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REPORT FROM THE COMMISSION

ANNUAL REPORT 2007

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

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1. INTRODUCTION

In 2007 the Commission's new approach to strengthening its relations with national Parliaments made significant progress. One practical element of this approach is regular visits by the Commission President and other members of the College to the national Parliaments (more than 120 in 2007). Another, introduced in September 2006, is the consultation of national Parliaments on all Commission communications and proposals, whether of a legislative or other nature. As of 31 December 2007, the Commission had received 168 opinions from national Parliaments. On these two fronts, the past year was highly successful, and relations with national Parliaments were significantly expanded.

The signature of the Lisbon Treaty marked a quantum leap in terms of the participation of national Parliaments in the Community legislative process. The role to be played by national Parliaments was at the heart of the institutional settlement. Once the new treaty enters into force, national Parliaments will have the right to express their opinion on the application of the principles of subsidiarity in all Commission legislative initiatives. They will also be able to request further explanations from the Commission ("yellow card") and even initiate a procedure leading to a specific, qualified vote in the European Parliament and in the Council of the European Union ("orange card").

As a preliminary however, the national Parliaments must ratify the Lisbon Treaty, which greatly strengthens their role in European affairs. In 26 of the 27 Member States, ratification will take place by parliamentary procedure only.

2. ASSESSMENT OF FEEDBACK RECEIVED FROM NATIONAL PARLIAMENTS

Of the 40 parliamentary chambers invited to take part in the political dialogue (14 Member States have a monocameral system, 13 a bicameral one), a very large number sent feedback.

2.1. Reactions from national Parliaments

168 opinions

National Parliaments have continued to play an active role in setting up the political dialogue mechanism launched in 2006. As of 31 December 2007, the Commission had received 168 opinions regarding 82 Commission texts from 27 national Parliaments in 19 Member States (see attached list).

Thirty-five opinions were issued as part of two coordinated subsidiarity exercises conducted by the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) and launched in late 2006. In all, 19 chambers informed the Commission of their position on the proposal concerning jurisdiction and the applicable rules in matrimonial matters, and 16 opinions were submitted concerning the proposal on the completion of the internal market for postal services.

During 2007, COSAC launched only one exercise of this type, relating to the Council Framework Decision on combating terrorism of 6 November 2007¹.

Numerous Commission proposals commented on

The 133 remaining opinions concerned various Commission documents. Several proposals elicited at least three opinions: the proposals on the European Technology Institute, the common organisation of the wine market, soil protection, sanctions against employers of illegally staying third-country nationals; the Green Papers on tobacco, modernising labour law, diplomatic and consular protection, public access to documents held by the institutions of the European Community, research policy and the future common European Asylum System; the Communication on a European vision for the oceans and seas and the Annual Policy Strategy for 2008.

It should be noted that the national Parliaments showed particular interest in the Annual Policy Strategy for 2008. Five chambers communicated their reactions via opinions during the political dialogue launched by the Commission. This dialogue has taken other forms as well, namely hearings organised on the Parliaments' initiative, with or without Commission Members present, and debates at COSAC.

Very active Parliaments

Some lower chambers were very active: the French Senate, the German Bundesrat, the House of Lords and the Czech Senate alone submitted 92 opinions. Sweden's Riksdag and Denmark's Folketing also took positions on several consultation documents, while the Parliament of the Portuguese Republic issued a series of favourable opinions on subsidiarity. These seven chambers issued 138 opinions.

Commission replies

The Commission replied to 109 of these opinions. 41 of the opinions from the national Parliaments were favourable and did not require any answer other than an acknowledgement of receipt. The Commission replies in the language of the chamber concerned, and its reply is sent for information to the European Parliament and the Council.

National parliament rejoinders

The French Senate responded to the Commission's replies on proposals concerning the ban on the use of the dog and cat fur, motorway infrastructure safety and penalties for employers of illegally staying third-country nationals. The House of Lords reacted twice to a proposal regarding the European Technology Institute. The French Senate and the German Bundesrat also revisited, in 2007, comments they had made in 2006 regarding the proposal on soil protection.

2.2. An ongoing process

Increased participation

With the exception of the exercises coordinated by COSAC, the national Parliaments' opinions initially came, primarily, from very active lower chambers. However, it should be noted that the Swedish and Danish parliaments expressed opinions as early as the document consultation stage.

¹ The opinions of the national Parliaments on the Decision did not reach the Commission before the end of 2007.

General policy comments

While the exercises organised by COSAC were limited to subsidiarity, it should be noted that, generally, the national Parliaments' opinions also covered political issues related to the contents of the Commission proposals. Certain chambers like the French Senate, the Dutch Parliament and the Parliament of the Portuguese Republic focused on questions of subsidiarity and proportionality. However, the Portuguese Parliament also adopted a general opinion concerning the Commission communication on its achievements in 2006, which touched on subjects including the Lisbon strategy, the single market, social solidarity and energy.

IPEX more effective

The IPEX database is increasingly functional and enables the Commission to be better informed about interparliamentary cooperation and, in particular, about the existence of national Parliament opinions that have not been reported to it. Plans have been made to increase cooperation with IPEX in 2008.

2.3. Effects on policy formulation

The most immediate effect of the national Parliament opinions is to elicit a reply and explanation from the Commission. This is a new form of transparency that the Commission would like to promote in order to enrich its policy formulation and development process.

In accordance with the Treaty and their constitutional rules and practice, the national Parliaments do not take part in decision-making at European level. As part of the political dialogue launched by the Commission in September 2006, their contribution can, however, help improve European policy formulation.

The national Parliaments have replied on numerous occasions to consultation documents from the Commission. For its part, the Commission will take these replies into account when drafting its proposals.

It is worth noting that, while examining legislative proposals from the Commission, on several occasions the European institutions echoed concerns expressed by the national Parliaments. This was the case with such matters as the completion of the internal market for postal services, the proposals on soil protection, motorway infrastructure safety and the European Technology Institute.

Lastly, it should be noted that the Commission accepted the suggestion made by the French Senate that it should modify the title of the proposal on the protection of pedestrians and other vulnerable road users. It will refer the matter to the European Parliament and the Council.

There are also occasions when it may be desirable to rework a text in order to clarify the Commission's intentions. As one example, during the discussions in the Council, the recitals contained in the proposal on fruit and vegetables, COM(2007) 171, were amended and expanded in order to make more explicit the justification on subsidiarity and proportionality grounds.

3. WORKING VISITS BY MEMBERS OF THE COMMISSION AND OTHER CONTACTS WITH NATIONAL PARLIAMENTS IN 2007

Visits to national Parliaments

Under the new approach to relations between the Commission and national Parliaments², three general objectives have been established to guide the Commission's actions: mutual service and establishment of an open, permanent dialogue, practical networking and, via closer ties to elected representatives, greater proximity to citizens. In this context, regular working visits by Commission Members to national Parliaments were defined as a key action. The Commission President and the Vice-President with responsibility for interinstitutional relations committed themselves to visiting all the national Parliaments during the current legislative term. The frequency of these visits is a new development that clearly shows the importance that the Commission is attaching to being more in touch with national Parliaments and better explaining policies to them.

In 2007, President Barroso visited the Lithuanian, Portuguese, Maltese, Romanian and Estonian Parliaments. He also attended the COSAC meeting in Estoril on 15 October 2007 and the meeting of the Conference of Foreign Affairs Committee Chairpersons of the Parliaments of the Member States of the European Union.

Vice-President Wallström visited the Italian and Dutch Parliaments and the House of Commons and House of Lords in 2007. She met twice in Brussels with a delegation of the Swedish Parliament and attended the meeting of Presidents of COSAC delegations (12 February in Berlin) and the COSAC meeting on 15 May 2007.

It should also be noted that the commissioners visited or otherwise had contacts with national Parliaments on more than 120 occasions this year.

Attendance at interparliamentary meetings

The Commission accepted numerous invitations to attend meetings with the national Parliaments organised by the European Parliament or jointly organised by the EP and the national Parliament of the country holding the Presidency, at both parliamentary committee and ad hoc levels.

President Barroso attended interparliamentary forums on the future of the European Union (12 June 2007 and 4 December 2007) and the Lisbon Strategy (6 February 2007). Vice-President Verheugen kicked off the work of this last forum on 5 February 2007. Mr Almunia took part in the interparliamentary forum on the eurozone on 28 February 2007. Mr Kovacs attended the Conference of the Presidents of Parliaments of the European Union on 26 May 2007 in Bratislava.

Newsletters

The Commission's Secretariat-General produced three newsletters that were distributed within the Commission, at the European Parliament and in the national Parliaments.

² "Ten target actions" communicated to the College by Ms Wallström on 9 February 2005

New form of communication regarding the EU

The organisation of the political dialogue between the Commission and the national Parliaments led to significantly more information being exchanged. Moreover, in response to a request by the European Parliament within the framework of the 2007 budget, the Commission began to develop Pilot Information Networks (PINs). These serve as a platform for exchanges and interaction between European and national MPs that promotes structured debates on a variety of topics; the goal is to share knowledge about the European Union and promote new ideas and policies. The platform contains links both to the EUROPA website and to the IPEX website.

Permanent representatives

Commission staff attended 12 meetings of the permanent representatives of the national Parliaments in Brussels.

4. CONCLUSIONS

Since early 2005, the Commission's relations with the national Parliaments have been guided by a clear and concise roadmap. The key targets formulated at the start have enabled the Commission to create a solid working relationship with the national Parliaments and then initiate a dialogue to improve policy formulation.

In 2008, relations between the Commission and the national Parliaments will be developed further, while fully respecting the prerogatives of the EU institutions.

In particular, it will be important to study the political dialogue with the national Parliaments in greater detail while preparing the entry into force of the Lisbon Treaty. The Commission plans to maintain the current framework for dialogue with the national Parliaments and to strengthen it by publishing its replies to their opinions and by adapting its system for disseminating documents and collecting opinions. At the same time, the Commission will take the necessary steps to implement the provisions of the Lisbon Treaty.

ANNEX

NATIONAL PARLIAMENT OPINIONS

7 January 2008

	COUNTRY	Opinions received	Empowerment **	Simplified reply ***	Favourable opinion ***	Replies sent	REMARKS
1	FR Sénat	40	29	7	4	24	
2	DE Bundesrat	21	21	-	-	15	
3	UK House of Lords	18	17	1	-	14	
4	SV Riksdagen	17	16	1	-	9	
5	PT Assembleia da República	19	-	-	13	-	
6	DK Folketing	12	7	2	3	8	
7	CZ Sénát	11	10	-	1	6	
8	NL Eerste Kamer / Tweede Kamer	3	3	-	-	3	Both chambers *
9	DE Bundestag	3		2	1	3	
10	LT Seimas	3	1	1	1	2	
11	FR Assemblée nationale	2	1	-	1	1	
12	BE Sénat / Senaat	2	2	-	-	2	
13	UK House of Commons	2	1	-	1	2	
14	HU Országgyűlés	2	-	-	2	-	
15	LUX Chambre des députés	2	1	1	-	2	
16	EE Riigikogu	2	-	-	2	-	
17	CZ Poslanecká sněmovna	1	1	-	-	1	
18	IT Camera dei Deputati	1	-	-	1	-	
19	BE Chambre des Représentants / Kamer	1	1	-	-	1	

	van Volksvertegenwoordigers						
20	PL Sejm	1	-	-	1	-	
21	PL Senat	1	-	-	1	-	
22	FI Eduskunta	1	-	-	1	-	
23	IE Oireachtas	1	1	-	-	1	Both chambers *
24	SI Državni zbor	1	-	-	1	-	
25	SK Národná rada	1	-	-	1	-	
	Total:	168	112	15	41	94	

* The opinions of the Dutch and Irish Parliaments were sent on behalf of both chambers.

** Empowerment: the Commission empowered the Vice-President for institutional relations to reply to the national Parliaments on its behalf, subject to the agreement of the departments and cabinets concerned.

*** If an opinion is favourable, the Commission sends an acknowledgement of receipt only. In other cases, it either empowers the Vice-President for institutional relations to reply to the chambers concerned or replies itself in a simplified manner.