



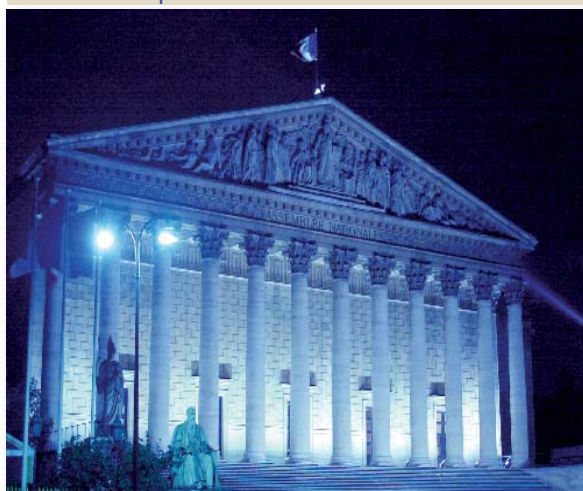
DES AFFAIRES EUROPÉENNES



COMMISSION



The European Affairs Committee (EAC) has a distinctly unusual mission. Unlike the standing committees whose main task is to prepare the consideration of and vote on legislation in plenary sitting, the EAC exercises monitoring, above all political, over the Government's European activities. The scope of its work has however considerably broadened over the past ten years or so. It now has direct and regular contacts with the European institutions, especially the European Parliament, and with its foreign counterparts. Also, thanks to very close cooperation with the Assembly's standing committees, it sets out to make deputies aware of and knowledgeable about European issues and informs the European institutions of French priorities.



The National Assembly floodlit in the colours of Europe on 9 May, Europe Day

Background

• Owing to the ever greater influence exercised by European construction on the law of the Member States, the Act of 6 July 1979 created, in each of the two assemblies of Parliament, a Delegation in charge of following up Community affairs.

• The Pandraud Act of 10 June 1994 laid down that the Government had to transmit to the Delegation 'any necessary document drawn up by the various European Union institutions'.

• The Constitutional Act of 23 July 2008 set up in each assembly a 'Committee tasked with European affairs' taking over from the Delegation.

• The revision of the Rules of Procedure of the National Assembly of 27 May 2009 increased the number of the EAC's members from 36 to 48. It simplified the procedures for adopting European resolutions, which are now all considered by the EAC. The revision lays down that the EAC can give a European perspective to French Government and Members' bills.



Mrs Danielle Auroi,
Chairman of the European Affairs Committee

A typical composition : 'Double membership'

The rules governing the composition and the procedures of the EAC were adapted on the occasion of the reform of the Rules of Procedure of the National Assembly on 27 May 2009.

The EAC Bureau is made up of: a Chairman, tasked in particular with setting the agenda, calling meetings and participating in the Conference of Presidents; four Deputy Chairmen; and four Secretaries.

Its 48 members are appointed so as to provide for proportional representation of the political groups as well as for balanced representation of the standing committees.

In accordance with the 'double membership' principle, each member provides expertise gained in his/her standing committee, thus contributing to the cross-committee nature of the work of the EAC, which must deal with the vast array of European matters.

At the same time, this double membership of the deputies fosters the consideration of European matters by the standing committees.

Cultural affairs and education (6)	Economic affairs (3)	Foreign affairs (15)	Social affairs (4)	Defence (11)	Sustainable development and spatial planning (3)	Finance (3)	Acts (3)
Groupe Socialiste Républicain et Citoyen (SRC)							
Sandrine DOUCET Yves DANIEL William DUMAS	Razzy HAMMADI Audrey LINKENHELD	Jean-Luc BLEUNVEN Philip CORDERY *** Jacques CRESTA Seyha DAGOMA Estelle GRELIER *** Chantal GUITTET	Jean-Patrick GILLE	Ibrahim ABOUBACAR Jean-Jacques BRIDEY Isabelle BRUNEAU Nathalie CHABANNE Laurent KALINOWSKI Christophe LÉONARD Joaquim PUEYO	Arnaud LEROY Gilles SAVARY	Christophe CARESCHE *** Jérôme LAMBERT **	Marietta KARAMANLI ** Axelle LEMAIRE
Groupe Union pour un mouvement populaire (UMP)							
Michel HERBILLON Michel PIRON	Philippe Armand MARTIN	Marie-Louise FORT Hervé GAYMARD Pierre LEQUILLER ** Lionnel LUCA Jean-Claude MIGNON Jacques MYARD André SCHNEIDER ***	Jean LEONETTI	Charles de LA VERPILLIERE Bernard DEFLESSELLES Yves FROMION Marc LAFFINEUR	Sophie ROHFRITSCH		Didier QUENTIN
Groupe Ecologiste							
	Danielle AUROI *		Jean-Louis ROUMEGAS				
Groupe Gauche Démocrate et Républicaine (GDR)							
	Alain BOCQUET						
Groupe Radical, Républicain, Démocrate et Progressiste (RRDP)							
						Annick GIRARDIN **	
Groupe Union des Démocrates Indépendants (UDI)							
Rudy SALLES			Arnaud RICHARD				

* Chairman **Deputy chairman *** Secretary

A monitoring and information brief

In exercising its monitoring and information remit, the EAC carries out many **hearings** of ministers and French as well as European experts. The Minister for European Affairs appears before it systematically after each European Council.

Deputies are also kept informed through the publication of various **information reports** which allow them to keep abreast of each of the main European debates taking place on the future of the Union and its policies. Apart from the main topical issues, such as financial regulation, combating climate change, etc., the EAC thus appointed, as of summer 2007, rapporteurs in charge of following, over a period of time, the main questions on the Union's agenda: checkup of the Common Agricultural Policy, Europe's independence regarding energy, fishing policy, the Defence Package, common policy on immigration, etc...

A European perspective improving the quality of French legislation

The Revision of the Rules of Procedure in 2009 gave the EAC a new remit: **giving a European perspective to Government and Members' bills** so as to take into better account the European environment and the experience of France's partners in legislating.

When it deems it expedient, the EAC may therefore make remarks on certain Government or Members' bills in a field covered by European action.

Similarly, legislative reports on Government and Members' bills comprise, when justified by the subject, an annex presenting their European dimension.



*Audition de M. Thierry Repentin,
Ministre chargé des affaires européennes, avril 2013*



*Audition de Mme Aurélie Filippetti,
Ministre de la culture et de la communication, mars 2013*



*Audition de Mme Nicole Bricq,
Ministre du Commerce extérieur, mai 2013*

Exhaustive monitoring of draft European acts

Introduced into the Constitution in 1992 at the time of the constitutional revision prior to the ratification of the Maastricht Treaty, Article 88-4 established the role of the French Parliament in monitoring European affairs. Its successive modifications have progressively broadened the scope for the two assemblies' intervention, which now covers the entire body of European legislation.

Originally, Parliament could intervene, through the adoption of resolutions, only as regards draft European acts which were of a statutory nature concerning French law and which had been submitted to it by the Government upon their transmission to the Council of the Union. The constitutional revision of 25 January 1999, prior to the ratification of the Treaty of Amsterdam, then provided the Government with the possibility of submitting other European texts justifying Parliament taking a position. This is referred to as the 'optional clause' which is, in fact, very often used by the Government.

To cap off this evolution, the Constitutional Act of 23 July 2008 allowed the assemblies to pass resolutions on 'any document issuing from a European Union institution'. Thus, there are no longer

European matters that the French Parliament cannot take up.

Simultaneously, the same Act provided that the Government must submit to Parliament all draft European acts whatever their legislative nature in the French meaning of the term. Since, at the same time, the Treaty of Lisbon requires the institutions of the Union to transmit to each national parliament all of their proposals for acts, programming documents and agendas, **the information provided to the assemblies, as well as the assemblies' scope for expressing their opinions, is today exhaustive.**

Thus the EAC receives around 1000 draft European acts each year ('E documents') on which it must take a stand.

To leave Parliament enough time to reach a decision, **the Government undertakes to reserve its position in Brussels for a minimum period** of eight weeks from the transmission of draft legislative acts and one month for other draft acts. This is the 'Parliamentary scrutiny reserve'. This period can however be lessened, by common agreement, by emergency examination procedures for some types of acts.

AFFAIRES EUROPÉENNES *for the National Assembly*

Interventions scaled to the importance of topics

The Committee considers all draft European acts. It **takes note** of texts deemed to be of minor importance or that do not give rise to any difficulty. For this purpose, the list of these documents is sent every Monday to the commissioners who are given one week to ask for any specific text to be further considered. Texts which justify Parliament taking a position are the subject of a **written or an oral presentation** by the Chairman of the Committee or by a specially appointed rapporteur. These documents as a whole are published in summary reports by the Committee (information reports on the texts submitted pursuant to Article 88-4 of the Constitution) as well as on the National Assembly website. Regarding these texts, the EAC can **approve or reject** the European proposal. It can on this occasion adopt conclusions or, when justified by the importance of the topic, table a motion for a resolution..



Audition de M. Michel Barnier, Commissaire européen en charge du marché intérieur et des services, conjointement avec les membres français du Parlement européen et la Commission des affaires européennes du Sénat, octobre 2012

A key role in adopting National Assembly European resolutions

Unlike the adoption of conclusions, which state the opinion of the EAC alone, resolutions express the position of the National Assembly as a whole. That is why **their adoption involves all National Assembly bodies**.



Each of the 577 deputies can table a motion for a resolution on any European topic. These motions are then considered in a first stage by the EAC (in a one month period if a group chairman or committee chairman, or the Government, so requests), which can reject or adopt them after possibly amending them.

Motions are then sent to a lead committee among the eight standing committees, which can adopt them, either explicitly, or when it does not come to a decision in a one month period, tacitly.

Lastly, the Conference of Presidents of the Assembly can decide, on request by a group chairman or committee chairman, or by the Government, to include the motion for a resolution on the plenary agenda. If it does not do so in a fortnight's time, the resolution is considered as final and transmitted to the Government.

While these resolutions do not legally bind the Government, they nevertheless have a strong political impact. The Government therefore regularly sends a statement to the assemblies on the manner in which it has taken these resolutions into account during European negotiations.

A vigilance and early-warning brief concerning subsidiarity

The Treaty of Lisbon provides national parliaments with a new brief which marks their **first entrance into the very heart of the working of European institutions**.



Article 11 of the Treaty and the protocol on the implementation of the principles of subsidiarity and proportionality allow each assembly to adopt, within eight weeks following the transmission of a draft European legislative act, a reasoned opinion setting out its reasons for considering that the draft does not comply with the principle of subsidiarity.

Parliamentary opinions thus have a true legal impact. When one third of the parliaments issue an opinion of non-compliance, the European Commission has to reexamine the draft and justify any continued support. This is the **'yellow card'**.

If half of the parliaments are opposed to the draft, the Council of the European Union and the European Parliament have to give an opinion on its compliance with subsidiarity and can reject it with a 55% majority of the members of the Council or of the votes cast at the European Parliament. This is the **'orange card'**.

A national parliament may also institute proceedings before the Court of Justice of the European Communities for non-compliance with subsidiarity. This is the **'red card'**.

In France, the procedure adopted is the same as that applying to European resolutions, with time periods reduced to a fortnight for each stage, in order to comply with the swiftness principle laid down by the Treaty of Lisbon: initiative given to each deputy to give an opinion, prior consideration by the EAC, explicit or tacit consideration by the lead standing committee, possibility of debate in plenary sitting.

Referring to the institution of proceedings before the Court of Justice, however, Article 88-6 of the Constitution lays down that such proceedings shall be obligatory upon the request of sixty deputies.



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1. Audition, conjointe avec la Commission des finances, de M. Maroš Šefcovič, Vice-président de la Commission européenne, juin 2013
2. Audition, conjointe avec la Commission des affaires étrangères, de M.-Jacques Delors, décembre 2012
3. Audition, conjointe avec la Commission des affaires culturelles, de Mme Androulla Vassiliou, commissaire européenne, mars 2013
4. La Présidente Danielle Auroi, en compagnie de Mme Agnieszka Pomaska, Présidente de la Commission des affaires européennes de la Diète polonaise, M. Gunther Krichbaum, Président de la Commission des affaires européennes du Bundestag et M. Edmund Wittbrodt, Président du Sénat polonais, au cours de la réunion du Triangle de Weimar, novembre 2012
5. Audition, conjointe avec la Commission des affaires étrangères et la Commission des finances, de M. Olli Rehn, commissaire européen, juin 2013

Interparliamentary cooperation

The involvement of national parliaments in European affairs goes hand in hand with a strengthening of the cooperation between national and European parliamentary institutions. Deputies are more and more frequently invited to Brussels and other European capitals to debate on a variety of subjects with their national and European counterparts.

The EAC therefore endeavours to build **very close ties with the European Parliament**. It was the first in Europe to use videoconferencing in a debate, at a joint meeting with the Internal Market Committee of the European Parliament, on a draft legislative act on the agenda in Europe (the directive on consumer rights). Similarly, a joint meeting is systematically organised on the main topical subjects, during their so-called 'constituency' week, with French deputies at the European Parliament (who are moreover invited to all the meetings of the EAC).

At the same time, interparliamentary cooperation is continually increasing. The EAC organises very regularly joint meetings with its European counterparts. The creation of **an electronic platform for the exchange of information between national parliaments** (IPEX) has strengthened the efficiency of parliamentary monitoring, particularly regarding respect for the subsidiarity principle. This cooperation finds an especially dynamic framework in the COSAC, which brings together every half year, in the country holding the EU presidency, six representatives of the European Affairs Committees of the parliaments of the Union and six representatives of the European Parliament.



COSAC meetings allow parliamentarians to question the country holding the presidency of the EU and adopt political contributions on European topics. The COSAC also endeavours to follow up subsidiarity issues.

Opening-up of the National Assembly towards Europe

The EAC is participating actively in the broad move to open up the National Assembly towards Europe, which has speeded up in recent years.

- One sitting of the monthly monitoring week at the Assembly is now reserved by priority for European drafts.
- A debate prior to each meeting of the European Council is organised in plenary sitting.
- Joint EAC and standing committee working groups have been created to better involve the standing committees in the consideration of texts under negotiation (on energy, checkup of the Common Agricultural Policy or on Turkey's EU membership process).
- The National Assembly has a permanent representation to the European Union in Brussels.
- On the initiative of the President of the National Assembly, a 'Euromedias' room has been opened close to the hemicycle so that deputies can, *inter alia*, consult in real time information available on the European Union (Internet, press).



<http://www.assemblee-nationale.fr/europe>

Discover the 'European Union' section on the National Assembly website.

- Simple and fast access to the work carried out by the EAC: reports of meetings and hearings, information reports and resolutions adopted on European texts.
- Comparative studies on legislation and documentary resources on European construction.

