



L'UNION EUROPÉENNE

POUR

DÉLÉGATION

Unlike the six standing committees whose existence is laid down by the Constitution, the Delegation for the European Union has a statutory status. Although its operation is similar to that of a committee, its remit is different. Whereas the committees are tasked with considering French legislation and voting on it in the public sitting, the Delegation for the European Union exercises above all political scrutiny over the government's European activities. It intervenes upstream in the decisional process, in the negotiation phase of Community texts.



The National Assembly illuminated with the colours of Europe on the occasion of Europ day, 9 May 2006.

Original

Landmarks

- Owing to the ever greater influence of European construction on the law of the Member States, the Act of 6 July 1979 created, in both parliamentary assemblies, a Delegation tasked with monitoring Community affairs.
- The Josselin Act of 10 May 1990 doubled, from 18 to 36, the number of its members.
- The Pandraud Act of 10 June 1994 laid down that the government shall transmit to the Delegation 'any necessary document drawn up by the various European Union institutions'. This Act also laid down the change in name of the National Assembly and Senate Delegations for the European Communities which became the Delegations for the European Union, thereby taking formal note of the entry into force of the Maastricht Treaty on European Union.



Catherine Colonna, former Minister Delegate for European Affairs, and Pierre Lequiller, Chairman of the National Assembly Delegation for the European Union

The number of members of each

Delegation - the National Assembly's and the Senate's - is, by statute thirty-six. The Delegation bureau is composed of a chairman, four vice-chairmen and two secretaries.

The chairman determines the agenda of meetings and convenes the Delegation. Like the President of the Assembly, he is elected for the length of the legislature; this permanence facilitates the monitoring of Community texts which are negotiated and adopted according to a schedule which does not match the rhythm of parliamentary sessions. Pursuant to Article 48 of the Rules of Procedure of the National Assembly, he participates in the Chairmen's Conference tasked with laying down the Assembly's agenda. The rules on the composition of the Delegation set forth proportional representation of political groups and balanced representation of standing committees. The Delegation indeed engages in transversal activity and can be led to examine any subject addressed by the European Union. Therefore the fact that all the Delegation deputies are also members of one of the six standing committees facilitates this transversal work.

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composition

Cultural affairs (7)	Economic Affairs (8)	Foreign Affairs (7)	Defence (4)	Finance (2)	Acts (8)
Union for a Popular Movement Group (UMP)					
Chantal BRUNEL Daniel FASQUELLE Hervé GAYMARD Michel HERBILLON Celeste LETT	Arlette FRANCO Alfred ALMONT Jérôme BIGNON Robert LECOUC	Pierre LEQUILLER Jacques MYARD André SCHNEIDER Gérard VOISIN	Bernard DEFLESSELLES	Daniel GARRIGUE Marc LAFFINEUR	Emile BLESSIG Guy GEOFFROY Thierry MARIANI Didier QUENTIN
Socialist, Radical, Citizen and other left Group (SRC)					
Régis JUANICO Christian PAUL	Annick GIRARDIN Jean-Claude FRUTEAU Philippe TOURTELIER	Elisabeth GUIGOU Michel DELEBARRE Pierre MOSCOVICI	Odile SAUGUES Pierre FORGUES		Marietta KARAMANLI Christophe CARESCHE Jérôme LAMBERT
Democratic and Republican Left (GDR)					
			Jacques DESALLANGRE		Noël MAMERE
New Center (NC)					
	Jean DIONIS du SEJOUR				

The National Assembly's

An information and monitoring remit

As part of its information and monitoring remit, the Delegation regularly holds hearings of ministers and French and European personalities. For instance it systematically hears the minister delegate for European affairs at the end of each European Council. A circular by the Prime Minister, dated 19 December 2005, lays down that Parliament shall be more regularly informed as regards the Council's work. Before and after each session in Brussels or Luxembourg, ministers are therefore invited to present the issues and results.

Deputies are also kept informed by the publication of many information reports enlightening Parliament on each of the major ongoing European debates on the future of the Union and its policies: asylum and immigration, maritime safety, common agricultural policy, transport, energy, trade policy, enlargement...

The Delegation for the European Union disseminates an e-newsletter once a month to a broad public. Thematic columns allow easy and comprehensive access to all the work by the Delegation. In addition, a specific data sheet is placed on line for each document examined, so recipients of the e-newsletter can also stay abreast of the Delegation's work and its stance on each of the 'E documents' submitted to the National Assembly pursuant to Article 88-4 of the Constitution. Each year, the Delegation receives nearly 3,000 European documents (draft regulations, draft Directives, decisions, White Papers, Green Papers, communications, work programmes...). A commented selection of these documents is published monthly in the e-newsletter.

President Barroso announced, on 9 May 2006, that the European Commission will henceforth transmit all its legislative proposals directly to Member States' Parliaments as part of the monitoring of the subsidiarity principle.



Jacques Barrot, European Transport Commissioner



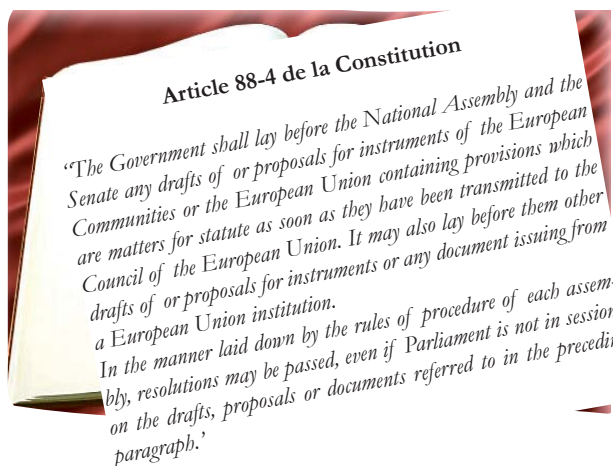
Jean-Yves Beffa, Chairman & CEO Saint-Gobain



Work meeting with European parliamentarians

A constitutional remit of examining European texts

Introduced into the Constitution in 1992, on the occasion of the constitutional revision prior to the ratification of the Maastricht Treaty, then amended in 1999 as part of the ratification process of the Amsterdam Treaty, Article 88-4 has given the French Parliament specific means of monitoring European affairs. This constitutional provision requires the government to lay before the National Assembly and the Senate any drafts of or proposals for instruments of the European Communities or the European Union containing provisions which are matters for statute as soon as they have been transmitted to the Council of the European Union. It is up to the Conseil d'Etat to decide on the statutory nature or not of a draft of or a proposal for a Community instrument. However, since the constitutional amendment of 25 January 1999, the government has also had the possibility of laying before the assemblies European texts which, though not statutory in nature, can be considered as likely to cause Parliament to take a position. This is the 'optional clause' added to the 'mandatory clause' on drafts of or proposals for European instruments containing provisions which are matters for statute. The Prime Minister's circular of 22 November 2005 broadened the field of European texts regarding which the Assemblies can adopt resolutions, in accordance with Article 88-4 of the Constitution.



Approximately 300 European texts are therefore submitted annually to the Delegation on which it is required to take a position ('E documents').

It can then decide:

- **to approve** the draft of or the proposal for a Community instrument by adopting, where applicable, conclusions or a motion for a resolution to explain its position in detail;
- **to defer taking a decision** when it feels it lacks information to assess the scope of the text and it may possibly appoint an information rapporteur tasked with examining the document in greater depth;
- **to oppose** the adoption of the draft of or proposal for a Community instrument. It may then decide to state the reasons for its opposition by adopting conclusions or a motion for a resolution which will be automatically transmitted for examination to one of the National Assembly's six standing committees responsible.

Parliamentary scrutiny reserve

The parliamentary scrutiny reserve notion was introduced by the Prime Minister's circular of 19 July 1994 on factoring the position of the French Parliament into the formulation of Community instruments. It means that the National Assembly and the Senate are entitled to vote - for or against - a proposal for an instrument before its adoption by the European Union Council of Ministers. In practice, the government undertakes to respect the one month minimum period from the transmittal to Parliament of a draft of or a proposal for a Community instrument. This one month period is part of the six week period laid down by the protocol on the role of national parliaments appended to the Amsterdam Treaty, during which the Union Council cannot adopt a common position or a decision with respect to a legislative proposal received from the Commission. There is however an **emergency examination procedure** which allows the government to ask the chairman of the Delegation to directly carry or reject a draft European instrument, without convening the Delegation, when the Community schedule requires the urgent adoption of a text. This procedure should however remain exceptional.

Point A or B of the agenda

Texts deemed of minor importance or that do not involve any specific difficulty are placed under point A of the Delegation's agenda, which means that they are approved without debate. For each of these, an information sheet is sent to the Delegation members approximately one week before the meeting at which they are considered as approved unless a Delegation member voices his disagreement. In this case, the Delegation does not take a position until after a debate between its members.

The other texts, placed under point B of the agenda, are presented orally by the chairman of the Delegation or a specially appointed rapporteur who states the content and the explanatory memorandum of the draft European instrument, any feedback, compliance with the subsidiarity principle, legal basis adopted, and probable schedule for its examination... The examination sheets of all E documents (examined under point A and point B) are regularly published as part of the Delegation's 'balai reports' (information reports on texts laid before the National Assembly pursuant to Article 88-4 of the Constitution).



The Delegation in a meeting



The Delegation in a meeting

Unlike the adoption of conclusions which are wholly those of the Delegation for the European Union, resolutions express the position of the National Assembly as a whole. Therefore the Delegation can adopt only proposals for resolutions. These are then sent for examination to one of the six standing committees tasked with deciding within a one month period following the referral.

The standing committee then appoints its own rapporteur and takes a position on the Delegation's proposal for a resolution which it can adopt as such, amend or reject. In the eight days following the distribution of the committee's report, the proposal for a resolution can be included on the National Assembly's agenda on request by a group chairman, a committee chairman, the chairman of the Delegation or the government. If no request for inclusion on the agenda is presented, the text adopted by the committee responsible is considered final and transmitted to the government. Resolutions have a political scope; they are not legally binding on the government but it must take them into account at Community negotiations.

In all cases, resolutions adopted by the Assembly are published in the Journal Officiel (official gazette) (Acts and decrees edition).

The Delegation does not however have the sole right of initiative to table proposals for resolutions. This is also an individual right enjoyed by each deputy. If the government or the chairman of a group so requests, the standing committee responsible must examine the proposal for a resolution in the month following this request.

Regular follow-up of the transposition of directives

As part of its role of monitoring European affairs, and in view of France's poor record in transposing directives, the Delegation for the European Union has taken the initiative of publishing an annual information report taking stock of the effective transposition of directives into domestic law. This report lists directives whose transposition period has expired and analyses the causes for such delay. Parliament thereby intends to support governmental action to considerably reduce the backlog of directives remaining to be transposed, in order to meet Community requirements.



Active participation in interparliamentary cooperation

National parliaments are now involved in European affairs, so cooperation is strengthening between national and European parliamentary institutions. Deputies are increasingly frequently invited to Brussels to debate a variety of topics with the members of the various European Parliament standing committees. Similarly, the National Assembly Delegation for the European Union invites French Euro-deputies to participate in joint meetings. Meanwhile, bilateral parliamentary cooperation is continuing to increase and the Delegation for the European Union very regularly organises joint meetings with the European affairs committees of other EU parliaments. The creation of an interparliamentary EU information exchange (IPEX) should also help to strengthen the efficacy of parliamentary scrutiny, especially as regards the subsidiarity principle.



Franco-German meeting on the future of Europe, co-chaired by Matthias Wissmann, Chairman of the European Affairs Committee at the Bundestag.



XXXVth COSAC in Vienna

Multilaterally, the development of interparliamentary relations is organised at the COSAC, which convenes half-yearly, in the country holding the European Union presidency, six representatives of the committees or delegations tasked with European affairs at the Union's parliaments and six European Parliament representatives.

COSAC meetings allow parliamentarians to question the European Union Presidency-in-Office and adopt political contributions on European subjects. COSAC, which saw its existence enshrined in the protocol on the role of national parliaments appended to the Amsterdam Treaty, is also empowered to examine any legislative proposal or initiative in relation to the establishment of an area of freedom, security and justice, which might have a direct bearing on the rights and freedoms of individuals.

COSAC contributions are transmitted to the European institutions, in other words the Council of Ministers, European Parliament and Commission.

Openness of the National Assembly to Europe

At the initiative of Jean-Louis Debré, President of the National Assembly, several initiatives have recently been taken to open the National Assembly up more to Europe:

- European Commission President, José Manuel Barroso, was received in the hemicycle on 24 January 2006
- Since January 2003, the first four current issue questions of the first Wednesday of each month have been devoted to European topics
- A public sitting debate is systematically organised before each European Council meeting
- A European newsletter, drafted by the chairman of the Delegation for the European Union, is sent every three months, before each European council meeting, to all the deputies. It informs about the main European dossiers (European budget, enlargement strategy...), helps to follow the activities of EU institutions and reports on National Assembly work on European issues



European Commission President, José Manuel Barroso, at the National Assembly



The Delegation at the European Parliament, concerning the 'services' draft directive

- In Brussels, the National Assembly has a permanent representation bureau to the European Union, the main aim of which is to strengthen information for parliamentarians on the activity of the EU's institutions, make them aware of Europe as part of the training session on European issues, and promote interparliamentary cooperation

Europe on the National Assembly website

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

Take a look at the new 'European Union' section in the National Assembly website.

- Simple and fast access to work by the standing committees and the Delegation for the European Union: reports of meetings and hearings, information reports and resolutions adopted on European texts.
- Thematic data sheets on current European issues.
- An interactive questionnaire on the future of Europe.
- Comparative legislation studies and documentary resources on European construction.

