



Brussels, 2.7.2015  
COM(2015) 316 final

**REPORT FROM THE COMMISSION**

**ANNUAL REPORT 2014**

**ON RELATIONS BETWEEN THE EUROPEAN COMMISSION AND NATIONAL  
PARLIAMENTS**

# ANNUAL REPORT 2014 ON RELATIONS BETWEEN THE EUROPEAN COMMISSION AND NATIONAL PARLIAMENTS

## 1. INTRODUCTION

2014 was a year of institutional transition, marked by the election of a new European Parliament in May and the arrival of the new Commission headed by President Jean-Claude Juncker. The new Commission announced its intention to forge a new partnership with national Parliaments and stressed that the Commissioners would visit national Parliaments more often to present and debate Commission initiatives.

Institutional issues were also on the agenda in 2014 as several parliamentary chambers called for an in-depth debate on the future role of national Parliaments in the interinstitutional framework. Between January and May, the Danish *Folketing*, the UK House of Lords and the Dutch *Tweede Kamer* submitted reports with detailed proposals on how to strengthen the role of national Parliaments in the European decision-making process. Discussions are continuing between national Parliaments on these topics.

Meanwhile, relations between the Commission and national Parliaments continued to develop along the two traditional channels: the subsidiarity control mechanism introduced by the Lisbon Treaty to assess whether new legislative proposals in areas of shared competence between the EU and the Member States comply with the principle of subsidiarity; and the political dialogue launched by the Commission in 2006 to exchange information and opinions on policy issues, and on legislative as well as non-legislative initiatives.

This tenth annual report on relations between the Commission and national Parliaments deals with the political dialogue. Specific aspects relating to the subsidiarity control mechanism are dealt with in the Annual Report 2014 on Subsidiarity and Proportionality, which is published in parallel and should be seen as complementary to this report.

## 2. WRITTEN OPINIONS FROM NATIONAL PARLIAMENTS

### *a. General observations*

After a steady increase in the number of opinions received from national Parliaments since the launch of the political dialogue in 2006, the year 2014 saw a notable drop in the number of opinions (including reasoned opinions, see Annex 1). However, the number of written opinions from national Parliaments decreased in 2014 mainly because there was less activity as regards new initiatives over the course of the year due to the change of Commission.

The following overall trends can be noted:

- the number of opinions submitted by national Parliaments in 2014 decreased by 19% in comparison with 2013;
- as in previous years, most of the political dialogue (80%) came from the ten most active chambers);

- national Parliaments continued to focus on legislative documents in their political dialogue with the Commission, with only a few of their opinions concerning consultation papers and other non-legislative documents.

#### *b. Participation and scope*

The Commission received a total of 506 opinions from national Parliaments in 2014<sup>1</sup>.

The Portuguese *Assembleia da República* was again the chamber submitting the most opinions in 2014, and its 118 opinions constituted more than 23% of the total number received. However, there was a reduction in the number of opinions compared to previous years (192 in 2013 and 227 in 2012). The other national Parliaments or chambers that sent ten or more opinions in 2014 were the Italian *Senato della Repubblica* (63 opinions), the Spanish *Congreso de los Diputados* and *Senado* (45 opinions), the Czech *Senát* (41 opinions), the French *Assemblée nationale* (35 opinions), the Romanian *Camera Deputaţilor* (30 opinions), the German *Bundesrat* (24 opinions), the UK House of Lords (21 opinions), the Italian *Camera dei Deputati* (15 opinions), the UK House of Commons (12 opinions), the Austrian *Bundesrat* (10 opinions), the Dutch *Tweede Kamer* (10 opinions) and the Swedish *Riksdag* (10 opinions).

As in previous years, national Parliaments' political dialogue with the Commission was centred on legislative proposals, and only a small number of the national Parliaments' opinions in 2014 concerned non-legislative initiatives. In that regard, all 13 Commission documents which generated the highest number of opinions (i.e. six or more) from national Parliaments in 2014 were legislative proposals (see Annex 2). This seems to be a trend that has intensified over the years. The Commission is encouraging national Parliaments to engage in the pre-legislative phase, either by responding to public consultations or by commenting on policy documents, such as green papers. However, so far, very few chambers have made their views known before the adoption of a legislative proposal.

#### *c. Key topics of the political dialogue*

The following legislative proposals were among those that attracted the highest number of opinions from national Parliaments in 2014 (for further details, see Annex 2).

- *Proposal for a Directive of the European Parliament and of the Council amending Directives on waste, packaging and packaging waste, landfill of waste, end-of-life vehicles, batteries and accumulators and waste batteries and accumulators, and on waste electrical and electronic equipment (Directive on recycling and other waste-related targets)*<sup>2</sup>

The Commission published a proposal on 2 July 2014 as part of a package to create a more circular economy with the objective of making Europe more competitive and reducing demand for costly scarce resources. The proposal suggests recycling 70 % of municipal waste and 80 % of packaging waste by 2030, and also suggests a ban on burying recyclable waste in landfill as of 2025. The proposal sets ambitious targets and adds key provisions on the instruments needed to achieve and to monitor them.

The Commission received 13 opinions on this proposal, three of which were reasoned opinions challenging the proposal's compliance with the principle of subsidiarity. The

<sup>1</sup> Including 21 reasoned opinions received under the subsidiarity control mechanism.

<sup>2</sup> COM(2014) 397 final.

subsidiarity arguments and the Commission's replies are described in the Annual Report 2014 on Subsidiarity and Proportionality.

Although the national Parliaments' opinions generally supported the resource efficiency objective and the move towards a more circular economy, a number of objections were raised in regard to the proposal. These objections concerned, in particular, the high level or binding nature of the targets (4 chambers)<sup>3</sup>, the deadline for Member States' attainment of the targets (4 chambers)<sup>4</sup>, the failure to take account of results already achieved by some Member States (2 chambers)<sup>5</sup>, the proposal's economic consequences for Member States and businesses (2 chambers)<sup>6</sup>, the fixed choices in respect of methods for achieving the environmental objectives (4 chambers)<sup>7</sup>, the number and content of provisions empowering the Commission to adopt delegated acts (4 chambers)<sup>8</sup>, and the use of statistical data (2 chambers)<sup>9</sup>.

On 16 December 2014 the Commission adopted its Work Programme for 2014, under which it proposed to withdraw or amend 80 out of 450 proposals awaiting decision by the European Parliament and the Council.<sup>10</sup> The Commission indicated that it intended to withdraw the proposed Directive, but at the same time announced that it would replace it by the end of 2015 with a new, more ambitious proposal to promote the circular economy. The Commission also reaffirmed its commitment to promote the transition towards a resource-efficient, circular economy in the EU, which would have a major positive impact on jobs, growth, competitiveness and innovation. Following consultations with the European Parliament and the Council, the Commission confirmed these withdrawals on 25 February 2015.<sup>11</sup>

- *Proposal for a Regulation of the European Parliament and of the Council on organic production and labelling of organic products*<sup>12</sup>

The Commission published a proposal on 25 March 2014 that aims to ensure that public demands in terms of environment and quality are met. The proposal has three main objectives: maintaining consumer confidence, maintaining producer confidence and making it easier for farmers to switch to organic production. The Commission proposed in particular (i) to strengthen and harmonise rules, both within the EU and for imported products, by removing many of the current exceptions in terms of production and controls, (ii) to introduce a risk-based control system, (iii) to make it easier for small farmers to join organic farming by introducing the possibility for them to sign up to a group certification system, (iv) to better address the international dimension of trade in organic products with the addition of new provisions on exports, and (v) to simplify the legislation in order to reduce administrative costs for farmers and improve transparency.

The Commission received 12 opinions on this proposal, two of which were reasoned opinions challenging the proposal's compliance with the principle of subsidiarity. The subsidiarity

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<sup>3</sup> Maltese *Kamra tad-Deputati*, Czech *Senát*, Polish *Senat*, Croatian *Hrvatski Sabor*.

<sup>4</sup> Maltese *Kamra tad-Deputati*, Czech *Senát*, French *Sénat*, Polish *Senat*.

<sup>5</sup> Austrian *Bundesrat*, French *Sénat*.

<sup>6</sup> Czech *Senát*, German *Bundesrat*.

<sup>7</sup> Maltese *Kamra tad-Deputati*, Danish *Folketing*, German *Bundesrat*, French *Sénat*.

<sup>8</sup> French *Sénat*, Austrian *Bundesrat*, Czech *Poslanecká sněmovna*, Polish *Senat*.

<sup>9</sup> German *Bundesrat*, French *Sénat*.

<sup>10</sup> Some initiatives were proposed for withdrawal because they did not match the new Commission's priorities, in other cases the Commission remained strongly committed to the objectives sought but the proposals (due to lengthy negotiations in the European Parliament and the Council) could no longer achieve their original purpose. In the latter case, the Commission intends to propose new, better ways of achieving the objectives sought.

<sup>11</sup> OJ C 80 of 7.3.2015, p. 17.

<sup>12</sup> COM(2014) 180.

arguments and the Commission's replies are described in the Annual Report 2014 on Subsidiarity and Proportionality.

On other issues, most national Parliaments welcomed the proposal's objective to simplify existing legislation and improve consumers' confidence in organic production. The concerns expressed in national Parliaments' opinions related mainly to the proposal to abolish the existing exceptions to European rules on organic production (4 chambers)<sup>13</sup>, the proposal to forbid holdings with combined organic and non-organic production (4 chambers)<sup>14</sup>, the number and scope of provisions empowering the Commission to adopt delegated acts (5 chambers)<sup>15</sup>, the proposal to transfer provisions on organic controls to the general control Regulation (3 chambers)<sup>16</sup>, and the introduction of a risk-based control system (3 chambers)<sup>17</sup>.

In light of the long negotiation process in the European Parliament and the Council, the Commission announced in December 2014 in its Work Programme its intention to withdraw the proposed Regulation and replace it by a new initiative, unless an agreement could be found within six months.

- *Proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office (EPPO)*<sup>18</sup>

The proposal for a Regulation establishing the European Public Prosecutor's Office continued to attract a lot of attention from national Parliaments in 2014. The proposal aims to ensure that cases involving suspected fraud against the EU budget are followed up in the Member States, so that crimes of this type are prosecuted and brought to justice. In 2013, the Commission received 20 opinions, including 13 reasoned opinions, which triggered the second yellow card procedure<sup>19</sup>. In November 2013, the Commission adopted a Communication<sup>20</sup> in which it announced that it would be maintaining its proposal, as it found that the proposal complied with the principle of subsidiarity. Subsequently, the Commission sent individual replies to each of the Parliaments or chambers that had submitted an opinion.

In 2014, 10 national Parliaments or chambers sent opinions to the Commission on the proposal. Most of these opinions constituted follow-up to the Commission's replies to opinions submitted in 2013, and expressed dissatisfaction with the Commission's decision, set out in its Communication of November 2013, to maintain its proposal<sup>21</sup>.

In particular, national Parliaments challenged the Commission's distinction, made in the Communication and in its individual replies to the national Parliaments' reasoned opinions, between arguments concerning subsidiarity and arguments that were not directly related to subsidiarity. The Commission was also criticised for only replying to the individual reasoned opinions after it had taken the decision to maintain the proposal. Some national Parliaments

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<sup>13</sup> Austrian *Bundesrat*, the Irish Houses of the *Oireachtas*, Dutch *Tweede Kamer*.

<sup>14</sup> Lithuanian *Seimas*, the Irish Houses of the *Oireachtas*, Dutch *Tweede Kamer*.

<sup>15</sup> Austrian *Bundesrat*, Luxembourg's *Chambre des députés*, the Irish Houses of the *Oireachtas*, Dutch *Tweede Kamer*.

<sup>16</sup> Luxembourg's *Chambre des députés*, the Irish Houses of the *Oireachtas*.

<sup>17</sup> Czech *Senát*, the Irish Houses of the *Oireachtas*.

<sup>18</sup> COM(2013) 534 final.

<sup>19</sup> See the Annual Report 2013 on relations between the European Commission and national Parliaments.

<sup>20</sup> COM(2013) 851 final.

<sup>21</sup> Of these, two were new opinions (from German *Bundestag* and Croatian *Hrvatski Sabor*), six were second opinions (from UK House of Commons, UK House of Lords, Dutch *Eerste* and *Tweede Kamer*, French *Assemblée nationale* and Romanian *Camera Deputaţilor*), and two were third opinions (from Dutch *Eerste* and *Tweede Kamer*). In addition, five opinions were submitted on the Communication COM(2013) 851 final.

also submitted substantial observations that would serve as input to the negotiations on the proposal in the European Parliament and the Council, including on compliance with the principle of proportionality.

*d. Political dialogue and policy outcome*

Two of the three legislative proposals that attracted most attention from national Parliaments in 2013 were adopted in 2014. These were:

- the proposal for a Directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products (*Tobacco Products Directive*)<sup>22</sup>; and
- the proposal for a Directive of the European Parliament and of the Council establishing a framework for maritime spatial planning and integrated coastal management.<sup>23</sup>

*Tobacco Products Directive*

The *Tobacco Products Directive* was adopted by the co-legislators on 3 April 2014<sup>24</sup>. The Commission had received 17 opinions on the related proposal in 2013, including seven reasoned opinions in which national Parliaments argued that some parts of the proposal did not comply with the principle of subsidiarity.

Generally, national Parliaments expressed strong support for the proposal's overall objective of improving the functioning of the internal market while ensuring a high level of health protection, and in particular the aim of discouraging children and young people from taking up smoking. However, they also raised a number of objections as regards specific elements of the proposal. Most objections addressed the number and content of the provisions empowering the Commission to adopt delegated acts in accordance with Article 290 TFEU (8 chambers)<sup>25</sup>. Other objections concerned the proposal to ban slim cigarettes (4 chambers)<sup>26</sup>, the choice of Article 114 TFEU as legal basis for the proposal (3 chambers)<sup>27</sup>, the size of the health warnings on packages (2 chambers)<sup>28</sup>, and the continued ban, except for Sweden,<sup>29</sup> on tobacco for oral use (snus) (2 chambers)<sup>30</sup>.

The final Directive differed from the Commission's initial proposal on several points. As regards the issues raised by national Parliaments, the co-legislators agreed to reduce the number of provisions empowering the Commission to adopt delegated acts from 16 to 10, amended the content of certain empowerments and the conditions for their use, and limited their duration to five years. Furthermore, the final Directive did not uphold the Commission's

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<sup>22</sup> COM(2012) 788 final.

<sup>23</sup> COM(2013) 133 final.

<sup>24</sup> Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC.

<sup>25</sup> Opinions from Bulgarian *Narodno Sabranie*, Czech *Sénat*, Czech *Poslanecka Snemovrna*, German *Bundesrat*, Romanian *Camera Deputaţilor*, Danish *Folketing*, Greek *Vouli ton Ellinon*, and Italian *Senato della Repubblica*.

<sup>26</sup> Greek *Vouli ton Ellinon*, Italian *Senato della Repubblica*, Romanian *Camera Deputaţilor*, Czech *Sénat*.

<sup>27</sup> Czech *Sénat*, Italian *Senato della Repubblica*, Italian *Camera dei Deputati*.

<sup>28</sup> Greek *Vouli ton Ellinon*, Czech *Sénat*, AT *Bundesrat*.

<sup>29</sup> Where it can be marketed in accordance with Article 151 of the Act of Accession of Austria, Finland and Sweden.

<sup>30</sup> Danish *Folketing* and Swedish *Riksdag*.

proposal to ban slim cigarettes and added Articles 53(1) and 62 to the legal basis. The existing ban on tobacco for oral use (snus) was upheld. As regards the combined health warnings, the co-legislators decided these should cover 65% of the external area of both the front and back surface of the unit packet and any outside packaging, i.e. 10 percentage points less than originally proposed by the Commission.

### *Directive on maritime spatial planning*

The *Directive on maritime spatial planning* was adopted by the co-legislators on 23 July 2014<sup>31</sup>. In 2013, the Commission had received 14 opinions in response to its proposal, including nine reasoned opinions challenging the proposal's compliance with the principle of subsidiarity.

Several chambers of national Parliaments had contested the added value of the Commission's proposal (6 chambers)<sup>32</sup> and found that the proposal interfered with national, regional and local competences as regards spatial planning, which were an exclusive competence of the Member States (2 chambers)<sup>33</sup>. Some chambers also disputed the Commission's choice of legal basis for the proposal (2 chambers)<sup>34</sup>, or invoked the need for greater involvement of third countries or greater consideration of international provisions (4 chambers)<sup>35</sup>, while others challenged the proposal's conferral of implementing powers on the Commission (2 chambers)<sup>36</sup>, or argued that the proposal would put a heavy administrative burden, including reporting requirements, on Member States (2 chambers)<sup>37</sup>.

The most significant difference between the Commission's initial proposal and the final Directive is the explicit exclusion of land from the geographical scope of the Directive. Coastal waters or parts thereof falling under Member State's town and country planning were also excluded from the scope of the Directive. As regards the alleged interference with national sovereignty, the Directive specifies that it does not affect the sovereign rights and jurisdictions of Member States over marine waters which derive from relevant international law, in particular as regards the delineation and delimitation of maritime boundaries. In the final Directive, the proposed reporting requirements were changed into an obligation to send copies of maritime spatial plans to the Commission. Lastly, the Directive does not confer any implementing powers on the Commission. The legal basis remained unchanged.

## **3. MAIN MEETINGS AND CONFERENCES**

Despite signs of stabilisation of the European economy, the European response to the crisis and the recovery of national economies remained an important topic of debate with and among national Parliaments in 2014, in particular as regards the ongoing question of ensuring democratic legitimacy and accountability in defining the European response to the crisis.

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<sup>31</sup> Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning.

<sup>32</sup> Finnish *Eduskunta*, Irish Houses of the *Oireachtas*, Dutch *Eerste* and *Tweede Kamer*, Polish *Senat*.

<sup>33</sup> Lithuanian *Seimas*, Swedish *Riksdag*.

<sup>34</sup> Lithuanian *Seimas*, Dutch *Tweede Kamer*.

<sup>35</sup> Finnish *Eduskunta*, Irish Houses of the *Oireachtas*, Polish *Senat*.

<sup>36</sup> Danish *Folketing*, Finnish *Eduskunta*.

<sup>37</sup> Finnish *Eduskunta*, Irish Houses of the *Oireachtas*.

## COSAC

Debates among national Parliaments and with EU institutions continued to take place within the established inter-parliamentary fora, in particular the COSAC (Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union).

In January 2014, the COSAC Chairpersons met in Athens, where the role of national Parliaments and democratic legitimacy and accountability were recurring topics. New ideas and proposals on the role and rights of national Parliaments in EU matters were presented by the Dutch *Tweede Kamer* and the Danish *Folketing* for further debate by the COSAC plenary.

The outcome of the European elections in May framed the 51<sup>st</sup> COSAC plenary meeting held in Athens in June 2014. Commissioner Andor presented the European Employment Strategy, underlining the need for labour market reforms and for investment in skills to address labour market mismatches. Parliaments also discussed concrete measures to tackle youth unemployment and encourage young entrepreneurship. Other matters debated concerned the crisis in Ukraine and Russia's annexation of Crimea.

At the COSAC Chairpersons' meeting in July 2014, Mr Sandro Gozi, Italian Under-Secretary of State in charge of European Affairs, presented the key priorities of the Italian Presidency, and Vice-President Šešćovič gave a keynote address on the prospects for the EU after the European elections. In addition, Mr Graziano Delrio, Italian Under-Secretary of State, and Commissioner Hahn gave presentations on the European Structural and Investment Funds 2014-2020. COSAC also welcomed a suggestion from the Dutch *Tweede Kamer* to ask members of the European Parliament, during their up-coming hearings of Commissioners-designate, to include questions on their views on the role of national Parliaments.

At the COSAC plenary in November-December 2014, First Vice-President Timmermans met with COSAC. He confirmed the new Commission's commitment to a new partnership with national Parliaments, in collaboration with the European Parliament. First Vice-President Timmermans also paid tribute to the work of the national Parliaments which had been active in putting proposals on the table concerning their role. He confirmed that the Commission would be more proactive in its relations with national Parliaments, and that Commissioners would come to national Parliaments to explain key proposals and initiatives, underlining the importance of the principle of subsidiarity. While stressing that the Commission was bound to respect the Treaty, First Vice-President Timmermans confirmed that the Commission was willing to look at national Parliaments' suggestions for legislation. The COSAC also discussed the review of the Europe 2020 Strategy, the role of the EU in the Mediterranean and in Eastern Europe as well as democratic control of European agencies.

### *European Parliamentary Week and Article 13 Conferences*

Debates on economic governance involving national Parliaments continued under the second 'European Parliamentary Week' co-organised by the European Parliament and the Greek *Vouli ton Ellinon* in January 2014. The large number of people in attendance — more than 150 members of national Parliaments and numerous members of the European Parliament — illustrates the growing importance of the event. In 2014, one of the focal points of the European Parliamentary Week was the Interparliamentary Conference on Economic Governance based on Article 13 of the Fiscal Compact. This Conference included four plenary debates on macroeconomic imbalances, the democratic legitimacy of economic adjustment programmes, promoting growth and jobs, and enhancing fiscal surveillance in the Economic and Monetary Union.

The Interparliamentary Conference under Article 13 of the Fiscal Compact, which is held twice a year, had its second session of 2014 in September in Rome. The debates covered four general topics, namely the re-launch of investment and reducing inequalities, the EU's economic and financial governance tools, completion of the Banking Union and financing of the real economy, coordination of tax policies and the digital economy. The Conference also debated its own rules of procedure.

#### *CFSP/CSDP Conferences*

Another important forum for exchanges between national Parliaments and EU institutions is the Interparliamentary Conference for the Common Foreign and Security Policy and the Common Security and Defence Policy (CFSP/CSDP). The fourth session of the Conference took place in Athens in April 2014 and was hosted by the Greek *Vouli ton Ellinon*. Among the subjects debated were the security challenges in the EU's Southern and Eastern Neighbourhoods, in particular the situation in Ukraine and the maritime dimension of the Common Security and Defence Policy. Debates took place between the High Representative for Foreign Affairs and Security Policy/Vice-President of the Commission, Baroness Ashton, and Deputy Prime Minister and Minister for Foreign Affairs of the Hellenic Republic, Mr Venizelos, and Minister for National Defence of the Hellenic Republic, Mr Avramopoulos.

The fifth meeting of the Interparliamentary Conference for the CFSP/CSDP took place in Rome in November 2014, hosted by the Italian Senate. It continued to discuss the Eastern Partnership, the Southern Neighbourhood and defence issues. Plenary debates took place with the High Representative for Foreign Affairs and Security Policy/Vice-President Mogherini, the Italian Minister for Foreign Affairs, Mr Gentiloni, and the Italian Minister for Defence, Ms Pinotti. The Conference was attended by over 100 national parliamentarians and 16 members of the European Parliament.

The Commission was also represented at political level at most of the other inter-parliamentary meetings in 2014.

#### **4. THE WIDER CONTEXT**

In 2014, several national Parliaments and the European Parliament tabled new ideas and proposals on the role of national Parliaments in European decision-making.

##### *Proposals on the future role of national Parliaments*

Reflections on the role of national Parliaments were launched at the COSAC Chairpersons' meeting in Athens on 26-27 January 2014, where the Danish *Folketing* presented a paper entitled '*Twenty-three recommendations to strengthen the role of national Parliaments in changing European governance*'. The paper covered a number of suggestions, including (i) how to make national Parliaments more proactive with regard to European decision-making, (ii) how to improve national Parliaments' preparation of subsidiarity checks, (iii) a new democratic framework for European economic governance, and (iv) reform of inter-parliamentary cooperation in the EU.

On 11 March 2014, the European Union Committee of the UK House of Lords adopted a report entitled '*The Role of National Parliaments in the European Union*'. This report was the result of an extensive enquiry by the House of Lords with evidence being given by many key actors, including Vice-President Šefčovič. The suggestions in the report relate to (i) national

Parliaments' early engagement in policy proposals, (ii) the establishment of direct contact with Commissioners and Commission officials, (iii) the introduction of a 'green card'<sup>38</sup>, (iv) changes to the subsidiarity control mechanism, (v) interparliamentary cooperation and (vi) economic and financial governance.

On 20 May 2014, the Dutch *Tweede Kamer* adopted a report entitled '*Ahead in Europe – on the role of the Tweede Kamer and national parliaments in the European Union*' with recommendations on how national Parliaments could improve their working methods and enhance their cooperation with other parliaments, with a focus on transparency and effectiveness as key factors for legitimacy. The report makes recommendations for national Parliaments in Europe as well as for the functioning of the *Tweede Kamer* with regard to European affairs.

Although the reports from the Danish *Folketing*, the UK House of Lords and the Dutch *Tweede Kamer* differ in content, they have certain similarities. In particular, all three chambers suggest that national Parliaments should have a more proactive role, and in particular that they should have the possibility to suggest to the Commission to table new proposals. All three reports emphasise that the increasing involvement of national Parliaments in the pre-legislative phase is necessary in order to influence the Commission's proposals. The three reports also suggest improvements to the subsidiarity control mechanism as regards the coordination of national Parliaments' opinions. The UK House of Lords and the Dutch *Tweede Kamer* suggested substantial changes to the subsidiarity control mechanism, aimed at giving more effect to national Parliaments' reasoned opinions. Although both chambers acknowledge that formal changes to the mechanism would require a treaty change, they have suggested that changes be made in the form of an informal agreement or a commitment from the Commission to national Parliaments.

The European Parliament also contributed to the debate on the role of national Parliaments. Shortly before the European elections, in April, the European Parliament's Committee for Constitutional Affairs adopted a report by Mr Carlo Casini (EPP/IT) on national Parliaments. The report, inter alia, '*commends (...) national Parliaments to take steps to improve guidance and scrutiny procedures, with a view to achieving greater consistency*'. It points to the early warning mechanism as one of the tools for ensuring effective cooperation between European and national institutions and welcomes the fact that the mechanism is also used as a channel for consultation and cooperative dialogue between the various institutions in the EU's multilevel governance system.

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. The letter called on the new 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*'.

#### *The Juncker Commission's emphasis on national Parliaments*

The Juncker Commission took office on 1 November 2014. In his mission letters to the Members of the Commission, President Juncker announced the Commission's intention to forge a new partnership with national Parliaments and its particular commitment that Members of the Commission would visit national Parliaments as often as possible to present

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<sup>38</sup> A suggestion to set up a procedure whereby a group of national Parliaments would be able to invite the Commission to table a proposal.

and discuss important Commission proposals or initiatives. The Commission is following with interest the discussions on the role of national Parliaments in European decision-making.

## 5. BILATERAL CONTACTS AND VISITS

The political dialogue between the Commission and national Parliaments also continued in the form of meetings and contacts at political and administrative level, in Brussels and in the respective Member States.

### *Bilateral meetings of the Barroso Commission with national Parliaments*

Vice-President Šefčovič visited national Parliaments on five occasions in 2014 (the Greek *Vouli ton Ellinon*, the Maltese *Kamra tad-Deputati*, both chambers of the Romanian Parliament, the Slovak *Národná Rada* and the Swedish *Riksdag*). He also received delegations from the UK House of Lords, the Irish Houses of the *Oireachtas* and the Czech *Senát*.

Commissioner Hedegaard met with the French *Assemblée Nationale*, the Italian *Camera dei Deputati* and *Senato della Repubblica*, the UK House of Commons, and the Czech *Poslanecká Snemovna* and *Senát* in connection with climate change 2020-2030. She also met with the Danish *Folketing* to discuss current European topics.

Another central issue in 2014 was the Commission's negotiations with the United States on the Transatlantic Trade and Investment Partnership (TTIP). In that context, Commissioner De Gucht met with the Belgian *Chambre des Représentants*, the German *Bundesrat*, and the UK House of Lords.

Furthermore, a number of Commissioners visited national Parliaments in 2014: Commissioners Almunia and Šemeta met with the French *Sénat*, Commissioner Lewandowski met with the Spanish *Congreso de los Diputados* and *Senado*, Commissioners Ciolos, Dominik and Oettinger met with the German *Bundestag*, Commissioner Georgieva met with the Spanish *Congreso de los Diputados* and *Senado* and Commissioner Borg met with the Maltese *Kamra tad-Deputati*.

### *Bilateral meetings of the Juncker Commission with national Parliaments*

First Vice-President Timmermans met with the EU Affairs Committees of the Italian Parliament in November 2014, and in December 2014 he received a delegation from the Committee for European Affairs of the German *Bundestag*.

Other members of the new Commission also visited national Parliaments in 2014: In November 2014, Vice-President Georgieva met with the Vice-President of the German *Bundestag* and in December, Vice-President Dombrovskis met with the Latvian *Saeima* and with the Estonian *Riigikogu*. In December 2014, Vice-President Ansip and Commissioner Andriukaitis met with Committee chairs from the Latvian *Saeima*, Commissioner Hahn met with the Austrian *Bundesrat*, Vice-President Katainen met with the Romanian *Senat* and Commissioner Bulc met with the French *Assemblée nationale*.

### *Meetings of Commission officials with national Parliaments*

As in previous years, Commission officials from the Secretariat-General, and from Directorates-General (DGs) COMM, TAXUD, TRADE, ECFIN, ENER, MARKT, OLAF, JRC, JUST, SANCO, HOME, ELARG, ENTR, ENV, COMP, ESTAT, DEVCO, MARE and CNECT attended various meetings in Committees of national Parliaments. In addition, Commission officials (in particular from DGs COMM, TAXUD, ECFIN, MARKT, DEVCO, HOME, MARE, ENER, OLAF, JUST and ENTR) attended meetings of the permanent representatives of national Parliaments based in Brussels to discuss a variety of current initiatives or ongoing issues.

Furthermore, the European Semester Officers under the Commission Representations in the Member States have regular contact with national Parliaments, e.g. on the European Semester and other economic issues.

## **6. CONCLUSIONS & OUTLOOK**

2014 was marked by the arrival of the Juncker Commission and the announcement of its commitment to forge a new partnership with national Parliaments, focusing on the Commissioners' readiness to appear before national Parliaments when invited to explain and discuss important Commission proposals and initiatives. This coincided with the launching by several national Parliaments of a renewed debate on the role of national Parliaments in EU matters.

From the very start of its term of office, the new Commission has demonstrated its commitment to forging a new partnership by increasing the number of Commissioner visits to national Parliaments. The Commission Work Programme 2015, adopted in December 2014, was among the topics discussed most frequently with national Parliaments during the first few months. In his letter to all national Parliaments, First Vice-President Timmermans specifically invited them to comment on the Work Programme.

The political dialogue with national Parliaments has proved its worth since it was launched in 2006. However, most opinions continue to be submitted by a relatively small group of Parliaments or chambers. Furthermore, there is still untapped potential as regards the involvement of national Parliaments at the pre-legislative stage of European decision-making through responses to public consultations or comments on policy documents, such as green papers.