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Relations between the European Parliament and national parliaments under the Treaty of Lisbon

P6_TA(2009)0388

European Parliament resolution of 7 May 2009 on the development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon (2008/2120(INI))

(2010/C 212 E/13)

The European Parliament,

- having regard to the Protocol on the role of national parliaments in the European Union annexed to the Treaty of Amsterdam,
- having regard to the Protocol on the application of the principles of subsidiarity and proportionality annexed to the Treaty of Amsterdam,
- having regard to the Treaty of Lisbon, in particular, Article 12 of the Treaty on European Union,
- having regard to the Protocol on the role of national parliaments in the European Union annexed to the Treaty of Lisbon, in particular Article 9 thereof,
- having regard to the Protocol on the application of the principles of subsidiarity and proportionality annexed to the Treaty of Lisbon,
- having regard to its resolution of 7 February 2002 on relations between the European Parliament and the national parliaments in European integration ⁽¹⁾,
- having regard to the Guidelines for relations between governments and Parliaments on Community issues (instructive minimum standards) of 27 January 2003 (the ‘Copenhagen Parliamentary Guidelines’ ⁽²⁾, adopted at the XXVIII Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC),
- having regard to the Guidelines for Interparliamentary Cooperation in the European Union of 21 June 2008 ⁽³⁾,
- having regard to the Conclusions of the XL COSAC meeting held in Paris on 4 November 2008, in particular point 1 thereof,
- having regard to the report of November 2008 by the Irish Parliament’s Subcommittee on Ireland’s Future in the European Union, in particular paragraphs 29-37 of the executive summary, in which a broad reinforcement of parliamentary scrutiny of the national governments as members of the Council is called for,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Foreign Affairs and the Committee on Development (A6-0133/2009),

⁽¹⁾ Adopted pursuant to report A5-0023/2002 of the Committee on Constitutional Affairs (the Napolitano report) (OJ C 284 E, 21.11.2002, p. 322).

⁽²⁾ OJ C 154, 2.7.2003, p. 1.

⁽³⁾ Revised version agreed upon by the Conference of Speakers of the European Union Parliaments at its meeting in Lisbon on 20 and 21 June 2008.

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- A. whereas the latest resolution adopted by the European Parliament on the issue of relations with the national parliaments dates from 2002 and it is therefore time for a reassessment,
- B. whereas citizens are directly represented at Union level in the European Parliament and the Member States are represented in the Council by their respective governments, which themselves are democratically accountable to their national parliaments (see Article 10(2) of the EU Treaty in the Lisbon Treaty version); consequently the necessary parliamentarisation of the European Union must rely on two fundamental approaches involving the broadening of the European Parliament's powers vis-à-vis all the Union's decisions and the strengthening of the powers of the national parliaments vis-à-vis their respective governments,
- C. whereas the cooperation in the European Convention between the representatives of the national parliaments and the representatives of the European Parliament, and also between the latter and the representatives of the parliaments of the accession countries was excellent,
- D. whereas the practice of holding Joint Parliamentary Meetings on specific topics during the period of reflection has proved to be a good one, and therefore use could be made of this practice if a new convention were to be convened or on similar occasions,
- E. whereas relations between the European Parliament and the national parliaments have improved and diversified in recent years and an increasing number of activities are taking place at the level of parliaments as a whole as well as at the level of parliamentary committees,
- F. whereas the future development of relations should take into consideration the merits and demerits of the various existing practices,
- G. whereas the new competences accorded to national parliaments under the Treaty of Lisbon, notably with regard to the principle of subsidiarity, encourage them to get actively involved at an early stage in the process of policy formulation at EU level,
- H. whereas all forms of interparliamentary cooperation should accord with two underlying principles: increased efficiency and parliamentary democratisation,
- I. whereas the primary task and function of the European Parliament and the national parliaments is to take part in legislative decision-making and to scrutinise political choices at, respectively, the national and the European level; whereas this does not render close cooperation for the common good superfluous, especially as regards the transposition of the EU law into national law,
- J. whereas it is appropriate to develop political guidelines on the basis of which the representatives and bodies of the European Parliament can determine future action with regard to its relations with national parliaments and implementation of the provisions of the Treaty of Lisbon relating to national parliaments,

The contribution made by the Treaty of Lisbon to the development of relations

1. Welcomes the obligations and rights of the national parliaments under the Treaty of Lisbon – which is a ‘Treaty of the parliaments’ – which enhance their role in the political processes of the European Union; considers that these rights can be divided into three categories:

Information about:

- the evaluation of policies conducted in the area of freedom, security and justice;
- proceedings of the Standing Committee on Internal Security;

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- proposals to amend the Treaties;
- applications to become a member of the Union;
- simplified Treaty revisions (six months in advance);
- proposals for Treaty-supplementing measures;

Active participation in:

- the proper functioning of the Union ('umbrella' provision);
- control of Europol and Eurojust together with the European Parliament;
- conventions dealing with Treaty changes;

Objections to:

- legislation not complying with the principle of subsidiarity, through the 'yellow card' and 'orange card' procedures;
- Treaty changes in the simplified procedure;
- measures of judicial cooperation in civil-law matters (family law);
- an infringement of the principle of subsidiarity, by bringing an action before the Court of Justice (if permitted by national law);

Current relations

2. Notes with satisfaction that its relations with the national parliaments and their members have developed fairly positively in recent years, but not yet to a sufficient extent, notably through the following forms of joint activities:

- joint parliamentary meetings on horizontal topics going beyond the remit of one committee;
- regular Joint Committee Meetings at least twice per semester;
- ad hoc interparliamentary meetings at committee level on the initiative of the European Parliament or of the parliament of the Member State holding the presidency of the Council;
- interparliamentary meetings at the level of committee chairs;
- cooperation at the level of parliament chairs within the Conference of Speakers of the European Union Parliaments;
- visits by members of national parliaments to the European Parliament in order to take part in meetings of corresponding specialised committees;

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- meetings within the political groups or parties at European level bringing together politicians from all Member States with Members of the European Parliament;

Future relations

3. Is of the opinion that new forms of pre- and post-legislative dialogue between the European Parliament and national parliaments should be developed;
4. Urges national parliaments to strengthen their efforts to hold national governments to account for their management of the spending of EU funds; invites national parliaments to scrutinise the quality of national impact assessments and the manner in which national governments transpose EU law into domestic law and implement EU policies and funding programmes at the level of the state, regions and local authorities; requests national parliaments to monitor rigorously the reporting of the national action plans of the Lisbon agenda;
5. Deems it appropriate to offer national parliaments support in their scrutiny of draft legislation prior to its consideration by the Union legislature, as well as in the effective scrutiny of their governments when they are acting in the Council;
6. States that regular bilateral Joint Committee Meetings of corresponding specialised committees and ad hoc interparliamentary meetings at committee level, held at the invitation of the European Parliament, allow for dialogue to take place at an early stage on current or envisaged pieces of legislation or political initiatives and should therefore be maintained and developed systematically into a permanent network of corresponding committees; believes that such meetings can be preceded or followed by ad hoc bilateral committee meetings to deal with specific national concerns; believes that the conference of committee chairs could be given the role of establishing and coordinating a programme for the activities of the specialised committees with the national parliaments;
7. Observes that meetings of the chairs of specialised committees of the European Parliament and of the national parliaments, such as the meetings of the chairs of the Committee on Foreign Affairs, of the Committee on Constitutional Affairs and of the Committee on Civil Liberties, Justice and Home Affairs, are, because of the limited number of participants, also a tool for sharing information and exchanging views;
8. Is of the opinion that forms of cooperation other than those mentioned above could make an effective contribution to the creation of a European political space and should be developed further and diversified;
9. Would welcome in this context innovations at the level of national parliaments, such as giving Members of the European Parliament the right to be invited once a year to speak in plenary sittings of national parliaments, to participate in meetings of European affairs committees on a consultative basis, to take part in meetings of specialised committees whenever they discuss relevant pieces of European Union legislation, or to take part in meetings of the respective political groups on a consultative basis;
10. Recommends granting an adequate budget to organise meetings of specialised committees with corresponding committees of the national parliaments and of European Parliament rapporteurs with their counterparts in the national parliaments, and recommends examining the possibility of establishing the technical facilities for holding videoconferences between the rapporteurs in the specialised committees of the national parliaments and the European Parliament;
11. Believes that increased powers of the national parliaments with regard to compliance with the principle of subsidiarity, as provided for in the Treaty of Lisbon, will allow European legislation to be influenced and scrutinised at an early stage and will contribute to better law-making as well as to improved coherence of legislation at EU level;

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12. States that national parliaments are for the first time being given a defined role in EU matters which is distinct from that of their national governments, contributes to stronger democratic control and brings the Union closer to the citizen;

13. Recalls that control over the national governments by the national parliaments must be exercised, first and foremost, in accordance with the relevant constitutional rules and laws;

14. Highlights the fact that the national parliaments are important players when it comes to the implementation of EU law and that a mechanism for the exchange of best practices in this field would be of great importance;

15. Observes in this context that the creation of an electronic platform for the exchange of information between parliaments, the IPEX website ⁽¹⁾, represents a great step forward inasmuch as it allows the monitoring of EU documents at the level of the national parliaments and at the level of the European Parliament, and where required, their transposition into national law by the national parliaments, to take place in real time; therefore considers appropriate financial support for this system, developed and managed by the European Parliament, to be essential;

16. Envisages more systematic monitoring of the pre-legislative dialogue between the national parliaments and the Commission (the so-called 'Barroso initiative') in order to be informed about the national parliaments' position at an early stage of the legislative process; calls on the national parliaments to make the opinions they issue in this context available to the European Parliament at the same time;

17. Welcomes the progress made in recent years in developing cooperation between the European Parliament and the national parliaments in the field of foreign affairs, security and defence;

18. Recognises that national parliaments have an important role to play in informing national debate about the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP);

19. Notes again with concern that there is too little accountability to parliaments for the financial arrangements with regard to the CFSP and ESDP and that cooperation between the European Parliament and the national parliaments must therefore be improved in order to ensure democratic control over all aspects of these policies ⁽²⁾;

20. Calls, in the interests of coherence and efficiency and to avoid duplication of effort, for the Parliamentary Assembly of the Western European Union (WEU) to be dissolved as soon as the WEU has been absorbed fully and finally into the European Union with the entry into force of the Lisbon Treaty;

The role of COSAC

21. Is of the opinion that the political role of COSAC in the future will have to be defined by close cooperation between the European Parliament and the national parliaments, and that COSAC, in conformity with the Protocol on the role of national parliaments in the European Union annexed to the Treaty of Amsterdam, should remain primarily a forum for the exchange of information and debate on general political issues and best practices with regard to the scrutiny of national governments ⁽³⁾; considers that information and debate should be focused, secondly, on legislative activities pertaining to the area of freedom, security and justice and on respect of the principle of subsidiarity at European Union level;

⁽¹⁾ IPEX: Interparliamentary EU Information Exchange, officially launched in July 2006.

⁽²⁾ Interinstitutional Agreement between the European Parliament, the Council and the Commission of 17 May 2006 on budgetary discipline and sound financial management (OJ C 139, 14.6.2006, p. 1) and Article 28(3) of the Treaty on European Union.

⁽³⁾ See the guidelines for relations between governments and Parliaments on Community issues (instructive minimum standards) referred to above.

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22. Is determined to play its role to the full, to discharge its responsibilities with regard to the functioning of COSAC and to continue to provide technical support to the secretariat of COSAC and the representatives of the national parliaments;

23. Recalls that the activities of the European Parliament and of the national parliaments within COSAC must be complementary and must not be fragmented or abused from outside;

24. Believes that its specialised committees should be more strongly involved in the preparation of, and representation at, COSAC meetings; considers that its delegation should be led by the chair of its Committee on Constitutional Affairs and should comprise the chairs and rapporteurs of the specialised committees dealing with the items which are on the agenda of the COSAC meeting in question; considers it essential for the Conference of Presidents and Members, after each meeting, to be informed about the progress and results of COSAC meetings;

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25. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

Implementation of the citizens' initiative

P6_TA(2009)0389

European Parliament resolution of 7 May 2009 requesting the Commission to submit a proposal for a regulation of the European Parliament and of the Council on the implementation of the citizens' initiative (2008/2169(INI))

(2010/C 212 E/14)

The European Parliament,

- having regard to Article 192, second paragraph, of the EC Treaty,
- having regard to the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon on 13 December 2007,
- having regard to the Treaty establishing a Constitution for Europe ⁽¹⁾,
- having regard to its resolution of 20 February 2008 on the Treaty of Lisbon ⁽²⁾,
- having regard to its resolution of 19 January 2006 on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union ⁽³⁾,
- having regard to Rules 39 and 45 of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs and the opinion of the Committee on Petitions (A6-0043/2009),

⁽¹⁾ OJ C 310, 16.12.2004, p. 1.

⁽²⁾ Texts adopted, P6_TA(2008)0055.

⁽³⁾ OJ C 287 E, 24.11.2006, p. 306.