

THE EUROPEAN PARLIAMENT: RELATIONS WITH THE NATIONAL PARLIAMENTS

The progress of European integration has changed the role of national parliaments. Various instruments of cooperation between the European Parliament and national parliaments have been created in order to establish effective democratic control of European legislation at all levels.

OBJECTIVES

A. Rationale for cooperation

The very process of European integration involves transferring some responsibilities that used to be exercised by the national governments to joint institutions with decision-making powers, thus diminishing the role of the national parliaments (NPs) as legislative, budgetary and controlling authorities. The transfer of responsibilities from national level to European level has largely been to the Council, and the European Parliament has not acquired all the powers that would have enabled it to play a full parliamentary role in Community affairs. There is thus a structural 'democratic deficit'.

Both the EP and the NPs have deplored this democratic deficit and endeavoured to reduce it:

- The NPs have gradually become concerned at their loss of influence and have come to see better national control over their governments' European activities and closer relations with the European Parliament as a way of restoring lost influence and ensuring together that Europe is built on democratic principles.
- On its side, the EP has generally taken the view that substantial relations with the NPs would help to strengthen its legitimacy and bring Europe closer to the citizen.

B. The evolving context of cooperation

The role of the NPs has continued to decline as European integration has progressed, with the strengthening of Community fiscal and budgetary powers in 1970 and 1975, the rise of majority voting in the Council and of the EP's legislative powers following the Single Act in 1987 and the Maastricht Treaty in 1993, the latter also creating the common foreign and security policy (CFSP) and cooperation in the spheres of justice and home affairs (CJHA), and a further increase in the EP's legislative powers in the Amsterdam Treaty of October 1997.

Until 1979 the EP and the NPs were linked organically, since MEPs were appointed from within the NPs. Direct elections to the EP broke those ties, and for some ten years relations ceased altogether. The need to restore them became apparent after 1989, when contacts were made and attempts were set in train to replace the original organic ties. The Maastricht Treaty helped by including two declarations (Nos 13 and 14) on the subject, which provide in particular for:

- respecting the NPs' involvement in the activities of the European Union (their respective governments must inform them 'in good time' of Community legislative proposals and joint conferences must be held where necessary);
- cooperation between the EP and the NPs, by stepping up contacts, holding regular meetings and granting reciprocal facilities.

The NPs have recently acquired a measure of control over their governments' Community activities, as a result of constitutional reforms, government undertakings or amendment of their own operating methods. Their committees specialising in European affairs have played a major role in this development, in cooperation with the EP.

The protocol on the role of national parliaments annexed to the Treaty of Amsterdam encourages greater involvement of national parliaments in the activities of the EU and requires consultation documents and proposals to be forwarded promptly so the NPs can examine them before the Council takes a decision. The role of national parliaments is furthermore dealt with in a declaration to the Nice Treaty (2000) and in the declaration of the European Council in Laeken (2001). It also played an important role during the debates of the Convention on the future of Europe (*1.1.4), where it was the subject of one of the 11 working groups. The Convention finally adopted a Protocol on the role of national parliaments in the European Union, which was attached to the Treaty establishing a Constitution for Europe. In May 2006, the European Commission agreed to transfer electronically all new proposals and consultation papers to the national Parliaments.

The Treaty of Lisbon would introduce a new mechanism for national Parliaments to watch over the respect of the subsidiarity principle in new legislative proposals. It would give a majority of chambers the possibility to block a new Commission proposal. However, the final decision would be up to the legislative authority (European Parliament and Council of ministers). The Treaty also contains new articles clarifying the role of national Parliaments in the European institutional set-up (Art. 10 and 12 TEU).

ACHIEVEMENTS: THE INSTRUMENTS OF COOPERATION

A. Conferences of presidents of the parliamentary assemblies of the European Union

Following meetings held in 1963 and 1973, the Conferences were introduced in 1981. Comprising the Presidents of the NPs and the EP, they were held initially every two years. They are prepared by meetings of secretary-generals and discuss precise questions of cooperation between the NPs and the EP.

Over the last years, the presidents met every year. Important recent conferences were held in Athens, on 22-24 May 2003 (on the role of the European Parliaments in an enlarged Europe) and in Lisbon, on 20-21 June 2008 (on the EU beyond the Treaty of Lisbon).

Since 1995 the EP had maintained close relations with the parliaments of the associate and accession countries. The presidents of the European Parliament and these parliaments have repeatedly met to discuss accession strategies and other topical questions.

B. The ECPRD

The grand conference in Vienna in 1977 set up the European Centre for Parliamentary Research and Documentation (ECPRD), a network of documentation and research services that cooperate closely to facilitate access to information (including national and Community data bases) and coordinating research so as to avoid duplication. It centralises and circulates research and has created a web site to improve exchanges of information. Its directory facilitates contact between the member parliaments' research departments. The Centre is jointly administered by the EP and the Parliamentary Assembly of the Council of Europe.

C. Conference of parliaments of the Community

This idea took practical shape in Rome in 1990 under the name of 'European assizes'. Its theme was 'the future of the Community; the implications, for the Community and the Member States,

of the proposals concerning Economic and Monetary Union and Political Union and, more particularly, the role of the national parliaments and of the European Parliament' and there were 258 participants, 173 from the NPs and 85 from the EP. There has not been another one since.

D. Conference of the Community and European Affairs Committees of the Parliaments of the European Union - COSAC

Proposed by the President of the French National Assembly, the conference has met every six months since 1989, bringing together the NPs' bodies specialising in European Community Affairs and six MEPs, headed by the two vice-presidents responsible for relations with national parliaments. Convened by the parliament of the country holding the presidency of the Community and prepared jointly by the EP and the parliaments of the presidency 'troika', each conference discusses the major topics of European integration.

COSAC is not a decision-making but a consultation and coordination body that adopts its decisions by consensus. The Protocol to the Treaty of Amsterdam on the role of the national parliaments in the European Union particularly states that COSAC may make any contribution it deems appropriate for the attention of the institutions of the European Union. However, contributions made by COSAC in no way bind national parliaments or prejudice their position.

E. Cooperation

Most of the EP's standing **committees** consult their national counterparts through bi- or multilateral meetings and visits by chairmen and rapporteurs.

Contacts between the EP's **political groups** and the NPs' equivalents have developed to differing degrees, depending on the country or political party involved.

Administrative cooperation is developing in the form of traineeships in the European Parliament and exchanges of officials. Reciprocal information on parliamentary work, especially in legislation, is of increasing importance.

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07/2008