

Working Group IV

Working document 43

Working group IV – "Role of National Parliaments"

Subject: **The comments by Ms Maria Berger to the draft final report of
Working Group IV on National Parliaments (WD 032 - WG IV)**

Members of Working Group IV will find hereafter comments by Ms Maria Berger, member of the European Parliament, alternate member of the Convention.

In order to make work easier I refer only to the draft recommended measures and not to the reasoning in the rest of the text.

8.1: The future Constitutional Treaty should contain specific wording that acknowledges the importance of the active involvement of national parliaments in their Member States European policies

8.2: ... in public at least in all cases... Brackets could be lifted.

20.1: ...to national parliaments if requested. Legislative proposals should be transmitted simultaneously to national Parliaments, the European Parliament and the Council.

20.6: I am against a formal status of a parliamentary scrutiny reserve - we should speed up legislative procedures and not make them even more cumbersome.

25.1: As I still do not see a specific part of NPs to control subsidiarity in possible contradiction with their Member States Governments I am not only against most of the recommendations of WG I but also against their additional effects as foreseen in 25.1. I still hold the view that Governments should go to court and not NP (in contradiction to their government). The enlarged Union will be paralysed if it has to find solutions not only for 27 national views as expressed by governments but with a doubling of national views and a split between governments and their national parliaments. But if there has to be the right of NPs of judicial appeal it should not be restricted to those which have given a reasoned opinion at the early stage.

It follows from above, that if one is against a doubling of national views that a tripling by bicameral systems is unacceptable.

26: If NP make an effort to study draft European legislation why should they limit their view to subsidiarity? They should give an overall opinion to their Member States Governments and to the European Parliament. The proposals of WG I will either delay or hinder European legislation or they are obsolete procedures to calm down NPs.

37.1: I very much support this idea. It should be specified that the Convention method should replace the procedure of Art. 48

2: If COSAC should become a network for exchange primarily between national parliaments it should limit itself to national questions of mutual interest and has no role in the European set up.

3: The Forum for a debate on the larger orientation and so on exists already, this is the European Parliament. It should invite NPs if there are important debates. But if we maintain the principle of a simple and comprehensive structure of the Union without new institutions there should not be any "hybrid" institutions and none with a vague character only.

Maria Berger
