

Folketingets Europaudvalg
Christiansborg, den 28. januar 2002
Europaudvalgets sekretariat

Til
udvalgets medlemmer og stedfortrædere

Rapport fra Chevalier og Mahoux om debatten i de nationale parlamenter om Europas Fremtid

Den belgiske regering og det belgiske parlament havde udpeget formanden for Udenrigsudvalget i Repræsentanternes Hus Pierre Chevalier og senator Philippe Mahoux, som er formand for Europaudvalget, til at undersøge, hvilke holdninger der var hos regeringerne og de nationale parlamenter i medlemslandene og i ansøgerlandene i relation til den igangværende debat om Europas Fremtid. Deres drøftelser med Claus Larsen-Jensen og Knud Erik Hansen er resumeret i Info-note (2001-2002, 1. samling) I 16 af 25. oktober 2001.

I nærværende Info-note er optrykt den engelske udgave af den samlede rapport, som de forelagde den 12. december 2001 i forbindelse med Laekentopmødet.

I det sidste kapitel, som indeholder *konklusioner og anbefalinger*, fremhæver de to rapportører, at

- I alle lande er man ved at komme i gang med en debat om Fremtidens Europa, men der er endnu ikke truffet beslutning om formen for den.
- Den største udfordring er, hvordan man får involveret den brede offentlighed. Her peger man på, at det kan gøres ved at knytte fremtidsdebatten til udvidelsestemaet, som interesserer mange mennesker.
- Det er vigtigt at involvere medierne, og det gør politikerne i et land med en fri presse ved at gøre fremtidsdebatten så spændende, at medierne tager den op.
- Fremtidsdebatten vil indebære en mulighed for, at medlemslandene og ansøgerlandene kommer til at kende hinandens synspunkter bedre.
- Det Europæiske Konvent vil være et godt diskussionsforum, som vil kunne fremme en gensidig forståelse og være med til at nedbryde de psykologiske

- barrierer mellem folkene.

Mht. *de nationale parlamenters rolle* viste undersøgelsen, at det største problem for de fleste parlamenter er at få tilstrækkelig indflydelse på deres nationale regerings EU-politik, og at EU (eller "Bruxelles") for de fleste parlamentsmedlemmer og deres vælgere er noget meget fjernt. Rapporten peger på, at det i den forbindelse kan være en idé at styrke COSAC ved at give det en højere profil, mere samhørighed og kontinuitet. Som en opgave for COSAC nævnes undersøgelser af subsidiaritetsprincippet i relation til konkrete kommissionsforslag, således at de nationale parlamenter får mulighed for at tage stilling til, om nærhedsprincippet er overholdt. Ideen om et permanent sekretariat for COSAC bringes også ind i billedet. I øvrigt kan COSAC få betydning ved, at landene får mulighed for at sammenligne "best practices" mht. indflydelse på EU-politikken.

Det Europæiske Konvent, som skal forberede Regeringskonferencen 2004, er blevet godt modtaget i alle medlemslande, og mange mener, at de nationale parlamenters repræsentanter må spille en væsentlig rolle. I øvrigt er det generelt forventningen, at konventets arbejde vil stimulere den nationale debat.

I deres afsluttende bemærkninger foreslår de to parlamentarikere, at man også under kommende formandskaber foretager sådanne *studierejser*, da de mange positive reaktioner har vist, at der er et behov for en mere målrettet kontakt med nationale parlamenter og regeringer.

Med venlig hilsen

Bjørn Einersen

COURTESY TRANSLATION

Brussels, 19 December 2001

Dear Mr President,

As announced in our letter of 4 September last, we have carried out a working visit in October/November 2001 to your Assembly within the framework of the assignment given to us by the Belgian EU-Presidency.

We would like to thank you, as well as the chairmen and members of the parliamentary committees concerned, for the warm welcome and the in-depth and most helpful contacts we were able to have.

Thanks to these contacts, it was possible for us to draft the report of which you will find a copy enclosed. We hope that this report can contribute to a better understanding of the role of national parliaments in the national debates on the future of the Union.

We also think that it may serve as a useful point of reference for the discussions within the future Convention on the role of national parliaments in the European architecture.

Yours sincerely,

Pierre CHEVALIER,
Member of the
House of Representatives

Philippe MAHOUX,
Senator

**Pierre
CHEVALIER**

**Philippe
MAHOUX**

THE DEBATE ON THE FUTURE OF THE EUROPEAN UNION

A REPORT ON THE SITUATION

Report for the President of the European Council

***December 2001
(OR. nl)***

PREFACE

In December 2000 at the European Council in Nice, European Union Heads of State or Government called for the launch in 2001 of a broad and in-depth debate on the future of the Union. They also decided to pass a declaration at the European Council summit in Laeken in December 2001 on the sequel to this debate, which would lead to a new intergovernmental conference in 2004.

As part of the preparation for the Laeken European Council, the Belgian Government and the Belgian Federal Parliament asked Mr Philippe Mahoux, senator and chairman of the Federal Advisory Committee on European Affairs, and Pierre Chevalier, member of the House and chairman of the Foreign Affairs Committee of the House of Representatives, to contact the national parliaments of Member States and candidate countries with a view to reporting to the Belgian presidency of the EU on the progress of national debates on the future of the Union. The theme of the role of national parliaments in the European architecture was also considered in greater depth.

As part of this task, all the capital cities of European Union Member States and candidate countries were visited between 1 October and 29 November 2001. The European parliament was also contacted.

The report was officially presented on 12 December 2001

SUMMARY

I.	Introduction	p. 4
II.	General review of national debates	p. 5
	1) The initial phase	p. 5
	2) The initiatives	p. 6
	3) Public opinion	p. 7
	4) The role of national parliaments in national debates	p. 8
III.	Candidate countries and the debate on the future of the European Union	p. 10
IV.	The role of national parliaments in the European architecture	p. 12
	1) Models without a treaty based competence for national parliaments at the European level	p. 13
	a) Strengthening COSAC, principally through the institution of a permanent secretariat	p. 13
	b) Informal meetings of representatives of all parliamentary standing committees	p. 14
	c) Parliamentary observers in Council delegations	p. 14
	d) Informal subsidiarity controls	p. 15
	e) Informal meetings on foreign and defence policy	p. 15
	2) Model with a treaty based competence for national parliaments at the European level	p. 15
V.	Conclusions and recommendations	p. 17

I. INTRODUCTION

The debate on the future of the European Union confronts the Member States and the candidate countries with an important challenge. By launching the debate, the European Council of Nice has asked, through a broad public discussion, for more clarity about the final goals of the Union. Thus the European Council raises the question of the criteria for the legitimacy of the European Union *vis à vis* the European people.

The debate shall take place at both the European and the national levels. However, public opinion of the Union is still in the first place the national public opinion. Thus the focus falls mainly on the national debates and on the most important political participants at the national level which are the government and the parliament.

It is from this latter point of view that the Belgian government and the Belgian federal parliament considered it important to organise, during the Belgian Presidency, direct contacts with the parliaments of the Member States and the candidate countries.

During our travels through Europe we have in the first place had good and in-depth contacts with the members of the parliamentary committees responsible for European affairs. We have also held multiple and interesting conversations with government representatives. The Belgian diplomatic representations in the various capitals have given considerable assistance on the content as well as in the practical aspects. We herewith wish to sincerely thank all those, who have contributed to the successful accomplishment of this mission.

In accordance with the wish expressed by the European Council in Nice that the presidency should stimulate the debate, we think that our visits to Member States and candidate countries encouraged global debate. We have thus established a modest and informal link amongst the various national debates, and we would like to suggest that future presidencies take similar initiatives.

II. GENERAL REVIEW OF NATIONAL DEBATES

1) The initial phase

A first and general observation is that the national debate has yet to gather momentum in most of the Member States and candidate countries, even although the framework of the debate has been established.

The European Council in Nice called, in December 2000, for the starting of a broader and deeper debate on the future of the European Union.

It was in the first place the speech given by Joschka Fischer, the German Foreign Affairs Minister, on 12 May 2000 at the Humboldt University in Berlin, which gave the starting signal for a renewed questioning of the finality of the European Union. This speech has to be seen in the context of challenges facing the Union in terms of the coming enlargement. It was delivered at a time when the negotiations which were to lead to the Treaty of Nice, were in full swing.

The speech was much debated and there was considerable reaction from politicians in the other Member States. Thus a debate on the finality of the Union, in direct or indirect response to the ideas expressed by Minister Fischer, started. Hence the idea of holding a fundamental debate on the finality of the Union came into being in the run up to the European Council of Nice. In Nice the Heads of State or Government expressed the wish to open up the debate to the national parliaments, civil society and the public. This was made clear by Declaration 23 added to the Treaty of Nice.

The debate on the future of the European Union was formally launched on 7 March 2001 by the Prime Ministers of Sweden and Belgium, Messrs Persson and Verhofstadt, the president of the European Parliament, Mme Fontaine, and the president of the European Commission, Mr Prodi. At the launch, the European Commission opened a web site called FUTURUM, the purpose of which is to provide a European platform for the debate.

The dramatic events of September 11 thoroughly disturbed the organisational efforts in various Member States, at least for a while. During the weeks following the attacks, it proved difficult to interest public opinion in the debate on the future of the Union. On the other hand, there is no doubt that "September 11" prompted serious discussion on certain aspects of European integration such as the fight against terrorism or the common defence and security policy.

Contacts with national parliaments clearly demonstrated that a large majority of them did not feel really involved in the debate on the future of the Union, with the exception of specialist bodies. They also considered that public opinion in their own country and the national media had scarcely any interest in such a debate. However, we did observe a

considerable willingness to develop initiatives on this matter in the near future or to work along with government initiatives.

The most important driving force for an increased interest on the part of the national parliaments is their participation in the Convention, which is to be created at the European Council in Laeken. With Laeken and the Convention pending, several of them have recently formulated a point of view on the matter, or are preparing so to do.

In general terms, one can say that for the moment the debate on the future of the European Union within national parliaments is at the stage of being organised and each parliament is considering the stance it is going to take. It should be added that certain parliaments have already taken initiatives to inform the public (for example in France) or more specialist groups (for example in Belgium).

2) The initiatives

Initiatives taken in connection with the debate on the future of the Union vary greatly from one country to another. Some countries have developed a complete programme, many having started in the spring of 2001, while others have taken *ad hoc* initiatives. In most cases, the first initiative has been taken by the government, usually in the form of ministerial statements. In some Member States, parliament has been and still remains closely involved in the government projects. Some parliaments themselves have taken independent initiatives. Others have taken a deliberate decision not to be involved in the organisation of activities aimed at the public. That does not mean that they are standing aside from the debate. They are concentrating mainly on parliamentary debates, in response or otherwise to the position taken by the government.

The visits to the various capitals in connection with the task in question took place over the period 1 October (Copenhagen) to 29 November (Warsaw/Ljubljana). In most of the countries, the parliamentary session starts at the beginning of October. Several of the parliaments visited were still at the stage of organising the debate. But the future Convention and the part to be played by national parliaments therein stimulated debate and the clarification of points of view. These are not unequivocal. For example, it is striking to note that for some national parliaments, the Convention represents confirmation of the important role that they can and must play at European level. Some parliaments, on the other hand, seriously question the representativeness of national parliamentary delegates within the Convention: whom do they represent?

Furthermore, the many initiatives taken by NGOs, universities and schools should be emphasised. In several countries, civil society is indeed taking a particularly active part in the debate.

3) Public opinion

The major challenge in connection with the debate on the future of Europe is undoubtedly that of engaging the participation of the public at large, the people. Is this a challenge for government or parliament? In Nice, the call for debate was driven by governments. The issue is more a matter of knowing whether national parliaments feel compelled to foster public participation. Our talks have reveal widely varying reactions from one parliament to another.

A minority of parliaments considers that it is the responsibility of the government to involve the public in the debate. Other parliaments, by contrast, are organising public sessions on the future of the Union, sometimes at a regional level. Still others are setting up important projects, both in collaboration with and independently of the government, to take the debate outside parliament to the public at large. All parliaments recognise the fundamental role which civil society organisations can and must play. Nevertheless, only a minority of parliaments wishes to interact directly and in a systematic way with such organisations. This is no doubt related to the fact that the relationship between representatives of the people and those of certain interest groups within society is not always clear. It is not always clear whom is represented by which organisation, nor what legitimacy they have.

Nearly all countries visited said that it was extremely difficult to engage public interest in a debate on the European Union and even more so on one regarding its future. Such lack of interest, which according to several sources appears to be more of a point of departure than the result of thorough examination, seems to lie at the root of scepticism about whether any real public debate is possible. Up to now in most countries, the debate has taken place mainly in political, academic and specialist circles.

By contrast, in countries where public debates have already been held, organisers have nevertheless been able to say that there has been some public interest in Europe, especially when it has been approached through concrete issues. Lectures and debates involving personalities and celebrities have attracted a large public audience.

Furthermore it became clear that in several countries (whether Member States or candidate countries) where public opinion is divided on the question of European integration or enlargement, the debate on the future of Europe offers an opportunity to discuss integration and enlargement.

To bring the debate closer to the individual citizen, several countries have opted for a regional approach. Thus, debates have been organised in different cities nation-wide. This decentralised approach is said to have a certain amount of success.

Most of those questioned feel that the media give only limited coverage of the debate on the future. Yet everyone recognises the fundamental role of the press in the debate. In candidate countries, press interest in Europe is manifestly greater because of the connection with their membership negotiations.

4) The role of national parliaments in national debates

The involvement of national parliaments in the debate on the future of the European Union takes very different forms across the various Member States and candidate countries.

Some national parliaments took independent initiatives relating to declaration 23 of the Treaty of Nice. Other parliaments were invited by their governments to organise the national debate. In some Member States, the national parliament considers that organising the debate is the responsibility of the executive. Having in mind the accession of their countries to the Union, parliaments in most of the candidate countries have been involved in initiatives aimed at explaining the Union to their people. Linked to this they also try to stimulate discussion on the future of the Union.

Three elements seem to influence the level of participation and the shape it takes:

- the role of the national parliament in the country's European policy;
- the place of the national parliament in the country's political landscape;
- the way in which the parliament perceives its role and its place.

Parliaments, which play an important role in the country's political life generally, have a very clear-cut opinion of their role in the national debate. In some countries the national parliament plays a central role in the debate. As was indicated earlier, in other countries the national parliament is of the opinion that it is the responsibility of the government to organise and lead the debate with the public. The future participation of representatives from national parliaments in the Convention preparing the next IGC in any case appears to encourage the majority of parliaments to take an active part in the debate on the future of the Union.

Thus, as mentioned before, the extent to which national parliaments are involved in organising national debates turns out to be quite limited, with a few exceptions. On the other hand, many parliaments are formulating points of view on matters of substance, whether or not they figure among the four Nice-topics, fully realising that the real discussion has yet to start, and that current opinions should be considered as starting points. Many of these opinions have already been expressed within the parliaments of Member States during debates relating to the ratification of the Treaty of Nice.

Most parliaments where debate has taken place consider that the four topics discussed in Nice are starting points for the debate. There is no doubt that they wish the Convention to have a broader mandate.

In view of the European Council of Laeken, parliaments have adopted resolutions concerning the future of the European Union. Anticipating the Laeken declaration, they wish to voice their opinion on the future Convention and its mandate.

Parliaments generally agree that the next Convention should be considered an opportunity to involve parliaments in the future development of the European Union and thus to strengthen the latter's legitimacy. Most national parliaments feel that the Convention should in consequence aim, as far as possible, to arrive at consensus positions.

Currently, only a few countries have already considered the link between the national debate and the Convention. Most Member States have not yet addressed the issue of the extent to which national representatives at the Convention will have to express the results of the national debate.

After the European Council in Laeken, national parliaments and governments will therefore have to organise themselves in terms of their participation in the work of the Convention. It seems certain that the progress of the Convention's work will influence each national debate.

III. CANDIDATE COUNTRIES AND THE DEBATE ON THE FUTURE OF THE EUROPEAN UNION

Debating the future of a Union to which you do not yet belong is no straightforward matter. Nevertheless, the parliaments of all the candidate countries wish to take part in it. Furthermore, some have already taken initiatives, usually in conjunction with their government.

For candidate countries, the debate on the future of the European Union runs parallel to the debate on their membership of the Union. To the extent that this membership is subject to a national political consensus, the discussions which have taken place in these countries on the future of the Union reflect this overall agreement. They have mostly been held amongst specialists on European matters. On the other hand, there seems to be considerable ignorance about the Union amongst the public opinion.

The national parliaments of candidate countries are reorganising the way they approach European policy in their country. Parliamentary activity relating to the integration of *acquis communautaire* has laid the foundations for such reorganisation. Parliamentary control of government European policy involves, on the one hand, following up the enlargement negotiations with the European Commission and the Council, and, on the other, incorporating the body of European legislation into national law.

There is no doubt that incorporating *acquis communautaire* into national law takes a central place. Such an extended task determines parliamentary activity on European policy to a large extent. To be able to incorporate EU-law at a sustained rate, most attention goes to the adoption of national legislation in response to the demands of *acquis*. The parliaments of the candidate countries rarely discuss in advance the negotiation mandate with which the government goes to the Commission.

Participation in the Convention by the MPs candidate countries will doubtless encourage debate on the future of the European Union. Most of these countries are young democracies. They attach a great deal of importance to inter-parliamentary contact. Generally, they appreciate the contact opportunities that arise from COSAC meetings. Nevertheless, candidate countries also wish current Member States to recognise their contribution to the debate on the future of the Union. Generally speaking they feel that they are not known by current Member States.

Most candidate countries emphasise the importance of national identity within the Union. In some small candidate countries, there are sections of public opinion which entertain fears in this regard. One other feeling felt in some candidate countries is that they are not really welcome within the Union and that there are some Member States which wish to delay their membership for as long as possible.

Some concrete regional and sub-regional issues also influence the way in which certain candidate countries perceive the Union and its future. Many candidate countries stress the need to take into account national minorities within the Union.

In certain candidate countries, discussion on the future of the European Union can influence the progress of public debate on the accession of the country to the Union. Such influence can be positive as well as negative. Thus it is, for example, important to define with precision some of the terms used in the debate. In some candidate countries the word "federalism" has a negative connotation, quite independently of any possible willingness on the part of the people to accept new stages in European integration. Semantic clarity will be an important element in guaranteeing quality and serenity in the debate on the future of the Union.

In this context, it is well worth noting the importance attached by candidate states to the involvement of European personalities in their national debate. Several candidate country parliaments have suggested that national and European MPs from current Member States should participate in the debates they organise.

The legislative challenges of membership and the lack of public awareness are the two parameters, which to a large extent influence the debate on the future of the Union in the candidate countries. The governments and parliaments of these countries are therefore focussing their efforts in the first place on informing public opinion on the European Union itself.

IV. THE ROLE OF NATIONAL PARLIAMENTS IN THE EUROPEAN ARCHITECTURE

Declaration 23 of the Annex to the Treaty of Nice proposes that in the deeper and broader debate on the future of the European Union the "role of the National Parliaments in the European architecture" amongst others should be dealt with. It is also one of the themes that should be put on the agenda of the Intergovernmental Conference of 2004.

On the basis of the conversations that we had during our meetings, a few conclusions can be made. As was to be expected it was very clear that the national political traditions in the various countries have been influential in determining the stands taken on the issue.

One has to conclude that the national parliaments do not see the imminent enlargement of the Union as a factor that will automatically change the role of the national parliaments. It is the experiences of the current practice of scrutiny by the national parliament of the European policy which is taken as the starting point for the reflection on the role of the national parliaments. Also the feeling of distance from "Brussels" as well as the irritation felt towards the European institutions, are elements that influence this issue greatly.

There exists a general widespread conviction in the capitals visited that the role of the national parliaments in the European policy is of utmost importance. National members of parliament are the first political point of contact for the citizen, even in European matters. It is due to this reality that they feel that the democratic legitimacy of the European construction is guaranteed, in the first place, by the national parliaments.

It also seems that the specific role, played by the national parliament in the European context, is not seen in the same way in the various Member States and candidate countries. There exists even less unity on the question whether the role of the national parliament should be increased or at which level or which manner it should possibly happen.

It is however generally accepted that the presence of the national parliaments in European matters can be improved. It was mentioned repeatedly that this should lead to an increased parliamentary approach to the European construction, without it weakening the position of the European parliament. A further strengthening of the European Parliament was urged for on several occasions.

The question of democratic legitimacy of the European decision making process was posed not only in judicial terms but also in psychological terms. In a large number of national parliaments it was acknowledged that there was a lack of awareness of the decision-making process of the Union. More generally a great distance is felt with 'Brussels'. Even in the countries where the national parliaments have a very influential role in European policy of their own country, one feels that there should be 'more'. The distance and the ignorance perceived about 'Europe' by a large part of the population is

also true of the parliaments. The distance experienced by the citizen and the politician who represents him is an important factor in this feeling.

During our conversations many suggestions were made about the manner in which the question of 'more' could be answered. Two methods of involvement of the national parliaments in European policy could be established:

- The national parliament participates only through its own national structures – e.g. through influencing and controlling its own government, which is anyway the current institutional situation;
- The national parliament is directly involved in the European decision making process – through a representation of the national parliaments in a Second or Third European Chamber, possibly through a double mandate system with a real competence at the European level.

A very large number of interlocutors preferred solutions lying in the framework of the first model. Most of the national parliaments feel that their responsibility lies exclusively at the national level. A Second Chamber consisting of representatives of the national parliaments is seen as an unnecessary institutional burdening of the European decision making process which will moreover weaken the European parliament and not contribute to the strengthening of the European democratic legitimacy.

1) Models without a treaty based competence for national parliaments at the European level

a) Strengthening COSAC, principally through the institution of a permanent secretariat.

The 'Conference of European Affairs Committees' was established in 1989. It is a meeting where delegations of the committees of the national parliaments of the Member States and candidate countries competent for European affairs as well as a delegation from the European parliament, meet twice yearly. The Conference was formally recognised by Protocol no. 9 annexed to the Amsterdam Treaty. Even though it has no formal competences COSAC in accordance with the above-mentioned Protocol can submit "contributions" to the European Union institutions.

During our conversations with representatives of the parliaments visited there proved to be much sympathy for COSAC. At the same time there is also an equally large frustration with the very limited impact of the organisation and there exist serious doubts about the efficiency of its activities. This is possibly caused by the fact that COSAC-positions (always adopted by unanimity) are not binding for the national parliaments. COSAC was not established as a decision-making organ. Almost all emphasise the importance of COSAC as a meeting place and as an opportunity for exchanging information and

experiences. Many interlocutors also express some irritation with what is considered as too great an influence of the European Parliament on the activities of COSAC.

In order to be able to fully use the possibilities of COSAC, some parliaments suggested that COSAC be provided with a permanent secretariat. In this way the continuity of its activities could be assured. These could in the first place be directed towards the study of 'best practices' in the follow-up by parliaments of the European policy of their own governments, without this having to lead to a standardisation of parliamentary practices. In future, these practices will continue to be determined by the national political and constitutional framework. Moreover, some parliaments argued for better use to be made of the possibilities currently offered by the protocol and for more frequent meetings. How this demand should be reconciled with the already busy national parliamentary agenda's remained vague.

COSAC is an organisation that is almost unknown outside a group of parliamentary members and specialists. It could however play a very important informative role for the various national parliaments, even at the level of standing committees. The importance of the role of the national parliament in the European policy of its own government could in this way be increased.

b) Informal meetings of representatives of all parliamentary standing committees

The idea of strengthening COSAC as described above could go hand in hand with a further development and systematisation of regular contacts between representatives of the parliamentary standing committees when faced with a European problem.

Such contacts could be organized and supported by the permanent COSAC-secretariat. The aim is to exchange ideas, experiences and information between national parliaments themselves and between the national and the European parliament members.

c) Parliamentary observers in Council delegations

The idea was raised by some to have parliamentary observers in the national delegations participating in the meetings of the Council. This participation could be limited to the functioning of the Council in its legislative capacity. In this way the division of powers is strengthened. This is in relation to issues belonging to the first pillar.

Some MPs expressed doubts regarding the precise role of such an observer, in the sense that it would be difficult for him to represent the whole parliament of his country. The problem of the representativeness of parliamentary delegates in multinational fora and of their mandate was raised several times, but as yet remains unanswered.

In this connection the idea was mentioned of an organisational split of the Council into a legislative and an executive section. In its legislative role the Council would meet in

complete openness, which would improve transparency. Several parliaments welcomed this suggestion.

One parliament suggested that at the beginning of European Council meetings, similar to the President of the European parliament, the President of the national parliament of the country holding the presidency should be allowed to voice the viewpoints of national parliaments.

d) Informal subsidiarity controls

In response to the frequently voiced criticism that the European Union concerns itself too much with areas best dealt with at national (or sub-national) level, it has sometimes been suggested that national parliaments could contribute to checking compliance with the subsidiarity principle in the legislative initiatives of the European Commission.

Such scrutiny could be carried out by a strengthened COSAC, described at point a. Preparatory work could be done by the permanent secretariat. We must also assume that the national parliaments have each examined the Commission's proposals. COSAC could then give an advice on the subsidiarity issue. The advantage of this formula is that no additional community body is created, with its own competence, which could upset the balance between the Council and the European parliament.

e) Informal meetings on foreign and defence policy

Rather like the model described at point b, representatives of parliamentary committees on foreign affairs and defence could meet regularly to discuss the European Union's foreign and defence policy. Suggestions have already been made on this matter.

However, given that such policy fields do not fall under, what is called, the community method and, in most Member States, mainly come under the competence of the executive, the aim of such meetings would not so much be to control the government, the Council and the European Commission as to exchange information. Nevertheless, there seems to be some support for not losing the *acquis* of the Assembly of the Western European Union as long as such fields are managed at the intergovernmental level and the European Parliament does not have any competence in the matter.

2) Model with a treaty based competence for national parliaments at the European level:

A number of political representatives suggest creating a second legislative assembly at the European level, in addition to the European Parliament. This new Chamber would comprise representatives of national parliaments and would have certain powers at the European level. It could for example:

- exercise what is called "subsidiarity checks" on legislative proposals made by the European Commission, or
- have collective competence in matters relating to the second and third pillar.

For the moment, there is one detailed proposal on the creation of a chamber comprising representatives of national parliaments. Only a limited number of parliamentary representatives from the parliaments visited expressed an interest in this proposal.

A majority of them see hardly any point in creating an additional European institution, which would increase the complexity of the current decision-making process. Moreover, questions were raised about the representativeness of the delegates from national parliaments in such a body. In relation to COSAC this problem is much relevant, as this conference has no decision-making competence. It has also been stressed that national parliaments must control their governments: that is their primary function. A collective responsibility that would be shared at the European level with the other national parliaments seems difficult to reconcile with the role of national parliaments in relation to their own governments. Furthermore, this proposal does not take account of the fact that the Council is already a co-legislator at European level and as such constitutes a second legislative assembly.

V. CONCLUSIONS AND RECOMMENDATIONS

All Member States and candidate countries are endeavouring to launch or continue a **national debate on the future of the European Union**. Most countries, however, have not yet decided exactly what form this debate will take.

Such vagueness arises from current discussions as to who should initiate the debate, the public to be targeted and the questions to be asked.

In all countries the main challenge consists in involving public opinion in the debate. Two elements play a role in the matter.

First of all, a way must be found to address the wider public. In this respect, subjects which concern the people directly and which can constitute the subject of the debate must be identified. In several Member States, the process of enlargement is clearly a sensitive point among the people. It would therefore be advisable for national authorities and in particular, national parliaments to take up the discussion on this theme in order to launch a debate among citizens, linking the enlargement perspective with the wider debate on the future of the European Union. A good information campaign on enlargement and its consequences must underpin this debate. More generally, the pedagogical approach must be stepped up.

Next, it is very important to involve the media at the same time. This point is worth repeating here, even though it is obvious. Without the media, it will be particularly difficult to involve the public at large in the debate and to inform it of the results. Given that the press acts completely independently, it is up to the political world, governments and parliaments to make the debate on the future of the Union sufficiently engaging from a political point of view to attract the attention of the press.

In addition to running information campaigns on membership itself, the parliaments and governments of candidate countries stress the importance of involving their public opinion in a discussion on the future of the European Union. Current Member States ought to positively welcome the contributions which candidate countries can provide in this connection.

More generally, the debate on the future of the Union should be an opportunity for all countries concerned to get to know each other better. We will effectively be partners in the future Union. It is important that the citizens of candidate countries know that their opinion is being taken into account. It is also important that public opinion in Member States gets acquainted with the membership candidates.

The Convention can provide a good discussion forum to encourage such mutual awareness. It will also help to encourage mutual understanding: what is understood by and how are they used in such and such a Member State or candidate country? To put it

another way, the debate on the future of the Union must enable psychological barriers amongst the peoples of Europe to be overcome.

The role of national parliaments is a subject that will be tackled at the Convention.

From our contacts it appears that, in the vast majority of Member States, the problem of the role of national parliaments is seen as lying at national level rather than the European. The real democratic deficits lie in the way in which national parliaments discharge their tasks, or not as the case may be, when faced with the actions of their own governments on the European stage.

A second general conclusion one can draw is that the European Union, "Brussels" is seen by most national MPs to be a very remote body, remote from both themselves and their electors.

Strengthening COSAC by giving it a higher profile, more coherence and continuity could provide solutions in both areas.

In this connection, tasks could be assigned to COSAC – but without any treaty based competence – such as a close follow up of the principle of subsidiarity, thus allowing national parliaments to address their own governments on the matter. Checking compliance with the principle of subsidiarity could be organised such that, from an early stage in the European legislative process, national parliaments have available the necessary elements to enable them to make judgements about Commission proposals under examination. If COSAC had a permanent secretariat, it could play a central role in the preparation and management of checking compliance with the subsidiarity principle.

Such a strengthening of COSAC would also, in accordance with the wishes of various parliaments, contribute to gathering together best practices in terms of parliamentary follow-up, particularly (but not exclusively) in matters relating to the second and third pillars of European policy. Exchanging practical experiences must go hand in hand with a system for keeping such information and for making comparisons.

The credibility of national parliaments depends, in large measure, on the way in which they exercise their controlling task. A strengthened legitimacy of the performance of national parliaments in "national" European policy will contribute to strengthening the legitimacy of the activities of the European Union itself. Furthermore the citizen should be informed of this, so as to reduce the sense of distance separating him from European policy.

The Convention preparing the 2004 IGC has been well received by all national parliaments. Many of them think that national parliamentary representatives must play a major role therein.

The general expectation is that the Convention's work will stimulate national debate. Increasingly, national parliaments are taking a stance. More active consideration is also

given to the way in which government and civil society can be approached by parliament in this connection.

Finally we would like to suggest that an evaluation tour such as this be organised along similar lines in the course of each presidency. The many positive reactions we have had to the Belgian initiative have revealed a need at European level for more targeted contact with parliaments and governments.

Brussels, 12 December 2001

