

## Austrian Parliament, Parlamentskorrespondenz Nr. 503: "COSAC meeting discusses Constitution and subsidiarity. Fasslabend: Now is the opportunity to make improvements", 22 May 2006

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(see Parlamentskorrespondenz No. 503 of 22 May 2006)

## COSAC meeting discusses Constitution and subsidiarity Fasslabend: Now is the opportunity to make improvements

Vienna (PK) – The COSAC meeting continued in the afternoon with a lively discussion on the future of the Constitutional Treaty and subsidiarity review by national parliaments. A certain amount of disagreement emerged regarding the subsidiarity review procedure between representatives of national parliaments and the European Parliament. The latter had made a number of critical remarks about the proposal by Commission President José Manuel Barroso, saying that the main task of national parliaments was to monitor their government members in the European institutions and that the subsidiarity mechanism should not be abused. The majority of the COSAC members were in favour of this procedure on the basis of the Treaty of Amsterdam.

This agreement was also stressed by the Conference chairman Werner Fasslabend, in his summary. In spite of the discussion, there had been a tangible desire for cooperation between the national parliaments and the European Parliament and there had been evidence that the common ground between the two could be widened and deepened. He believed it important that sensitivities be discussed in open debate. The time was right for the subsidiarity review system to permit considered reflection of the steps that needed to be taken. It was worthwhile making this effort as the current situation presented an ideal opportunity to make improvements for the future.

The discussion on the Constitutional Treaty had also shown that there was a desire for a joint solution, said Fasslabend. He had been encouraged to note that belief in Europe had not been lost. The subject of the Constitutional Treaty needed to be treated with care and, above all, the objections and support should be taken seriously. Only in this way would Europe be able to benefit from it.

### Contributions to the discussion by Austrian COSAC members

The first Austrian MP to take the floor was Ulrike Lunacek (Greens). She said that in the discussion on the Constitution citizens had expressed concern that had nothing to do with them. Those aspects of the Constitutional Treaty concerning important rights, such as full employment, should be better communicated. Subsidiarity would be useful if it brought the European Parliament and the national parliaments closer together but it was less useful if it became an expression of renationalisation. At all events, "cherry picking" should be avoided. If the subsidiarity review process were to be introduced, the parliamentary parties would need additional resources in order to be able to examine the large amount of documentation.

MEP Maria Berger (SPÖ) strongly supported the subsidiarity review process but warned against its abuse. Subsidiarity was not a panacea for public concerns and if a specific question were not regulated at the European level, it should be done at the national level. This had not always been the case, she said in defence of certain regulations at the EU level. In her opinion the main task of national parliaments is to monitor government members in European institutions. The European Parliament also monitored subsidiarity, she pointed out and urged that this issue should not be built up into a point of contention with the European Parliament.

Caspar Einem (SPÄ) was critical of the subsidiarity review system. The national parliaments already had the possibility of checking more but they were too little interested in European issues. The national parliaments were being "overridden" not by the European Parliament but by the national governments. The new procedure would simply create more paper, he feared. He understood the attitude of the European Parliament since the national parliaments would also object if regional parliaments wanted to monitor them. All parliaments were elected directly and had their own responsibilities and they should therefore cooperate better with one another. In conclusion, Einem expressed his support for the Constitutional Treaty.

Lively discussion

In the subsequent discussion Rainer Steinhilber (German Bundestag) said that the subsidiarity debate offered a good opportunity to regain the public trust. At the same time, however, the issue of democracy should be discussed since the people wished to know who was responsible for decisions. He believed that appropriate structures and a genuine possibility for co-determination were missing, particularly in the national parliaments, and that information alone was not enough.

Bogdan Barovic (Slovenia, National Assembly) called for a common denominator in the constitutional question and a clear definition of the fundamental principles. The citizens of Europe wanted a stable EU with social security, which would be possible only with a constitution. As far as he was concerned the current draft was not dead but "still had life in it". It needed to be improved or redrafted, he concluded.

Jo Leinen (European Parliament) said that the original "justification" "the EU as a union for peace" was no longer sufficient for its citizens. People expected answers to critical questions and problems such as globalisation, employment, the economic upswing in China and India, migration, crime and terrorism. For this reason there was a need not only for national parliaments but also for political parties.

Pierre Lequiller (France, National Assembly) said that there was a need to discuss not only the Constitutional Treaty in general but also its content. Important topics in that respect were the future of energy supply, religion and culture. He was also keen to arouse the interest and enthusiasm of young people for European issues.

Phillippe Mahoux (Belgium, Senate) called for more transparency within the EU and for institutionalisation of the relationship between the European Parliament and the national parliaments. He also supported the strengthening of the role of the European Parliament through the Constitution.

Socratis Kosmidis (Greek Parliament) supported the subsidiarity principle, which was useful as a way of consolidating the *acquis communautaire*. He therefore welcomed Barroso's proposal to inform national parliaments at an early stage of prospective legislation.

Godelieve van Heteren (Netherlands, House of Representatives) said that the reflection phase was important for establishing a new basis of trust with citizens. There was a need for new forms of co-determination and greater transparency. She called for a reduction of the tension between the European Parliament and national parliaments.

Andrea Manzella (Italy, Senate) advised caution regarding subsidiarity. The Constitution was already balanced and this balance should not be destroyed. He was in favour of European parliamentary cooperation.

Johannes Koskinen (Finnish Parliament) said that the subsidiarity review process should be implemented as soon as possible so that parliaments could get down to legislation, which would put them in a better position to establish European standards. The problems within the EU were also due in part to the fact that parliaments had reacted much too late in the past.

Honorio Novo (Portuguese Parliament) believed that the strategies to date had been fragile. The priorities for Europe were employment and cohesion. There was a need for a solid Constitutional Treaty, more transparency and subsidiarity.

Inigo Mendez de Vigo (European Parliament) said that the main task in the near future would be to explain why the Constitution was so important. It brought greater efficiency and transparency, for example. Cherry picking should be avoided, but he welcomed the proposal by Commission President Barroso on the subsidiarity review procedure.

Ben Fayot (Luxembourg Parliament) called for a focus on the central issues, one of which was whether there was a desire for a transfer of sovereignty or for remaining at the intergovernmental level.

Thomas Silberhorn (German Bundestag) was ambivalent about subsidiarity review because of the considerable formal obstacles. The national parliaments should seek greater public awareness.

Billy Gustafsson (Swedish Parliament) pointed to the political perspective offered by subsidiarity, which would help people to understand European solutions better. They sought a policy that would be in line with their interests.

Antonio Girfatti (Italy, Senate) said that the European Parliament's powers should not be diminished and that they should at all events furthermore include the right to approve the budget.

Jimmy Hood (United Kingdom, House of Commons) strongly criticised the European Parliament for its comments on subsidiarity. The national parliaments had a right of verification. "Let us defend national interests and share what we have in common," he urged.

Sophia Kalantzakou (Greek Parliament) said that the text of the Constitution was too technical. Citizens needed to understand what was in the laws. A constitution should establish the right to work, social security and environmental protection and should limit the power of multinational concerns. Kalantzakou also demanded more rights for the European Parliament and less bureaucracy.

Barry Andrews (Irish Parliament) pointed out that national parliaments did not necessarily act in the interests of the people and called for more democratic responsibility by elected representatives.

Ankie Broekers-Knol (Netherlands, Senate) supported the proposal by the Austrian Presidency for more transparency in the Council of Europe. She was in favour of subsidiarity review but believed that proportionality would be even more important in future than subsidiarity.

Roger Jansson (Finnish Parliament) spoke of the right of co-determination by regional parliaments in federal states within the framework of the subsidiarity review process. The Europe of regions would be difficult to achieve if people did not have the feeling that decisions were relevant to their interests.

Richard Häfirsik (Hungary, National Assembly) regretted that the Constitutional Committee of the European Parliament had criticised the subsidiarity review procedure and stressed that the intention was not to weaken the European Parliament.

Charlotte Antonsen (Danish Parliament) expressed similar concerns. She could not understand why the European Parliament would wish to reduce Barroso's proposal to the national parliaments. She regarded the Austrian proposal as an excellent one that maintained the balance.

Baroness Thomas (United Kingdom, House of Lords) also asked why the European Parliament was opposed to a closer review by national parliaments. She called in general for better communication with citizens.

Liina Tonisson (Estonian Parliament) welcomed the initiatives by the Austrian Presidency for reducing bureaucracy. Barroso's proposal regarding subsidiarity should make national parliaments bolder, although it was important to agree on the ways in which the Commission would make documents available.

Aydin Dumanoglu (Turkish National Assembly) described the EU as a zone of peace and stability and a magnet whose influence extended far beyond its borders. It should therefore accept the challenge of becoming a global player.

Neven Mimica (Croatian Parliament) spoke of the current stalemate and said that discussion on shared values and identity was needed. It was important above all to maintain the balance in the European socio-economic model.

Edmund Wittbrodt (Poland, Senate) called for an extension of the reflection period since the people needed first of all to be convinced of the provisions of the Constitution. He was also surprised at the attitude of the European Parliament to the subsidiarity review procedure.

Herman de Croo (Belgium, House of Representatives) added that national parliamentarians were more in touch with the people. He also mentioned the issue of the regional level in federal states in connection with subsidiarity review.

Juozas Jarusevicius (Lithuanian Parliament) welcomed Barroso's initiative on subsidiarity and proposed that the working programme of the Commission should be discussed simultaneously in the European Parliament and the national parliaments.

Jozef Heriban (Slovakia, National Council) pointed to the growing gap between politicians and citizens, citing the negative representation of politics in the media as a reason. This indicated that there was a need for better communication.

Karin Thorborg (Swedish Parliament) rejected the Constitutional Treaty because it was not in her opinion a good one. She also disagreed with the text in the final document that uncertainty by the citizens had led to their rejection of the Treaty.

Lone Dybkjaer (Danish Parliament) regretted the conflict with the European Parliament and appealed for cooperation to enable the European vision to be realised. She could not understand how MEPs could fail to recognise national MPs as having equal rights.

Kurt Bodewig (Germany, Bundestag) said critically that he had the impression that the European Parliament was seen as the main opponent whereas in reality national parliaments were refused information by their own governments. The German Parliament was currently negotiating with the Government regarding the right to information. Bodewig opposed cherry picking as that would jeopardise the very existence of the Constitutional Treaty, which was the basis for the future and for enlargement. The EU was an integration project; parliaments would have no say in a mere free trade zone, he warned.

