



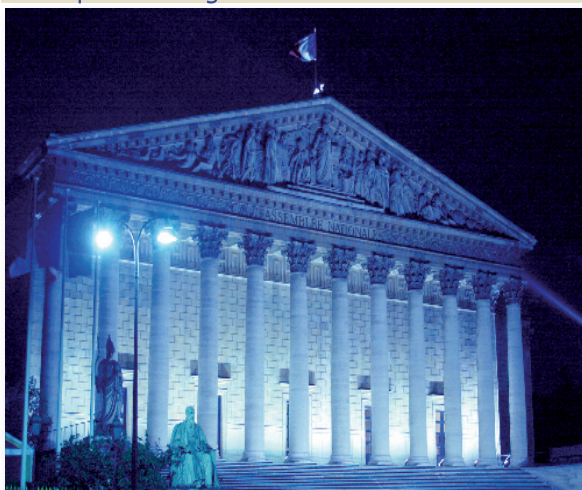
DES AFFAIRES EUROPÉENNES



COMMISSION



The European Affairs Committee (EAC) has a distinctly unusual remit. Unlike standing committees, whose main task is to prepare the consideration and passing of legislation in plenary sitting, the EAC carries out a monitoring function over the Government's European activities which is above all political. The scope of its remit has however considerably broadened over the past ten years. 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, its task is to make MPs aware of and knowledgeable on European issues and bring French priorities to the European stage.



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

Background

- Owing to the ever-increasing influence wielded by European construction on the laws of Member States, the Act of July 6, 1979 created, in each of the two assemblies of Parliament, a Delegation in charge of following Community affairs.
- The Pandraud Act of June 10, 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 July 23, 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 May 27, 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.



Mme Danielle Auroi,
Chair of the European Affairs Committee of
the National Assembly

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Atypical composition: 'Double membership'

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

The EAC Bureau is made up of: a Chair, tasked in particular with setting the agenda, calling meetings and participating in the Conference of Presidents, four deputy chairs, 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 MPs fosters the consideration of European matters by the standing committees.

Cultural Affairs and Education (7)	Economic Affairs (4)	Foreign Affairs (14)	Social Affairs (3)	Defence (12)	Sustainable and Territorial Development (4)	Finance (2)	Law (1)
Socialist, Republican and Citizen Group (SRC)							
Jacques CRESTA Yves DANIEL Sandrine DOUCET William DUMAS	Razzy HAMMADI Audrey LINKENHELD	Jean-Luc BLEUNVEN Philip CORDERY *** Seybah DAGOMA Estelle GRELLIER *** Chantal GUITTET	Jean-Patrick GILLE	Ibrahim ABOUBACAR Jean-Jacques BRIDEY Isabelle BRUNEAU Nathalie CHABANNE Laurent KALINOWSKI Christophe LÉONARD Joaquim PUEYO	Arnaud LEROY Rémi PAUVROS Gilles SAVARY	Christophe CARESCHE ***	Marietta KARAMANLI **
Union for a Popular Movement Group (UMP)							
Michel HERBILLON	Philippe Armand MARTIN	Marie-Louise FORT Hervé GAYMARD Pierre LEQUILLER ** Lionnel LUCA Jean-Claude MIGNON Jacques MYARD Didier QUENTIN André SCHNEIDER ***	Jean LEONETTI	Charles de LA VERPILLIERE Bernard DEFLESSELLES Yves FROMION Marc LAFFINEUR	Sophie ROHFRITSCH		
Ecologist Group							
	Jean-Louis ROUMEGAS			Danielle AUROI *			
Democratic and Republican Left Group (GDR)							
		Alain BOCQUET					
Radical, Republican, Democratic and Progressive Group (RRDP)							
						Jérôme LAMBERT **	
Union of Independent Democrats Group (UDI)							
Michel PIRON Rudy SALLES			Arnaud RICHARD				

* Chair

** Deputy chair

*** Secretaries

European Watchdog



A monitoring and information brief

In exercising its monitoring and information remit, the EAC carries out many **hearings** of ministers, European commissioners and French as well as European experts. The Minister for European Affairs appears before it systematically after each European Council. MPs are also kept informed through the publication of various **information reports**, drawn up by a rapporteur from

the governing majority and a rapporteur from the opposition, which allows them to keep the National Assembly abreast of each of the main European debates taking place on the future of the Union and its policies.

The European Affairs Committee thus appoints rapporteurs who follow, over the long term, the main issues on the European Union's agenda: the future

of the Common Agricultural Policy, budgetary convergence, the project for "Banking Union", the growth pact, fiscal harmonization, reforms of regional policy and of fishing policy, European defence policy, common policies on asylum and immigration, the fight against climate change, rail transport policy, digital development, the secondment/posting of workers, energy-climate contribution etc.

A European perspective improving the quality of French legislation

The revision of the Rules of Procedure in 2009 provided the European Affairs Committee with a new remit: **giving a European perspective to Government and Members' bills** so as to better take into 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. It thus examined the bill on the ratification of the agreement with Canada on air

transport, the bill on the Treaty on Stability, Coordination and Governance as well as the bill on banking reform.

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



*Hearing with Mr. Harlem Désir,
Secretary of State in Charge of European Affairs,
May, 2014*



*Hearing with Mme Aurélie Filippetti,
Minister of Culture and Communication,
March, 2013*



*Hearing with Mr. Frédéric Cuvillier,
Secretary of State in Charge of Transport, Sea
and Fisheries, December 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 January 25, 1999, prior to the ratification of the Treaty of Amsterdam, then provided the Government with the possibility of submitting other European texts which justified Parliament taking a position. This is referred to as the 'optional clause' which is, in fact, very often used by the Government.

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

European matters which 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 on which it must take a stand.

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

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 which do not give rise to any real debate. For this purpose, the list of these documents is sent every Monday to the commissioners who have one week to request any further consideration necessary concerning such texts.

Texts which justify Parliament taking a position are the subject of a **written or an oral presentation** by the Chair of the Committee or by a specially appointed rapporteur. These documents, as a whole, are published in synthesis 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, and can include in its decision any observations or reservations which it might have. It can, within this decision, adopt **conclusions** or, when justified by the importance of the topic, table a **motion for a resolution**.

A key role in adopting National Assembly European resolutions



Hearing of Mr Michel Barnier, European Commissioner for Internal Market and Services, at a joint meeting of the EAC with French MEPs, and the Committee for European Affairs of the French Senate (October, 2012)

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

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

Motions are then sent to a lead committee among the eight standing committees, which can adopt them, either by vote, or tacitly if a decision is not taken in a one month period.

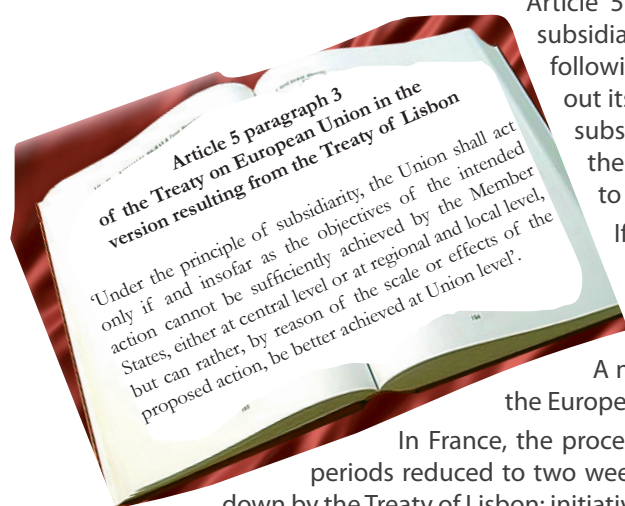
Finally, the Conference of Presidents of the Assembly can decide, upon the request of a group chair or committee chair, or of the Government, to include the motion for resolution on the agenda of the plenary sitting. If it does not do so within a two-week period, the resolution is considered as final 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 specific brief which marks their **first entrance into the very heart of the working of European institutions**.



Article 5 of the Treaty and the protocol on the implementation of the principles of subsidiarity and proportionality allows each assembly to adopt, within eight weeks following the transmission of a draft European legislative act, a reasoned opinion setting out its motivation 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 50% of 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 Union 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 two weeks for each stage, in order to comply with the principle of prompt replies, laid down by the Treaty of Lisbon: initiative given to each MP to give an opinion, prior consideration by the EAC, explicit or tacit consideration by the lead standing committee, possibility of debate in plenary sitting.

As regards 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 MPs.

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. MPs from the committee 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 has regular contact with its committees and with their rapporteurs. Similarly, a joint meeting is systematically organised, during their so-called 'constituency' week, with French MEPs, as well as with the European Affairs Committee of the French Senate. In addition French MEPs are invited to all the meetings of the European Affairs Committee.

At the same time, bilateral parliamentary cooperation continues to expand and the European Affairs Committee regularly organizes joint meetings with the European affairs committees from other parliaments of the Union. The creation of an **electronic platform for the exchange of information between national parliaments (IPEX)**

has enabled the strengthening of the efficiency of parliamentary monitoring particularly in the field of the respect of the principle of subsidiarity.

From a multi-lateral point of view, inter-parliamentary relations are organized through the **COSAC** (Conference of parliamentary committees for union affairs of parliaments of the European Union), which meets twice yearly in the country holding the presidency of the European Union. It is made up of six representatives of the committees for European affairs of the parliaments of the Union and six representatives of the European Parliament. Such COSAC meetings allow members of Parliament to question the incumbent European presidency and to adopt political contributions on European subjects.

In addition, the inter-parliamentary meetings of the **"Budgetary Conference"** provided for by article 13 of the Treaty on Stability, Coordination and Governance, allow for the collective involvement of national Parliaments in the main phases of the "European semester". The Finance Committee is also regularly invited to participate in such meetings along with the European Affairs Committee and the other relevant committees.

The opening-up of the French National Assembly towards Europe

The European Affairs Committee is actively involved in the opening-up of the French National Assembly towards Europe which has seen a huge impetus in recent years.

- A sitting of the week per month given over to the National Assembly's monitoring of Government is now reserved in particular to European issues.
- A European question time sitting is now organized in plenary, prior to every meeting of the European Council.
- Joint working groups between the European Affairs Committee and the standing committees have been established to involve the latter more in the consideration of the texts under negotiation (on the future of the Common Agricultural Policy, on the reform of fishing policy, on rail transport, on European energy policy etc.)



Statistics at the beginning of the 14th term of Parliament of the Fifth French Republic (June 2012-December 2013)

European Union draft bills examined by the EAC	1,265
Information Reports	41
Communications in committee	55
Proposals for resolution	18
Committee conclusions	26
Hearings of ministers	28
Hearings of European commissioners	10



1. Joint hearing with the Finance Committee of Mr. Maroš Šefcovič, Deputy President of the European Commission, June 2013

2. Joint hearing with the Foreign Affairs Committee of Mr. Jacques Delors, December 2012

3. Joint hearing with the Cultural Affairs Committee of Mme Androulla Vassiliou, European Commissioner, March 2013

4. Chair, Mme. Danielle Auroi, with Mme. Agnieszka Pomaska, Chair of the European Affairs Committee of the Polish Diet, Mr. Gunther Krichbaum, Chair of the European Affairs Committee of the Bundestag and Mr. Edmund Wittbrodt, President of the European Affairs Committee of the Polish Senate, during a meeting of the "Weimar Triangle, November 2012

5. Joint hearing with the Social Affairs Committee of Mme. Pervenche Berès, Chair of the Employment and Social Affairs Committee of the European Parliament, November 2013



The European Affairs Committee on the National Assembly website

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

<http://www.assemblee-nationale.fr/commissions/ue-index.asp>

Discover the 'European Affairs Committee' and 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, communications, conclusions and resolutions adopted on European texts.
- Documentary resources on European construction.