



## EUROPEAN COMMISSION

Brussels, 18.3.2013  
C(2013) 1362 final

*Dear President,*

*The Commission would like to thank the Senát for its Opinion on the Annual report on relations between the European Commission and National Parliaments {COM(2012) 375 final}.*

*The Commission takes note that the Senát would like to be informed, for each legislative proposal, about the result of the subsidiarity check shortly after its deadline has elapsed and that, to that effect, and without delay, a new publicly accessible and comprehensive database should be established.*

*The Commission understands the public interest of having access to such data and believes that IPEX is best placed to become such a tool. On the condition that its database is properly fed by national Parliaments, the IPEX webpage is already able to provide comprehensive, user-friendly and reliable information throughout the whole process of subsidiarity check. The Commission is fully committed to continuing its constructive cooperation with IPEX in this regard.*

*The Commission is looking forward to the Senát's greater involvement in the political dialogue in the pre-legislative phase and understands that its intention in this context is to pay particular attention to the question of appropriateness of a new legislative initiative at European level. The Commission also takes note of the Senát's wish to see the impact of such a dialogue monitored and published.*

*In this context, further to its Communication on "Smart Regulation in the European Union" {COM(2010) 543 final}, the Commission is now carrying out a review of its consultation policy. Among other things, the review looks at how to increase the reach of its consultations and strengthen the quality and transparency of the information on the results of consultations. More concretely, the Commission is examining how contributions received from national Parliaments during the consultation process could be made public under a specific heading on the web page where the results of the consultations are summarized; and, where particularly substantive contributions from national Parliaments were received during the public consultation, whether the explanatory memorandum accompanying a new Commission proposal could explicitly refer to them.*

*Mr Milan ŠTĚCH  
President of the Senát  
Valdštejnské náměstí 17/4  
CZ – 118 01 PRAGUE 1*

*The Commission would also like to take this opportunity to reiterate the strategic importance of the Commission Work Programme (CWP) for national Parliaments, as it provides an early overview of what the Commission plans, and when, and thus gives national Parliaments the possibility to prioritise, to prepare and to engage in an exchange of views with the Commission as early as possible on upcoming EU initiatives. The Commission considers the exchanges with national Parliaments on their perceptions of future challenges and priorities of vital importance in order to establish a broad consensus on the overall, EU wide political priorities. In this context, President Barroso and myself have encouraged national Parliaments on several occasions to engage in a structured debate on the CWP, be it during the COSAC plenary meetings or bilaterally. The Commission notes that very few national Parliaments have chosen to comment on the CWP in their opinions and that the few discussions on the CWP that have taken place in COSAC have not been reflected in the Contribution.*

*The Commission would also like to stress that it conducts the political dialogue with national Parliaments, be it in the pre-legislative or legislative phase, in full respect of the prerogatives of the EU institutions, which includes the Commission's right of initiative. Should the Commission modify its intentions or position, this would generally be the result of the combination of several factors, which would then result in an overall political consideration. National Parliaments' opinions feed into this assessment but given the complexity of the process, it would in any case be difficult to identify the impact of a given opinion on the Commission's intentions or a legislative draft.*

*Finally, following the consultation phase, in which national Parliaments actively participated, be it through Opinions on the Commission Communication on the procedures for the scrutiny of Europol's activities by the European Parliament, together with national Parliaments {COM(2010)776} or through their participation in various meetings organised by the Commission services, the legislative proposal for Europol is currently being prepared in line with the Common Approach on EU decentralised agencies, agreed in July 2012. The Commission will continue this dialogue with national Parliaments and keep them duly informed about any development in this field.*

*The Commission hopes that these clarifications address the comments and issues raised by the Senát and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*