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EUROPEAN  
COMMISSION

Brussels, 23.10.2018  
COM(2018) 491 final

**REPORT FROM THE COMMISSION**

**ANNUAL REPORT 2017**

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



# ANNUAL REPORT 2017

## ON RELATIONS BETWEEN THE EUROPEAN COMMISSION AND NATIONAL PARLIAMENTS

### 1. INTRODUCTION

In 2017, relations between national Parliaments and the European Commission continued to be intensive and fruitful, both in terms of visits and meetings between Members of the Commission and Members of national Parliaments as well as the number of national Parliaments' opinions received under the subsidiarity control mechanism or the 'political dialogue'.

National Parliaments participated actively in the debate on the future of Europe, launched with the Commission's White Paper in March 2017 and the subsequent five reflection papers, on which the Commission received 23 opinions in total by the end of 2017. Policies that triggered the highest number of opinions from national Parliaments included the Energy Union, road transport mobility, and public services. Also security, migration and asylum continued to be important topics of parliamentary debates and opinions, but equally important were internal market and social affairs. Brexit was the object of 1 joint opinion of the Visegrad States and 16 opinions of the House of Lords.

The highly important role of national Parliaments, included already in priority No 10 'A Union of Democratic Change' of this Commission, was further underlined by President Juncker in his speech on the State of the Union in September 2017, when he referred to their role in intensifying the work on the future of Europe and announced keeping them – and regional Parliaments – fully informed from day one about negotiations for trade agreements. Also regional Parliaments with legislative powers continue to engage in the subsidiarity control and the debate of political and institutional issues relevant to them.

Proposing ways for better involving national Parliaments and regional and local authorities in the preparation and implementation of Union legislation was also one of the main objectives of the Task Force on Subsidiarity, Proportionality and 'Doing Less More Efficiently' that President Juncker set up in November 2017 and that under the chairmanship of First Vice-President submitted its report to the Commission on 10 July 2018<sup>1</sup>.

This report focuses on the Commission's political dialogue with national Parliaments, which was initiated in 2006. The subsidiarity control mechanism, which gives national Parliaments the right to assess whether legislative proposals in areas that do not fall within the exclusive competence of the European Union comply with the principle of subsidiarity, is addressed in the 2017 Annual Report on subsidiarity and proportionality<sup>2</sup>. That report published in parallel should be seen as complementary to the present report.

### 2. POLITICAL DIALOGUE WITH NATIONAL PARLIAMENTS

#### *a. General observations on the written opinions*

In 2017, the national Parliaments addressed 576 opinions (including 52 reasoned opinions) to the Commission. This is a slight decrease of 7% compared to 2016, when national Parliaments issued 620 opinions. The number of submitted reasoned opinions in 2017 (52) was 20% lower than in

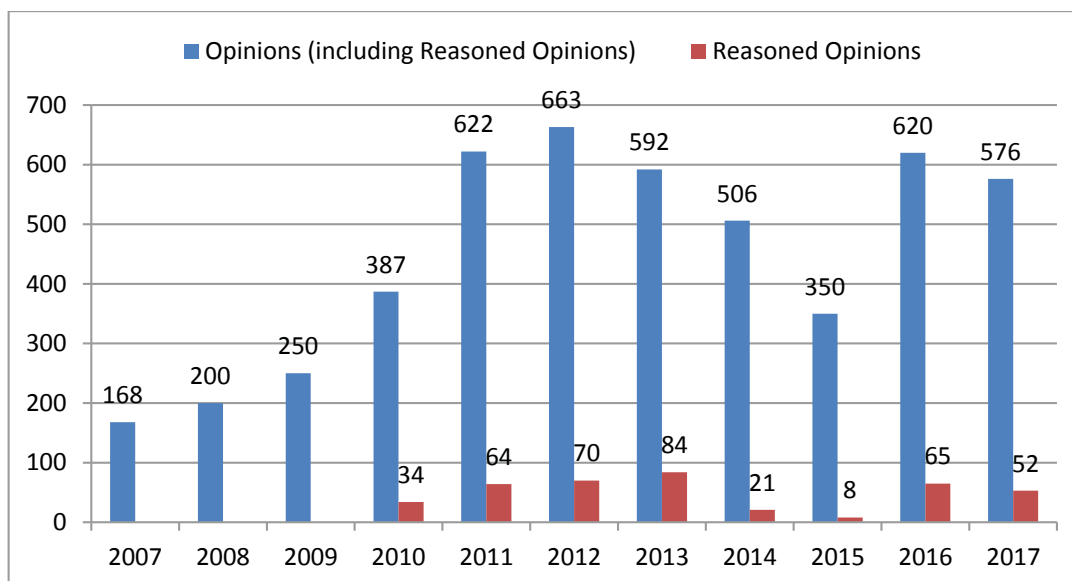
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<sup>1</sup> [https://ec.europa.eu/commission/sites/beta-political/files/report-task-force-subsidiarity-proportionality-doing-less-more-efficiently\\_1.pdf](https://ec.europa.eu/commission/sites/beta-political/files/report-task-force-subsidiarity-proportionality-doing-less-more-efficiently_1.pdf)

<sup>2</sup> COM(2018) 490.



2016 (65 reasoned opinions), but their percentage remained similar (9-10.5% of the total number of opinions).



### ***b. Participation and scope***

As in previous years, the number of opinions sent to the Commission differed substantially between the national Parliaments. The 10 most active chambers issued nearly 74% of the opinions (i.e. 424 opinions), which is a very similar percentage to the one observed previously (2016: 73%, 2015: 70%).

The chamber which submitted the highest number of opinions in 2017 was the Portuguese *Assembleia da República*. Its 64 opinions accounted for some 11% of the total number of opinions received. The other national Parliaments or chambers which sent the highest numbers of opinions in 2016 were also the most active ones in 2017: Italian *Senato della Repubblica* (56 opinions); the Czech *Senát* (53 opinions), the Italian *Camera dei Deputati* (45 opinions), the German *Bundesrat* (43 opinions), the Romanian *Camera Deputaţilor* (41 opinions), the Spanish *Cortes Generales* (38 opinions)<sup>3</sup>, the Romanian *Senat* (33 opinions), the French *Sénat* (29 opinions) and the British House of Lords (22 opinions). For the detailed information, see Annex 1.

### ***c. Main topics of the opinions in political dialogue***

The following legislative packages, as well as the series of Reflection Papers following the White Paper on the Future of Europe, were amongst those which attracted most attention from national Parliaments (for further details see Annex 2):

- White Paper on the Future of Europe and the Reflection Papers<sup>4</sup> – 23 opinions;
- ‘Clean Energy for all Europeans’ package<sup>5</sup> – 62 opinions on different elements of the package;
- Services package<sup>6</sup> – 22 opinions; and
- Europe on the Move mobility package<sup>7</sup> – 21 opinions.

<sup>3</sup> Counted as 38 joint opinions from both chambers.

<sup>4</sup> COM(2017) 2025 final of 1 March 2017 and COM(2017) 206 of 26 April 2017; COM(2017) 240 of 10 May 2017; COM(2017) 291 of 31 May 2017; COM(2017) 315 of 7 June 2017; COM(2017) 358 of 28 June 2017.

<sup>5</sup> COM(2016) 759,761,763,765 and 767 and COM(2016) 861,862,863 and 864 of 30 November 2016.

<sup>6</sup> COM(2016) 820, 821, 822, 823 and 824 of 10 January 2017.

<sup>7</sup> COM(2016) 275, 276, 277, 278, 279, 280, 281 and 282 of 31 May 2017.



- *White Paper on the Future of Europe and the Reflection Papers*

On 1 March 2017, the Commission adopted a White Paper on the Future of Europe<sup>8</sup>, which presented a range of five different scenarios on how the European Union at 27 could evolve by 2025 and aimed at launching a process to reflect, debate, and decide on the future of the Union. This White Paper was complemented by five Reflection Papers on specific issues:

- the Reflection Paper on the social dimension of Europe<sup>9</sup>, adopted on 26 April 2017, presents options on how the social dimension of Europe could be developed in the future;
- the Reflection Paper on harnessing globalisation<sup>10</sup>, adopted on 10 May 2017, examines how the European Union can best harness globalisation and respond to its opportunities and challenges;
- the Reflection Paper on the deepening of the Economic and Monetary Union<sup>11</sup>, adopted on 31 May 2017, intends to stimulate the debate on the Economic and Monetary Union and its future architecture;
- the Reflection Paper on the future of the European defence<sup>12</sup>, adopted on 7 June 2018, sets out possible scenarios for the future of European defence; and
- the Reflection Paper on the future of EU finances<sup>13</sup>, adopted on 28 June 2018, presents possibilities and reform options, mapping out opportunities, risks and trade-offs for the future of the EU budget.

In 2017, 8 national Parliaments<sup>14</sup> submitted a total of 23 Opinions on the White Paper and/or on the Reflection Papers.

Five Opinions<sup>15</sup> concerned the White Paper itself. They notably stressed the need to get broader support for the Union's policies from citizens, as well as to maintain the European Union's unity and reject a multi-speed Europe. Some formulated ideas on how to better involve national Parliaments in the preparation and implementation of Union policies and the control of subsidiarity. In its replies, the Commission explained that the purpose of the White Paper was indeed to launch a wide-ranging debate with citizens, so as to bring the European Union closer to them, and referred to the organisation of the 'Future of Europe' debates, and to the role that national Parliaments had to play in this regard. It also clarified, as already stated in the White Paper, that the starting point for each of the scenarios in the White Paper was that the 27 Member States move forward together as a Union and that, while the current Treaties already allow for a multitude of forms of cooperation in groupings across all Member States, this possibility should not be presented or understood as something new undermining the Union's unity.

Two Opinions<sup>16</sup> were submitted on the Reflection Paper on the social dimension of Europe, one stressing the importance of the social dimension of the Union and the part it should play in strengthening the competitiveness of the Union, the other one questioning the choice of the scenarios presented in the paper. In its replies, the Commission emphasised that 'Social Europe' and

<sup>8</sup> COM (2017) 2025.

<sup>9</sup> COM (2017) 206.

<sup>10</sup> COM (2017) 240.

<sup>11</sup> COM (2017) 291.

<sup>12</sup> COM (2017) 315.

<sup>13</sup> COM (2017) 358.

<sup>14</sup> Austrian *Bundesrat*, Czech *Poslanecká sněmovna*, Czech *Senát*, Croatian *Hrvatski Sabor*, Italian *Senato Della Repubblica*, Romanian *Camera Deputaţilor*, Romanian *Senat*, Swedish *Riksdag*.

<sup>15</sup> Austrian *Bundesrat*, Czech *Senát*, Croatian *Hrvatski Sabor*, Romanian *Camera Deputaţilor*, Swedish *Riksdag*

<sup>16</sup> Czech *Senát*, Romanian *Camera Deputaţilor*.



social investments were high on its agenda, and explained that the possible scenarios presented in the paper were not meant to limit the debate, but merely aimed at illustrating possibilities.

The three Opinions<sup>17</sup> submitted on the Reflection Paper on harnessing globalisation notably stressed the importance of trade agreements in the promotion of jobs and growth in the European Union, of cybersecurity and of the creation of a business environment stimulating innovation, as well as the role of structural and investment funds to address the negative aspects of globalisation. The Commission responded on these issues and welcomed the appreciation, by national Parliaments, of the efforts made at Union level to address the opportunities and challenges of globalisation and shape it for the benefit of European citizens.

All five Opinions<sup>18</sup> submitted on the Reflection Paper on the deepening of the Economic and Monetary Union came from Member States which currently do not belong to the euro area. They mentioned the timing of the different measures outlined in the Reflection Paper, the risk of a gap between Member States created by a euro area budget and the need to respect the integrity of the internal market, the involvement of national Parliaments as well as various technical issues. In its replies, the Commission notably clarified the sequence of envisaged measures in two phases, one finishing in 2019 and the other in 2025, underlined its commitment to the unity of the European Union and referred to its proposal for providing Member States who have not yet adopted the euro with the technical and financial assistance necessary to enable them to do so, thereby reaping the benefits of Union membership in full.

Four Opinions<sup>19</sup> were submitted on the Reflection Paper on the future of the European defence. They emphasised the complementarity between the European Union and NATO and expressed some concerns about the access to and financing of the European Defence Fund. In its replies, the Commission agreed that duplications with NATO should be avoided and explained that the programmes and tools developed under the European Defence Fund would be inclusive and open to the participation of beneficiaries from all Member States, including small and medium-sized enterprises, and would not negatively affect existing programmes.

The four Opinions<sup>20</sup> on the Reflection Paper on the future of EU finances contained detailed views or suggestions on several aspects of the future Multiannual Financial Framework, such as expenditure, revenue, general trend and volume, as well as on national Parliaments' preferred duration for this Multiannual Financial Framework. Some national Parliaments also emphasised the complementarity of the European and national budgets in delivering results that matter for all European citizens. The Commission welcomed these contributions as input for the preparation of its proposals of May 2018 for the next Multiannual Financial Framework.

- *'Clean Energy for all Europeans' package*

As announced in its Energy Union Strategy, the Commission on 30 November 2016 presented a 'Clean Energy for all Europeans' package, consisting of a Communication<sup>21</sup> and eight legislative proposals<sup>22</sup>, four of which relate to electricity supply. The measures proposed by the Commission

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<sup>17</sup> Czech *Poslanecká sněmovna*, Romanian *Camera Deputaţilor*, Swedish *Riksdag*.

<sup>18</sup> Czech *Poslanecká sněmovna*, Czech *Senát*, Romanian *Camera Deputaţilor*, Romanian *Senat*, Swedish *Riksdag*

<sup>19</sup> Czech *Senát*, Italian *Senato Della Repubblica*, Romanian *Camera Deputaţilor*, Swedish *Riksdag*.

<sup>20</sup> Czech *Senát*, Romanian *Camera Deputaţilor*, Romanian *Senat*, Swedish *Riksdag*.

<sup>21</sup> Communication 'Clean Energy For All Europeans' {COM(2016) 860 final}.

<sup>22</sup> A proposal for a Regulation on the Governance of the Energy Union {COM(2016) 759 final}; a proposal for a revised Energy Efficiency Directive {COM(2016)761final}; a proposal for a revised Energy Performance of Buildings Directive {COM(2016)765 final}; a proposal for a recast of the Renewable Energy Directive



aim at accelerating, transforming and consolidating the Union economy's clean energy transition, thereby creating jobs and growth in new economic sectors and business models. The proposals in the package cover issues such as energy efficiency, renewable energy, the design of the electricity market, security of electricity supply and governance rules for the Energy Union. In addition, the Commission proposed a new way forward for ecodesign as well as a strategy for connected and automated mobility.

In 2017, national Parliaments submitted a total of 62 opinions<sup>23</sup>, including 19 reasoned opinions<sup>24</sup>, on individual documents of the package. Covering a wide range of issues, the opinions by majority expressed support to the proposals of the package. Except the subsidiarity concerns expressed in particular on the proposal on the internal market for electricity, the parliamentary chambers focussed on the need to ensure a fair distribution between Member States in view of the achievement of the Union's target for renewable energies, the alleged interference of the proposal on renewable energy with Member States' freedom to choose their own energy mix and national contributions to meeting the EU target. Other concerns from the chambers related to the powers attributed to the Agency for the Cooperation of Energy Regulators, the proposed new decision-making process in the Agency's Board of Regulators, and questioned the establishment of regional operational centres in the internal electricity market. Some chambers also expressed concerns with regard to the obligations imposed on owners and tenants by the proposal for a revised Energy Performance of Buildings Directive.

In its replies, the Commission responded to the various arguments from the national Parliaments and refuted the argument that any of the proposals in the package would undermine Member States' prerogatives to decide on their own energy mix. As regards the proposal on energy efficiency, the Commission confirmed that the proposal is designed to give Member States sufficient flexibility to enact measures allowing for more deployment of renewable energy in the sector. As regards the regional operational centres, the Commission stated that it was necessary to set up regional entities acting in the interest of the whole region in order to avoid that inefficient solutions were applied at regional level because of a lack of agreement between transmission system operators.

- *Services package*

On 10 January 2017, as part of the roadmap laid out in the Single Market Strategy, the Commission presented the Services Package proposals, aiming to unleash the full potential of the Single Market. The Services Package includes a Communication on reform recommendations for regulation in professional services<sup>25</sup> and four legislative initiatives: a proposal for a Regulation introducing a European services e-card, a proposal for a Directive on the legal and operational framework of the

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{COM(2016) 767 final}; a proposal for a recast of the Internal Electricity Market Directive {COM(2016) 861 final}; a proposal for a Regulation on Risk-Preparedness in the Electricity Sector and Repealing the Security of Supply Directive {COM(2016) 862 final}; a proposal for a recast of the Regulation establishing a European Union Agency for the Cooperation of Energy Regulators {COM(2016)863 final}; and a proposal for a recast of the Internal Electricity Market Regulation {COM(2016) 864 final}.

<sup>23</sup> Opinions from Austrian *Bundesrat* (4 opinions), Czech *Senát* (3 opinions), Czech *Poslanecká sněmovna* (5 opinions), French *Sénat* (4 opinions), German *Bundesrat* (4 opinions), German *Bundestag* (2 opinions), Spanish *Congreso de los Diputados/Senato* (4 opinions), Danish *Folketing* (1 opinion), Dutch *Eerste Kamer* (1 opinion), Dutch *Tweede Kamer* (1 opinion), Italian *Senato Della Repubblica* (3 opinions), Italian *Camera Dei Deputati* (7 opinions), Hungarian *Országgyűlés* (2 opinions), Polish *Senat* (3 opinions), Polish *Sejm* (2 opinions), Portuguese *Assembleia da República* (5 opinions), Romanian *Senat* (4 opinions), Romanian *Camera Deputaţilor* (4 opinions), Slovak *Národná rada* (3 opinions) and Swedish *Riksdag* (1 opinion).

<sup>24</sup> For information on the reasoned opinions on the package please see the Annual Report 2017 on the application of the principles of subsidiarity and proportionality, COM(2018) 490, section 3.1.

<sup>25</sup> COM(2016) 820 of 10 January 2017.



European services e-card, a proposal for a Directive on proportionality test before adoption of new regulation of professions and a proposal for a Directive on improved notification of draft national laws on services.<sup>26</sup> While the proposals for an e-card aim to make it easier for services providers to comply with administrative formalities, the proposals for a revised notification procedure and for a proportionality analysis aim to ensure that new measures being introduced by Member States are in line with EU law and take into account experiences and best practices from other Member States. All proposals focus on ensuring that existing EU rules in the area of services are applied better, as evidence shows that implementing them to their full potential would provide a significant boost to the EU economy.

In 2017, national Parliaments submitted a total of 22 opinions on either the package as a whole or some of its proposals. These included 14 reasoned opinions<sup>27</sup>. Except for the latter, most national Parliaments agreed with the Commission's assessment that the freedom to provide services must be further facilitated, bureaucracy must be reduced and the European single market must be further deepened. Concerns were expressed that it is not justifiable, with the intent to boost economic activity, to remove all legal obstacles to the free circulation of professionals and to the establishment of companies because such measures would jeopardise the existence of certain professions and sectors, given their specificity.

In its replies, the Commission explained that almost 50 million people – 22% of the European labour force – worked in professions to which access is conditional upon the possession of specific qualifications or for which the use of a specific title was protected, e.g. pharmacists or architects. Regulation is often warranted for a number of professions, for example those linked with public health and safety. However, unnecessarily burdensome and outdated rules could create obstacles for mobility of professionals and for qualified candidates to access these jobs, also to the detriment of consumers.

- *'Europe on the Move' Mobility Package*

On 31 May 2017, the Commission presented a 'Mobility Package' on road transport, consisting of eight legislative proposals<sup>28</sup>, which are designed to improve the conditions of competition in the sector, the working conditions of drivers as well as road safety, to reduce emissions and other negative externalities of road transport, to simplify and clarify existing rules, to make enforcement more efficient and to cut down on administrative burden.

In 2017, national Parliaments submitted a total of 21 opinions<sup>29</sup>, including two reasoned opinions<sup>30</sup>, on either the package as a whole or some of its proposals. While most national Parliaments supported the objectives of the package, worries were expressed by some on the part of the package concerning social rules for drivers, and by others on the liberalisation of cabotage. There were also

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<sup>26</sup> COM(2016) 824, COM(2016) 823, COM(2016) 822, and COM(2016) 821 of 10 January 2017 respectively.

<sup>27</sup> For more information see the Annual Report on Subsidiarity and Proportionality, point 3.2.

<sup>28</sup> Proposals concerning road charging (Proposal for a Directive, COM (2017) 275 final), vehicle taxation (Proposal for a Directive, COM (2017) 276 final), social rules for drivers (Proposal for a Regulation, COM (2017) 277 final), posting of drivers (Proposal for a Directive, COM (2017) 278 final), monitoring and reporting of CO2 emissions (Proposal for a Regulation, COM (2017) 279 final), the interoperability of electronic road toll systems (Proposal for a Directive, COM (2017) 280 final), access to the international road haulage market (Proposal for a Regulation, COM (2017) 281 final) and the framework for the use of hired goods vehicles (Proposal for a Directive, COM (2017) 282 final).

<sup>29</sup> Opinions from Austrian *Bundesrat* (2 opinions), Czech *Senát* (2 opinions), Czech *Poslanecká sněmovna* (1 opinion), French *Sénat* (1 opinion), Dutch *Tweede Kamer* (1 opinion), Italian *Senato Della Repubblica* (1 opinion), Hungarian *Országgyűlés* (1 opinion), Polish *Senat* (3 opinions), Portuguese *Assembleia da República* (2 opinions), Romanian *Senat* (7 opinions).

<sup>30</sup> From Austrian *Bundesrat* on COM (2017) 275 and Polish *Senat* on COM (2017) 278.



some concerns on the reduction of Member States' autonomy and policy discretion on road charges/tolling.

In its replies to the specific concerns raised, the Commission emphasised the coherence of the package and notably stressed the importance of adequate social rules (especially resting conditions) for road safety, and of a balanced approach between the protection of drivers' rights to adequate pay and the need to ensure the good functioning of the internal market. It also explained that as regards cabotage, the proposals aim neither at opening the market nor at closing it compared to the current status, but rather at easing enforcement, and that they do not limit the margin of manoeuvre of Member States in the area of taxation.

#### **d. Joint own-initiative opinions**

In 2017, the Commission received four joint own-initiative opinions from national Parliaments, relating mostly to main institutional issues of the European Union.

The own-initiative opinion signed by **26 Parliaments/chambers on transparency of political decision-making in the EU**<sup>31</sup> (following a presentation in the COSAC plenary meeting by the Dutch *Tweede Kamer*), argued in particular that legislative Council documents should be made public without delay, that the Council should adopt specific rules on reporting on legislative deliberations, and that informal meetings of the European Council or the Council (for instance when meeting in EU-27 Brexit format) and meetings of the Eurogroup should be formalised, including by applying Regulation 1049/2001 on access to documents internally.

In its reply, the Commission explained that enhancing transparency is one of its top priorities, as put into practice through several initiatives and steps taken to open up the preparatory legislative process and to make it more transparent. It encouraged the efforts leading to greater transparency of the legislative process and gave its support to any measures which might be decided by the co-legislators in this respect.

Other joint own-initiative opinions received in 2017 were:

- two opinions signed by six parliaments/chambers of the Visegrad Group countries, containing the conclusions of the joint meetings of their Committees on European Affairs on **strengthening the role of national Parliaments in the EU, Brexit, the Future of Europe** and on the dual **quality of food**.
- a Joint Declaration on the future of the **Common Agriculture Policy** for 2020, co-signed by the French *Sénat*, the Irish *Dáil*, the Italian *Senato della Repubblica* and the Polish *Senat*.

### **3. THE ROLE OF REGIONAL PARLIAMENTS**

Regional Parliaments indirectly contribute to the Commission's relations with national Parliaments. According to Protocol No 2 to the Treaties on the application of the principles of subsidiarity and proportionality, when carrying out the subsidiarity check of draft EU legislative acts in view of issuing reasoned opinions, national Parliaments shall consult, where appropriate, regional Parliaments with legislative powers.<sup>32</sup> Members of regional Parliaments are also represented in the Committee of the Regions, which carries out monitoring activities via the Subsidiarity Monitoring Network and its online platform designed to support the participation of the Parliaments of regions

<sup>31</sup> See: [http://ec.europa.eu/dgs/secretariat\\_general/relations/relations\\_other/npo/docs/netherlands/own\\_initiative/oi\\_transparency\\_of\\_political\\_decision\\_making\\_in\\_the\\_eu/oi\\_transparency\\_of\\_political\\_decision\\_making\\_in\\_the\\_eu\\_tweedekamer\\_opinion\\_en.pdf](http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npo/docs/netherlands/own_initiative/oi_transparency_of_political_decision_making_in_the_eu/oi_transparency_of_political_decision_making_in_the_eu_tweedekamer_opinion_en.pdf)

<sup>32</sup> Article 6, first paragraph, of Protocol No 2 on the Application of the Principles of Subsidiarity and Proportionality.



with legislative powers in the early warning mechanism on subsidiarity (REGPEX). The subsidiarity control related activity of the Committee of the Regions is described in greater detail in the 2017, Annual Report on Subsidiarity and Proportionality.

In 2017, out of the total of 66 contributions submitted by REGPEX partners, 30 contributions came from the regional Parliaments. The most active regional Parliaments were the Emilia Romagna Regional Legislative Assembly (nine opinions) and Thuringia State Parliament (seven opinions). The proposals that received the highest number of reactions from regional Parliaments were the ‘Services package’ (five) and the ‘Work-life balance for parents and carers’ proposal (three).

Although there is no explicit provision in the Treaties for a direct interaction between the Commission and regional Parliaments, several regional Parliaments, in particular State Parliaments in Austria and Germany, submitted a number of opinions to the Commission in 2017, commenting on subsidiarity but also on policy aspects of various Commission proposals. The Commission took note of all aspects raised and generally addressed them in its replies to the regional Parliaments.

Following the ‘Heiligendamm Declaration’<sup>33</sup> of 2015, its signatories adopted two declarations in 2017. In the ‘Feldkirch declaration’<sup>34</sup> of 13 June 2017, the Presidents of the German and Austrian Parliaments with legislative powers<sup>35</sup> underline the important role of regional Parliaments in implementing Union policies and in linking with the Union citizens. They engage to strengthen the dialogue with the European institutions and call for the European institutions to better involve regional Parliaments in their debates (including on the Future of Europe), inter alia by providing them with documents in German.

The same group adopted its ‘Brussels declaration’<sup>36</sup> on the occasion of its conference on the Future of Europe held in November 2017 in Brussels, at which the Head of Cabinet of President Juncker participated and explained the work of the Commission on the Future of Europe, subsidiarity and proportionality. The Brussels declaration highlights the need for the strict respect of the subsidiarity principle and suggests changes to the subsidiarity scrutiny procedure, including an extension of the eight weeks scrutiny period and a lowering of the threshold for triggering ‘yellow’ and ‘orange’ cards. It proposes to discuss the future of Europe not in abstract terms but related to concrete policies, and lists a number of areas where it sees a clear added value of action at Union level. The declaration also calls for strengthening the institutional rights of legislative bodies at sub-national level (i.a. through strengthening the role of the Committee of the Regions) and their enhanced role in Commission’s consultation processes.

President Juncker, in his State of the Union Address of 13 September 2017, underlined the important role of national *and* regional Parliaments in the context of trade agreements, stressing that they should be kept fully informed from the beginning of the negotiations, equally as the Members of the European Parliament.

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<sup>33</sup> The “Heiligendamm Declaration” of 16 June 2015 was jointly adopted by the Presidents of the German and Austrian State Parliaments and of the State Parliament of South Tyrol. The declaration calls for a greater inclusion of regional Parliaments with legislative powers in the oversight and scrutiny of the principle of subsidiarity and requests that resolutions adopted by the regional Parliaments with legislative powers in the scope of the subsidiarity early warning system are mentioned by the European Commission in official documents such as its Annual Reports on Subsidiarity and Proportionality and on Relations with national Parliaments.

<sup>34</sup> <https://www.bayern.landtag.de/aktuelles/presse/pressemitteilungen/pressemitteilungen-2017/landtagspraesidentenkonferenz-verabschiedet-europapolitische-erklaerung-von-feldkirch-barbara-stamm-gesetzgebende-regionen-staerker-in-bruessel-einbinden/>

<sup>35</sup> The State Parliament of South Tyrol and the President of the German-speaking community of Belgium also participated.

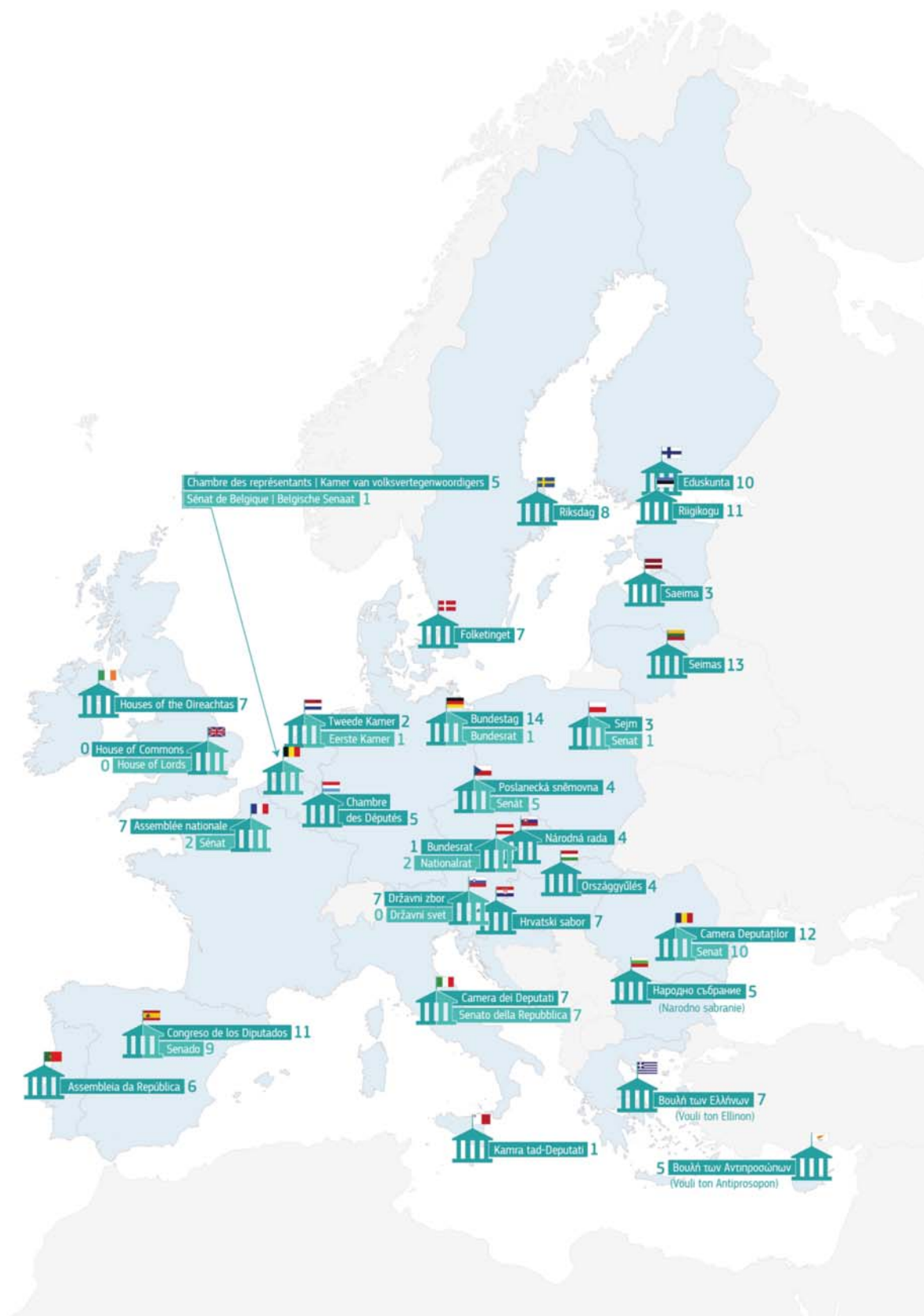
<sup>36</sup> [http://www.pdg.be/PortalData/34/Resources/dokumente/diverses/Bruesseler\\_Erklaerung.pdf](http://www.pdg.be/PortalData/34/Resources/dokumente/diverses/Bruesseler_Erklaerung.pdf)



He also met representatives of many regional governments and parliaments during the year including Baden-Württemberg, Lower Saxony, Saxony, Thuringia (Germany), Upper Austria, Tyrol (Austria), Basque Country, Valencian Community (Spain), Flanders, Wallonia-Brussels Federation (Belgium) and Île de France (France). Other Members of the Commission had similar meetings with regional governments and Parliaments from Belgium, France, Germany, Greece, Italy, Austria and Spain.

**Map:** Total number of visits and meetings of the Members of the Commission with national Parliaments in 2017: 215







#### 4. BILATERAL CONTACTS AND VISITS

As in previous years, Members of the Commission carried out visits to almost all national Parliaments in 2017. Many chambers received more than one visit by President Juncker, First Vice-President Timmermans, Vice-Presidents or the Commissioners. Additionally a number of national Parliaments sent delegations to Brussels to meet Members of the Commission. In total, more than 190 visits and meetings took place in 2017. Also the Chief Negotiator in charge of leading the Commission Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU, Michel Barnier, met with a number of national Parliaments to inform them about the negotiations. Throughout 2017, Commission officials, mostly at senior level, attended more than 80 meetings of committees of national Parliaments in order to discuss legislative proposals on a more technical level. In addition, Commission officials were invited to present key initiatives or important subjects such as Brexit at 18 meetings of the Brussels-based permanent representatives of national Parliaments. Furthermore, European Semester Officers, who are based in the Commission Representations in Member States, remained in contact with national Parliaments on the European Semester and other economic issues.

#### 5. MAIN MEETINGS AND CONFERENCES

The Commission continued to engage with national Parliaments throughout 2017 by attending important interparliamentary meetings and conferences<sup>37</sup>, including the Conference of Parliamentary Committees for Union Affairs (COSAC)<sup>38</sup>, the Conference of the Speakers of European Union Parliaments, the European Parliamentary Week<sup>39</sup>, the Interparliamentary Conference on Stability, Economic Coordination and Governance<sup>40</sup> and the Interparliamentary Conferences for the Common Foreign and Security Policy and the Common Security and Defence Policy (CFSP/CSDP)<sup>41</sup>.

##### *Conference of Parliamentary Committees for Union Affairs (COSAC)*

The Commission was represented at the COSAC meetings in 2017 and provided a written response to the contributions adopted by COSAC at its two plenary meetings during the year.<sup>42</sup> At the COSAC Chairpersons meeting held in Valetta (Malta) on 23 January 2017, attended by Commission First Vice-President, delegates discussed the Commission's 2017 Work Programme

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<sup>37</sup> For more details on these meetings, please see the European Parliament's Report on relations between the European Parliament and national Parliaments under the Treaty of Lisbon 2017: <http://www.europarl.europa.eu/relnatparl/en/about/annual-reports.html>

<sup>38</sup> The COSAC is the only interparliamentary forum enshrined in the Treaties, in Protocol No 1 on the role of national Parliaments in the European Union. It met on two occasions in each Member State that held the rotating presidency of the Council of the European Union in 2017. The Commission has observer status in the COSAC.

<sup>39</sup> The European Parliamentary week, held at the European Parliament on 30 January and 1 February 2017, was addressed by Valdis Dombrovskis, Vice-President of the European Commission for the Euro and Social Dialogue and Pierre Moscovici, Commissioner for Economic and Financial Affairs, Taxation and Customs. More information: <http://www.europarl.europa.eu/relnatparl/en/conferences/european-parliamentary-week.html>

<sup>40</sup> This conference, held on 30 to 31 October 2017 in Tallinn, was addressed by Valdis Dombrovskis, Vice-President of the European Commission for the Euro and Social Dialogue and Günther Oettinger, Member of the Commission responsible for Budget and Human Resources. More information: <http://www.ipex.eu/IPEXL-WEB/conference/getconference.do?id=082dbcc55d1a225d015d1c0237bc00f5>

<sup>41</sup> The tenth and eleventh joint sessions of these conferences were held respectively on 26 to 28 April 2017 in Valletta and on 7 to 9 September 2017 in Tallinn. High Representative/Vice-President of the Commission Federica Mogherini attended both of them. More information: <http://www.ipex.eu/IPEXL-WEB/conference/getconference.do?id=082dbcc55898c90b01589adfe78c014b> and <http://www.ipex.eu/IPEXL-WEB/conference/getconference.do?id=082dbcc55d0fd5e3015d12272613017c>

<sup>42</sup> The COSAC website at <http://www.cosac.eu/en/> holds detailed reports of COSAC meetings as well as copies of the COSAC Contributions and the Commission's reply thereto.



and the challenges linked to Brexit and ways to respond to many citizens' apparent lack of trust in the European project.

The LVII COSAC plenary meeting in May 2017, also attended by First Vice-President, continued the debate on the role of national Parliaments and on how increased transparency by the Council and Parliament following the Commission's suit could play a role in restoring citizens' trust in the EU institutions. Other debates focussed on the Brexit state of play, with the participation of the Commission's Chief Negotiator, and on a more sustainable EU Integrated Maritime Policy.

The COSAC Chairpersons meeting held in Tallin (Estonia) on 10 July 2017 provided a forum for discussion on the priorities of the Estonian Presidency. It debated also the Union support to the growth of start-ups and scale-ups.

In its LVIII plenary meeting on 26-28 November in Tallinn, COSAC discussed a variety of topics including the Future of the European Union, with a special focus on the consequences of Brexit, again with the participation of the Commission's Chief Negotiator. It examined also how national Parliaments can be better at sharing best practices to bring the European Union closer to its citizens. Debates were held on the Digital Single Market with a specific focus on Estonian experiences on the country's transition to a digital economy and public administration and on the external dimension of Migration. Sir Julian King, Commissioner for the Security Union, outlined current Union initiatives in this field. Furthermore, the participation of national Parliaments in the Task Force on Subsidiarity, Proportionality and 'Doing Less More Efficiently' was discussed.

#### *Conference of Speakers of the European Union Parliaments*

The Conference of Speakers of the European Union Parliaments<sup>43</sup> took place in Bratislava on 24 and 25 April 2017. In his keynote address to the Conference, Vice-President Katainen strongly encouraged national Parliaments to engage with their citizens and to share their views on the White Paper on the Future of Europe. The Conference adopted final modalities of the Joint Parliamentary Scrutiny Group on Europol. The Group, which is composed of members of national Parliaments and of the European Parliament and which aims at ensuring the proper democratic scrutiny of Europol's activities, held its first meeting on 9 October 2017.

## **6. CONCLUSIONS AND OUTLOOK**

In the political dialogue between the Commission and the national Parliaments in 2017 the trend of 2016 continued regarding both the high number of opinions submitted by national Parliaments and frequent meetings between them and Members of the College. As for previous years, the number of reasoned opinions (52) in comparison to the total number of opinions submitted (576) shows national Parliaments' continued interest in engaging on matters going beyond the subsidiarity aspects of Commission initiatives, and providing valuable input on the content of these initiatives. In addition to engaging on initiatives in the Commission's annual programmes, national Parliaments focused on horizontal topics, in particular the reflection on the Future of the European Union at 27, and on the most important challenges facing Europe such as security, economic issues and the consequences of Brexit. 2017 also witnessed an increase in national Parliaments' efforts in presenting their views in joint opinions, showing increased effort in coordinating their input to the political dialogue with the Commission.

In January 2018, the Task Force on Subsidiarity, Proportionality and 'Doing Less More Efficiently' started its work, with the participation of representatives of national Parliaments and the Committee of the Regions. It has triggered a renewed interest from national and regional Parliaments to debate,

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<sup>43</sup> The Conference is organised annually in the Member State that held the rotating Presidency of the Council of the European Union during the second half of the preceding year. For the 2017 meeting see <http://www.ipex.eu/IPEXL-WEB/euspeakers/getspeakers.do?id=082dbcc55898c90b01589abbb37500fa>



also at the level of the COSAC, their role in subsidiarity control and in EU matters more generally, in order to ensure a stronger link between the Union's institutions and its citizens. It has also looked into identifying policy areas where, over time, decision making and/or implementation could be redelegated in whole or in part, or definitely returned to the Member States, or where existing legislation should be reviewed or even repealed. In the final report<sup>44</sup> that was submitted to President Juncker on 10 July 2018, it made proposals for improvements within the existing set-up for involving national and regional Parliaments and regional and local authorities in the preparation and implementation of Union legislation, and pointed to improvements that would require a change of the Treaties. Against the background of the reflections and the scenarios for a European Union of 27 Member States, and with a 2025 perspective, the Commission has given a first response to the work of the Task Force in a Communication, adopted in conjunction with the present report<sup>45</sup>, which includes its vision for the further development of relations between the European Commission and national Parliaments by the end of 2018.

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<sup>44</sup> [https://ec.europa.eu/commission/sites/beta-political/files/report-task-force-subsidiarity-proportionality-doing-less-more-efficiently\\_1.pdf](https://ec.europa.eu/commission/sites/beta-political/files/report-task-force-subsidiarity-proportionality-doing-less-more-efficiently_1.pdf)

<sup>45</sup> COM(2018)703.