

Brussels, 14 JAN. 2011
C/2010/9356

Dear President,

The Commission would like to thank the Italian Chamber of Deputies for its opinion on the Commission's annual report 2009 on relations with national Parliaments {COM(2010)291}, and, more generally, for its overall positive assessment of the state of our relations and the quality of the political dialogue.

The Commission explicitly welcomes that the Chamber of Deputies shares its views that the political dialogue remains a key tool also after the Lisbon Treaty and that both, political dialogue and subsidiarity control mechanism, are two complementary instruments. Apart of a smooth implementation of the subsidiarity control mechanism, the Commission is fully committed to further strengthen the political dialogue and to intensify its exchanges and contacts with national Parliaments. In this context, let me also add that we very much appreciate the Chamber of Deputies' very active participation in the political dialogue, including the subsidiarity control mechanism. Being now one of the most active chambers, the Italian Chamber of Deputies is a model for many other national Parliaments who are engaging only now into a dialogue with us.

In line with the Commission's decision to encourage national Parliaments to react to its proposals to improve the process of policy formulation, we welcome this opportunity to respond to your comments. I enclose the Commission's response and hope you will find this a valuable contribution to your own deliberations.

I look forward to developing our policy dialogue further in the future.

Yours sincerely,

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COMMENTS OF THE EUROPEAN COMMISSION ON AN OPINION FROM THE ITALIAN CHAMBER OF DEPUTIES

COM(2010)291 – ANNUAL REPORT 2009 ON THE RELATIONS BETWEEN THE EUROPEAN COMMISSION AND THE NATIONAL PARLIAMENTS

The Commission conducts the political dialogue with national Parliaments in full respect of the respective prerogatives of the EU institutions, and of the institutional balance at EU level more generally. Should the Commission modify its position in the course of a legislative procedure, this will in most of the cases be the result of several factors, resulting in an overall political consideration, rather than the direct impact of individual opinions of national Parliaments. In this context, it needs to be stressed that there are still very few proposals on which the Commission receives more than two or three opinions.

As regards the concrete impact of national Parliaments' opinions, you will agree that it is probably easier to measure it in the context of the pre-legislative phase, where the Commission very much encourages national Parliaments to comment on its various consultation documents (Communications, Green Papers, White Papers), which further on might lead to the preparation and adoption of a legislative proposal. In the Commission's view, there is still scope for enhancing national Parliaments' role at pre-legislative stage, and the Commission will endeavour to strengthen the involvement of national Parliaments during that phase.

Concerning the deadlines for replying to national Parliaments' opinions, the Commission is working to accelerate its internal procedures and to avoid excessive delays. When considering the deadlines of Commission replies, one should, however, take into account the increasing number of opinions (a raise of about 45% in 2010) as well as the need to translate most of these opinions. A new informatics tool, which should be ready for use by mid-2011, will certainly help the Commission to better respect its internal target to reply to national Parliaments within a maximum of three month.

With regard to the role of IPEX, the Commission welcomes that its cooperation with IPEX has constantly evolved and intensified in the course of the last years and would like to emphasise that following the entry into force of the Lisbon Treaty and in the light of the growing role of national Parliaments, colleagues in the Commission services and in the Commissioners' cabinets use the IPEX database more and more regularly, and Commission services will, in close cooperation with IPEX, organise specific training for Commission officials on the use of the IPEX database, once its update will have been finalised.

In reply to the Chamber of Deputies' comments concerning the language regime and translations of documents, the Commission would first of all like to reiterate its commitment to the principles of equal treatment of languages and citizens before the law, set in Regulation N° 1/58. The provision of translation by Commission services is managed with due consideration of available resources which makes it necessary to set priorities. For this reason, the Commission decided in May 2004 that neither technical annexes to Communications from the Commission nor Commission staff working papers, which should not contain policy recommendations or legal provisions, would be translated. However, the Commission endeavours to ensure that all important findings are included in the documents that are translated as part of the legislative package, e.g. the explanatory memorandum and the summary of the impact assessment, to which the Commission would like to draw the Chamber of Deputies' particular attention.

At the same time, it must be emphasised that the translation strategy is a living document that is reviewed regularly in the light of changing circumstances and the need to use our resources in the most cost-effective manner. Thus, the Commission acknowledges the forthcoming challenges for its language services, in particular the ones derived from the entry into force of the Treaty of Lisbon and from future enlargements of the EU. For this reason, an internal reflection on future adjustments to this internal Commission working tool is ongoing in a scenario of continued budgetary constraints.

Finally, the Commission would like to assure the Chamber of Deputies that it is fully committed to ensure a smooth implementation of all new provisions introduced by the Lisbon Treaty concerning national Parliaments, for which it is responsible. Concerning Europol and Eurojust, the Commission would like to inform the Chamber of Deputies about the latest state of play:

In accordance with the Action Plan implementing the Stockholm Programme, the Commission will submit a proposal for a European Parliament and Council regulation on Europol in 2013. The revision of the current legal basis, in accordance with the Lisbon framework, would benefit from an evaluation of the impact of the initial phases of operation of the current Council Decision. The Commission has recently issued a Communication on the procedures for the scrutiny of Europol's activities by the European Parliament, together with national Parliaments, which will kick-start a broad debate, in the context of which the Commission is very much looking forward to national Parliaments' important comments, which we are fully committed to duly take into account.

As regards Eurojust, the 2008 reform has to be transposed into Member States' national laws by 4 June 2011, and before making proposals on the basis of the Lisbon Treaty, the Commission will focus on the implementation of the current Council decision. In the meantime, the Commission is launching a study on the strengthening of Eurojust, the outcomes of which are expected by end 2011. This study will also deal with possible options for the evaluation of Eurojust's activities as well as with the involvement of the European Parliament and national Parliaments thereto. The legislative proposals will be prepared after careful analysis of this study, and the shape and content of any forthcoming Commission proposal will depend on the contributions that the institutions and other stakeholders will provide in the context of this study, in which the European Parliament and national Parliaments will be closely involved.