, the regional report has to be about an initiative that also matches the attention of the Joint Committee, which only is the case in less than 20% of the total number of initiatives submitted and processed. These are data that show the relationship between the 52 reports and opinions of the Joint Committee on a total of 270 initiatives (given up to July 2012). But, in addition, the autonomic opinion is only taken into account when the



resolution of *Cortes* concludes with a motivated opinion, which was the case only for eight proposals.

4.-Finally, we do not believe it is excessive to conclude that a clear feeling that **Parliament's opinion does not reach the European institutions** is also shared by the parliamentary groups.

In this regard, we have to mention the only report of the Joint Committee of *Cortes* that contains a significant mentioning of a regional contribution: Report no. 1/2012 (on the right to political asylum and migration background) welcomed the claim of the Parliament of Catalonia, as the competent regional authority, to have access to the European Fund in that area.

But this isolated fact does not contradict our overall impression. Also in the discussions within the European Parliament can one detect the lack of relationship between Community bodies and regional parliaments. In September 2010 (that is, five months after the entry of the first early warning), Mr Barroso recognized, on behalf of the Commission, that the latter "has no information as to the involvement of the respective regions in the elaboration and adoption of these opinions".<sup>VI</sup>

What is more, at the session of 10 October 2011, the Commissioner for Interinstitutional Relations and Administration, Mr. Maroš Šefcovic, told the same MEP (Mrs. Bilbao Barandica) "that the Commission does not take account of the extent to which opinions of the regions are reflected in reports forwarded by the Member States".<sup>VII</sup>

We saw earlier that the Basque Parliament had contributed in the first phase of the process with several critical considerations that, without reaching a decision on the breach or deficit of subsidiarity, put in evidence a touch of attention so that Community institutions would fulfill the terms of Protocol 2 of the Treaty. Would it have been irresponsible to send these opinions to Brussels in order to enhance and improve the quality of Community legislation? We are sure that, quite the contrary, such a step would have been appreciated, would have enhanced the mutual knowledge and, at the same time, provided the parliament with a recognition of its demonstrated interest.



## 6. Towards a new stage of the early warning

Based on the foregoing explanations, it certainly follows that this procedure is facing a crossroads in its continuity and real effectiveness.

We are aware that there is no a magic solution, since the main problem lies in the real insertion of sub-State authorities in the Community decision-making process. The extremely deep crisis affecting the European landscape (which in southern States acquires a character of systemic crisis, using the terminology of Thomas Kuhn) and the heterogeneous internal articulation of its components disallow us to predict a solution. In spite of this, and to avoid a steadily extinction by *desuetudo*, the following may be a reasonable step-by-step alternative model:

**1. Selection of proposals.** From the myriad of legislative initiatives that are put in place in each area, it is essential to choose only those that contain a greater interest. This interest and the impact of European legislation can vary greatly for each territorial context. There is no point in reaching an opinion about all the proposals

**2. Starting point: the legislative calendar of the European Commission.** The details of the Commission Work Programme 2013 were presented in the Annex to document COM(2012) 629, dated 23 October 2012. While on other occasions the programme has appeared with posterity, in this case there was enough time for study and careful analysis.

**3. Parliamentary determination of issues to be discussed.** This proposal and its attached documentation must be sent to the respective Government, because of its much higher informational possibilities which enable it to highlight initiatives of greater interest, and thus reflect this in a report to be submitted to Parliament. Based on the Government's report, groups would then have a proper period (about 15 days) for the proposal of selected topics. Obviously, determining the work schedules should be the competence of each sectoral committee and, to that effect, they would approve the annual roadmap.

**4. Fixing the work roadmap.** Once the selection of initiatives to be considered is established – they should not go beyond a manageable number of issues – and instead of passively awaiting reception on an unexpected date, we propose that each subject is entrusted to a *rapporteur* so he ensures a follow-up of its processing in the Community



decision chain. It would be a non-partisan institutional mission to inform the respective parliamentary committee of successive procedural steps.

**5. Discussion and adoption of the opinion.** When, finally, the Parliament officially receives the draft legislation for the activation of the early warning system, the parliamentary groups would already have the required background necessary for developing a reasoned debate. This debate should focus, of course, on the assessment of the respect for the principles of subsidiarity and proportionality. But this could also develop into a real political debate on the opportunity, scope and consequences of the material content of the initiative.

**6. Coordination with the Joint Committee and other parliaments.** It seems unproductive that the *Cortes'* and the regional assemblies' duties go on in a diachronic way. It would be more convenient if the Joint Committee's commitment to a prior selection of issues and its provision of work were known. This would not be in contradiction to the inevitable flexibility needed to address initially unforeseen or unexpected initiatives, nor with other reasoned initiatives submitted to consideration by a territorial parliament. An interinstitutional agreement is essential to achieve a consensus-based action system. There have been some attempts on more than one occasion, but operating achievements of relevance have not obtained. It seems obvious that this battery of renovated items concerns also the interest of other assemblies. We cite as a simple sign of this the Murcia Regional Assembly, which in the framework of the pilot trial of 2009 in matters of inheritance and donations, issued the same claims as the Joint Committee about the report of the central Government (Diary of Proceedings n. 9 from 16.11.2009). The COPREPA (Conference of Regional Parliamentary Presidents) has also appeared on several occasions with a similar line on the necessary inter-institutional collaboration. In the same vein, the IPEX network utilization could also be improved.

It is time to put an end (or perhaps continue them on another occasion) to these lines guided by pragmatism. We could explore other, more ambitious directions based on comparative experience<sup>VIII</sup> or foresee possibilities as yet unexplored but legally feasible.<sup>IX</sup> But this road must be taken, as European construction teaches us, *slowly but surely*.



\* Legal Adviser, Basque Parliament.

<sup>I</sup> Projects of Community rules relating to European energy policy (17.10.2007); in the field of immigration (23.11.2007) and cross-border health care (16.09.2008). They were the only cases in which there were hearings from senior members of the Basque Government.

<sup>II</sup> Proposal for a framework Council Decision relating to the right to interpretation and to translation in criminal proceedings, proposed by the Commission on 8 July 2009; and proposal for regulation on jurisdiction, applicable law and recognition of decisions and administrative measures in the field of successions and donations, adopted by the Commission on 14 October 2009.

<sup>III</sup> Asturias: Resolution of the Presidency of 4.5.2010; Andalusia Board's agreement of 18.12.2009; Canary Islands: articles 48 and 49 of the rules of procedure; Cantabria: Board's resolution of 27.11.2009; Castilla - La Mancha: Resolution of the Presidency of 20.7.2010; Castilla y León: Resolution of the Presidency of 3.12.2009; Catalonia: art. 181 of the rules of procedure; Extremadura: article 102 of the rules of procedure; Valencian Community: article 181 of the rules of procedure; Galicia: Board's agreement of 15.7.2010, modified by agreement of 5.4.2011; La Rioja: resolution of the Presidency of 26.4.2010; Madrid: resolution of the Presidency of 27.4.2010; Navarra: 9.11.2009 resolution of the Presidency.

<sup>IV</sup> It should be noted that even after 2011, these extremes are still included with regularity.

<sup>V</sup> Incidentally, it is true that there have been two very recent cases in which the Government report points out the incompetence of the Basque country in matters such as the so-called adaptation fund to globalization (a solidarity mechanism to mitigate the employment consequences of offshoring at Community level) or the regulation of mobile telephone roaming (a matter between the management of telecommunication companies and consumer protection), in which, from a personal point of view, one would have liked a more accurate conceptualization of incompetence.

<sup>VI</sup> Question for written answer by MEP Izaskun Bilbao Barandica (ALDE) on the statistics on the early warning process, no. E-5865/2010, at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2010-5865+0+DOC+XML+V0//EN>.

<sup>VII</sup> Question for written answer E-009555/2011 on the Committee of the Regions and early warning system: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2011-009555+0+DOC+XML+V0//EN>.

<sup>VIII</sup> In Austria, for example, federated states attend and take part in the debate in the Federal Parliament. On the other hand, it is advisable to consult the vivid experience of the Parliament of Scotland with its roadmap for the monitoring of Community legislation and relations with the Parliament of Westminster [http://archive.scottish.parliament.uk/s3/committees/europe/inquiries/euDirectives/documents/EUStrategy\\_Final.pdf](http://archive.scottish.parliament.uk/s3/committees/europe/inquiries/euDirectives/documents/EUStrategy_Final.pdf).

<sup>IX</sup> What would happen if a regional Assembly requested from the Government a judicial action to obtain the annulment of a community regulation due to the violation of the principle of subsidiarity (article 8 of the Protocol, and 7 of the Act)? It must not be forgotten that this is a vindication of the COPREPA in the Cartagena Declaration of May 5, 2009. Then, the commitment was to “formally request the *Cortes Generales* to articulate the required system so that legal actions for violations of the principle of subsidiarity can be taken by the Government, through appeals to the Court of Justice of the European Union, taking into account the position of regional parliaments with legislative powers”.

## References

- Alonso de León Sergio, 2011, ‘Análisis crítico del papel de los parlamentos regionales en el control del principio de subsidiariedad en la Unión Europea’, in *Revista de Derecho Constitucional Europeo*, no. 16: 283-329.
- Arce Janáriz Alberto, 2010, ‘Prontuario sobre la articulación en España del sistema de alerta temprana para controlar el principio de subsidiariedad dentro de la Unión Europea’, in *Asamblea. Revista Parlamentaria de la Asamblea de Madrid*, no. 23: 71-99.
- Areizaga Hernández Juan Carlos, 2010, ‘La participación de los Parlamentos de las Comunidades Autónomas en la aplicación y control del principio de subsidiariedad: el mecanismo de alerta temprana. Un ensayo sobre su ejecución práctica y evolución’, in *Asamblea. Revista Parlamentaria de la Asamblea de Madrid*, no. 23: 29-70.



- Auzmendi del Solar Montserrat, 2010, 'El refuerzo en el control de la subsidiariedad: el mecanismo de alerta rápida', in *Revista Unión Europea. Aranzadi*, no. 5: 21-28.
- Camisón Yagüe José Ángel, 2011, 'La Asamblea de Extremadura y el control del principio de subsidiariedad a través del mecanismo de alerta temprana', in *Revista d'estudis autonòmics i federals*, no. 14: 264-320.
- Camisón Yagüe José Ángel, 2012, *Las Cortes Generales y el control del principio de subsidiariedad: una visión práctica: los dos primeros dictámenes negativos en el marco del procedimiento de alerta temprana*, Dykinson, Madrid.
- Carmona Contreras Ana María, 2011, 'Los dictámenes autonómicos en el sistema de alerta temprana', in *Jornada sobre Principio de subsidiariedad* celebradas en Cortes de Aragón (January 2011), available at: [http://www.fundacionmgimenezabad.es/images/Documentos/2011/20110128\\_ot\\_carmona\\_contreras\\_a\\_es\\_o.pdf](http://www.fundacionmgimenezabad.es/images/Documentos/2011/20110128_ot_carmona_contreras_a_es_o.pdf).
- Carmona Contreras Ana María, 2012, '¿Hacia la europeización de los Parlamentos autonómicos? Reflexiones al hilo del mecanismo de alerta temprana', in *Revista d'estudis autonòmics i federals*, no. 16: 141-176.
- Carmona Contreras Ana María and Rodríguez-Izquierdo María, 2010, *La recepción del mecanismo de alerta temprana para el control preventivo de la subsidiariedad a nivel estatal y autonómico. Una aproximación al caso andaluz*. Documento de trabajo P2010/02. Centro de Estudios Andaluces, available at: <http://www.centrodeestudiosandaluces.info/PDFS/P201002.pdf>.
- Committee of the Regions, 2011, *The Role of Regional Parliaments in the Process of Subsidiarity Analysis within the Early Warning System of the Lisbon Treaty*, Brussels.
- De Castro Ruano José Luis, 2012, 'El Sistema de Alerta Temprana para el control de la subsidiariedad: su aplicación por el Parlamento Vasco', in *Revista CIDOB d'afers internacionals*, no. 99: 93-111.
- Fernández Alles José Joaquín, 2011, 'El parlamentarismo español ante el sistema Alerta Temprana sobre el Principio de Subsidiariedad: a propósito de la V Conferencia sobre subsidiariedad', in *Revista General de Derecho Constitucional*, no. 11.
- González Pascual María Isabel, 2012, 'Los Parlamentos regionales y el mecanismo de alerta temprana (su aplicación en el Parlamento Vasco)', in *Revista Vasca de Administración Pública*, no. 93: 37-64.
- Montanaro Lucia and Schünemann Julia, 2011, *Walk the walk: The EU needs an effective early warning system to match its ambitions to prevent conflict and promote peace*, FRIDE, Madrid.
- Palomares Amat Miquel, 2011, 'La participación del Parlamento de Cataluña en la aplicación y el control del principio de subsidiariedad', in *Revista de Derecho Comunitario Europeo*, no. 38: 19-58.
- Rodríguez-Izquierdo Serrano Myryam, *Primacía y subsidiariedad en la Unión Europea*, Centro de Estudios Políticos y Constitucionales, Madrid.
- Rubio de Val Carmen, 2011a, 'Aproximación práctica a la nueva dimensión europea de los parlamentos autonómicos: propuestas para una guía sobre la elaboración de los dictámenes autonómicos en el sistema de alerta temprana', in *Jornada sobre el Principio de subsidiariedad* (Cortes de Aragón), available at: [http://www.fundacionmgimenezabad.es/images/Documentos/2011/20110128\\_ot\\_rubio\\_de\\_val\\_c\\_es\\_o.pdf](http://www.fundacionmgimenezabad.es/images/Documentos/2011/20110128_ot_rubio_de_val_c_es_o.pdf).
- Rubio de Val Carmen, 2011b, 'Guía para la elaboración de los dictámenes autonómicos en el sistema de alerta temprana', in *Jornada sobre el Principio de subsidiariedad* (Cortes de Aragón), available at: [http://www.fundacionmgimenezabad.es/images/Documentos/2011/20110128\\_ot\\_guia\\_elaboracin\\_dictmenes\\_es\\_o.pdf](http://www.fundacionmgimenezabad.es/images/Documentos/2011/20110128_ot_guia_elaboracin_dictmenes_es_o.pdf).
- Rubio de Val Carmen, 2012, 'El control de la subsidiariedad por los parlamentos autonómicos: la participación de las Cortes de Aragón en el sistema de alerta temprana', in *Cuadernos Manuel Giménez Abad*, no. 4: 84-105.
- Scottish Parliament, 2010, *A European Union Strategy for the Scottish Parliament: Recommendations from the Inquiry into the Impact of the Treaty of Lisbon on Scotland*.
- Vara Arribas Gracia, 2011, 'El control de la subsidiariedad por los parlamentos regionales: Recomendaciones para una estrategia europea', in *Cuadernos Manuel Giménez Abad*, no. 2: 24-32.