



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 December 2010

18123/10

**INST 611
PARLNAT 197**

COVER NOTE

from : Mr. Přemysl Sobotka, President of the Senate of the Parliament of the Czech Republic
received on : 01 October 2010
to: The Council of the European Union
Subject : Annual Report 2009 on relations between the European Commission and National Parliaments COM(2010) 291 final ¹
- Scrutiny information

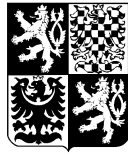
Delegations will find attached a copy of the above letter. ²

¹ [doc. 11423/10 INST 227 - COM(2010) 291 final]

² This document is available in English on the Interparliamentary EU information exchange Internet site (IPEX) at the following address:
http://www.ipex.eu/ipex/cms/home/Documents/dossier_COM20100291/pid/53891

THE PARLIAMENT OF THE CZECH REPUBLIC

SENATE



7th term

553rd RESOLUTION

OF THE SENATE

Delivered on the 23rd session held on 22 September 2010

Annual report 2009 on relations between the European Commission

and national parliaments

(Senate Press no. K 125/07)

The Senate

I.

1. **Intends** to use the new procedures introduced by the EU institutions in order to reach full and constitutionally conform implementation of powers of national parliaments, as envisaged by rules of national and European law;
2. **Regards** the mechanism of subsidiarity checks by the national parliaments and their political dialogue with the Commission as two complementary instruments which are to be distinguished, though;

II.

1. **Welcomes** the fact that within the framework of political dialogue, is it also possible to communicate to the Commission the opinions on documents not falling within the subsidiarity control mechanism pursuant to Protocol No. 2 of the Lisbon Treaty; the Senate makes use of this possibility regularly;
2. **Appreciates** that the Commission also reacts to the national parliaments' opinions on documents which have not been made available directly by the Commission pursuant to the Protocol No. 1 of the Lisbon Treaty;

3. **Would welcome** in the Commission's reactions a more detailed clarification of the up-to-date position of the Commission on the problematic provisions of the document in question;
4. **Is of the opinion** that for the effective use of the subsidiarity control instruments by the national parliaments, functioning inter-parliamentary coordination is necessary;
5. **Regrets** therefore that so far, this coordination role has not been assumed to the full extent by the COSAC which is, according to the opinion of the Senate, best equipped to fulfil this task;
6. **Intends** nevertheless to continue with the established practice of debating the Commission Work Programme and subsequent preliminary selecting of documents for scrutiny with regard to their adherence to the subsidiarity principle;
7. **Points out** that coordination of parliamentary positions to draft legislative acts is complicated considerably due to
 - different interpretation of the concept of "reasoned opinion" which can only be adopted, according to the opinion of the Senate, on draft legislative acts not falling within the exclusive competence of the EU within the application of early warning system;
 - disharmonised use of IPEX symbols;
 - delayed updating of information on parliamentary scrutiny process in IPEX database and unavailability of the outcomes of this scrutiny in working languages of the EU;

III.

Authorises the President of the Senate to forward this resolution to the European Commission, the European Parliament and the Council of the EU.

Přemysl Sobotka

sign manual

President of the Senate

Alena Venhodová

sign manual

Senate Verifier