THE PRINCIPLE OF SUBSIDIARITY AND SOVEREIGNTY IN EUROPEAN INTEGRATION

[a]PAWEŁ DULSKI, [b]ALEKSANDER ILNICKI, [c]WOJCIECH SŁOMSKI

[a]Collegium Humanum, 1a, Moniuszki Str., 00-014, Warszaw, Poland
[b,c]University of Economics and Human Sciences on Warsaw, 59, Okopowa Str., 01- 043, Warszaw, Poland
e-mail: [a]paweldulskii@poczta.onet.pl, [b]ilnickialexx@gmail.com, [c]w.slomskii@vizja.pl

Abstract: The article aims to explore the dynamics of the political and legal development of the principle of subsidiarity and sovereignty in the formation and evolution of the European supranational integration entity - the European Union. The purpose of this study is to analyze modern approaches to solving the problem of sovereignty in the European Union's integration discourse; determine the main directions of research thought in relation to the transformation of nation-states and the transfer of sovereign powers to the supranational level of the EU. Attention is also focused on the fact that the principle of subsidiarity in the European integration dimension carries a clearly expressed political and legal meaning. The article examines the theoretical and methodological foundations of the principle of subsidiarity and sovereignty and analyzes the implementation in the norms of the law of the European Union of subsidiarity not only as the principle of exercising the joint competence of the European Union and the Member States but also as the principle of functioning of its supranational institutions and the principle of protecting the national interests of states members in the legislative procedure of the European Union.

Keywords: European integration, European Union, Legislative procedure, Sovereignty, Subsidiarity.

1 Introduction

One of the paramount events of the 20th century was the formation of a supranational integration association – the European Union. The problem of European supranational integration has since become the subject of increased attention from scientists and practitioners in many countries. Such a fundamental principle of the functioning of the European Union, enshrined in its founding treaties, is of particular interest as subsidiarity and sovereignty [2, 13].

The lack of a precise definition of the principle of subsidiarity and sovereignty makes it possible to interpret its meaning differently. At the same time, the history of the development of the Community and the Union shows that European law, and in particular European case law, does not accept rigidly, once and for all, defined frameworks of definitions. Therefore, most of the categories and concepts of European law must be considered from the genesis and development perspective.

The relationship between sovereignty, subsidiarity, and integration is much debated. Despite the vast number of theoretical studies, this problem has not ceased as the subject of analysis [2, 6, 13, 17]. Both new EU members and countries with significant experience in integration coexistence are interested in its development. An example is the criticism of the draft European constitution and the constant debate around the EU's basic treaties.

The complexity of analyzing the relationship between the categories of sovereignty, subsidiarity, and integration is due to their conceptual uncertainty. First of all, this situation is observed concerning sovereignty. In academic circles, there is no unambiguous interpretation of it, which is expressed in an abundance of variations. All this makes it possible to speak of sovereignty as an "elusive concept." At the same time, in European studies, one can also come across a statement about the "paradox of sovereignty," which, on the one hand, manifests itself in the variety of approaches and its criticism over the past fifty years, and on the other hand, in its stability in political debates and legal discourse.

2 Materials and Methods

The historical material of the political systems of the member states of the European Union constitutes an invaluable empirical basis for studying the genesis of the principle of subsidiarity. In the 70s of the 20th century, the principle of subsidiarity was considered by European political thought mainly as a social category (the principle of building a civil society). Still, after the entry into force of the Maastricht Treaty, it found its legal embodiment in the member states of the European Union [15].

Although the principle of subsidiarity has received the status of a legal norm in the founding documents, questions about its content and application in the European Union are still far from a straightforward solution [62]. Until now, there is no uniform, legally and economically verified criteria for "the best achievement of goals at the Union level." The development of such standards is a challenging task. It is no coincidence that, therefore, the Court of Justice of the European Union does not undertake to assess the "best achievement of goals," thereby striving not to get involved in the political solution of the relevant issues.

According to the definition of the German researcher Schilling, the "subsidiary" principle is essentially a "two-sided sword." The universality and flexibility of this principle lie in the fact that it can be used to protect both the prerogatives of the central government and national interests [1]. This circumstance suggests the possibility of constructive use of the principle of subsidiarity. The defining specificity of its perception by the European Union lies in the fact that it is used as a mechanism that allows, while maintaining the national identity of the member states, to move forward in the cause of pan-European integration progressively [17]. It is difficult to overestimate the importance of such a mechanism in the practice of supranational construction.

The Polish researcher Yantsen admits that "management based on the principle of subsidiarity creates conditions under which the lower level can solve its problems and carry out the assigned tasks." This is one of the essential advantages of applying the principle of subsidiarity. The need for practical implementation of this advantage also predetermines the relevance and value of theoretical studies of the principle of subsidiarity [47].

Many different languages are used in the constitutions of member states, such as "delegation," "transfer," "granting," or "attribution" of "powers" or "sovereign rights," "restriction," or "restriction (of the exercise) of sovereignty." Different wording can be used even within the same constitution. For example, the constitutions of Germany and France use four expressions. The German Constitution speaks of "participation", "delegation", "transfer" and "limitation" of sovereignty; French – about "participation", "restriction of sovereignty", "transfer" and "general exercise of sovereignty". In this regard, one can agree with Walker that the idea of sovereignty cannot be considered as before [63]. Contemporary challenges to the old order require an urgent revision of its foundations. An example of such a revision is the work of the British scientist Besson. She identifies three leading concepts by analyzing modern approaches to sovereignty in the EU [6].

The European Union is a complex integration association within which the dynamics of interpretation and application of the principle of subsidiarity and sovereignty are also very complex and ambiguous [3-5]. Meanwhile, the principle of subsidiarity is part of the political and legal system of the European Union, and neither Euro-optimists nor Euro-pessimists have yet come up with a better alternative to it.

3 Results and Discussion

3.1 On the Principle of Subsidiarity

The term "subsidiarity" is derived from two Latin words: "subsidium" (help, support) and "subsidiaries" (reserve, auxiliary, kept in stock) [24]. Subsidiarity is essentially an old socio-philosophical principle. The ideological foundations of subsidiarity can be found in the works of Aristotle, Thomas

Aquinas, Althusius, Locke, and Montesquieu. According to some researchers, the principle of separation of powers and the principle of subsidiarity has the same goal – to ensure a balanced distribution of powers between several subjects of power [19]. However, it seems that in the ratio of the mechanisms of action of these principles, not everything is so simple. Regarding subsidiarity, it is not legally justified to use the postulates of the separation of power between the center and the localities. The concept of subsidiarity is more adequate for the joint implementation of common goals [39].

Subsidiarity supports the basic tenets of liberalism: "Freedom should be as much as possible, and restrictions on freedom – as much as necessary" [22]. This approach shows that the idea of subsidiarity is based on the idea of the priority rights of an individual over the rights of society or the state, which is consistent with the practice of social and state building in Western European countries [13]. In other words, the Christian (Catholic) approach to understanding the image of a person determines the structural structure of society and the state, which implies the priority of lower structures over higher ones: the transfer to higher structures of only those rights and obligations (powers) that the lower structures cannot perform on their own.

The principle of subsidiarity opposes the practice of transferring powers and responsibilities from top to bottom when higher organizations retain the right and obligation to control the organizations located below. Under the conditions of the functioning of the principle of subsidiarity, the decision maker is responsible not to a higher organization but to those in whose interests he acts [23].

The Solemn Declaration on the European Union, adopted in 1983 in Stuttgart, stated that it would arise only with the deepening and expansion of cooperation at the European level and the scale of various activities on which the member states make agreed-on decisions. On June 6, 1981, the European Parliament appointed a special commission to prepare a draft Treaty on European Union. On June 5, 1983, the commission, in the form of a resolution, proposed the theses of the Treaty, which was adopted by a majority vote on February 14, 1984 (out of 231 voters, 32 were against, 43 abstained).

The provisions on the transition from intergovernmental to supra governmental forms of interaction contained in the Draft Treaty on the European Union of 1984 (hereinafter referred to as the TEU Draft) laid the foundation for integration at the level of supranational institutions. Unlike intergovernmental cooperation, the supranational joint activity involves the activities of both the Union itself and its member states, and this is possible only within the framework of a specially provided joint competence, where the Union law is coordinated with the national law of the Member States, possible only on a subsidiary basis.

According to Article 12 of the 1984 TEU Draft, in cases where the Draft gives the Union concurrent powers, Member States will continue their activities until the Union issues an act to that effect. The Union will act only on those tasks that it will be more effective to solve together than individually by the Member States, especially when the measure requires action by the Union due to its scope or transboundary consequences. Thus Article 12 of the 1984 TEU Draft introduced a distinction between exclusive and concurrent (joint) powers. And suppose the exclusive powers can be exercised by the Union at any time and do not require the adoption of any additional actions. In that case, the possibility of the Union exercising joint (coincident) powers "is conditional on the observance of the necessary conditions, the essence of which is precisely the principle of subsidiarity – the most effective achievement of the goal and cross-border implications [37].

Thus, it can be said that the DEU 1984 draft prepared by the European Parliament was the first document that textually included the principle of subsidiarity in the legal basis for the functioning of an integration association. Therefore, one cannot agree with the position of researchers who believe that the principle of subsidiarity in the practice of the European Union is only a political maxim with no legal content. All further development of the principle of subsidiarity in the European integration process is connected with its legal registration [24].

In the Member States, the initiative to develop and adopt the 1984 TEU Draft was perceived ambiguously: the creation of a new form of association – the Union – exceeded the framework of cooperation within the borders of the European Communities provided for by the founding agreements. This approach to increased cooperation violated the sovereignty of member states, which in turn forced them to invoke the principle of subsidiarity, which, unlike the 1984 TEU Project itself, received almost unanimous support. This amazing unanimity on the principle of subsidiarity allowed each participant to put their meaning into it [17]. According to some member states, the principle of subsidiarity can become a mechanism for protecting their national sovereignties [37]. According to other member states, as a rule, for the most economically vulnerable and politically dependent, this principle will become a guarantor of increasing the efficiency of the functioning of supranational structures [15]. Finally, however, both sides agreed that the principle of subsidiarity would help overcome the democratic deficit that developed in the 1980s and 1990s.

With the signing on February 7, 1992, in Maastricht (Netherlands) of the Treaty on European Union (from now on referred to as the Maastricht Treaty) and its entry into force on November 1, 1993, the principle of subsidiarity received the status of a legal norm: it was included in Article 3 of the Maastricht Treaty, according to which " in fields which do not fall within its exclusive competence, the Community shall act following the principle of subsidiarity if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States and therefore, under the scope and results of the proposed action, maybe more successfully achieved by the Community."

The principle of subsidiarity in the wording of the Maastricht Treaty did not allow for a clear distinction between the powers of the Community and the powers of the Member States in the area of their joint competence [8-10, 12]. This line was constantly shifting, representing "the main difficulty in developing rules for the distribution of powers between the institutions of the European Union and the national institutions of the member states." The disputes that arose due to the ambiguity of the wording led to the adoption of another important document – the Protocol on the Application of the Principles of Subsidiarity and Proportionality, which became an annex to the 1997 Amsterdam Treaty (hereinafter – the Amsterdam Protocol). The Amsterdam Protocol identified three main conditions for the application of this principle:

- Lack of action on the part of the Union may lead to a breach of the Treaty;
- The greater effectiveness of measures at the Union level;
- If an emerging problem meets the specified requirements, its solution should be carried out at the level of the Union [47].

It can be said that the very emergence of the Amsterdam Protocol testifies that the principle of subsidiarity has taken its rightful place in the system of law of the European Union, without losing its political significance, on the one hand, as a positive factor in European integration, and on the other, as a means of protecting national interests of the member states of the European Union from the growing influence of supranational institutions [19].

The principle of subsidiarity received further political and legal development in the Treaty establishing the Constitution for Europe, signed on October 29, 2004, in Rome by the leaders of all member states of the European Union, but never entered into legal force due to the failure of the ratification process (in France and the Netherlands). Despite this sad, in our opinion, the named constitutional project is exciting from the epistemological point of view, having its absolute scientific and practical value [14, 16,

18, 25]. Although with regard to the disclosure of the content of the concept of subsidiarity, the constitutional draft did not introduce any conceptual changes to the legal regulation of this principle, the mechanism for its observance and implementation was clarified, which was disclosed in the annex – the new Protocol on the application of the principles of subsidiarity and proportionality. In particular, the national parliaments were involved in the process of monitoring compliance with the principle of subsidiarity at the stage of harmonization of European Union bills [15].

The Treaty on the Revision of the Constituent Acts of the European Communities and the European Union, signed in Lisbon in 2007 and entered into force on December 13, 2009 (hereinafter referred to as the Treaty of Lisbon), secured the disappearance of the law of the European Communities and the constitution of the law of the European Union as its sole and unified legal systems. Thus, the principle of subsidiarity has become part of the law of the European Union – a self-sufficient legal system, the rules of which have direct effect, regardless of the adoption of implementing acts at the level of member states [23].

Extremely important in this regard is the clarifying conclusion made by Professor Entin that all norms of the law of the European Union have a direct effect. In contrast, the direct application is the norms of positive law that meet the requirements of realizability. Indeed, Article 5 (paragraph 3) of the Maastricht Treaty as amended by the Lisbon Treaty, which reveals the principle of subsidiarity, does not define specific rights and obligations. But, according to Professor Tot, it contains a "standard" that assesses the legality of the European Union's acts and the Member States' acts [24]. Therefore, if a question arises about the illegality of a national act of a Member State due to its inconsistency with the principle of subsidiarity, it will not be Article 5 of the EU that will be directly applied, but the provision of the primary or secondary legislation of the European Union, to which the plaintiff refers to substantiate his subjective right.

The principle of subsidiarity as part of European Union law has direct effect and is subject to judicial protection [13]. Consequently, some researchers consider the principle of subsidiarity one of the general principles of European law. But this principle does not apply to the law of the European Union as a whole or, in any case, to the sphere of public relations, which is the exclusive competence of the European Union. This is expressly enshrined in Article 5 TEU, based on which the Union can exercise powers in accordance with the principle of subsidiarity if they meet the three criteria, the observance of which is the essence of the principle of subsidiarity: the criterion of not belonging to the exclusive competence of the Union, the criterion of the best achievement of the goal and the criterion the scale or consequences of the intended action [22]. And if the assessment of exclusive competence, the scope of which is exhaustively defined by Article 3 of the Treaty of Rome establishing the European Community as amended by the Treaty of Lisbon, is a strictly legal criterion, then the other two criteria are more political than legal [20, 21, 38]. This shows the dual (legal and political) significance of the principle of subsidiarity in European integration processes, traceable both before and after the adoption of the Lisbon Treaty.

The criterion for the best goal achievement involves finding a balance by comparing the benefits of the actions of the Union and the Member States. This criterion is so ambiguous that its consideration complicates the general interpretation and application of the principle of subsidiarity [17]. Evaluation of the standard for the best achievement of the goal is, first of all, a political assessment of a specific situation, which also involves taking into account economic, financial, social, cultural, geographical, and other factors in the development of a particular territory [27-32]. This does not exclude the possibility that the idea of "better achievement of the goal" may turn into a trend towards centralization.

The criterion of the scale or consequences of the TEU's proposed action does not indicate, for example, their transboundary nature, as was the case in Article 12 of the 1984 TEU Draft, which also predetermines the difficulties with its assessment. According to Professor V. Constantinesco, the term "scale" in this case should be understood as a combination of external and internal aspects of achieving a specific goal34. Naturally, the answer to the question about the scale or consequences of the proposed action will depend on the goal that the Union intends to achieve in each specific case. Therefore, the evaluation of the criterion of the scale or consequences of the proposed action is one of the constituent aspects of the evaluation of the previous criterion - the criterion of the best achievement of the goal [33-36]. The absence of clear, objective criteria for applying a legal norm transfers the issue from the legal plane to the plane of expediency and discretion of the law enforcer. As an illustration, let us turn to judicial practice.

The issue of respect for the principle of subsidiarity was first brought before the Court of Justice of the European Union in 1994 in the case United Kingdom Council [62]. The UK has filed a lawsuit to repeal the working hours directive, which, in particular, set the maximum number of hours worked per week. According to the plaintiff, the Council of the European Union, when issuing the directive, did not substantiate the need to introduce a new measure in accordance with the principle of subsidiarity; that is, it did not prove that the proposed measure could have been better implemented by the Union and not by the Member States. In this case, the Court did not support the plaintiff in the decision, approaching the issue of minimally observing the principle of subsidiarity. Instead, the Court was satisfied with the Council's assertion that the Union would better achieve the objectives of the planned measures [40-43]. At the same time, the Court did not require the defendant (the Council) to substantiate such an opinion from the quantitative and qualitative characteristics standpoint.

In "Germany v. Parliament and Council," Germany raised the question of repealing a directive adopted jointly by the European Parliament and the Council of the European Union on deposit guarantees because its preamble did not refer to the conformity of the proposed measure with the principle of subsidiarity [24]. Despite the absence of the necessary clause in the directive in an express form, the Court of Justice of the European Union considered that the conclusion that the measure complied with the principle of subsidiarity could be indirectly deduced from the text of the directive itself. At the same time, the Court again did not require any evidence from the institutions of the Union that the measures taken by the Member States were insufficient.

It can be seen from the above examples that the Court of Justice of the European Union, realizing the political background of the cases under consideration, tends to stay away from assessing the criteria of the principle of subsidiarity of a non-legal nature: at what level the action taken will better contribute to the achievement of goals [44-46].

Without a doubt, the principle of subsidiarity is not only a legal category; its analysis and application are impossible in isolation from the assessment of a complex of other factors of political, social, and economic orientation. Moreover, any legal categories, no matter how clearly and unambiguously formulated and fixed, are interpreted by law enforcers depending on the current context of circumstances, including political ones [48-53]. However, this fact does not exclude the need for more or less objective, unambiguously assessable criteria for attributing a particular measure (action) to the level of the Union or the Member State. The absence of such criteria in European Union law complicates and significantly narrows the applicability of the principle of subsidiarity.

3.2 The Concept of Sovereignty

The first group represents the absolute and unitary concept of sovereignty [2]. Proponents of this approach say that sovereignty should belong to either the member states or the EU, but it

cannot belong to both simultaneously. At the same time, two groups of "unitarians" stand out [6]. The first includes "national intergovernmentalists" who see national constitutions as the EU's supreme legislative framework and "European supra nationalists" who, on the contrary, see federal constitutions as subordinate to the European legal order.

The second group is represented by authors who share the general idea that sovereignty remains a unitary phenomenon, according to which the supreme power in decision-making should be exercised at the same level – European or international, but at the same time note the pluralistic nature of the European political and legal reality requiring more "flexible sovereignty" [11].

The second group of sovereignty concepts advocates the idea of "disaggregation" and "reaggregation" of sovereignty in Europe and aims to understand its polycentric dimension. Proponents of this approach operate with the concepts of "pooled or shared sovereignty." From Besson's point of view, the main drawback of this approach is that sovereignty, "being distributed everywhere, does not acquire special significance anywhere" [7].

Referring to Walker, he points to the insufficient attention of the adherents of disaggregation/reaggregation of the role of sovereignty as a "source of identity and self-determination" [65]. The popularity of the concept of "united or divided" sovereignty, which peaked in the 1970s and early 1990s, has passed. Most of its supporters are either returning to the unitary model or moving towards the idea of post-sovereignty [26].

Supporters of the idea of post-sovereignty represent the third group of concepts. This approach completely breaks the notion of sovereignty, treating it as a static concept [64]. From this point of view, in forming a post-national (post-sovereign) polity, such as the EU, there is no need to follow the same rules and norms governing nation-states. Besson considers the denial of sovereignty's central cognitive and normative role to the shortcomings of the provisions of post-sovereignty supporters, "it is tied either to states or to other subnational or post-national political objects" [6]. Critical analysis of theoretical approaches to the definition of sovereignty leads the author to the need to adopt an alternative model – "joint," "cooperative" sovereignty (pooled sovereignty). Within the framework of this approach, its supporters reject the assumptions of post-sovereignty supporters. They do not recognize the rigidity of the unitary process or the false promises of supporters of united sovereignty.

National and European authorities retain their sovereignty, but, being sovereign, they cannot escape a certain degree of competition, rivalry, and cooperation that characterize sovereignty within a pluralistic constitutional order. The exercise of sovereignty becomes reflexive and dynamic, implying a search for the best power distribution in each case [26]. Thus, there is not a reduction but a strengthening of the individual sovereignty of the EU member states. With its apparent eclecticism, this concept of sovereignty is designed to promote close cooperation and prevent conflicts between the authorities of different levels of the EU.

If we can talk about the sovereignty of the EU, then we should speak of a different nature of this sovereignty, separate from the typical national-state sovereignty. The next question is related to the Member States. Does participation in the integration process lead to the loss of their sovereignty? The desire to answer this question leads to "the trap of a descriptive approach to the problem of sovereignty." It is connected with the possibility of operationalization and empirical measurability of sovereignty [54-61]. The answer to the question cannot be found by "calculating" or "measuring" the number of powers transferred to member states. "Is Norway more sovereign than Sweden by giving up EU membership? Or does Denmark, which refuses to join the Eurozone, have more sovereignty than Germany? In practice, these questions are meaningless. In this regard, it is more appropriate to raise the question whether the Member States maintain their sovereign status.

The authors argue that member states continue to successfully maintain their sovereign status with other states and international organizations and still have the associated rights and powers [66, 67]. From their point of view, this is the "sustainability of sovereign statehood" – to disappear, the state needs something more than a transfer of powers. Thus, their participation in the integration process did not destroy their sovereignty but changed the nature of the discussion about it – instead of focusing on the connection between power and territory, attention shifted to the institutional and legal position of states in international relations [65].

The socio-economic and political integration process and the intersection of the interests of the national states of Western Europe led to "the formation of a new field of gravity between the poles of sovereign holders of state power and the emerging pan-European pole power and influence." The EU as a new power "pole" begins to push the old institution, i.e., the nation-state [68, 69]. Within the framework of the discussion on sovereignty in the conditions of European integration, the change of paradigms of the vision of the political sphere, the transition to a socio-centric model, when the ideas of pluralism replace the monopoly of a single supreme and sovereign power, the process of mutual pressure of various social groups that share power and influence, is most clearly manifested [2].

4 Conclusion

Within the framework of the EU, a simplified understanding of sovereignty, its identification with the absolute freedom of action of the state inside and outside, is impossible. The acceptance of restrictions on sovereign powers seems to be an inevitable condition for the entry of the nation-state into the "integration club." In the modern period of growing globalization, one cannot speak of an unlimited possibility of decision-making by the state. The growth of international interdependence forces states to adjust their behavior and consider possible actions on the part of other participants in international relations and non-state actors. Fears of sovereignty loss exist in many European Union member states. At the same time, it is also evident that in the process of integration, the member states emphasize their interests emphasize the need to preserve their own identity.

In the process of formation and evolution of the European Union, the principle of subsidiarity is used both as a legal and political category. The pronounced political and legal significance of the principle of subsidiarity can be traced to the criteria for its application provided in paragraph 3 of Article 5 of the TEU, two of which are related to a purely political assessment of a particular situation (the criterion of the best achievement of goals and the criterion of the scale or consequences of the intended action).

The criterion of "best achievement of objectives" should be determined based on "objective criteria of a legal nature." The absence of clear, objective criteria for the application of a legal norm transfers the issue from the legal plane to the plane of expediency and discretion of the law enforcer. The application of the principle of subsidiarity is largely due to the presence in the law of the European Union of objective criteria for its application.

The redistribution of power and influence between the EU and its member states, the formation of supranational institutions, and the definition of their status, especially giving them the necessary powers, testifies to the implementation of the ideas and principles underlying Western European integration, the formation of communities.

Literature:

1. Akimova, L., & Liakhovich, O. (2017). State regulation of foreign economic activity. *Scientific Bulletin of Polissia*, 4(12), P. 1, 98-103. DOI: 10.25140/2410-9576-2017-1-4(12)-98-103.

2. Albi, A. (2003). *EU* Subsidiarity *Enlargement and the Constitutions of Central and Eastern Europe*. Cambridge: Cambridge University Press.
3. Andros, S., & Butkevich, O. (2020). Innovations in management of banks deposit portfolio: structure of customer deposit. *Marketing and Management of Innovations*, 2, 206-220. DOI: 10.21272/MMI.2020.2-15.
4. Bashtannyk, A., Kveliashvili, I., Yevdokymov, V., Kotviakovskyi, Y., & Akimov, O. (2021). Legal bases and features of public administration in the budget sphere in Ukraine and foreign countries. *Ad Alta: Journal of interdisciplinary research*, 1(1), XVIII, 63-68.
5. Bashtannyk, V., Kondratska, N., & Fedyna, C. (2020). Formation of the system of financial-information support of environmentally-oriented management of the enterprise. *Financial and credit activity: problems of theory and practice*, 32(1), 434–443. DOI: 10.18371/FCAPTP.V1I32.200606.
6. Besson, S. (2005). *Book Review: Sovereignty in Transition*. In N. Walker (Eds.) Vol. 3, 147-162.
7. Besson, S. (2006). Sovereignty in Conflict. *European Integration online Papers*, 8(15).
8. Bezus, P., Gavkalova, N., Mashchenko, M., Grudtsyna,Y., Bazko, A., Moiseyeva, L. (2022) Project management as a technology for optimizing resources in terms of reforming socio-economic relations: the experience of the EU. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 67-72.
9. Bilan, S., Yurchyk, H., & Navickas, M. (2020). Impact of the shadow economy on social safety: The experience of Ukraine. *Economics and Sociology*, 13(2), 289-303. DOI:10.14254/2071-789X.2020/13-2/19.
10. Bobrovska O., Lysachok A., Kravchenko T., & Akimov O. (2021). The current state of investment security in Ukraine in the context of covid-19 and its impact on the financial and economic situation of the state. *Collection of scientific papers Financial and Credit Activity-Problems of Theory and Practice*, 1(36), 233-242. DOI: 10.18371/FCAPTP.V1I36.227770.
11. Bovens, M., & Hart, P. (2016). Revisiting the Study of Policy Failures. *Journal of European Pubic Policy*, 23(5), 653-666.
12. Chang, S., & Gupta, S. K. (2021). Scenario Analysis of the Expected Integral Economic Effect from an Innovative Project. *Marketing and Management of Innovations* 3, 237-251. DOI: 10.21272/mmi.2021.3-20.
13. Cooper, I. (2019). National Parliaments in the Democratic Politics of the EU: The Subsidiarity Early Warning Mechanism, 2009–2017. *Comparative European Politics*, 17(6), 919-939. DOI: https://doi.org/10.1057/s41295-018-0137-y.
14. Denysov, O., Litvin, N., Lotariev, A., Yegorova-Gudkova, T., & Akimov, O. (2021) Management of state financial policy in the context of the Covid-19 pandemic. *Ad Alta: Journal of interdisciplinary research*, 11(2), XX, 52-57.
15. European Parliament. (2020). *The principle of subsidiarity. The European Union's legal system and decisionmaking procedures.* Fact sheets on the European Union.
16. Filippova, V., Kovalska, N., Yevmieshkina, O., Lohachov, D., Stelmashenko, Y., & Karpa, M. (2022) Local development of alternative energy in the conditions of globalization as a factor of reducing risks and modernizing the economy of the country. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 53-59.
17. Follesdal, A. (2011). The Principle of Subsidiarity as a Constitutional Principle in International Law. *Jean Monnet Working Paper*, 12/11, 33.
18. Gavkalova, N., Zilinska, A., Lukashev, S., & Avedyan, L. (2022). Functioning of united territorial communities and identification of main problems of organizational support of local budget management. *Financial and Credit Activity Problems of Theory and Practice*, *2*(43), 107–117. DOI: 10.55643/fcaptp.2.43.2022.3708.
19. Gernat, S. (2013). *Interpreting Subsidiarity – How to develop into a constitutional principle?* Volume 4: Europeanisation of Private Law. MaRBLe Research Papers. Maastrich University, 187-237.
20. Goncharuk, N., Zayats, D., Ragimov, F., Boiko, N., & Karpa, M. (2022) Humanization of public administration in the conditions of transformation processes: European experience for Ukraine. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 60-66.
21. Guzonova, V., Jakúbek, P., Rudenko, O., Shestakovska, T., & Ovramets, V. (2022) An analytical look at the management of public universities in the Slovak Republic and Ukraine. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 33-40.
22. Haapalainen, P. (1996). *Original in Finnish. The significance of the subsidiarity principle for the development of the Finnish society.* MSc thesis. University of Tampere. Department of Regional Studies, 79.
23. Huysmans, M., & van Gruisen, P. (2022). Substance and subsidiarity: the economic dimension of conflict in the early warning system. *Journal of European Integration*, 44(3), 411-427. DOI: 10.1080/07036337.2020.1869956.
24. Jachtenfuchs, M., & Krisch, N. (2016). Subsidiarity in Global Governance. *Law and Contemporary Problems*, 1-26.
25. Karpa, M., Serohina, N., Oleshko, O., & Lipovska, N. (2021). Public administration as a systemic phenomenon in society. *Ad Alta: Journal of interdisciplinary research*, 11(1), XV, 56-62.
26. Keohane, R. (2002). Ironies of sovereignty: the European Union and the United States. *Journal of Common Market Studies*, 40(4), 743-765.
27. Kostiukevych, R., Bilan, Y., Mishchuk, H., Sułkowska, J. & Kostiukevych, A. (2020). Possibilities of Integration of Strategic and Project Management in The Supporting System of Small and Medium-Sized Businesses at Local and Regional Levels. Proceedings of the 35th International Business Information Management Association (IBIMA), ISBN: 978-0-9998551-4-0, 1-12 April 2020, Seville, Spain, p. 9253-9265.
28. Koval, Y., & Dmitrenko, V. (2020). Improvement of the methodological approach to assessing the impact of public governance on ensuring the economic security of the state. *Financial and Credit Activity-Problems of Theory and Practice*, 4(35), 180-190. DOI: 10.18371/fcaptp.v4i35.221969.
29. Kryshtanovych, M., Gavkalova, N., & Shulga, A. (2022) Modern Technologies for Ensuring Economic Security in the Context of Achieving High Efficiency of Public Administration. *International Journal of Computer Science and Network Security*. Vol. 22, No. 2, 362-368. DOI: 10.22937/IJCSNS.2022.22.2.42.
30. Lappo, V., Soichuk, R., & Akimova, L. (2022) Digital technologies of support the spiritual development of students. *Information Technologies and Learning Tools*, 2022, Vol 88, No2. 103-114. DOI: 10.33407/itlt.v88i2.3403.
31. Laptev, S., Parashchenko, L., Koval, Ya., Odarchyk, K., & Panchenko, O. (2021). The impact of the covid-19 pandemic on the loyalty of employees. *Ad Alta: Journal of interdisciplinary research*, 11(1), XVII, 38-41.
32. Levytska, S., Zaiachkivska, O., Karpa, M., & Gupta, S. (2020). Modern analytical instruments for controlling the enterprise financial performance. *Financial and Credit Activity-Problems of Theory and Practice*, 2(33), 314-323. DOI: 10.18371/FCAPTP.V2I33.206967.
33. Liubkina, O., Murovana, T., Magomedova, A., & Siskos, E., (2019). Financial instruments of stimulating innovative activities of enterprises and its improvements. *Marketing and Management of Innovations*, 4, 336-352. DOI: 10.21272/MMI.2019.4-26.
34. Lola, Yu., Prokopovych, S., Akimov, O., Smalskys, V., & Akimova, L. (2022). Innovative Development of Renewable Energy During The Crisis Period and Its Impact on the Environment. Virtual Economics, 5(1), 65-77. DOI: 10.34021/ve.2022.05.01(4).
35. Lyulyov, O., Pimonenko, T., Kwilinski, A., Us, Y., Arefieva, O., Akimov, O., & Pudryk, D. (2020). Government Policy on Macroeconomic Stability: Case for Low-and Middle-Income Economies*. Proceedings of the 36th International Business Information Management Association (IBIMA)*. ISBN: 978-0-9998551-5-7. Dated on November, 4-5, 2020. Granada, Spain, 8087-8101.
36. MacCormick, N. (1999). *Questioning Sovereignty. Law, State and Nation in the European Commonwealth.* Oxford: Oxford University Press.
37. Madsen, M.R. (2020). "Unity in Diversity" Reloaded: The European Court of Human Rights' Turn to Subsidiarity and its

Consequences. *The Law & Ethics of Human Rights*, 15(1), 93-123. DOI: https://doi.org/10.1515/lehr-2021-2020/.
38. Marchenko, A., Akimova, L., & Akimov, O. (2021) The current state of ensuring the effectiveness of coordination of anticorruption reform. *Ad Alta: Journal of interdisciplinary research*, 11(2), XX, 78-83.
39. Merriam-Webster Dictionary. (2021). *Subsidiarity*. Available at: https://www.merriamwebster.com/dictionary/subsidiarity.
40. Mihus, I., Denysenko, M., Rumyk, I., Pletenetska, S., Laptiev, M., & Kupriichuk, V. (2021) Methodology of corporate financial diagnostics in the period of a crisis. *Ad Alta: Journal of interdisciplinary research*, 11(1), XV, 52-55.
41. Mishchuk, H., Bilan, S., Yurchyk, H. & Sułkowska, J. (2020). Social Protection of Employees as A Tool of Social Responsibility and Increase of Business Efficiency Proceedings of the 35th International Business Information Management Association (IBIMA), ISBN: 978-0-9998551-4-0, 1-12 April 2020, Seville, Spain, p. 9459-9469.
42. Mordvinov, O., Kravchenko, T., Vahonova, O., Bolduiev, M., Romaniuk, N., & Akimov, O. (2021). Innovative tools for public management of the development of territorial communities. *Ad Alta: Journal of interdisciplinary research*, 11(1), XVII, 33-37.
43. Novak, A., Tkachenko, I., Terska, S., Akimova, L., & Akimov, O. (2022) Anti-corruption as a component of state policy. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 79-87.
44. Oliinyk, O., Bilan, Y., Mishchuk, H., & Vasa, L. (2021). The Impact of Migration of Highly Skilled Workers on The Country's Competitiveness and Economic Growth. *Montenegrin Journal of Economics*, 17, 3, 7-19. DOI: 10.14254/1800-5845/2021.17-3.1.
45. Osadcha, O., & Akimov, O. (2018). Improving accounting management via benchmarking technology. *Financial and Credit Activity: Problems of Theory and Practice*, 1(24), 64-70. DOI: 10.18371/FCAPTP.V1I24.128340.
46. Pavlov, C., Kupchak, V., & Karpa, M. (2019). The role of accounting in providing sustainable development and national safety of Ukraine. *Financial and credit activity: problems of theory and practice*, 30(3), 64-70. DOI: 10.18371/FCAPTP.V3I30.179501.
47. Rasyikah, Kh. (2021). *Subsidiarity for sustainability. Historical development and application in the European Union and in federal legal systems.* The Role of Law in Governing Sustainability, 1st Edition, Routledge.
48. Reinska, V. & Karpa, M. (2018). Tax preferences and their influence on the investment in Ukraine. *Financial and Credit Activity: Problems of Theory and Practice*, 3(26), 91-101. DOI: 10.18371/FCAPTP.V3I26.144117.
49. Rudenko, O. Bulba, V. Orobei, V. Polyakova, O. & Kulinich, O. (2021) Project management as a technology for optimizing resources in terms of reforming socio-economic relations. *Alta: Journal of interdisciplinary research*, 11(2), XX, 45-51.
50. Rudenko, O., Mykhailovska, O., Koziura, I., Kolosovska, I., & Kononenko, I. (2022) The latest tools of public administration in the process of solving socioenvironmental problems at the level of local government. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXVII, 181-187.
51. Rumyk, I., Laptev, S., Seheda, S., & Karpa, M. (2021) Financial support and forecasting of food production using economic description modeling methods. *Financial and Credit Activity: Problems of Theory and Practice*, 5(40), 248–262. DOI: 10.18371/fcaptp.v4i35.245098.
52. Serohina, T., Pliushch, R., Pobirchenko, N., Shulga, N., Akimova, L., & Akimov, O. (2022) Pedagogical innovations in public administration and legal aspects: the EU experience. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 7-13.
53. Shestakova, S., Bondar, N., Kravchenko, I., Kuznetcova, M., Akimova, L., & Akimov, O. (2022) Comparative characteristics of social leave: international and foreign experience. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 27-32.
54. Shpektorenko, I., Vasylevska, T., Bashtannyk, A., Piatkivskyi, R., Palamarchuk, T., & Akimov, O. (2021). Legal bases of public administration in the context of European integration of Ukraine: questions of formation of a personnel reserve. *Ad Alta: Journal of interdisciplinary research*, 11(1), XVIII, 76-81.
55. Slomski, Wojciech (2008) Communication of the organization. *Alta Contemporary Economics*. 2(3), 151-158.
56. Slomski, Wojciech. (2007) Advertisement without Ethical Principles?. *Alta Contemporary Economics*. 1(4), 89-102.
57. Smyrnova, I., Krasivskyy, O., Hrusheva, A., & Babych, A. (2021). Analysis of The Application of Information and Innovation Experience in The Training of Public Administration Specialists. *IJCSNS International Journal of Computer Science and Network Security*, 21, 3, March 2021, 120-126. DOI: 10.22937/IJCSNS.2021.21.3.16
58. Sukhova, K., Borodin, Y., Tarasenko, T., Komarova, K., Akimova, L., & Akimov, O. (2022) Organizational mechanism of state management of social services in territorial communities. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXVII, 188-192.
59. Sysoieva, I., Poznyakovska, N., Balaziuk, O., Miklukha, O., & Pohrishchuk, B. (2021). Social innovations in the educational space as a driver of economic development of modern society. *Financial and Credit Activity: Problems of Theory and Practice*, *3*(38), 538–548. DOI: 10.18371/fcaptp.v3i38.237486.
60. Vahonova, O., Tryfonova, O., Bondar, O., Petrukha, N., Kyrychenko, O., & Akimov, O. (2022) Economic justification for strategic decisions to improve the competitiveness of the enterprise. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXVII,198-202.
61. Venediktov, V., Boiko, V., Kravchenko, I., Tyshchenko, O., Akimova, L., & Akimov, O. (2021) European standards of mediation in civil disputes and their implementation in Ukraine: theory and practice. *Ad Alta: Journal of interdisciplinary research*, 11(2), XXI, 25-29.
62. Vischer, R.K. (2001). Subsidiarity as a Principle of Governance: Beyond Devolution. *Indiana Law Review*, 35(1), 103-142.
63. 63. 18. Walker, N. (2003). *Late Sovereignty in the European Union. Sovereignty in Transition*. Oxford: Hart Publishing, 3-32.
64. Wallace, W. (1999). The Sharing of Sovereignty: The European Paradox. *Political Studies*, 47(3), 503-521.
65. Werner, W.G., & de Wilde, J.H. (2001). The Endurance of Sovereignty. *European Journal of International Relations*, 7(3), 283-313.
66. Zakharov, O., & Gaman, N. (2021). Influence of corporate governance ratings on assessment of non-financial threats to economic security of joint stock companies. *Financial and Credit Activity: Problems of Theory and Practice*, *6*(41), 223–237. DOI: 10.18371/fcaptp.v6i41.251442.
67. Zapara, S., Pronina, O., Lohvinenko, M., Akimova, L., & Akimov, O. (2021) Legal regulation of the land market: European experience and Ukrainian realities. *Ad Alta: Journal of interdisciplinary research*, 11(2), XXI, 18-24.
68. Zhidebekkyzy, A., & Nakonieczny, J., (2020). The impact of European integration processes on the investment potential and institutional maturity of rural communities. *Economics and Sociology*, 13(3), 46-63. DOI:10.14254/2071-789X.2020/13-3/3.
69. Zhosan, G., & Akimova, L. (2017) The substantiation of the strategy of social responsibility of the enterprise with the aim of providing efficiency of its activities. *Marketing and Management of Innovations*, 3, 267 – 279. DOI: 10.21272/MMI.2017.3-25.

Primary Paper Section: A

Secondary Paper Section: AD, AG