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(Information)

EUROPEAN PARLIAMENT

TEXT ADOPTED AT THE XXVIII. CONFERENCE OF COMMITTEES FOR EUROPEAN AND COMMUNITY AFFAIRS OF THE EUROPEAN UNION PARLIAMENTS (COSAC)

Brussels, 27 January 2003

'COPENHAGEN PARLIAMENTARY GUIDELINES'

Guidelines for relations between governments and Parliaments on Community issues (instructive minimum standards)

(2003/C 154/01)

I. The European Convention and COSAC

The protocol on the role of national Parliaments, annexed to the Amsterdam Treaty, points out clearly that each national parliament's scrutiny of its own government in relation to Community activities falls under the particular constitutional system and practice of the member country in question.

The report from the working group on the role of the national Parliaments (dated 22 October 2002) under The European Convention contains a recommendation that COSAC should prepare a code of conduct or guidelines for relations between governments and Parliaments in connection with Community issues. The purpose of this is to provide all the national Parliaments with the opportunity to scrutinise and have an influence on governments' Community policy. As stated in the protocol on national Parliaments it is up to each Parliament to decide the extent to which the guidelines should be implemented.

At the COSAC meeting in Copenhagen from 16 to 18 October 2002 these guidelines were referred to as the 'Copenhagen Guidelines', and they enable scrutiny of and insight into the government's Community policy and Community policy in general.

In this connection COSAC has decided to indicate certain instructive principles (or a kind of minimum standard) which will help to ensure that all national Parliaments have the opportunity to participate in and have an influence on Community policy in an active manner.

Three elements in relations between government and Parliament can be pointed out which will help to ensure that the national Parliaments gain an influence on Community policy.

These three elements are **the quantity and quality of information** to the national Parliament, **the timing of information exchange**, and finally the **opportunities** that the national Parliaments has to use the information it has received to **gain an influence on Community policy**.

The following **basic principles** can be recommended on the basis of the above:

- the national Parliament shall receive relevant information on Community initiatives, both from the government and Community institutions, in good time so that the national Parliament has an opportunity to take them into consideration before decisions are made,
- the national Parliament shall have a real opportunity to use the information received to gain an influence on its own country's European policy and thereby the common decisions made in the Community,
- the national Parliament shall have an opportunity to follow up on its government's decisions in the Community system.

II. Recommendations on general guidelines (Copenhagen Parliamentary Guidelines)

The following general guidelines can be recommended on the basis of the basic principles above:

1. A Member country's government should ensure, in consultation with the Community's institutions, that the national Parliament receives all Community documents regarding legislation and other Community initiatives as soon as they become available.
2. The government should prepare easily accessible, clearly-worded material on Community legislation, etc., for the national Parliaments.

Examples:

- the government can regularly forward lists of current Community Bills, documents for hearings, messages, etc., to the national Parliament,
- the government can draw up explanatory notes on all important Community matters for Parliaments within a given deadline.

3. Opportunities should be provided for meetings with ministers in the national Parliaments well in advance of Community meetings. The government should give an account of its attitude to Community proposals at such meetings.

Examples:

- it should be possible for the Parliament to ask questions of ministers well in advance of Council meetings in order to obtain clarification of the government's attitude to specific issues,
- it should be possible for the Parliament's European Affairs Committee and expert committee to hold a suitable number of meetings with the participation of a minister and adapted to the Council meetings so that the Parliament can consider the content of the Council meetings at a concrete level.

4. The national Parliament should be informed by the government well in advance as regards decisions to be made in the EU and concerning the government's proposals regarding decisions. This concerns ordinary

meetings of the Council, summit meetings, and inter-governmental conferences. The national Parliaments should also subsequently be informed of the decisions made.

Examples:

- the government can forward agendas of forthcoming Council meetings with relevant references to Community legislation documents,
- the government must forward minutes of Council meetings within a short time frame after the meetings.

5. Concerning administrative assistance in the national Parliament, it is the responsibility of each national Parliament to ensure maximum benefit from the guidelines, *inter alia*, by strengthening the administrative and expert assistance to the Parliament in EU matters and adapting this assistance to Parliament's real needs.

III. Publication

It is proposed that these guidelines, which are not legally binding, should be published in the *Official Journal of the European Union*, C ⁽¹⁾ Series. The C Series contains communications and information of a non-binding nature.

⁽¹⁾ See also 'Note concerning new voting rules in COSAC' as regards publication of COSAC contributions in the *Official Journal of the European Union*, C Series.