

XXIIIrd COSAC - Versailles - 16-17 October 2000

Scrutiny of European Policy by the National Parliaments of Member States

1° Following the changes made to the Rules of the Chamber in August 1996 and July 1999, the Committee on EU Policies has become a Standing Committee: this means that its members cannot belong to other Standing Committees and that it possesses full law-making powers.

Furthermore, pursuant to the Circular Letter of the Speaker of the Chamber of January 1997, the opinions given by said Committee on bills transmitted by other Committees are binding.

2° Thanks to the Protocol on the role of National Parliaments, new legislation was introduced in Italy that makes it mandatory for the Government to transmit to the Parliament not only the draft legislative and policy-setting acts that are being considered by the relevant EU bodies, along with any modifications, but also acts that are preliminary to the formulation of the former. This includes fact-finding, consultative and policy-setting acts which are frequently used by EU institutions (among them, communications, action plans and the so-called white and green papers). These acts have to be transmitted by the Government upon reception, with an indication of the possible date of their discussion or adoption by the EU bodies. Before such date the parliamentary Committees have the possibility of formulating remarks or adopting motions or resolutions addressed to the Government.

It is only recently that the Italian Government has begun to forward to Parliament EU draft legislation. However, this does not happen on a regular basis and, what is more, no information is given as to the stage reached in the legislative process. It is indeed quite often the case that the proposals that are transmitted to Parliament are already quite advanced, so that the National Parliament's intervention becomes superfluous.

3° If the deadline set in the Protocol were observed, it would then be quite possible for the parliamentary Committees to give appropriate consideration to the drafts. The problem is to ensure that EU legislative proposals be made available to Parliaments when they are transmitted by the European Commission, in order not to reduce the six-week deadline envisaged in the Protocol.

In this connection it would be appropriate for the European Commission to forward drafts directly to the National Parliaments at the same time as they are transmitted to the European Parliament and the Council. This would also constitute a recognition of the role of National Parliaments in helping to ensure the democratic legitimacy of EU decisions.

4° The notion of legislative proposal ought to be extended so as to include also all proposals concerning the measures under Titles V and VI of the European Union Treaty.

5° It would be desirable to create a permanent system for the exchange of information among National Parliaments on the activities of European Union Affairs Committees, and more in general on parliamentary activities related to the EU.

Interested Parliaments - also against the background of the final *Memorandum* of the Working Group on the quality of legislation, adopted by the Conference of EU Speakers in Rome - could structure according to common criteria on their respective web sites the most significant information on the activities of each Parliament concerning European affairs, to be accessible with a common language and search method.

6° The members of the EU Policies Committee often attend the roundtable discussions, meetings and seminars organised by the European Parliament; these meetings are regularly attended by the members of the competent Committees by subject-matter.

Moreover, two members of the EU Policies Committee take part on a regular basis in the sittings of the Constitutional Affairs Committee of the European Parliament when the IGC is on the Committee's agenda.

It would be desirable for such meetings and roundtable discussions to be organised in a systematic fashion to deal with major legislative proposals adopted at European level.