

Relations between the European Parliament and the national parliaments

European Parliament resolution of 16 April 2014 on relations between the European Parliament and the national parliaments (2013/2185(INI))

The European Parliament,

- having regard to the Treaty on European Union (TEU), in particular the preamble thereto and Articles 4(3) (sincere cooperation between the Union and Member States), 5 (conferral of competences and subsidiarity), 10(1) (representative democracy), 10(2) (representation of EU citizens) and 12 (role of national parliaments) thereof,
- having regard to Protocol No 1 on the role of national parliaments in the European Union, in particular the preamble thereto and Title II, on interparliamentary cooperation, thereof, and to Protocol No 2 on the application of the principles of subsidiary and proportionality, annexed to the Treaty of Lisbon,
- having regard to its resolutions of 12 June 1997 on relations between the European Parliament and the national parliaments¹, of 7 February 2002 on relations between the European Parliament and the national parliaments in European integration², and of 7 May 2009 on the development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon³,
- having regard to its resolution of 4 February 2014 on ‘EU Regulatory Fitness and Subsidiarity and Proportionality – 19th report on Better Lawmaking covering the year 2011’⁴,
- having regard to the final recommendations of 20 December 2011 of the steering group on relations with national parliaments under the Lisbon Treaty,
- having regard to the Commission’s annual reports on relations between the European Commission and national parliaments, in particular the report for 2012 (COM(2013)0565),
- having regard to the conclusions adopted by the Conference of Speakers of EU Parliaments (the EU Speakers’ Conference) at its meetings since the entry into force of the Lisbon Treaty⁵, in particular those held in Warsaw in 2012 and in Nicosia in 2013,
- having regard to the contributions to, and conclusions of, the meetings of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC) since the entry into force of the Lisbon Treaty, in particular the L COSAC meeting in Vilnius in 2013, and to COSAC’s biannual reports⁶,

¹ OJ C 200, 30.6.1997, p. 153.

² OJ C 284 E, 21.11.2002, p. 322.

³ OJ C 212 E, 5.8.2010, p. 94.

⁴ Texts adopted, P7_TA(2014)0061.

⁵ <http://www.ipex.eu/IPEXL-WEB/euspeakers/getspeakers.do>

⁶ <http://www.cosac.eu/>

- having regard to COSAC’s 20th biannual report, in particular the sections on democratic legitimacy in the EU and the role of parliaments and on political dialogue and the European elections in 2014,
 - having regard to the contribution from the national parliaments to the meeting of COSAC chairpersons held at the Greek Parliament in Athens on 26 and 27 January 2014,
 - having regard to the guidelines on interparliamentary cooperation adopted by the EU Speakers’ Conference at its meeting of 21 July 2008 in Lisbon,
 - having regard to the conclusions of the Interparliamentary Conferences for the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP) of 9 and 10 September 2012 in Paphos (Cyprus), of 24 to 26 March 2013 in Dublin (Ireland) and of 4 to 6 September 2013 in Vilnius (Lithuania), and to the contribution of the Interparliamentary Conference on Economic and Financial Governance of the EU held under Article 13 of the Treaty on Stability, Coordination and Governance (TSCG) on 16 and 17 October 2013 in Vilnius (Lithuania),
 - having regard to its resolutions of 12 December 2013 on constitutional problems of a multitier governance in the European Union¹ and on relations between the European Parliament and the institutions representing the national governments²,
 - having regard to the report entitled ‘Towards a genuine economic and monetary union’, presented on 5 December 2012 by Presidents Van Rompuy, Juncker, Barroso and Draghi,
 - having regard to the conclusions of the European Council meetings of 13 and 14 December 2012, of 24 and 25 October 2013 and of 19 and 20 December 2013,
 - having regard to Rule 130 of its Rules of Procedure,
 - having regard to its resolution of 13 March 2014 on the implementation of the Treaty of Lisbon with respect to the European Parliament³,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs (A7-0255/2014),
- A. whereas, in accordance with the TEU, the European Union’s current institutional set-up must be viewed as a stage in the process of creating an ever closer union, which was begun when the European Communities were established;
- B. whereas under the principle of sincere cooperation the Union and its Member States assist each other, in full mutual respect, in carrying out tasks flowing from the Treaties, and whereas the Member States facilitate the achievement of the Union's tasks and refrain from any measures that could jeopardise the attainment of the Union's objectives;

¹ Texts adopted, P7_TA(2013)0598.

² Texts adopted, P7_TA(2013)0599.

³ Texts adopted, P7_TA(2014)0249.

- C. whereas Article 12 of the TEU, covering the activities of the national parliaments, fleshes out the principle of sincere cooperation by stating that the national parliaments contribute actively to the good functioning of the Union;
- D. whereas the principle of conferral defines the competences of the Union, which are exercised in accordance with the principles of subsidiarity and proportionality, and whereas all the EU institutions, together with the national parliaments, seek to ensure that legislative acts comply with the subsidiarity principle;
- E. whereas democratic legitimacy and accountability must be ensured at all levels at which decisions are taken and implemented, and also in the mutual interactions between those levels;
- F. whereas the Union operates on the basis of representative democracy and a twofold democratic legitimacy stemming from the European Parliament, directly elected by the citizens, and the Member States, as represented in the Council by their governments, which are in turn democratically accountable to their national parliaments and citizens;
- G. whereas the European Parliament and the national parliaments are, in their respective spheres, the pillars of the Union's twofold democratic legitimacy, the former as the institution in which EU citizens are directly represented and the latter as the national institutions to which the governments represented in the Council are directly accountable;
- H. whereas, accordingly, the national parliaments do not form a 'third chamber' of the EU's legislature, but instead serve to hold to account the Union's second chamber, the Council;
- I. whereas it is therefore appropriate to accept this constructive approach from the national parliaments, which is expressed in the communication of such contributions;
- J. whereas the national parliaments should develop strong and coherent EU-related structures with the aim of enhancing links with the European institutions and gaining further expertise on issues pertaining to European affairs;
- K. whereas, at the current stage of integration, the national parliaments have their own special role to play in bolstering 'European awareness' in the Member States and bringing citizens closer to the EU;
- L. whereas interparliamentary cooperation can play an essential role in driving the European integration process forward by allowing exchanges of information, joint examination of issues, mutually beneficial dialogue and smoother transposition of EU legislation into national law;
- M. whereas following the establishment of the Interparliamentary Conference for the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP) and of the Interparliamentary Conference on Economic Governance, as well as the consolidation of the role of interparliamentary committee meetings as the preferred channel for cooperation, COSAC should remain the forum for a regular exchange of views, information and best practice regarding the practical aspects of parliamentary scrutiny;
- N. whereas the European Parliament should be more closely involved in the 'political dialogue' – in particular the enhanced version engaged in as part of the European semester

for economic policy coordination – that the Commission has established with the national parliaments, above all in view of the interdependence between the decisions of the European Parliament and those of the national parliaments;

- O. whereas the changes made to its Rules of Procedure have taken into account the Lisbon Treaty provisions on the role of the national parliaments in the EU;
- P. whereas the role played by the EU Speakers' Conference in interparliamentary cooperation at the current stage should be noted;

I. National parliaments and the Union's democratic legitimacy

- 1. Welcomes the Treaty provisions giving the national parliaments a range of rights and duties allowing them to contribute actively to the good functioning of the Union; sees these rights and duties as covering:
 - (a) active involvement in EU affairs (Treaty ratification powers, participation in Conventions under Article 48 of the TEU, scrutiny of national governments, scrutiny of subsidiarity, ability to oppose legislation under exceptional circumstances, transposition of EU legislation into national law);
 - (b) political dialogue (interparliamentary cooperation and mutual exchange of information with the European institutions, in particular the European Parliament);
- 2. Points out that the twofold democratic legitimacy of the Union, as a union of citizens and of Member States, is embodied, in the EU legislative process, by the European Parliament and the Council; believes that, if the Member States are to be represented in a unitary, fully democratic manner in the EU, the stances taken by national governments in the Council should take due account of the views of their national parliaments, thereby reinforcing the democratic nature of the Council;
- 3. Stresses that proper legitimacy and accountability must be ensured at national and EU level by the national parliaments and the European Parliament respectively; recalls the principle, set out in the conclusions of the December 2012 European Council meeting, that 'throughout the process, the general objective remains to ensure democratic legitimacy and accountability at the level at which decisions are taken and implemented';
- 4. Commends the national parliaments for taking steps to:
 - (a) improve their guidance and scrutiny procedures with a view to achieving greater consistency;
 - (b) provide ministers and national governments with prior guidance on their work within the Council and the European Council, in accordance with their national constitutional framework;
 - (c) scrutinise the stances taken by ministers and national governments within the Council and the European Council, in accordance with their national constitutional framework;
 - (d) play an effective role in providing guidance on and scrutinising the implementation of directives and regulations;

- (e) encourage the Council to improve the transparency of its deliberations on legislative acts, in particular during the preparatory stage of the legislative process, in order to reduce the information asymmetry between the European Parliament and the Council;
 - (f) appraise the relations between the committees of the European Parliament and those of the national parliaments;
5. Recognises the role played by the committees of the European Parliament and those of the national parliaments throughout the EU legislative process;
 6. Deplores, therefore, the lack of transparency of such deliberations and the lack of balance in the flow of information between the European Parliament and the Council; calls on the Council to apply the same standards of transparency as Parliament, in particular during the drafting of legislative acts;
 7. Believes that the lack of transparency of Council deliberations, in particular regarding legislative acts, makes it difficult for governments to be genuinely accountable to their national parliaments;
 8. Notes that the thresholds provided for in Article 7(3) of Protocol No 2 have been reached twice to date in the subsidiarity scrutiny process; recalls that the purpose of the early warning mechanism is not to block the European decision-making process, but to improve the quality of EU legislation by ensuring, in particular, that the EU operates within its competences;
 9. Takes the view, therefore, that the monitoring of compliance with the subsidiarity principle by the national parliaments and the European institutions should be seen not as an undue restriction, but as a mechanism for guaranteeing the competences of the national parliaments. in that it helps to mould the form and substance of beneficial EU legislative activity;
 10. Believes that the early warning mechanism should be viewed and used as one of the tools for ensuring effective cooperation between European and national institutions;
 11. Welcomes the fact that in practice this mechanism is also being used as a channel for consultation and cooperative dialogue between the various institutions within the EU's multilevel system;
 12. Believes that reasoned opinions delivered by the national parliaments should be viewed by the institutions not least as an opportunity to gain a clearer picture of how best to achieve the objectives set for legislative acts, and calls on the Commission to reply promptly and fully to reasoned opinions and contributions sent in by the national parliaments;

II. Interparliamentary relations and the European integration process

13. Reiterates that EU interparliamentary cooperation does not take the place of the normal parliamentary scrutiny exercised by the European Parliament in accordance with the competences conferred on it by the Treaties and by the national parliaments over their governments' EU-related activities; believes that its aim is to:

- (a) foster the exchange of information and best practice between the national parliaments and the European Parliament, with a view to enabling all of them to exercise more effective scrutiny and contribute more fully, without undermining their respective competences;
 - (b) ensure that parliaments are able to exercise their powers in respect of EU matters to the full;
 - (c) foster the emergence of a genuinely European parliamentary and political culture;
14. Views interparliamentary meetings as places where EU and national policies come together and feed off each other, to the benefit of both; believes that a key function of such meetings is to allow the national parliaments to take account of the European perspective in national debates, and the European Parliament to take account of the national perspective in European debates;
 15. Draws attention to the fact that the novel European interparliamentary system is still taking shape and needs to reflect a consensus-based approach in accordance with Title II, Article 9 of Protocol No 1 to the Lisbon Treaty, under which both the European Parliament and the national parliaments are jointly tasked with determining by consensus the organisation and promotion of interparliamentary cooperation within the Union, although any attempt to devise a common framework for interparliamentary cooperation is still premature;
 16. Welcomes the actions that have been taken – in accordance with the recommendations of the steering group on relations with the national parliaments – since the entry into force of the Treaty of Lisbon to intensify cooperation between the national parliaments and the European Parliament, in particular as regards the planning of interparliamentary committee meetings, the increase in the number of such meetings (50 since 2010), the forwarding to members of the national parliaments and relevant political bodies of national parliament submissions (reasoned opinions and contributions), the introduction of videoconferences, the promotion of bilateral visits, technical improvements to the InterParliamentary EU information eXchange (IPEX), the increase in the number of collaborative projects carried out under the aegis of the European Centre for Parliamentary Research and Documentation (ECPRD), visits by administrative officials and the exchange of information and of best practice; believes that these actions help to make interparliamentary relations more efficient and more focused, while contributing to parliamentary democratisation;
 17. Stresses that interparliamentary meetings need to be organised in close cooperation with the national parliaments in order to enhance their effectiveness and quality; recommends, therefore, their inclusion at the earliest stage possible in drafting the agenda for interparliamentary meetings;
 18. Believes that the development of interparliamentary meetings should be based on practical arrangements allowing for the special features of each type of meeting;
 19. Commends the effectiveness of interparliamentary committee meetings and calls for closer cooperation between rapporteurs on specific legislative issues;
 20. Welcomes the effective meetings between political groups and European political parties as part of the arrangements for EU interparliamentary cooperation; calls for further

endorsement of these meetings as an effective means of developing an authentic European political consciousness;

21. Welcomes the role played by IPEX, above all as a platform for the exchange of information on parliamentary scrutiny procedures, notwithstanding the language-related difficulties that may arise; calls, with a view to making the dialogue between parliaments as effective as possible, for the national parliaments to pay particular attention to the principle of multilingualism;
22. Stresses that interparliamentary cooperation must be open and inclusive, and voices its concern about restricted interparliamentary meetings, to which some parliaments are not invited, being organised without proper consultation in order to adopt positions on EU affairs which are not consensus-based;
23. Notes that the 'political dialogue', set up under the Barroso Initiative in 2006, and the early warning mechanism are two sides of the same coin; notes the development of wide-ranging relations between the national parliaments and the Commission and the establishment of 'enhanced political dialogue' as part of the European semester for economic policy coordination;

III. Developments and proposals

24. Proposes that an understanding be developed between the national parliaments and the European Parliament, which could form the basis for efficient cooperation pursuant to Article 9 of Protocol No 1 to the Lisbon Treaty and Rule 130 of its own Rules of Procedure;
25. Calls for regular, thematically structured and effective meetings between political groups and European political parties to be held in the framework of EU interparliamentary cooperation;
26. Stresses that interparliamentary cooperation must seek at all times to bring the right people together at the right time to address the right issues in a meaningful way, so as to ensure that the decisions taken in the various areas of responsibility benefit from the 'added value' brought by real dialogue and proper debate;
27. Believes that COSAC should remain the forum for a regular exchange of views, information and best practice regarding practical aspects of parliamentary scrutiny;
28. Recalls that with respect to the conference on economic governance, which is based on Article 13 of the Treaty on Stability, Coordination and Governance, an agreement reached by the EU Speakers at their conference in Nicosia in April 2013 provides for a number of arrangements for that conference and for a review of these arrangements, to be completed in 2015 at the Rome EU Speakers' Conference; takes the view, therefore, that any procedure for the adoption of practical arrangements for the conference on economic governance prior to that review would be premature and should therefore be avoided;

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