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First Vice-President Frans Timmermans
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Dear Vice-President

2014 Annual Reports on relations between the European Commission and national parliaments (COM(2015) 316), and on subsidiarity and proportionality (COM(2015) 315)

I am writing to you regarding the 2014 Annual Reports on relations between the European Commission and national parliaments and on subsidiarity and proportionality. The House of Lords European Union Select Committee considered these documents at its meeting on 15 September 2015.

We welcome these reports, and their reaffirmation of the Commission's intention "to forge a new partnership with national parliaments". We are pleased to note that, since the United Kingdom general election, the Select Committee and its Sub-Committees have held several formal and informal meetings with Commissioners and Commission officials. We look to the Commission to maintain such levels of engagement in the months ahead.

The reports cite on a number of occasions our 2014 report on *The Role of National Parliaments in the European Union*. Our report reflected on a number of the issues that the Commission refers to, notably the desirability of earlier engagement by national parliaments in the policy-making process. We restate our conclusions that:

"National parliaments should have a greater role in considering EU policies at an early stage, before hard and fast battle lines have been drawn. The European Commission says that it would welcome this 'upstream' or 'pre-legislative' scrutiny of policies. However, the Commission itself must do much more to show that it can be responsive to suggestions and concerns raised by national parliaments, whether at this early stage of policy development, or later on. As part of this proactive role, groups of like-minded national parliaments, acting together, should be able to make constructive suggestions for EU policy initiatives."

The encouraging response by other national parliaments to the pilot Green Card on combating food waste, sent to the President of the Commission in July, demonstrates the potential of such tools.

Our report also noted that the key ways to improve the working of the reasoned opinion procedure are: i) to extend the scope of the procedure to include the proportionality principle; ii) to increase the deadline for national chambers to issue a reasoned opinion on a legislative proposal, from eight weeks to 12 or 16 weeks; and iii) for the Council and Commission to undertake that, if a Yellow Card is issued, the Commission will take seriously its duty of review, and either withdraw or substantially amend the proposal in question. We urge you to give further consideration to these proposals in the months ahead.

The report on subsidiarity and proportionality states that eight out of 25 Impact assessments were judged by the Impact Assessment Board to be in need of improvements as regards subsidiarity or proportionality, or both. What steps are you taking to improve the quality of Impact Assessments so that such cases are not repeated in the future?

The report on relations between the Commission and national parliaments acknowledges that, on 30 June 2014, 29 signatories of national parliaments' chambers sent a letter to President-designate Juncker on the role of national parliaments in the European Union, calling on the Commission "to set up a working group, to include national parliamentarians and representatives of the EU institutions, to look at the role of national parliaments in the EU." What update can you give us on the Commission's response to this letter?

We look to you and your colleagues in the Commission to maintain and enhance these closer relations with national parliaments in the months ahead: we believe that national parliaments must play a vital role in any reform the European Union, particularly in bringing EU institutions and actions closer to EU citizens. To that end, we are grateful for your agreement, conveyed to us at our informal meeting in Luxembourg in early July, to come to London to meet the Committee, in order to continue the dialogue on the role of national parliaments and their place in the EU.

We would be grateful for your response to this letter in line with the Barroso Initiative on communication with national parliaments.

Yours sincerely,

Tim Boswell

Lord Boswell of Aynho
Chairman of the House of Lords European Union Committee