



Conference of Speakers of the European Union Parliaments

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Session II: The European Union ahead of the 2019 European elections -
further development of cooperation between national parliaments and
European institutions

Background Paper

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The impact of Brexit on the 2019 European elections

Due to Brexit the elections to the European Parliament are taking place under special circumstances: Expected to withdraw from the EU as of 29 March 2019, the United Kingdom will no longer be participating. This also means that the number of members of the European Parliament will decrease from 751 to 705, according to a decision taken by the European Council on 28 June 2018. An agreement has also been reached to redistribute the 73 seats freed up by the United Kingdom's exit, of which 27 seats will be allocated to 14 EU Member States, and 46 seats will be kept in reserve for possible EU enlargement rounds in the future. No EU Member State will lose a seat, and some Member States will receive additional seats. Any obligation on the part of the United Kingdom to participate in the European elections arising from a possible postponement of its withdrawal from the European Union will depend on the timing of the postponement decision.

The 2019 European elections

Elections to the European Parliament will take place in an entirely different political and legal environment compared to the 2014 elections. All those involved in the elections, in particular the authorities in the Member States and the political parties, must assume a special responsibility to protect the democratic process from interference and manipulation.

Strengthening democratic resilience in Europe is crucial given the importance of free and fair elections. In this context, the Commission has proposed a number of measures for combating hate speech, disinformation campaigns, the misuse of personal data and threats to Internet security, as well as measures for increasing transparency in online political announcements and for tightening the rules governing the financing of European political parties.

Ahead of the 2019 European elections, it is worth pointing out that citizens' confidence in the EU has suffered in recent years as a result of various crises. Moreover, voices critical of the EU have become audibly louder throughout Europe. This is precisely why strengthening the relationship between the national parliaments and the EU institutions is important, thereby bringing the EU closer to its citizens and creating more transparency.

Relations between the European Parliament and national parliaments

Relations between the European Parliament and national parliaments have intensified considerably over the years. The Treaty of Lisbon not only enhanced the powers of the European Parliament within the EU legislative process, but it also gave the national parliaments more opportunities to participate.

The **Speakers of the Parliaments of the EU Member States and the European Parliament** first met in 1963. The conference has taken place on a yearly basis since 1999 to discuss current issues and decide on proposals for closer cooperation.

Arising from the debate on the democratic legitimacy and democratisation of the EU, meetings of parliamentary bodies have gained in importance and developed into an important forum for interparliamentary exchange and dialogue at the European level over the last few years. In addition to **COSAC**, which has been in existence for 30 years, three new interparliamentary conferences have been created since the Treaty of Lisbon.

The Conference of Speakers of the EU Parliaments in Warsaw in April 2012 took the decision to establish the **Interparliamentary Conference for the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP)**.

This conference addresses issues of parliamentary monitoring of the CFSP and the CSDP in order to continue parliamentary scrutiny of and information exchanges on EU security and foreign policy following the dissolution of the Western European Union (WEU).

The **Interparliamentary Conference on Stability, Economic Coordination and Governance in the European Union** was created on the basis of Article 13 of the "Treaty on Stability, Coordination and Governance in the Economic and Monetary Union" ("Fiscal Treaty"), which entered into force on 1 January 2013. The objective was to involve the national parliaments more closely in the discussion on EU economic policy coordination and to intensify exchanges between the European Commission, the European Parliament and the national parliaments on these issues.

The **Joint Parliamentary Scrutiny Group on Europol** was established by the Conference of Speakers of the EU Parliaments on the basis of Article 51 of the Europol Regulation in force since 1 May 2017. This parliamentary supervisory body, made up of members of national parliaments and of the European Parliament, is responsible for providing the political underpinning for and scrutiny of Europol's activities. Europol is obligated to submit various working documents to the Scrutiny Group and to consult it before taking decisions on multiannual programming. Moreover, the European Data Protection Supervisor must report to the panel once a year.

A **European Parliamentary Week** is now held once a year in Brussels to enable both the national parliaments of the EU Member States and the European Parliament to discuss the economic, budgetary and social issues linked to enhanced EMU coordination and to adopt recommendations to the Council and the Commission. During this week joint meetings are organised by the Economic and Monetary Affairs Committee, the Employment and Social Affairs Committee and the Budget Committee. This meeting is intentionally scheduled to coincide with the beginning of the so-called European Semester, which arose out of efforts to tighten economic policy coordination and control since 2011.

Subsidiarity and proportionality

The Lisbon Treaty further strengthened the subsidiarity principle by more closely involving national parliaments in the legislative process at EU level, in particular by mandating a duty to inform the national parliaments and introducing the Early Warning Mechanism.

Actively involving national parliaments in subsidiarity monitoring is crucial, inter alia, for bringing the European Union closer to its citizens.

On 14 November 2017, the President of the European Commission set up the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently", consisting of three members of national parliaments and three members of the Committee of the Regions. The Task Force was chaired by First Vice-President of the European Commission Frans Timmermans.

The aim of the Task Force was to develop recommendations for improving the implementation of the principles of subsidiarity and proportionality, improving the involvement of the regional and local levels and identifying policy areas that could be delegated or permanently transferred back to the Member States.

The final report of the Task Force was presented to the President of the Commission on 15 July 2018. It recommends, among other things, a new way of working in order to give local, regional and national authorities more say in EU policymaking. In this context, the Task Force has proposed a new concept of “active subsidiarity” to ensure the added value of EU law, benefits for citizens and an increased ownership of European Union decisions by Member States.

The Task Force also recommends extending the deadline for the national parliaments to express their views from eight weeks to twelve weeks at the next opportunity for a revision of the EU Treaty. The Task Force also advises that the three EU institutions reorient the EU's work in some policy areas, allowing for existing legislation to be implemented more effectively without the need for new legislation. This builds on the European Commission's work programmes introduced under the Juncker Commission and on the annual Joint Declarations agreed by the three institutions on the priority dossiers to be adopted in each year.

Looking ahead to the upcoming European elections, the European Commission presented measures at the end of October 2018 aimed at focusing its resources on a smaller number of activities and implementing policy priorities more efficiently. The Commission has also laid out how the principles of subsidiarity and proportionality can strengthen the work of the EU in the future. The Commission will incorporate the Evaluation Grid proposed by the Task Force into all its impact assessments and explanatory notes. It will also make it easier for national parliaments to meet the deadline for reasoned opinions. Another objective is improving the involvement of local and regional levels in the consultative process.

IPEX

IPEX was created on the basis of a recommendation put forth by the Conference of Speakers of the EU Parliaments in September 2000. The website was launched in 2006 during the Conference of Speakers of the EU Parliaments in Copenhagen and has undergone continuous development ever since.

It is important to be able to access information at the earliest possible stage on whether a particular EU dossier is being examined by other national parliaments, particularly as regards subsidiarity monitoring, but also within the framework of other parliamentary participation rights in EU matters.

If this is the case, detailed information is of interest, such as what points of an EU proposal are viewed critically and whether specific decisions have already been taken. IPEX facilitates this rapid exchange of information, with all national parliaments making this information promptly available on the IPEX website.

Further develop cooperation between national parliaments and EU institutions

Eurojust was set up in 2002 to promote and improve coordination and cooperation between national judicial authorities in combating serious cross-border crime in the European Union. Article 67 of Regulation (EU) 2018/1727 provides for the involvement of the Union institutions and the national parliaments. As part of its information and consultation obligations, Eurojust must send its annual report and any other information to the European Parliament, the Council and the national parliaments, which may comment on it and submit conclusions.

An interparliamentary committee meeting shall be held once a year, with the participation of the President of Eurojust, to discuss Eurojust's ongoing activities and to allow for the joint evaluation of Eurojust's activities by the European Parliament and the national parliaments.

The **Guidelines for Interparliamentary Cooperation in the European Union** were drawn up for the first time at the Conference of Speakers of the EU Parliaments held in Lisbon in 2008. The Treaty of Lisbon has since entered into force and has led to an intensification of interparliamentary cooperation.

In the meantime, the Conference of Speakers of the EU Parliaments has established and organised three permanent interparliamentary conferences in addition to COSAC. With the Interparliamentary Evaluation Committee Meeting on Eurojust a fourth interparliamentary body will follow.

Interparliamentary cooperation with the European Parliament has also been enhanced, notably thanks to the annual European Parliamentary Week.

At the initiative of the Swedish Parliament, the Conference of Speakers of the EU Parliaments suggests setting up a working group to propose an update to the 2008 *Guidelines for Interparliamentary Cooperation in the European Union*. The proposal recommends that the working group examine, in particular, including the new conference formats in the guidelines and making better use of modern communication technologies to facilitate interparliamentary cooperation.

Discussion points

- How should cooperation between national parliaments be further developed in the future?
- How can cooperation between national parliaments and EU institutions be improved in order to strengthen citizens' confidence in the EU?