

Implementation of the Treaty provisions concerning national parliaments

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The Committee on Constitutional Affairs adopted the own-initiative report by Paul RANGEL (EPP, PT) on the implementation of the Treaty provisions concerning national parliaments.

The report noted that national parliaments improve and contribute actively to the good constitutional functioning of the European Union (Article 12 TEU), thereby playing an important role in its democratic legitimacy and realising it to the fullest extent.

Scrutinising governmental activity in European affairs: Parliamentary accountability of national governments within the framework of European affairs, which depends on individual national practices, is the cornerstone of the role of national parliaments in the current European Treaty. In order to improve ownership, national parliaments should scrutinise national governments, in the same way as the European Parliament scrutinises the European executive. However, the level of influence of national parliaments over national governments varies significantly at Member State level.

The implementation of the right for national parliaments to scrutinise compliance with the principle of subsidiarity, on the basis of the so-called early warning system (EWS), has partially improved relations between the EU institutions and national parliaments. National parliaments are sometimes critical of the EWS, claiming that its provisions are not easy to put into practice and lack a broad scope of application. The eight-week period laid down in Article 4 of Protocol No 1 has proven to be inadequate for timely monitoring of compliance with the principle of subsidiarity.

Although interinstitutional cooperation improved after the entry into force of the Treaty of Lisbon, national parliaments occasionally raise grievances about their relations with the European Union, claiming that they are too complex.

The report noted that the European Parliament and national parliaments should be better involved in the European Semester and recommended that budgetary calendars at national and European level are better coordinated throughout the process in order to encourage more effective use of this instrument.

Backing reform of the early warning system: Members underlined the fact that the EWS has seldom been used since the entry into force of the Treaty of Lisbon, and believed that it could be reformed within the current constitutional framework. They noted that examples such as the triggering of the **'yellow card' procedure** against the Commission proposal on the revision of the 'Posting of Workers Directive' in 2016 show that the EWS is operational and that the principle of subsidiarity is, on balance, respected within the EU.

Acknowledging the request by national parliaments to extend the eight-week period during which they can issue reasoned opinions, Members recalled that the current Treaty framework does not provide for such an extension. The Commission is called on to implement a technical notification period within the EWS in order to grant additional time between the date on which draft legislative acts are technically received by national parliamentary chambers and the date on which the eight-week period begins.

They also suggested, in line with the political dialogue launched by the Commission in 2016, the full use of the system whereby national parliaments can submit constructive proposals to the Commission with the aim of positively influencing the European debate and the Commission's power of initiative.

According to Members, in the event of a future revision of the Treaties, the right of legislative initiative should be mainly accorded to the European Parliament, as the direct representative of EU citizens.

Implementing the right to information: while reaffirming that that Article 12 TEU and Protocol No 1 give national parliaments the right to receive information directly from the European institutions, Members stressed that national parliaments could better cope with the information sent to them either by virtue of the EWS, or under their right to information, if the **IPEX platform** was given the relevance of an Agora, or forum, for an informal permanent dialogue among national parliaments and between these and the European institutions. They resolved, therefore, to promote the use of the platform for the enhancement of political dialogue.

The report recommended that national parliaments use the IPEX platform in a timely fashion to ensure an **early start** to the national scrutiny mechanism.

Envisaging better interinstitutional cooperation: Members pointed out that strengthening political and technical dialogue between parliamentary committees, both at national and at European level, would be a greatly productive step towards full interparliamentary cooperation. They are considering the possibility of allocating **additional resources** to achieve this aim and the use of videoconferences where possible.

Members recommended that national parliaments be fully involved in the continuing development of the Common Security and Defence Policy.