

**Parliamentary dimension of integration
– chance or threat for the creation of a political union in Europe?**

Warsaw, 7 March 2013

*OIDE Note*¹

7 March 2013 a conference was held "Parliamentary dimension of integration – chance or threat for the creation of a political union in Europe?", the first of planned cycle of conferences on European Union future, organized by the EU Affairs Committee of the Sejm. Participants - deputies, senators and academics - discussed the role of national parliaments in the changing European Union and the position of the Sejm and the Senat under the Lisbon Treaty. Topics debated were: democratic legitimacy of the EU, subsidiarity scrutiny, shape of political dialogue between national parliaments and EU institutions as well as the future interparliamentary cooperation based on Article 13 of the Treaty on Stability, Coordination and Governance (TSCG).

The conference was opened by the **Marshal of the Sejm Ewa Kopacz**. She underlined that national parliaments have right, but also obligation to actively participate in developing European project. As successes of interparliamentary cooperation until today the Marshal pointed among others application of yellow card procedure by national parliaments in relation to Monti II regulation and preparing, during Belgian and Polish Presidencies, arrangements for Interparliamentary Conference for the Common Foreign and Security Policy and the Common Security and Defence Policy (CFSP/CSDP). In this context she pointed out that EU should use national parliaments' potential to support democratic processes in neighbouring regions. She spoke of necessity to include national parliaments into the new economic governance system in Europe, pointing at suggestions to use experiences of establishing Interparliamentary Conference for the CFSP/CSDP when creating a new interparliamentary conference based on art. 13 TSCG. Summing up, she underlined that interparliamentary cooperation should always be based on coherence and solidarity and include national parliaments from all the Member States.

Marshal of the Senate Bogdan Borusewicz, who also attended the conference, made reference to success of preparing arrangements for Interparliamentary Conference for the CFSP/CSDP and to current preparations for establishing new interparliamentary conference based on Article 13 TSCG. He underlined that in the light of growing integration in the EU on various levels it is especially important to take into account the role of national parliaments.

The discussion, moderated by Deputy Chairman of the EU Affairs Committee Andrzej Gałazewski and member of the Committee Jarosław Sellin, was held within two panels:

- Panel 1: Role of national parliaments in the changing European Union
- Panel 2: The position of the Sejm and the Senat under the Treaty provisions

**PANEL 1
ROLE OF NATIONAL PARLIAMENTS IN THE CHANGING EUROPEAN UNION**

¹ Broadcast is available on the website:
<http://www.sejm.gov.pl/Sejm7.nsf/komunikat.xsp?documentId=76DB38D3D4F137D1C1257B27003F282E>

The first panel was opened by Deputy Chairman of the EU Affairs Committee **Deputy Andrzej Gałażewski**, who pointed out that after entry into force of the Lisbon Treaty roles of all the EU institutions have been changed, as well as that of national parliaments, which gained *inter alia* right to give opinions on subsidiarity to EU draft legislative acts. He remarked that on-going changes in the EU have led to creation of new interparliamentary bodies. He underlined, that currently there is no one model for scrutiny of EU affairs in national parliaments, what will be presented on the examples of Finland and Poland.

The first point of the panel was speech of **His Excellence Jari Viléna**, Ambassador of Finland in the Republic of Poland and former chairman of the Grand Committee of the Finnish Parliament. He discussed the system of EU affairs scrutiny in the Finnish Eduskunta, stressing that it is designed to maintain the integrity of the constitutional system as far as possible and to ensure that there isn't any transfer of powers from the parliament to the executive branch of government, according to the principle: "whoever is responsible for a subject nationally, is also responsible for formulating the Finnish position on that subject at the European level".

In the Eduskunta the basic rule is to include European affairs into the mainstream of parliamentary work, through engaging specialised committees. Jari Vilén reflected also on the problem of democratic control of decisions taken by the European Council and euro group summits in the context of economic governance.

At the end he emphasized that each national parliament should find its own role in EU affairs within domestic constitutional framework, whereas arrangements based on interparliamentary cooperation and on dialogue between parliaments and the EU institutions are not a right response to the need of enhancing national parliaments' role and they won't replace effective domestic control of governments. Interparliamentary conferences constitute, in his opinion, an essential aspect of national parliaments' participation in the EU affairs but they are of supporting character and can't ensure democratic legitimacy of the EU. He also noted that the procedure for monitoring by national parliaments the respect of subsidiarity principle doesn't work as intended and European Parliament remains the primary partner for the Commission to discuss draft legislative acts.

In the next point **prof. Artur Nowak-Far** took the floor. He noted that after entry into force of the Lisbon Treaty a new model of democracy has emerged and as a result also a need to find systemic balance on domestic level. The Lisbon Treaty imposes certain internal arrangements and makes national parliaments real actors in the EU, which creates problems among others with political dialogue or making use of information forwarded to parliaments. That is why, in his opinion, the enhanced role of national parliaments should be accompanied by their "operational enhancement" i.e. increase in financial and personal resources.

Summing up the speeches of the panellists, **Deputy Jaroslaw Sellin** emphasized that the example of Finish arrangements, with strong parliamentary scrutiny of European policy of the government and engagement of all deputies into EU affairs, could provoke reflection in Poland. He also reflected on the political dialogue between national parliaments and EU institutions, addressing among others question of effective cooperation between national deputies and MEPs. He pointed out that Sejm has formulated proposals for enhancing political dialogue with the EU institutions by regular debates on the EC work programme, by using videoconferences for contacts with commissioners and improving the quality of the EC's responses to parliaments' reasoned opinions.

Chairwomen of the EU Affairs Committee **Deputy Agnieszka Pomaska** underlined that in Poland the greater engagement of all parliamentarians in EU affairs is necessary. In this

context she pointed at the need of internal changes in the Sejm. She noted that the deputies' increased participation in the EU affairs domestically could lead to a greater activity in interparliamentary forums.

PANEL 2

THE POSITION OF THE SEJM AND THE SENAT UNDER THE TREATY PROVISIONS

While opening the second panel of the conference **Deputy Andrzej Gałażewski** emphasized that the crisis in the Eurozone led to the enhancement of the executive branch in the EU, and as a result stimulated discussion on the role of national parliaments in the area of economic governance.

The first panellist **prof. Tomasz Grzegorz Grosse** discussed the enhanced role of national parliaments in the light of the deficit of legitimacy in the EU and the influence of initiatives taken in this area on the future of European integration in the systemic dimension. He pointed out that during the crisis attempts to restore EU legitimacy include *inter alia* enhancing the role of national parliaments within confederation model. He noted that the Lisbon Treaty formally strengthens parliaments' position in a very limited degree but it contributed to increasing their informal (political) influence on decision making process in the EU. Prof. Grosse emphasized that current changes within EU create for national parliaments a chance *inter alia* for restoring democratic debate and making themselves real actors in the EU, better control of European policies of governments and monitoring of legislation and activities of the EU, as well as cooperation with other national parliaments and the European Parliament.

In the next point **prof. Zbigniew Czachór** took the floor. He pointed out that current enhancement of parliaments' role means return to national element in parliamentarianism, present in the EU before introduction of direct elections to EP in 1979. He noted that there is a dilemma whether the enhancement of national parliaments' role is a proper systemic solution for the EU and does it contribute to the increase in legitimacy. At the same time he pointed that regardless of the appraisal of the Lisbon Treaty provisions, it gives national parliaments a chance to enhance their position in the EU. This enhancement should be considered not only from the point of view of formal parliaments' powers, but also with taking into account political aspect. In this context he reflected on the political dialogue, which is currently developing in the EU and which may be of key importance for cooperation between national parliaments and the EU institutions.

Prof. Czachór also noted, that new Treaty provisions imposed upon parliaments, including the Sejm, changes in internal procedural arrangements. However there are still in the Sejm technical issues of EU affairs scrutiny that need to be addressed.

Deputy Jarosław Sellin underlined that when discussing national parliaments' position in the EU one should remember that legitimization is linked to the understanding of political order and the latter is comprehensible for citizens at the level of national states. Moreover he noted that in the document prepared by the President of the European Council "Towards a genuine Economic and Monetary Union", which contains plan for the future EU development in the area of economic governance, the role of national parliaments was not taken into account.

Summing up, **Deputy Andrzej Gałażewski** emphasized that during a crisis one can observe an enhancement of the executive and that is why parliaments must assert their position in the

EU. At the same time he expressed the view that in Poland the government is currently starting to recognize the Sejm and the Senat as allies in the EU affairs. However for an effective participation of the Sejm in the EU affairs a change in law is necessary and that, as well as the position of the parliament in European affairs in general, depends on the will of deputies themselves.