



DISCUSSION PAPER
BY THE WORKING GROUP ON
IMPROVING INTERPARLIAMENTARY COOPERATION

***DRAFT REVISION OF THE GUIDELINES FOR
INTERPARLIAMENTARY COOPERATION IN THE EUROPEAN
UNION***

DRAFT REVISION OF THE GUIDELINES FOR INTERPARLIAMENTARY COOPERATION IN THE EUROPEAN UNION

Explanatory memorandum

The Conference of EU Speakers agreed in Copenhagen on 29 June – 2 July 2006 to establish a Working Group to examine the possibilities to strengthen the Hague Guidelines. The Slovak Presidency invited the parliaments present at the enlarged Troika meeting, namely the parliaments of Denmark, Finland, Germany and France to contribute to a team of rapporteurs that would prepare a report of the Working Group. The parliaments of Finland and Denmark offered to assist the Presidency.

The Presidency distributed in February 2007 a questionnaire to all national parliaments and the European Parliament, inviting them to indicate whether they found it necessary to revise the Hague Guidelines. A large number of parliaments stated in their replies to questionnaire that they found such a revision necessary. Furthermore, a significant number of parliaments found that the current framework of the Hague Guidelines was inaccurate and no longer up to date.

In addition, a number of important aspects and features of interparliamentary cooperation within the EU have developed over the past years, necessitating an adaptation of the Guidelines.

On this basis, the Presidency decided to draft for the Working Group's consideration a moderate revision of the guidelines. This draft was discussed by the WG IPC at its meeting where all possible amendments were integrated. The new draft went through a second amending round after the meeting. Since there are still some parliaments who call for more time for the final proposal, the WG IPC decides to declare its will to continue the work on the revision of the Hague Guidelines under the coming presidency. The text below shall be understood only as a point of reference for the future continuation of the work of the WG IPC.

Draft, 7 May 2007

Guidelines for
INTERPARLIAMENTARY COOPERATION IN THE EUROPEAN UNION

Introduction

The Conference of Speakers of European Union Parliaments,

having regard to:

- the Guidelines for the Conference of Presiding Officers adopted on 22 September 2000,
- the Protocol on the role of national parliaments in the European Union - annexed to the Treaty of Amsterdam, 1 May 1999,
- the Protocol on the role of national parliaments in the European Union – annexed to The Treaty establishing a Constitution for Europe, agreed in July 2004 calling on the European Parliament and national parliaments together to determine the organisation and promotion of effective and regular interparliamentary cooperation within the European Union,
- the Presidency conclusions of the Conference of Speakers of European Union Parliaments in Athens, 24 May 2003, The Hague, 2-3 July 2004, Budapest, 6-7 May 2005 and in Copenhagen, 29 June – 2 July 2006,
- the Conclusions of the European Council on 15-16 June 2006,

agreed in on.....to adapt the Guidelines adopted by the Conference of Speakers in the Hague in 2004 as a base for interparliamentary cooperation on European Union matters, to read as follows:

I. Objectives

The main objectives of interparliamentary cooperation in the European Union are to:

- a) promote exchange of information and best practices between national parliaments of the European Union and the European Parliament with a view to reinforcing parliamentary scrutiny and influence at all levels,
- b) ensure effective exercise of parliamentary competences in EU matters in particular in the area of monitoring the principles of subsidiarity and proportionality and in the area of transposition of EU law, and
- c) further increase democratic legitimacy of the EU

The autonomy of each parliament shall be respected. The degree of involvement in interparliamentary cooperation is decided by each parliament in the context of its particular parliamentary convention and tradition.

Interparliamentary cooperation is based on the principle of national parliaments and the European Parliament being on equal footing and having complementary roles in the European Union architecture.

II. Framework:

Interparliamentary cooperation in the European Union is performed within the following framework:

Conference of Speakers of European Union parliaments

An annual Conference is organised between the Speakers of the parliaments of the EU Member States and the President of the European Parliament. The Conference of Speakers of European Union parliaments has a responsibility for overseeing the coordination of interparliamentary activities of the European Union. The organisation of the Conference is conducted in accordance with the “Guidelines for the Conference of Presiding Officers” adopted at the Conference in Rome on 22 - 24 September 2000.

Meetings of sectoral committees

Meetings of sectoral committees are organised by a national parliament or the European Parliament with the objective of discussing European Union topics within their fields of competence.

COSAC

COSAC (The Conference of European Affairs Committees) enables a regular exchange of information on best practices and views on European Union matters between European Affairs Committees of national parliaments and the European Parliament. COSAC conducts its activities also in accordance with the “Protocol on the role of national parliaments in the European Union” annexed to the Treaty of Amsterdam.

Joint Parliamentary meetings and Joint Committee meetings

Joint Parliamentary meetings on specific topics of broad interest and Joint Committee meetings are organised and co-chaired by the Parliament of the country holding the EU-Presidency in cooperation with the European Parliament. Joint Parliamentary meetings and Joint Committee meetings are conducted in accordance with a vademecum.¹

¹ The European Parliament has committed itself to draft a vademecum covering the practical, organisational and formal aspects of Joint Parliamentary meetings and Joint Committee meetings. The document will be put into Annex X of these Guidelines as soon as the European Parliament has completed this work

Secretaries General

Secretaries General of national parliaments and the European Parliament or other officials appointed by the respective Speaker convene regularly in order to prepare the agenda and the debates of the Conference of Speakers of European Union Parliaments and settle any other business deemed necessary. The meetings are prepared by the Secretary General of the host parliament after having consulted a Troika consisting of the Secretaries General of the parliaments of the incumbent Presidency, the preceding and the next Presidency. The Secretary General of the host parliament may invite colleagues from other member parliaments to assist in the Troika's deliberations. The Secretaries General, as the senior officials of participating parliaments, supervise the preparation and implementation of interparliamentary work within the EU. The meetings of the Secretaries General and the Troika are chaired by the Secretary General of the Parliament hosting the Conference of Speakers.

Representatives of national parliaments to the EU

National parliaments' representatives contribute to the reinforcement of interparliamentary cooperation by facilitating a regular exchange of information among national parliaments and the European Parliament as well as by close cooperation with the COSAC Secretariat.

IPEX

The objective of IPEX is to support interparliamentary cooperation in the European Union by providing a platform for electronic exchange of *information related to parliamentary scrutiny of EU draft legislation and other EU initiatives. IPEX shall inter alia facilitate an exchange of information between parliaments with regard to EU draft legislation.*

Planning of interparliamentary meetings

National parliaments and the European Parliament liaise to ensure appropriate and efficient planning of their respective interparliamentary meetings.

They inform each other in a timely fashion about these meetings. Formal invitations are sent to the Speakers of all national parliaments and the President of the European Parliament with a copy to the Secretaries General.

A rolling, long term, meeting calendar of interparliamentary meetings of the European Union is made available on the IPEX-website. The calendar is updated by the IPEX Central Support.

III. Fields of cooperation:

Interparliamentary cooperation is of particular value in the following fields:

Exchange of information and best practices:

National parliaments and the European Parliament exchange information and best practices in all policy-fields covered by the Treaties of the European Union and the European Communities. Special emphasis is put on the exchange of information and best practices with regard to procedures for parliamentary scrutiny of European Union matters.

The Commission's Annual Policy Strategy and Annual Legislative and Work Programme:

The Commission's Annual Policy Strategy is discussed at an interparliamentary meeting in the spring. The Commission is invited to present the Annual Policy Strategy at this meeting. If deemed necessary by parliaments, the Commission's Annual Legislative and Work Programme may be discussed at an interparliamentary meeting in the autumn.

National Parliaments can organise simultaneous debates on the Commission's Annual Legislative and Work Programme. The parliament hosting the next Conference of Speakers of European Union parliaments promotes such debates and coordinates the exchange of information and best practices between the parliaments.

Monitoring the principles of subsidiarity and proportionality:

National parliaments have a key role to play in monitoring the principles of subsidiarity and proportionality.

In order to facilitate effective scrutiny of the principles of subsidiarity and proportionality, national parliaments are encouraged to promote a better exchange of information regarding EU draft legislation and its compliance with the two principles.

At the political level, national parliaments cooperate, inter alia, within COSAC when monitoring the principles of subsidiarity and proportionality. IPEX provides the platform for the electronic exchange of information between parliaments in this field.

The political priorities of interparliamentary cooperation

Political priorities of interparliamentary cooperation are set out by national parliaments and the European Parliament in accordance with the rules governing the different parliamentary forums. Thus there is a particular need for enhanced coordination between the parliament of the country holding the EU-Presidency, the parliament hosting the next Conference of EU Speakers and the European Parliament.

Annex I:

ANNOTATED DRAFT GUIDELINES FOR INTERPARLIAMENTARY COOPERATION IN THE EUROPEAN UNION

Guidelines of The Hague as agreed of 3 July 2004	Revised draft guidelines as of 12 March 2007	Explanatory statements to new or amended draft text
<p>GUIDELINES</p> <p>INTERPARLIAMENTARY COOPERATION IN THE EUROPEAN UNION</p> <p><u>Introduction</u></p> <p>With reference to:</p> <ul style="list-style-type: none">- The Guidelines for the Conference of Presiding Officers, article 2 p.2: <p><i>“To this end the Conference is a forum for the exchange of opinions, information and experiences, as well as for the promotion of research activities and common action, among the Speakers, on topics related to the role of parliaments and the organisation of parliamentary functions, also with respect to the forms and tools of Interparliamentary cooperation”.</i></p>	<p><i>Revised version of GUIDELINES on</i></p> <p>INTERPARLIAMENTARY COOPERATION IN THE EUROPEAN UNION</p> <p><u>Introduction</u></p> <p>The Conference of Speakers of European Union Parliaments,</p> <p>- having regard to:</p> <ul style="list-style-type: none">- the Guidelines for the Conference of Presiding Officers, adopted on 22 September 2000, <p>Deleted</p>	<p><i>Editorial adjustment</i></p>

- The Protocol on the role of national parliaments in the European Union – annexed to The Treaty establishing a Constitution for Europe, article 9,:

“The European Parliament and the national parliaments shall together determine the organisation and promotion of effective and regular Interparliamentary cooperation within the European Union.”

- The Presidency conclusions at the Conference of Speakers of the European Union Parliaments in Athens, 24 May 2003,

The Conference of Speakers of the European Union Parliaments at its meeting in The Hague 2-3 July 2004 agreed upon the following guidelines as a base for Interparliamentary cooperation in the EU field.

I. Objectives

The autonomy of each parliament shall be respected. The degree of involvement in Interparliamentary cooperation is decided by each parliament.

- the Protocol on the role of national parliaments in the European Union- annexed to the Treaty of Amsterdam, 1 May 1999,

- the Protocol on the role of national parliaments in the European Union – annexed to The Treaty establishing a Constitution for Europe, agreed in July 2004 calling on the European Parliament and the national parliaments together to determine the organisation and promotion of effective and regular interparliamentary cooperation within the European Union,

- the Presidency conclusions of the Conference of Speakers of European Union Parliaments in Athens, 24 May 2003, The Hague, 2-3 July 2004, Budapest, 6-7 May 2005 and in Copenhagen, 29 June – 2 July 2006,
- the Conclusions of the European Council on 15-16 June 2006,

agreed in onto adapt the Guidelines adopted by the Conference of Speakers in the Hague in 2004 as a base for interparliamentary cooperation on European Union matters, to read as follows:

I. Objectives

Deleted

New paragraph is added to ensure a reference to the protocol on the role of national parliaments of the Amsterdam Treaty, which is a key document when it comes to the role of national parliaments and the functions of COSAC.

The amended paragraph takes recent developments in the context of the Speakers Conference and the European Council into account. Like when the European Council encouraged national parliaments in its conclusions of June 2006 to strengthen cooperation within the framework of COSAC when monitoring subsidiarity.

The two first paragraphs of section 1 on the objectives have been moved to the last part of the section in an adjusted form.

Taking into account the principle of Interparliamentary cooperation is based on the principal of national parliaments and the European Parliament being on equal footing and having complementary roles in the EU structure, the main objectives of interparliamentary cooperation in the European Union should be:

- a) To provide information and strengthen parliamentary scrutiny in all areas of competence of the EU.
- b) To ensure the efficient exercise of parliamentary competences in EU matters, in particular in the area of subsidiarity control by national parliaments.

II. Framework:

The cooperation is performed within the following framework:

The main objectives of interparliamentary cooperation in the European Union are to:

- a) promote exchange of information and best practices between national parliaments of the European Union and the European Parliament with a view to reinforcing parliamentary scrutiny and influence at all levels,
- b) ensure effective exercise of parliamentary competences in EU matters in particular in the area of monitoring the principles of subsidiarity and proportionality and in the area of transposition of EU law, and
- c) further increase democratic legitimacy of the EU.

The autonomy of each parliament shall be respected. The degree of involvement in interparliamentary cooperation is decided by each parliament in the context of its particular parliamentary convention and tradition. Interparliamentary cooperation is based on the principle of national parliaments and the European Parliament being on equal footing and having complementary roles in the European Union architecture.

II. Framework:

Interparliamentary cooperation in the European Union is performed within the following framework:

In addition the section has been amended in order to accommodate wishes from a number of national parliaments.

Firstly, a reference to the principle of proportionality has been included in indent b of the paragraph together with a reference to ensuring effective exercise of parliamentary competences in the area of transposition of EU law.

Secondly the aim of contributing to the democratic legitimacy in the EU has been established as a third objective to interparliamentary cooperation.

These two paragraphs have been moved from the beginning of the section.

Finally it is proposed to insert ‘in the context of its particular parliamentary convention and tradition’ in the last paragraph of the section on the objectives.

Conference of EU Speakers

The Conference has a responsibility for overseeing the coordination of interparliamentary EU activities. A particular coordinating responsibility rests with the host Parliament for the forthcoming Conference.

Meetings of sectoral committees

Meetings of sectoral committees organised by national parliaments or by the European Parliament constitute one of the long-established modes of Interparliamentary cooperation in the European Union.

COSAC

COSAC (*The Conference of European Affairs Committees*) handles the cooperation between EU Affairs Committees.

Conference of Speakers of European Union parliaments

An annual Conference is organised between the Speakers of the parliaments of the EU Member States and the President of the European Parliament. The Conference of Speakers of European Union Parliaments has a responsibility for overseeing the coordination of interparliamentary activities of the European Union. The organisation of the Conference is conducted in accordance with the “Guidelines for the Conference of Presiding Officers” adopted at the Conference in Rome on 22 - 24 September 2000.

Meetings of sectoral committees

Meetings between sectoral committees are organised by national parliaments or the European Parliament with the objective of discussing European Union topics within their fields of competence.

COSAC

COSAC (The Conference of European Affairs Committees) enables a regular exchange of information on best practices and views on European Union matters between European Affairs Committees of national parliaments and the European Parliament. COSAC conducts its activities also in accordance with the “Protocol on the role of national parliaments in the European Union” annexed to the Treaty of Amsterdam.

The revised paragraph makes reference to the Guidelines of Presiding Officers, which is where the internal rules of the Conference of Speakers are laid down.

The adjusted paragraph primarily takes note of the current practices of organising meetings between sectoral committees of national parliaments in the European Union. The paragraph covers first and foremost the meetings of sectoral committees, which are organised by the parliaments of the Member State holding the Council Presidency.

The adjusted paragraph on COSAC brings the wording of the paragraph into conformity with the actual current functions of COSAC and the Protocol on the role of national parliaments of the Amsterdam Treaty.

Joint Parliamentary meetings and Joint Committee meetings

Joint Parliamentary meetings on specific topics of broad interest and Joint Committee meetings are organised by the Parliament of the country holding the EU-Presidency in cooperation with the European Parliament. Joint Parliamentary meetings and Jointed Committee meetings are conducted in accordance with a vademecum.

The new paragraph enshrines Joint Parliamentary meetings and Joint Committee meetings into the Hague guidelines, which are two new important types of interparliamentary meetings not mentioned in the current guidelines. The paragraph consolidates the current practise that Joint Parliamentary meetings and Joint Committee meetings are organised jointly by the European Parliament and the Parliament of the country holding the EU-Presidency.

Simultaneous debates in interested parliaments

Interested parliaments can promote simultaneous debates on the EU legislative programme or on the main issues of European policies.

Deleted

The paragraph on the simultaneous debates in national parliaments is deleted from section II on the Framework and moved to section III on the fields of cooperation in a slightly amended version.

Secretaries General:

The Secretaries General or other officials appointed by the Speaker should take the lead in preparing the Interparliamentary EU work. A particular responsibility for coordination rests with the Secretary General in the host Parliament for the forthcoming Conference. Here close contacts with national parliaments in the Member States holding the EU Presidency are necessary.

Secretaries General:

Secretaries General of national parliaments and the European Parliament or other officials appointed by the respective Speaker convene regularly in order to prepare the agenda and the debates of the Conference of Speakers of European Union Parliaments and settle any other business deemed necessary. The meetings are prepared by the Secretary General of the host parliament after having consulted a Troika consisting of the Secretaries General of the parliaments of the incumbent Presidency, the preceding and the next Presidency. The Secretary General of the host parliament may invite colleagues from other member

The modified paragraph consolidates existing practises. This includes among other things the mentioning that the meetings of Secretaries General are prepared by the Secretary General of the host parliament after having consulted a Troika.

Permanent Representatives of national parliaments

When having a national parliament representative based in Brussels, the permanent representative participates in the regular exchange of information between the EU parliaments, as well as with the COSAC secretariat in Brussels, and in coordination on a practical level.

IPEX:

The objective of IPEX (Interparliamentary EU Information Exchange) is to support Interparliamentary cooperation in the European Union by providing a platform for electronic exchange of EU-related information between parliaments in the Union including a calendar of meetings and forums for exchange of views on subsidiarity control. Each parliament/chamber has an IPEX correspondent to represent the parliament.

parliaments to assist in the Troika's deliberations
The Secretaries General, as the senior officials of participating parliaments, supervise the preparation and implementation of interparliamentary work within the EU.
The meetings of the Secretaries General and the Troika are chaired by the Secretary General of the Parliament hosting the Conference of Speakers.

Representatives of national parliaments to the EU

National parliaments' representatives contribute to the reinforcement of interparliamentary cooperation by facilitating a regular exchange of information among national parliaments and the European Parliament. National parliaments' representatives work closely together with the COSAC Secretariat.

IPEX:

The objective of IPEX (Interparliamentary EU Information Exchange) is to support Interparliamentary cooperation in the European Union by providing a platform for electronic exchange of information related to parliamentary scrutiny of EU draft legislation and other EU initiatives. IPEX shall inter alia facilitate an exchange of information between parliaments with regard to EU draft legislation.

The amended paragraph stresses that national parliaments' representatives have a positive effect on interparliamentary cooperation by facilitating a more regular exchange of information among national parliaments and by promoting closer bonds to the European Parliament.

The purpose of the amended paragraph is to clarify that the objective of IPEX is to promote exchange of information, which is related to parliamentary scrutiny. The reference to the principles of subsidiarity and proportionality in the current paragraph has been moved to the paragraph in section III on monitoring the principles of subsidiarity and proportionality.

This new horizontal paragraph aims at

Planning of interparliamentary meetings

National parliaments and the European Parliament liaise to ensure appropriate and efficient planning of their respective interparliamentary meetings.

They inform each other in a timely fashion about these meetings. Formal invitations are sent to the Speakers of all national parliaments and the President of the European Parliament with a copy to the Secretaries General.

A rolling, long term, meeting calendar of interparliamentary meetings of the European Union is made available on the IPEX-website. The calendar is updated by the IPEX Central Support.

establishing more efficient planning of interparliamentary meetings by encouraging parliaments to liaise more closely. Furthermore it is proposed that information about coming meetings is submitted to parliaments in a timely fashion and that formal invitations are sent to the Speakers of national parliaments, the President of the European Parliament and their Secretaries General.

If a new arrangement for conducting the Presidency of the Conference of Speakers is finally agreed, the working group suggests enshrining it in the “Guidelines for the Conference of Presiding Officers”. Finally it is noted that the calendar hosted on IPEX website is updated by the IPEX Central Support.

III. Fields of cooperation:

Interparliamentary cooperation is of particular value in the following fields:

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Interparliamentary cooperation is of particular value in the following fields:

Subsidiarity control

Each EU parliament is recommended to inform the other parliaments on its activities concerning subsidiarity control. IPEX provides electronic tools for this exchange of views and serves as a means of communication between national parliaments with regard to proposals, which are thought to offend against the subsidiarity principle.

Deleted

The paragraph on subsidiarity control has been moved to the end of section III in a modified version.

Exchange of information and best practices

Exchange of information and documents should be promoted on all levels and between different committees and services within the framework. Electronic information emanating from different channels should be structured within the IPEX and EPCRD networks in order to avoid confusion and duplication of work.

Conferences and other events

Interparliamentary meetings, be they as hoc or within the framework of a regular exchange between Speakers, sectoral committees or within COSAC, constitute one of the recommended methods of Interparliamentary cooperation in the Union. They are usually organised by national parliaments or the European Parliament.
See annex for practical recommendations.

Political areas

Every year the Conference of EU Speakers may indicate priority areas for Interparliamentary cooperation.

Exchange of information and best practices

National parliaments and the European Parliament exchange information and best practices in all policy-fields covered by the Treaties of the European Union and the European Communities. Special emphasis is put on the exchange of information and best practices with regard to procedures for parliamentary scrutiny of European Union matters.

Deleted

Deleted

The amended paragraph identifies the fields of cooperation for interparliamentary cooperation to be all policy-fields covered by the Treaties of EC and EU. The amended paragraph stresses the need to put stronger emphasis on the aspect of parliamentary scrutiny of EU-matters.

This paragraph is deleted because it is already covered by the various paragraphs in section II on the framework of interparliamentary cooperation.

The paragraph is deleted and replaced by a new paragraph at the end of section III.

A new paragraph on the European-

The Commissions Annual Policy Strategy and the Annual Legislative Work Programme

The Commission's Annual Policy Strategy is discussed at an interparliamentary meeting in the spring. The Commission is invited to present the Annual Policy Strategy at this meeting. If deemed necessary by parliaments the Commission's Annual Legislative Programme may be discussed at an interparliamentary meeting in the autumn.

National Parliaments can organise simultaneous debates on the Commission's Annual Legislative and Work Programme. The parliament hosting the next Conference of Speakers of European Union parliaments promotes such debates and coordinates the exchange of information and best practices between the parliaments.

Monitoring the principles of subsidiarity and proportionality

National parliaments have a key role to play in monitoring the principles of subsidiarity and proportionality.

In order to facilitate effective scrutiny of the principles of subsidiarity and proportionality, national parliaments are encouraged to promote a better exchange of information regarding EU draft legislation and its compliance with the two principles.

At the political level national parliaments cooperate inter alia within COSAC when monitoring the principles of subsidiarity and proportionality.

IPEX provides the platform for the electronic exchange of information between parliaments in this field.

Commission's APS and the LWP is created in this section with the aim of describing the different types of parliamentary scrutiny of the APS

It includes both the possibility to discuss the APC and LWP collectively and the possibility for national parliaments to organise simultaneous debates on the Commission's LWP. As far as the first option is concerned it is suggested that parliaments give priority to a debate on the APC in the Spring at an interparliamentary meeting in order to get as early into the decision-making-process as possible. It is finally acknowledged that the Commission should be invited to present the APC at the meeting.

A new paragraph establishes that national parliaments should have an important role when it comes to monitoring the subsidiarity principle.

With this aim the paragraph enshrines the conclusions of the European Council as of June 2006, which encourage national

parliaments to strengthen cooperation within the framework of COSAC when monitoring subsidiarity.

Secondly it adds the task of monitoring the principle of proportionality to the

The political Priorities of Interparliamentary cooperation

Political priorities of interparliamentary cooperation are set out by national parliaments and the European Parliament in accordance with the rules governing the different parliamentary forums. Thus there is a particular need for enhanced coordination between the parliament of the country holding the EU-Presidency, the Parliament hosting the next Conference of EU-Speakers and the European Parliament.

paragraph.

Finally it maintains that IPEX should be used as a platform for electronic exchange of information between parliaments in this field.

The new paragraph takes note of the current practise that political priorities and agendas are set out by the different interparliamentary forums themselves in accordance with their different tasks. At the same time it is recognised that there is need for improved coordination between the different forums in this regard. Therefore the Parliament of the country holding the EU-Presidency, the Parliament holding the next Speakers Conference and the European Parliament are encouraged to coordinate there activities better.

Annex II:

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