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LISBOAN

Linking Interdisciplinary Integration Studies by Broadening the European Academic Network

Second Guest Lecture

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Second LISBOAN Guest Lecture, 16 April 2012, Zagreb, Croatian Parliament, Croatia

Reference: Visit of Prof. Thomas Christiansen from the University of Maastricht to the Institute for International Relations (IMO) Zagreb

Host: Visnja Samardzija, Institute for International Relations (IMO) Zagreb

In framework of the LISBOAN Guest Lecture programme, Thomas Christiansen, Jean Monnet Professor of European Institutional Politics at the Faculty of Arts and Social Sciences at Maastricht University visited the Institute for International Relations (IMO) Zagreb. Hosted by Visnja Samardzija from the IMO, Prof. Christiansen submitted a LISBOAN guest lecture on “The Role of the National Parliaments in the EU” which was held on the 16th of April at the Croatian Parliament. The event was targeted primarily for Croatian MPs but was open to academic audience as well. The lecture moderated by Visnja Samardzija was opened with an introductory speech by Boris Sprem, president of Croatian Parliament. He underlined the excellent timing for holding this lecture which corresponds with Croatian observers in the European Parliament starting their work. He also noted that Croatian Parliament works on changing its internal regulations and drafting the law on relationship between parliament and government in the EU affairs which will allow efficient functioning of this institution after 1st of July 2013 when Croatia is to join the EU.

Prof. Christiansen started his lecture by presenting some basic facts about the OPAL (Observatory of Parliaments after the Lisbon Treaty) project which constitutes a joint endeavour of the Fondation Nationale des Sciences Politiques (Paris), University of Cologne, Cambridge University and Maastricht University. The OPAL project activities provide data for researching how institutional and legal changes introduced by the Lisbon Treaty impact the role of national parliaments in the EU affairs.

Thematic part of the lecture started with assessing a traditional view of the role of national parliaments in the EU affairs. This approach considers national parliaments as losers of EU integration due to shift in decision making to EU level and limits posed on the parliaments to the scrutiny of national executives. However, with coming to power of the Lisbon Treaty the role of national parliaments in the EU affairs has been strengthened due to new powers for the national parliaments to scrutinise European legislation.

The so called Early Warning System (EWS) has been introduced which allows national parliaments to check if the European Commission’s legislative proposals have been in line with the subsidiarity principle. Within the EWS every member state has been given two voices. With one third of voices allocated to all the parliaments they can issue the so called “yellow card” which warns the Commission about the breach of the subsidiarity principle. With one half of voices allocated to the national parliaments an “orange card” can be issued requiring a support of the European Parliament for Commission’s legislative proposal. Finally, there is a possibility of a “red card”, which allows national parliaments to go to court over proposal which became law despite a perceived violation of the subsidiarity principle. The key to success of the EWS lies in cooperation between

member states' parliaments because only through such cooperation can a critical mass of voices be acquired.

The lecturer noted that implementation of the EWS started in 2010 and that so far only a minority of member state chambers has participated in this system. According to his research acquired through the OPAL project in many cases parliamentarians formulated their opinions in an erroneous way and frequently technical mistakes have been made. The success in forming an initiative largely depends on the national MPs being well informed and supported by efficient parliamentary administrations.

Prof. Christiansen reflected upon the handling of the current Eurozone crisis which can be seen as resulting in a further hollowing-out of democratic procedures within the member states. This is due to practices such as: imposing of bail-out terms on member states; imposing terms of the European Semester and the Fiscal Union; as well as replacement of democratically elected governments by the technocrats. Still, in some countries like Germany the Eurozone crises reassessed the role of the national parliament. It was indicated that the EWS should not only be viewed from a perspective of subsidiarity. The system itself allows national parliaments to participate in the European legislative process from the very beginning initiating constructive national debates on the content of European directives. The EWS has improved access to information for the members of national parliaments and contributed to the mainstreaming of EU affairs across the various sectoral committees. It also has the potential for the greater media exposure of EU affairs within domestic arenas.

Before opening of the debate Daniel Mondekar, president of Croatian Parliament's European Integration Committee informed the audience on some recent adjustments made by the Parliament which will enable its functioning in the EU framework such as: recent changing of Croatian constitution; establishing the Office for European Affairs at Croatian Parliament and creating a permanent presence at the European Parliament; as well as work on the law on relationship between parliament and government in the EU affairs.

The debate started with question about efficiency of the Danish model of parliamentary government control in the EU affairs which requires prior approval of the Danish Parliament (its European Affairs Committee) of every position taken in the Council. Prof. Christiansen agreed that such system has its limitations because it runs contrary to the nature of decision making process in the Council which is lengthy and requires the flexibility to make compromises. An additional issue was which questions raised by the national parliaments really made a difference in formulation of the EU legislation? Here the speaker indicated that so far Commission didn't change any of its proposals due to EWS. The formal results so far might not be encouraging; however the system is new and has a potential for substantial strengthening of the role of national parliaments within the EU. It is about horizontal networking between national parliaments and their stronger cooperation in order to be able to influence EU legislation. Answering the question on whether the EWS "brought" EU politics closer to the national parliament Prof. Christiansen indicated that so far we saw 40 reasoned opinions while most activity came

from the upper chambers in the parliaments which are actually less important domestically, but because of that may have better opportunities to scrutinise EU matters. He said that it is very important for the national parliaments to be transparent and able to initiate two side communications with both EU institutions and the citizens.

To conclude, the lecture was very well accepted due to its informative content and excellent timing, considering the ongoing preparations for the EU membership. The event was reported on several web pages including the official web page of Croatian Parliament.

Composed by: Hrvoje Butkovic