

NOTE

from : Secretariat
to : Working Group IV on "National Parliaments"
Subject : Summary of the meeting held on 26 June 2002

I. Procedural matters

1. Interpretation is available to and from English and French.
2. The Secretariat will provide a summary record of each meeting. These will be circulated as CONV documents and published on the website of the Convention, where sections for each of the Working Groups have been created.
3. Members are invited to submit short written contributions (2-3 pages) to the Working Group, which will take the form of working documents. Due to the limited translation resources, documents will in principle not be translated. Should members of the WG wish to provide different language versions of their contributions, these will also be distributed to the Working Group. The Secretariat will circulate working documents by e-mail to group members. Contributions can be sent to verena.schubert@consilium.eu.int.
4. Meetings are in principle open to the public.
5. The final list of Members of the Working Group can be found in document CONV 77/1/02 REV 1 of 14 June 2002. A list of Convention documents of particular relevance to the work of the group is to be found in WD (working document) 2. Both these documents were sent out by e-mail on 20 June 2002.

II. Mandate and work programme

6. The Chair presented the calendar of meetings (contained in CONV 93/02 of 12 June 2002) and the work programme, underlining the need to set up a joint meeting with WG I (Subsidiarity) as early on as possible, given the links between the work of the two groups.
7. The Chair recalled the mandate of the Working Group (CONV 74/02) and highlighted three specific questions the group should address:
 - a) how national parliaments hold their governments to account (examination of experiences and potentials for national scrutiny mechanisms);
 - b) whether national parliaments could/should play a role in controlling subsidiarity (and whether this should be an ex-ante or an ex-post control); and
 - c) the role of national parliaments in the European architecture (relationship and interaction between the European institutions and national parliaments and ways to improve it).
8. The work programme suggested by the Chair and endorsed by the group is the following:
 - 10 July: (9.30-13.00 and 14.30-16.00) The meeting will be divided into two parts: Firstly a presentation by **Dr. Andreas Maurer** (Stiftung Wissenschaft und Politik) of a recently published study on the **current role of national parliaments** in the EU, followed by a discussion in the group. Secondly (afternoon session) a first discussion of the means of controlling the **subsidiarity** principle and the role of national parliaments in this context, to prepare for a joint session with WG I. The Commission was invited to submit a document on how the subsidiarity principle is applied, and, if possible, make a presentation in this session.
 - 18 July (10.30-13.00): Joint meeting with WG I on **subsidiarity** (to be confirmed).
 - 11 September (9.30-13.00): presentation by members of the WG of **experiences of their own national scrutiny systems**. The Chair suggested that the group might in particular find it interesting to hear the experiences of Scandinavian systems, the French system and the systems used in some candidate countries.

- 19 September (11.00-12.30 and 15.00-18.30): Presentations by a representative of the **EP** – in particular on the cooperation EP–National Parliaments, by the **Commission** – including information to national parliaments (Protocol to the Amsterdam Treaty), as well as a discussion on proposals for changes to the role of national parliaments in the European architecture.
- The work programme for the following meetings was kept open, and the Chair suggested that the group should examine whether it would be possible to report back earlier than end-October, so as not to report too long after other Working Groups.

III. Discussion on the substance to be addressed

9. On subsidiarity, some Members recalled that the issue is closely linked to the citizens' perception of Europe and the perceived lack of clarity as to "who does what" and "who is accountable". The distinction between political and legal control was recalled, some members underlining that an ex-ante control is essentially of a political nature. Some argued that national parliaments should have a primary responsibility for examining at an early stage of a proposal whether it is in line with the subsidiarity principle.
10. Many found that a comparison of experiences of national systems (best practices and benchmarks were mentioned) would be useful and some suggested that the group should examine whether there is any scope or possibility for texts relating to national scrutiny mechanisms in the Treaty (taking into account and respecting national constitutional requirements).
11. On the role of national parliaments in the European architecture, several members favoured examining ways of improving the flow of information and contacts with institutions, including with regard to application of the Amsterdam Protocol. (It was pointed out that the COSAC website contained useful information on the subject). Some members argued against the creation of new institutions, while others pointed out that the group should have an innovative outlook. It was also suggested that the group should also look at encouraging contacts between MEPs and MPs at the national level.

IV. Preparations for the next meeting

12. Members are invited to submit brief contributions (working documents of 2-3 pages) outlining their views on methods for subsidiarity control and separate brief contributions on national scrutiny systems. These should preferably also reflect the existence of any systematic contacts/exchange between MEPs from the country and national parliamentarians.
 13. The Commission is invited to submit a working document that describes the procedures by which the Commission applies the subsidiarity principle.
 14. The Secretariat will circulate a summary by Dr. Maurer on his research report on national parliaments in advance of the meeting.
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