

Mr. Richard HÖRCSIK
Chairman of the Committee on European Affairs
Országgyűlés
Kossuth Tér 1-3
HU-1357 Budapest

10th May, 2011

Dear Colleague,
Dear Mr. Hörcsik,

Firstly, let us express our thanks for your invitation to the next COSAC meeting in Budapest. Subsequently, on behalf of COSAC members from Slovakia and Czech Republic, it is our pleasure to draw your attention to the following issue.

During the last COSAC Chairpersons' meeting in Budapest, chairman of the Committee on European Affairs of Assembleia da Republica of Portugal, Mr. Vitalino Canas, mentioned in course of general discussion a very important point, i.e. involvement of the national Parliaments in the simplified method of Lisbon Treaty changes. Regarding the decision of the European Council of 24th-25th March that provides for the legal basis for establishing the European Stabilization Mechanism, we faced a new method of amendments to the primary law of the EU in practice.

Although all parliamentary chambers consider the ratification to be the right method for the approval of such simplified method of Treaty changes adopted in the form of decision of the European Council, on the other hand, there can be different ways how to debate the proposed changes in advance, or how to define the appropriate majority for ratification procedure in national parliaments after the decision is adopted at European Council.

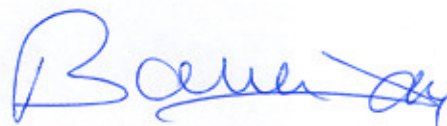
Moreover, there are other dynamic clauses in the Treaties (e.g. flexibility clause in art. 352 TFEU and bridging clauses in art. 48/7 TEU, 81/3, 153/2, 192/2, 312/2 and 333/1,2 TFEU) that enable to change in some aspect the scope of the Treaties without regular ratification procedure. Nevertheless, constitutional customs or established practice of Member States can differ in the method of the involvement of national parliaments to the application of these dynamic clauses.

We are of the opinion that it could be useful for all parliaments to discuss the above mentioned dynamic, self-amending clauses of the Treaties, relating to the principle of conferral of powers by Member States to the European Union. We believe that, following the Rules of Procedure of COSAC, the Conference is a suited forum for exchange of experience and best practices among parliaments. Furthermore, in this context, one of the next Bi-Annual Reports could be dedicated to this issue in order to provide for an useful comparison of best practices for future cases of application of dynamic clauses.

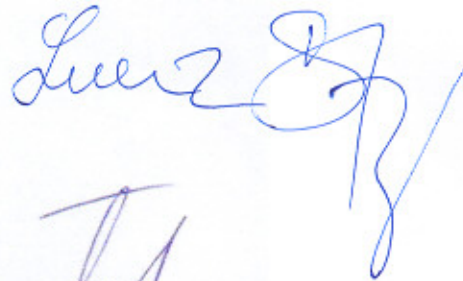
We kindly ask the COSAC Secretariat and Presidency, to bring this letter to the attention of the Members of COSAC and discuss it during next meetings in 2011.

Sincerely yours,

Jan BAUER
Chairman of the Committee for European Affairs
The Chamber of Deputies
The Parliament of the Czech Republic



Luděk SEFZIG
Chairman of the Committee on European Union Affairs
The Senate
The Parliament of the Czech Republic



Ivan ŠTEFANEC
Chairman of the Committee on European Affairs
The National Council of the Slovak Republic

