

EUROPEAN PARLIAMENT

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Committee on Constitutional Affairs

2008/2120(INI)

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AMENDMENTS

1 - 29

Draft report
Elmar Brok
(PE415.140v02-00)

The development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon
(2008/2120(INI))

AM_Com_NonLegReport

Amendment 1
Sylvia-Yvonne Kaufmann

Motion for a resolution
Citation 2 a (new)

Motion for a resolution

Amendment

– *having regard to the Treaty of Lisbon, in particular, Article 1 (12),*

Or. de

Amendment 2
Sylvia-Yvonne Kaufmann

Motion for a resolution
Citation 3

Motion for a resolution

Amendment

– 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 *attached to the Treaty of Lisbon* on the role of national parliaments in the European Union, in particular Article 9 thereof,

Or. de

Amendment 3
Sylvia-Yvonne Kaufmann

Motion for a resolution
Citation 4

Motion for a resolution

Amendment

– having regard to the Protocol on the application of the principles of subsidiarity and proportionality *annexed to the Treaty of Lisbon*,

– having regard to the Protocol *attached to the Treaty of Lisbon* on the application of the principles of subsidiarity and proportionality,

Or. de

Amendment 4
Sylvia-Yvonne Kaufmann

Motion for a resolution
Recital B

Motion for a resolution

B. whereas ***the peoples of the Union*** are represented ***to the full by*** the European Parliament and the national parliaments, ***each in its own realm***; 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,

Amendment

B. whereas ***citizens*** are ***directly*** represented ***at EU 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 12 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,

Or. de

Amendment 5
Johannes Voggenhuber

Motion for a resolution
Recital B

Motion for a resolution

B. whereas the peoples of the Union are represented to the full by the European Parliament and the national parliaments, each in its own realm; 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

Amendment

B. whereas the peoples of the Union are represented to the full by the European Parliament and the national parliaments, each in its own realm; 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,

and *greater exercise of national parliaments' powers of scrutiny and codecision* vis-à-vis their respective governments,

Or. de

Amendment 6
Jo Leinen

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the practice of holding Joint Parliamentary Meetings on specific topics during the reflection period has proved to be a good one, so that use *could* be made of this instrument *if a new convention were to be convened or on similar occasions*,

Amendment

D. whereas the practice of holding Joint Parliamentary Meetings on specific topics during the reflection period has proved to be a good one, so that use *should, where appropriate*, be made of this instrument *also in the future*,

Or. en

Amendment 7
Adrian Severin

Motion for a resolution
Recital G

Motion for a resolution

G. whereas the new *rights* accorded to national parliaments under the Treaty of Lisbon, notably with regard to the principle of subsidiarity, encourage them to get involved at an early stage in the process of policy formulation at the level of the Union,

Amendment

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 involved at an early stage in the process of policy formulation at the level of the Union,

Or. en

Amendment 8
Andrew Duff

Motion for a resolution
Recital G

Motion for a resolution

G. whereas the new **rights** accorded to national parliaments under the Treaty of Lisbon, notably with regard to the principle of subsidiarity, encourage them to get involved at an early stage in the process of policy formulation at the level of the Union,

Amendment

G. whereas the new **powers** accorded to national parliaments under the Treaty of Lisbon, notably with regard to the principle of subsidiarity, encourage them to get involved at an early stage in the process of policy formulation at the level of the Union,

Or. en

Amendment 9
Costas Botopoulos

Motion for a resolution
Recital G

Motion for a resolution

G. whereas the new rights accorded to national parliaments under the Treaty of Lisbon, notably with regard to the principle of subsidiarity, encourage them to get involved at an early stage in the process of policy formulation at the level of the Union,

Amendment

G. whereas the new rights 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 the level of the Union,

Or. el

Amendment 10
Costas Botopoulos

Motion for a resolution
Recital I

Motion for a resolution

I. whereas the primary task and function of

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Amendment

I. whereas the primary task and function of

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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 law of the Union into national law,

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 **renders** close cooperation for the **European public interest indispensable**, especially as regards the **correct** transposition of the law of the Union into national law,

Or. el

Amendment 11 **Sylvia-Yvonne Kaufmann**

Motion for a resolution **Paragraph 1**

Motion for a resolution

1. Welcomes the **new** 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:

Rights to be informed about:

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

Rights to actively participate in:

- the proper functioning of the Union (“umbrella” provision);

Amendment

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;
- 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;

Rights to object 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);

- 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);

Or. de

Amendment 12
Costas Botopoulos

Motion for a resolution
Paragraph 2 – introductory part

Motion for a resolution

2. Notes with satisfaction that its relations with the national parliaments have developed positively in recent years, notably through the following forms of joint activities:

Amendment

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

Or. el

Amendment 13
Jo Leinen

Motion for a resolution
Paragraph 2 – introductory part

Motion for a resolution

2. Notes with satisfaction that its relations with the national parliaments have developed positively in recent years, notably through the following forms of joint activities:

Amendment

2. Notes with satisfaction that its relations with the national parliaments ***and their members*** have developed positively in recent years, notably through the following forms of joint activities:

Or. de

Amendment 14
Jo Leinen

Motion for a resolution
Paragraph 2 – Indent -1 (new)

Motion for a resolution

Amendment

– joint parliamentary meetings on inter-committee, horizontal topics;

Or. de

Amendment 15
Adrian Severin

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Is of the opinion that new forms of pre- and post-legislative dialogue between the European Parliament and national parliaments should be developed;

Amendment

3. Is of the opinion that new forms of pre- and post-legislative dialogue between the European Parliament and national parliaments should be developed, ***with a view to reaching a significant degree of legislative coherence and cohesion at European Union level;***

Or. en

Amendment 16
Andrew Duff

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. 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;

Or. en

Amendment 17
Andrzej Wielowieyski

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Deems it necessary to support national parliaments in their scrutiny of draft legislation prior to its consideration by the Union legislature;

4. Deems it necessary to support national parliaments 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;***

Or. en

Amendment 18
Jo Leinen

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Deems it *necessary* to *support* national parliaments in their scrutiny of draft legislation prior to its consideration by the Union legislature;

Amendment

4. Deems it *appropriate* to *offer* national parliaments *support* in their scrutiny of draft legislation prior to its consideration by the Union legislature;

Or. de

Amendment 19
Costas Botopoulos

Motion for a resolution
Paragraph 6

Motion for a resolution

6. 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 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;

Amendment

6. 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;

Or. el

Amendment 20
Costas Botopoulos

Motion for a resolution
Paragraph 8

Motion for a resolution

8. 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;

Amendment

8. Would welcome in this context innovations at the level of national parliaments, such as giving **the Chairs of the specialised committees** of the European Parliament the right to be invited once a year to speak **before the equivalent committees of the national parliaments and giving Members of the European Parliament the right to be invited 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;

Or. el

Amendment 21

Jo Leinen

Motion for a resolution

Paragraph 8

Motion for a resolution

8. 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;

Amendment

8. Would welcome in this context innovations at the level of national parliaments, such as **national parliaments allowing** Members of the European Parliament **to speak at their** sittings, 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 political groups **could invite Members of the European Parliament to take part in their meetings** on a consultative basis;

Or. de

Amendment 22
Jo Leinen

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Recommends *examination of the possibility of* granting *its specialised committees a* budget to organise meetings with corresponding committees of the national parliaments and of establishing the technical facilities for holding videoconferences between the rapporteurs in the specialised committees of the national parliaments and the European Parliament;

Amendment

9. Recommends granting *an adequate* budget to organise meetings *of specialised committees* with corresponding committees of the national parliaments and of *European Parliament rapporteurs and shadow 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;

Or. de

Amendment 23
Adrian Severin

Motion for a resolution
Paragraph 10

Motion for a resolution

10. 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 at European Union level;

Amendment

10. 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 approximation of legislation* at European Union level;

Or. en

Amendment 24
Costas Botopoulos

Motion for a resolution
Paragraph 11

Motion for a resolution

11. States that national parliaments are for the first time being given a **defined** role in European Union matters which is distinct from that of their national governments and **which** brings the Union closer to the citizen;

Amendment

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

Or. el

Amendment 25
Sylvia-Yvonne Kaufmann

Motion for a resolution
Paragraph 12

Motion for a resolution

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

Amendment

12. Recalls that control over the national governments by the national parliaments must be exercised, first and foremost, in accordance with the relevant constitutional rules; **notes, however, that the effective fulfilment of this task as a specific element of the principle of representative democracy is now regarded as a legal precondition for the work of the Union;**

Or. de

Amendment 26
Jo Leinen

Motion for a resolution
Paragraph 12

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Motion for a resolution

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

Amendment

12. 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*;

Or. en

Amendment 27
Adrian Severin

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

13a. Recommends that, following a proposal by the Committee on Constitutional Affairs, the Conference of Presidents initiate or accept forms and mechanisms for enhanced/advanced cooperation between the European Parliament and one national parliament or more, while observing the principle of reciprocity;

Or. en

Amendment 28
Adrian Severin

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

17a. In cases where national parliaments have more effective instruments for political guidance and control over the executive institutions having decision-making powers as well as competence in

the fields of interests for EU cohesion and coherence, the European Parliament will establish adequate means of cooperation, thus enabling the coordination of its approach with that of national parliaments;

Or. en

Amendment 29
Jo Leinen

Motion for a resolution
Paragraph 22

Motion for a resolution

22. 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, regularly, and Members, **once a year**, to be informed about the progress and results of COSAC meetings;

Amendment

22. 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, regularly, and Members, **after each meeting**, to be informed about the progress and results of COSAC meetings;

Or. de