

ASSEMBLY OF THE REPUBLIC

Speech by the President of the Assembly of the Republic
at the
Conference of Special Community Affairs Committees - XXXVIII COSAC

(Estoril, 15 and 16 October 2007)

In the first place, I would like to greet all the members of the delegations from the 27 countries, from applicant countries and the European Parliament and express my satisfaction that this XXXVIII COSAC can be held here in Estoril, in Portugal.

I would also like to compliment my fellow Member of Parliament, Vitalino Canas, Chairman of the European Affairs Committee of the Assembly of the Republic, for his organization of this whole event.

Ever since 1989, when the French National Assembly first proposed meetings of this type, the national Parliaments have been playing an increasingly important role in European construction, and in 1997, in the Treaty of Amsterdam, this role was given formal recognition in the protocol on the role of national Parliaments.

We hope that, during a week of such great importance for the European Union, on the eve of a European Council which will be decisive for the approval of a new Treaty, this XXXVIII COSAC will bring and present a contribution which rises to this historic moment in the life of the European Union.

This meeting will be addressed by the President of the European Council, the President of the Commission and the President of the Council of Ministers of the European Union, who will discuss and debate with you all the issues on the European agenda and thereby help your final conclusions to reflect this special moment in European history.

The role of national Parliaments within the Union has been consolidated over many years, and this process has stood the test of enlargement.

Today, along with the Conference of the Presidents of the National Parliaments of European Union countries and COSAC, other conferences of committee chairmen will be held during the Portuguese presidency of the Union. We have already held a conference with committees dealing with justice and internal affairs, another with committee entrusted with analysis of the foreign policy of our national Parliaments, another on national defence and we will be holding another on budgetary affairs and finance. At the end of the year, Lisbon will host a meeting of delegations from the European Parliament, the Parliaments of the countries of the European Union Troika, and of the Pan-African Parliament, to coincide with the Europe-Africa summit, and next year Portugal will also host the Conference of Presidents of the National Parliaments of member states of the European Union and applicant countries.

This agenda reflects the full range of the activities of the national Parliaments in the European political system, in addition to the cooperation we have been developing at a bilateral level and also in the relations between the national Parliaments and the European Parliament.

Albeit an imperfect system, it is a system which is set to make a major leap forward with the new Treaty, because the tradition of national Parliaments in the assessment of European issues varies between what I would call two opposing models, whose original content has been watered down over time.

On the one hand, in some countries we find European affairs committees which regard themselves as platforms within their respective national Parliament for disseminating the ideas of the European Union and the European project, and on the other hand we have committees which are more focused on permanent scrutiny of European legislative measures. In other words, there are those which are more geared to proselytising for the European ideal and others more concerned with sifting through the Union's legislation to see how far it is compatible or otherwise with their national legal system.

With the new Treaty, the movement towards strengthening the role of the national Parliaments in the European system is to have the opportunity of significantly firming its position because, for the first time, the national Parliaments will be referred to in the Treaty, and not just in an Annex or Additional Protocol. Everything suggests - and the Intergovernmental Conference was mandated to this effect - that there will be a new article,

in the main body of the Treaty, on the role of national Parliaments, their important role in assessing proposed European Union legislation, in ensuring compliance with the principles of subsidiarity and proportionality, in scrutinising the European Space of Freedom, Security and Justice, in the process of reviewing treaties, in assessing membership applications and processes and also in the field of inter-parliamentary cooperation between national Parliaments and the European Parliament. Indeed, the IGC's mandate refers, properly, and for the first time, to national Parliaments starting with a capital letter and, for the first time, in their right place, before the European Parliament, in view of the constitutional density of the States and the Union, thereby expressing the correct hierarchy of institutions.

I have no doubt that this change, made in response to demands, reflects concerns which have long been felt within the Union in respect of the anomalous situation in which the Union treaties referred prominently to regional and local bodies, trades unions and employers' associations, but said nothing about national Parliaments, which were somewhat bizarrely excluded from the main body of the Treaty, and then only brought back into the outer reaches of an Additional Protocol with the Treaty of Amsterdam.

For the first time, the European parliamentary system is given a renewed basis in the new Treaty.

Whilst the new Treaty falls short of being a Constitution, it is still a review treaty, a reform treaty, and the fact is that it contains a number of highly interesting pre-constitutional elements such as accommodating the national Parliaments in the main body of the treaty itself, which has never before happened.

Over the course of the years, this Conference has made a very positive contribution to this debate, which I myself can recall, from 2002 to 2005, as the predecessor of my colleague Vitalino Canas, Chairman of the European Affairs Committee of the Portuguese Parliament, as I took part in extremely interesting debates at the COSAC at which many of the delegations were committed to gaining a higher institutional profile for national Parliaments within the European Union.

And in future it will be necessary to rethink the entire parliamentary dimension of the Union's political architecture, together with the procedures for drafting what we may regard as European law and the relationship between the drafting of European law and the European parliamentary system, namely through a new perspective on the role of the European Parliament in the work of building the European Union.

We are moving in the right direction. We are travelling away from hybrid solutions, where the parliamentary dimension was only tentatively included, towards more stable solutions, in which the Parliaments play a more substantial and important role in the European process.

This is a debate which should be continued in future, and I am sure that it will continue.

Just as it was possible, 1989, to move forward to this Conference of European Affairs Committees in national Parliaments, and then, in 1997, in the Treaty of Amsterdam, to have the first protocols on the role of national Parliaments in controlling subsidiarity and proportionality, and now, for the first time, to have the role of national Parliaments enshrined in the main body of the Treaty, I am confident that, if the European Union continues along this road, it will one day have to conduct a complete review of the parliamentary dimension in a more substantive manner, expressing the legitimacy of the Parliaments in relation to European public opinion and the electorates.

We are moving in the right direction in order to have, one day, a European Parliament with greater powers, with wider legislative powers over the drafting of European law, a European Parliament with greater powers of control over the European executive, a European Parliament which works with, and not against, the national Parliaments, a European Parliament with less MEPs and a composition in which representation of the member States is more balanced, perhaps a two-chamber European Parliament, where the representation in one of the chambers affirms the equality of States, where perhaps only one chamber is

elected by direct suffrage, with indirect representation instituted, representing the national Parliaments, a European Parliament more politically driven by its members and less by its administrative departments.

In short, a European parliamentary system which genuinely represents the entire European picture, with clearly defined powers for each level: a regional level, in cases where there are political and legislative powers, the level of the national Parliaments, and the level of the European parliamentary institution.

In other words, a parliamentary system which would allow for laws to be drafted for Europe with transparency, in a rationally coordinated manner without conflicts generated by overlapping powers, a European political system, such as that we long for, capable of reflecting Europe's diversity, increasingly democratic and cohesive, ever more united and ever stronger.

This is what we seek to achieve, and what I hope, as the President of the Portuguese Assembly of the Republic, will be the spirit presiding over your important meeting during this week, a week which is set to be so decisive for the future of Europe.