

Procedure file

Basic information		
INI - Own-initiative procedure	2016/2149(INI)	Procedure completed
Implementation of the Treaty provisions concerning national parliaments		
Subject 8.40.11 Relations with Member State governments and national parliaments		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Constitutional Affairs	 RANGEL Paulo	03/09/2015
		Shadow rapporteur	
		 BERÈS Pervenche	
		 UJAZDOWSKI Kazimierz Michał	
		 SELIMOVIC Jasenko	
		 ANDERSSON Max	
		 CASTALDO Fabio Massimo	
		 ANNEMANS Gerolf	
		Committee for opinion	Rapporteur for opinion
 International Trade	 OBERMAYR Franz	27/02/2017	
 Employment and Social Affairs	The committee decided not to give an opinion.		
 Legal Affairs	The committee decided not to give an opinion.		
European Commission	Commission DG Secretariat-General	Commissioner TIMMERMANS Frans	

Key events			

15/09/2016	Committee referral announced in Parliament		
21/03/2018	Vote in committee		
28/03/2018	Committee report tabled for plenary	A8-0127/2018	Summary
18/04/2018	Debate in Parliament		
19/04/2018	Results of vote in Parliament		
19/04/2018	Decision by Parliament	T8-0186/2018	Summary
19/04/2018	End of procedure in Parliament		

Technical information

Procedure reference	2016/2149(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
Legal basis	Rules of Procedure EP 54
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/8/07123

Documentation gateway

Committee draft report	PE612.115	01/12/2017	EP	
Amendments tabled in committee	PE616.555	10/01/2018	EP	
Committee report tabled for plenary, single reading	A8-0127/2018	28/03/2018	EP	Summary
Text adopted by Parliament, single reading	T8-0186/2018	19/04/2018	EP	Summary

Implementation of the Treaty provisions concerning national parliaments

The Committee on Constitutional Affairs adopted the own-initiative report by Paul RANGEL (EPP, PT) on the implementation of the Treaty provisions concerning national parliaments.

The report noted that national parliaments improve and contribute actively to the good constitutional functioning of the European Union (Article 12 TEU), thereby playing an important role in its democratic legitimacy and realising it to the fullest extent.

Scrutinising governmental activity in European affairs: Parliamentary accountability of national governments within the framework of European affairs, which depends on individual national practices, is the cornerstone of the role of national parliaments in the current European Treaty. In order to improve ownership, national parliaments should scrutinise national governments, in the same way as the European Parliament scrutinises the European executive. However, the level of influence of national parliaments over national governments varies significantly at Member State level.

The implementation of the right for national parliaments to scrutinise compliance with the principle of subsidiarity, on the basis of the so-called early warning system (EWS), has partially improved relations between the EU institutions and national parliaments. National parliaments are sometimes critical of the EWS, claiming that its provisions are not easy to put into practice and lack a broad scope of application. The eight-week period laid down in Article 4 of Protocol No 1 has proven to be inadequate for timely monitoring of compliance with the principle of subsidiarity.

Although interinstitutional cooperation improved after the entry into force of the Treaty of Lisbon, national parliaments occasionally raise grievances about their relations with the European Union, claiming that they are too complex.

The report noted that the European Parliament and national parliaments should be better involved in the European Semester and recommended that budgetary calendars at national and European level are better coordinated throughout the process in order to encourage more effective use of this instrument.

Backing reform of the early warning system: Members underlined the fact that the EWS has seldom been used since the entry into force of the Treaty of Lisbon, and believed that it could be reformed within the current constitutional framework. They noted that examples such as the

triggering of the yellow card procedure against the Commission proposal on the revision of the Posting of Workers Directive in 2016 show that the EWS is operational and that the principle of subsidiarity is, on balance, respected within the EU.

Acknowledging the request by national parliaments to extend the eight-week period during which they can issue reasoned opinions, Members recalled that the current Treaty framework does not provide for such an extension. The Commission is called on to implement a technical notification period within the EWS in order to grant additional time between the date on which draft legislative acts are technically received by national parliamentary chambers and the date on which the eight-week period begins.

They also suggested, in line with the political dialogue launched by the Commission in 2016, the full use of the system whereby national parliaments can submit constructive proposals to the Commission with the aim of positively influencing the European debate and the Commission's power of initiative.

According to Members, in the event of a future revision of the Treaties, the right of legislative initiative should be mainly accorded to the European Parliament, as the direct representative of EU citizens.

Implementing the right to information: while reaffirming that Article 12 TEU and Protocol No 1 give national parliaments the right to receive information directly from the European institutions, Members stressed that national parliaments could better cope with the information sent to them either by virtue of the EWS, or under their right to information, if the IPEX platform was given the relevance of an Agora, or forum, for an informal permanent dialogue among national parliaments and between these and the European institutions. They resolved, therefore, to promote the use of the platform for the enhancement of political dialogue.

The report recommended that national parliaments use the IPEX platform in a timely fashion to ensure an early start to the national scrutiny mechanism.

Envisaging better interinstitutional cooperation: Members pointed out that strengthening political and technical dialogue between parliamentary committees, both at national and at European level, would be a greatly productive step towards full interparliamentary cooperation. They are considering the possibility of allocating additional resources to achieve this aim and the use of videoconferences where possible.

Members recommended that national parliaments be fully involved in the continuing development of the Common Security and Defence Policy.

Implementation of the Treaty provisions concerning national parliaments

The European Parliament adopted by 518 votes to 50, with 46 abstentions, a resolution on the implementation of the Treaty provisions concerning national parliaments.

Members recalled that national parliaments improve and contribute actively to the good constitutional functioning of the European Union (Article 12 TEU), thereby playing an important role in its democratic legitimacy and realising it to the fullest extent.

Scrutinising governmental activity in European affairs: Members recognise that national governments are democratically accountable to national parliaments. Such accountability is the keystone of the role of national parliamentary chambers in the European Union. They encouraged national parliaments to fully exercise their European functions in order to directly influence and scrutinise the content of European policies, in particular via the monitoring of their national governments acting as members of the European Council and the Council.

Members noted that the European Parliament and national parliaments should be better involved in the European Semester and recommended that budgetary calendars at national and European level are better coordinated throughout the process in order to encourage more effective use of this instrument.

Creating a European public sphere: Parliament took note of the recent call for a series of democratic conventions across Europe. In this respect it considered that the establishment of an annual European week would allow Members and Commissioners to stand before all national parliamentary assemblies in order to discuss and explain the European agenda alongside together with national parliamentarians and representatives of civil society[^].

Backing reform of the early warning system: Parliament underlined the fact that the EWS has seldom been used since the entry into force of the Treaty of Lisbon, and believed that it could be reformed within the current constitutional framework. It noted that examples such as the triggering of the yellow card procedure against the [Commission proposal on the revision of the Posting of Workers Directive](#) in 2016 show that the EWS is operational and that the principle of subsidiarity is, on balance, respected within the EU.

Acknowledging the request by national parliaments to extend the eight-week period during which they can issue reasoned opinions, Members recalled that the current Treaty framework does not provide for such an extension. The Commission is called on to implement a technical notification period within the EWS in order to grant additional time between the date on which draft legislative acts are technically received by national parliamentary chambers and the date on which the eight-week period begins.

They also suggested, in line with the political dialogue launched by the Commission in 2016, the full use of the system whereby national parliaments can submit constructive proposals to the Commission with the aim of positively influencing the European debate and the Commission's power of initiative.

According to Members, in the event of a future revision of the Treaties, the right of legislative initiative should be mainly accorded to the European Parliament, as the direct representative of EU citizens.

Implementing the right to information: Article 12 TEU and Protocol No 1 give national parliaments the right to receive information directly from the European institutions. Parliament is committed to promoting the use of the IPEX platform to strengthen political dialogue. It recommended recommending using IPEX as a channel for the systematic sharing of information and the early flagging of subsidiarity concerns.

Better interinstitutional cooperation: Parliament called for the existing cooperation between the European Parliament and national parliaments in COSAC, in the Interparliamentary Conference on Common Foreign and Security Policy (CFSP-IPC) to be developed on the basis of the principles of consensus, information-sharing and consultation. It called for simplification and harmonisation of the current framework for relations between the Union and national parliaments.

It pointed out that strengthening political and technical dialogue between parliamentary committees, both at national and at European level, would be a greatly productive step towards full interparliamentary cooperation. It considered the possibility of allocating additional resources to achieve this aim and the use of videoconferences where possible.

Lastly, it recommended that the national parliaments be fully involved in the further development of the common security and defence policy.