

CHAMBER OF DEPUTIES

THE STANDING COMMITTEE ON EUROPEAN UNION POLICIES

FINAL DOCUMENT, PUBLISHED PURSUANT TO RULE OF PROCEDURE 127,

CONCERNING:

ANNUAL REPORT 2013 ON RELATIONS BETWEEN THE EUROPEAN COMMISSION

AND NATIONAL PARLIAMENTS (COM(2014)507 FINAL)

Approved 16 December, 2014

**ANNUAL REPORT 2013 ON RELATIONS BETWEEN THE EUROPEAN COMMISSION
AND NATIONAL PARLIAMENTS
(COM(2014)507 FINAL)**

FINAL DOCUMENT APPROVED BY THE COMMISSION

The Committee on EU Policies,

having examined the Annual Report 2013 on relations between the European Commission and national parliaments (COM(2013)507 final);

taking note of the Annual Report 2013 on subsidiarity and proportionality (COM(2014)506);

taking account of the input of the 52nd COSAC, held in Rome from 30 November to 2 December 2014;

whereas:

1) the consolidation of political dialogue as the main channel of direct interaction between the Commission and European national parliaments is benefitting the process of integration, and attests that parliaments prefer to focus on the substance of EU policy and legislative decisions than on compliance with the principle of subsidiarity;

2) with a view to developing a multi-level governance through the dynamic application of the subsidiarity principle, specific objectives should be integrated in higher-level national and EU strategies. This can be achieved by encouraging all institutional actors to take part in decision-making, which will result in greater efficacy in the development and implementation of public policies;

3) political dialogue has enabled national parliaments to consider EU draft legislation and other documents, which has not only accorded greater democratic legitimacy to the European system of governance but has also helped the Commission towards greater awareness of the role that national parliaments can play in the framing of European decisions. Briefly put, dialogue that is focused on the specific merits of proposed measures has undoubtedly improved the interaction between national parliaments and the European Parliament and engendered a relationship based

on cooperation and legislative complementarity rather than on competition, and has thus strengthened the institutional shape and functioning of the EU;

4) political dialogue, however, must not be allowed to become a purely ritual exercise in which the mere quantity of the input of national parliaments becomes a pre-eminent consideration;

5) we therefore fully concur with the Commission's call to expand political dialogue in the pre-legislative phase of European decision-making. The practice of appraising the specific merits of a given measure will be effective only if the *ex-ante* political assessments on the Commission's choices are referred back to it in the early stages of the process. We therefore reaffirm our appreciation of the Commission's decision to systematically alert national Parliaments whenever it is launching a round of public consultation. We recall that COSAC supports the idea of public consultations specifically addressed to national parliaments and favours the inclusion of a special section on the responses of parliaments in the Commission's Summary Report, and we invite the Commission to consider creating this section;

6) in agreement with the findings of the 52nd COSAC held in Rome in December 2014, we believe that to strengthen the role of national parliaments in European decision-making, greater prominence should be given to discussions with governments both before and after meetings of the European Council, and that political dialogue with the Commission should begin at the early stages of policy formation. Similarly, the biannual meetings of COSAC might usefully be convened shortly before meetings of the European Council;

7) as emphasised in the 2013 Report on subsidiarity and proportionality, serious consideration should be given to the possibility of complementing the *ex-ante* (i.e. preliminary) analysis with a series of *ex-post* (i.e. retrospective) evaluation tools that would verify whether EU actions are necessary, whether they are producing the expected results and, most of all, whether they are improving conditions for businesses and citizens;

8) the quality of the Commission's replies to comments made by national parliaments is gradually improving. The response times, however, are still too long, and therefore not conducive to ensuring effective contributions by national parliaments to the framing of European decisions;

9) the 2013 Report of the Commission on relations with national parliaments, like the Reports of the preceding three years, does not contain indications regarding the effectiveness of political dialogue. It fails to indicate whether or to what extent the opinions of national parliaments have been taken into consideration by the Commission and other EU institutions during the decision-making process;

10) we welcome Vice President Timmermans' urging of the members of the European Commission to address national parliaments in person whenever particularly important European Commission legislative proposals or other documents are up for discussion;

11) it is to be hoped that also the European Parliament will ascribe greater importance to the contributions it receives from national parliaments and, in the reports adopted by its

committees prior to the examination of the relevant proposal in plenary session, give explicit account of how it has followed up on them;

12) the provisions of Law no. 234 of 24 December 2012, which prescribe the involvement of the legislative assemblies of the Regions and Autonomous Provinces in the framing of the rules and policies of the European Union, must be given full effect, especially articles 8 and 9. For this purpose, the following actions are recommended:

- pursuant to Rule of Procedure 127 and following the established practice for the scrutiny of the Annual Work Programme of the European Commission and the Government's Planning Report, representatives of the Conference of Presidents of the Legislative Assemblies of the Regions and Autonomous Provinces should be invited to appear before the Committee for EU Policies and/or before other Committees responsible for the scrutiny of draft provisions and documents of the European Union or of any other issue of common interest;
- the legislative assemblies of the Regions and Autonomous Provinces should be apprised beforehand of the timetable of the meetings of the Committee on European Union policies, so that they may submit comments and proposals in time both for the subsidiarity checks referred to in Protocol No. 2 annexed to the Treaty on the EU and for the issuing of an opinion by the Committee as required by Rule of Procedure 127;
- in the opinions adopted by the Committee, the key points raised by the legislative assemblies of the Regions and Autonomous Provinces, both for the purpose of verification of subsidiarity and for the purpose of compliance with Rule of Procedure 127, should be expressly referenced;

recognising also that this Final Document must be transmitted to the European Parliament and the European Commission as part of political dialogue;

expresses a

FAVOURABLE OPINION

with the following observations:

- 1) to ensure the greater effectiveness of political dialogue, the relevant European Commissioners should personally address the bodies of national parliaments that are discussing particularly important legislative proposals or other European Commission documents;
- 2) the European Commission's responses should indicate in detail whether and how the observations of the national parliaments have been taken into consideration during its decision-making process;
- 3) for the purposes of strengthening the effectiveness of the political dialogue with the European Commission, it would be useful to focus the work of national parliaments on the pre-legislative and preliminary phases of the decision-making process, as this would give them a greater say in the formation of EU policy and legislation;

- 4) the Commission should specifically highlight the contributions of national parliaments to the consultations it has promoted, both on its website and in any documents summarising the results of these consultations;
- 5) future Annual Reports should indicate – with reference to several concrete examples – how the opinions of national parliaments have been taken into account by the Commission, and, perhaps, also by other EU institutions during the decision-making process;
- 6) beginning with the work programme for 2015, the Commission would do well to start giving explicit account of the recommendations it has received from national parliaments and its follow-up work, so that the strategic and legislative priorities of the Union may be identified;
- 7) political dialogue should continue to take place following the now well established practice of bilateral exchanges between the Commission and individual parliaments, without entering into collective dialogue between the Commission and groups of national parliaments;
- 8) to give express account of how the contributions of national parliaments have had real effect, the reports on individual acts that the committees of the European Parliament prepare ahead of a plenary session should include a special section on such contributions.