

Warsaw, 13 May 2015

Speech by

Marshal of the Sejm, Mr Radosław Sikorski

for the opening of the meeting of the Working Group on the possibility of
improving the Treaty "yellow card" procedure

*Dear Chairpersons and Members of European Affairs Committees
of National Parliaments, Ladies and Gentlemen,*

I am happy to welcome you today in the Sejm and open this meeting of the Working Group that has undertaken to prepare a listing of rules streamlining the procedures of the early warning mechanism provided for in the Treaty of Lisbon, which we, parliamentarians, call the "yellow card procedure". I am glad that the task of leading the group has been entrusted to Ms Agnieszka Pomaska, Chairperson of the European Union Affairs Committee of the Polish Sejm. The Sejm is one of the most active Chambers, and we have already submitted 12 reasoned opinions on selected EU legislative proposals.

A strong involvement of national Parliaments in the EU law-making and implementation process has become a fact and national Parliaments are recognised as an integral part of the EU's democratic structure. The Treaty of Lisbon has provided Parliaments with an array of instruments which we are trying to put to use in the best possible way. The Treaty explicitly states that national Parliaments actively contribute to the good functioning of the Union. Therefore, they have engaged in close cooperation with the institutional triangle of the Council, the Commission and the European Parliament. However, the understanding of the role of Parliaments did not emerge with the Treaty of Lisbon, but it is an outcome of many years' efforts of the Parliaments

themselves - starting with the establishment of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC) in 1989, through its definition of the *Copenhagen Guidelines for relations between governments and Parliaments on Community issues* (2003), deputies' involvement in the work of the European Convention, to the Barroso Initiative which provided a basis for political dialogue.

National Parliaments enhance the transparency of the European Union's activities and promote the inter-institutional dialogue. Parliaments of the EU Member States seek to combine two integration worlds: the inter-governmental and supra-national dimensions.

National Parliaments are not an obstacle to the European integration process but a missing link between the EU Institutions ,Member States' governments and citizens. Therefore, it is necessary to strengthen their control, supervisory and verifying role in EU matters both in the Member States and in the EU system. With the national Parliaments' participation in the EU system, we are witnessing the emergence of a new EU "technology" of power. Given that the allocation of integration powers is based on the "checks and balances" system, emphasis must be put on the actions, interactions and transactions between national Parliaments and the EU system.

Some of us consider mainly the "mandating" of our own governments as a key mechanism, but many appreciate the capability of direct influence on the EU institutions. I have used the word "influence" intentionally, because it is the quintessence of our efforts, our engagement, and also the goal we are aimed at in our work.

What proved to be an EU-wide success of the Member States' Parliaments was the practical application of the Lisbon yellow card procedure which made the European Commission withdraw a proposal of significance to the Internal

Market in September 2012. It concerned the Monti II proposal. Overall, 12 Parliaments and their Chambers represented 19 votes necessary to trigger the yellow card procedure.

However, the triggering of the yellow card procedure both in the case of this proposal, and the other procedure regarding the *Proposal for a Council regulation on the establishment of the European Public Prosecutor's Office* has enabled us to arrive at some conclusions.

First of all, after more than 5 years with the Treaty of Lisbon in force and after a number of subsidiarity checks carried out under COSAC, it seems to me that we can now conclude that national Parliaments have fully implemented their internal procedures for issuing reasoned opinions.

As I have already mentioned, we have triggered the yellow card mechanism twice for a specific EU proposal, but please note that in total Parliaments have submitted almost 300 reasoned opinions to the EU institutions.

Such a significant number of opinions testifies to our ability to control compliance with the principle of subsidiarity. On the other hand, it has enabled a number of national parliaments to conclude that the 8-week deadline for issuing a reasoned opinion is insufficient in many cases. Therefore, the Working Group has been asked to check whether it is possible to extend the period to 12 weeks, but only within the constraints of the applicable Treaty provisions.

Another upcoming proposal suggests there are still some areas where interparliamentary cooperation on the yellow card issues can be improved. This will be discussed in detail by Chairperson Pomaska.

Ladies and Gentlemen,

I have stressed at the beginning that national Parliaments have established a permanent presence in the EU decision-making process, using the tools assigned to them, but not only these. It should also be added that national Parliaments have a set of rules, provisions and procedures of an informal nature in place. This is today one of the main opportunities to enhance the effectiveness of the Parliaments' efforts in collaboration with the EU institutions.

I hope that the conclusions of today's meeting will be another step making it possible to enhance Parliaments' involvement in the EU decision-making process, but will also testify to the effective cooperation between Parliaments and between Parliaments and the EU institutions. They will confirm that desire to achieve democratic legitimacy and grassroots European integration is a priority both to national Parliaments, the European Parliament, and to the European Commission.

I wish you a successful debate.