

Proposal of the States General of the Netherlands on the scrutiny of subsidiarity

The States General of the Netherlands compliments the UK-presidency on the discussion paper regarding a subsidiarity and proportionality check by the national parliaments. The paper outlines a constructive and well thought-out procedure to encourage greater involvement of national parliaments in the activities of the European Union and to enhance their ability to express views on matters which may be of particular interest to them. The States General would like to express their support for the proposed procedure and in addition bring forward two proposals to optimize the efficiency of and broadly-based commitment to the procedure:

- The presidency suggests that a Commission proposal should be designated to be subject to the check by the presidency after consultation with the troika. The States General of the Netherlands would like to propose that **all national parliaments select the proposals** that are to be subject to the check. After the parliaments have nationally debated the annual working and legislative programme of the European Commission they should inform the COSAC secretariat of the proposals they would like to see scrutinised EU-wide. The proposals should be sent to the secretariat within two weeks after the final date for debating the annual working and legislative program (according to the proposal yet to be presented by the Danish parliament on the implementation of the declaration “to raise national European awareness”). The COSAC secretariat should then draw up a list of most-mentioned proposals which will be subject to the check. The list will be distributed to the national parliaments and a complimentary copy will be sent to the European Parliament. The troika should be consulted in case of uncertainties/doubts.

The advantages of this procedure are: a (more) broadly-based selection; preventing biased views of only three countries; passing on a broadly-based “early warning” to the European Commission.

- The presidency presents two options for the distribution of parliament’s opinions to the European institutions. The States General of the Netherlands would like to express their support for the second option: **comments should be sent first to the COSAC secretariat** for immediate distribution to national parliaments and for forwarding with a summary to the Commission at the end of the six-week period. In conformity with the Amsterdam protocol on the role of national parliaments, any summary document produced by the COSAC secretariat would in no way bind national parliaments or prejudge their position.

The advantages of this option are: a joint reaction sent to the European Commission will most probably have more impact and is regarded to be more efficient. The States General would like to explicitly add that the summary should also be sent to the European Parliament and the Council.

- In reaction to the Czech contribution, the States General can support the proposal of a simple database in the framework of IPEX (or on the website of the COSAC) for collecting the parliaments’ opinions.