

NOTE

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

1. The group continued its exchange of views regarding the possible role and functions of networks and mechanisms that bring together members of national parliaments and the European Parliament (see also the summary of the meeting held on 19 September 2002, CONV 290/02). The group furthermore had a brief exchange regarding certain issues that other working groups had suggested that this group might want to consider.

Multilateral mechanisms on the European level involving national parliaments and the European Parliament

2. In the discussion on multilateral mechanisms on the European level involving national parliaments and the European Parliament, members of the group underlined the need to look at the question from the perspective of what the purpose and the functional role of mechanisms would be. Members expressed their reluctance to create new institutional structures.

3. Members furthermore agreed that it could be useful to have mechanisms both for the contacts exclusively between national parliaments and for contacts between national parliaments and the European parliament. Several members furthermore underlined the importance of recalling that the issue was not one of "competition" between national parliaments and the European parliament, which have their distinct roles, but of how national parliaments could be better involved in European affairs (through improving the exchange between them and with the European parliament) in the interest of strengthening the democratic "anchoring" of the EU in Member States. The importance of involving MEPs more on the national level was also underlined.
4. Several members pointed to the importance of networking between national parliaments to exchange best practices and other relevant information. Members agreed that there was a need to reform COSAC and make it more efficient. In addition to the role of fostering the exchange of best practice and information, several members suggested that the contacts between standing committees were developed further within a reformed COSAC and that the work of COSAC should become more clearly focussed. It was also suggested that COSAC could debate the control of subsidiarity on a general level, the direct involvement of national parliaments passing through the scrutiny of governments and the new early-warning mechanism proposed by WG I. It was also suggested that EU institutions should be obliged to respond to contributions from COSAC. Members drew the attention to the fact that the setting up of a congress was likely to have implications for the role attributed to COSAC. Some members suggested that COSAC could become a mechanism for contacts only between national parliaments. One member suggested that COSAC could become a standing committee under a congress.

5. The possible role of a congress assembling national and European parliamentarians was discussed. Several members said that they were open to the idea of a congress, depending on its functional role. It was also underlined that its purpose and role must be clearly explained to citizens. Some others expressed the fear that new mechanisms would lead to increased complexity of the European architecture and one member expressed opposition to the idea of a congress.
6. Members who spoke in favour of the idea of a congress suggested that such a mechanism could play a role in shaping the political agenda/strategy of the EU, through involving national parliaments together with the EP in a European debate. It was stressed that a congress should be a forum, a mechanism, and not an institution. Several members proposed that the congress be informed of and being given the opportunity to debate the (future) multiannual strategic programme and/or the annual programme of the Council. It was also suggested that the congress would receive a progress report and thus follow-up on the delivery of the statements of intention (in the event that a congress would meet on an annual basis). It was also suggested that the congress would receive a report on the state in the Union and/or be invited to endorse high-level nominations. The Group underlined that a congress should not have any legislative role and that the mechanism should not block or disturb the legislative process, or weaken the community method. One member suggested that a congress could be entrusted with certain future treaty amendments that would not require ratification by Member States according to current procedures. Different proposals were put forward as to how often a congress would be convened, ranging from once or twice a year to once every five years.
7. The suggestion that national parliaments be informed about the Commission's annual legislative programme was also mentioned (N.B. this has been mentioned in connection with early involvement of national parliaments in controlling the subsidiarity principle in earlier meetings of the group).

8. The group welcomed the suggestion put forward at the previous meeting regarding the possible role of ad hoc inter-parliamentary conferences that could address difficult policy issues (N. B. CAP reform and the own resources system were mentioned at the previous meeting).

Issues from other working groups

9. It had been suggested by another working group that this group might want to examine the use of Article 308 TEC and discuss whether national parliaments should have any specific/additional role in this respect. Mr. Van Nuffel from the European Commission explained the situation with regard to the use of Article 308, underlining with reference to the wording of the Article that it allows for necessary action in areas where the treaty does not provide an adequate legal basis. A list of acts adopted since the entry into force of the Treaty of Amsterdam was distributed. The Article has principally been used in three areas: for the creation of agencies, for the energy sector and for economic and financial and technical cooperation with certain third countries (the Nice Treaty brings in the third of these areas into the Treaty, but not the first two).
10. In the ensuing discussion, members underlined the importance of maintaining the article in order to maintain flexibility. Some members suggested that proposals on the basis of Art. 308 be subject to co-decision, while others were opposed to this. While it was stated that the role of national parliaments with respect to measures based on Art. 308 was the same as with any other legislative proposal, i.e. primarily to exercise proper parliamentary scrutiny towards governments, it was important that it be clearly indicated when proposals were based on Art. 308 and some also suggested that the Commission should specify the reasons. Given the limited time available for a discussion, the Chair invited members to send in written comments. Possible role(s) and form(s) of multilateral mechanisms on the European level involving national parliaments as well as the European Parliament

11. The Chair had received a letter from Mr. Hänsch regarding issues raised in the WG VI that this group might want to consider (involvement of national parliaments in economic policy coordination, see copy of the letter circulated by e-mail). As there was no time for a discussion in the meeting, the Chair invited members to communicate their views in writing.

Oral presentation by the Chair at the plenary session of the Convention

12. The Chair informed the group that she would make an oral presentation of the progress in work so far at the plenary session of 3-4 October. The presentation would reflect discussions in the working group, as outlined in summary reports of meetings.

Next meeting

13. The next meeting will take place on 10 October 2002, 14.30-18.00. It will be devoted to the discussion of a first draft of the final report (this will be circulated before the meeting).
