



Tweede Kamer

DER STATEN-GENERAAL



Ahead in Europe

On the role of the Dutch House of Representatives and national parliaments in the European Union

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national parliaments in the European Union**

Final report, Rapporteurship on
'Democratic legitimacy'

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Preface

In October 2011, I attended a parliamentary group meeting of the FDP in Berlin. Most of the topics on the agenda had also been discussed a week earlier in our parliamentary group in The Hague. What I'd rationally known to be the case suddenly struck me even more forcefully: all parliaments often deal with more or less the same issues at the same time. In addition to this, the number of dossiers that concern common European affairs is constantly increasing. How can the House of Representatives scrutinize and monitor these dossiers? Is the answer to this question to be found in improving cooperation between national parliaments?

Thanks to the rapporteurship on Democratic Legitimacy, I had the opportunity, over a period of six months, to exchange ideas with colleagues and experts, both in the Netherlands and abroad. Together we sought ways to achieve a timely, adequate and shared parliamentary approach to handling European dossiers, in order to achieve a better hold on Europe. The outcome was this report: 'Ahead in Europe: on the role of the Dutch House of Representatives and national parliaments in the EU'. The report reflects my findings, but above all, it offers a starting point for further discussion. I would like to thank all those who contributed in any way to this process. I would also like to thank my colleagues at the House of Representatives for the faith they put in me being able to undertake this project.

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The Hague, May 2014

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1. Introduction

1.1 From alienation to recognition

Legitimacy is a concept that tends to come up when it is lacking. By 'legitimacy' is understood the involvement of citizens in political decision-making. It does not mean, of course, that citizens agree to all decisions that are made by politicians and administrators. Legitimacy implies, in particular, a certain degree of involvement and a feeling of accountability between citizens and a political system; an involvement that is also under pressure.

The Dutch often complain about national government policy. There are frequently protests on specific issues, such as changes to the tax system or the raising of the pensionable age. In such cases, the general feeling that citizens have about their representatives is that while they may be lousy politicians, they are *our* lousy politicians. The situation regarding European governance is different.ⁱ The 26 Dutch Members of the European Parliament (MEPs) are largely unknown to their voters; nor indeed do these voters feel represented by the 725 MEPs from the other 27 member states of the European Union (EU). While the workings of the Binnenhof (Parliament) are also a mystery to many citizens, every major decision is explained in a debate with the usual media attention. By contrast, many Dutch people believe that their interests are not adequately *represented* when European policy is made. Few citizens know that ministers attend every Council and that a key responsibility of Members of Parliament (MPs) is to scrutinise the actions of these ministers, and that MPs also operate independently in Brussels. This is a problem of *input* legitimacy.ⁱⁱ

Despite – or conversely, because of – the fact that the Dutch identify little with European politics, or do not identify with it at all, there is also protest against the *output* of cooperation with Brussels. Citizens are increasingly experiencing European legislation and policy as disadvantageous. While European cooperation began in the 1950s largely for security reasons, the European Community developed rapidly as an arena for economic relations. Since the banking and debt crisis of 2008, cooperation between the member states has also intensified mutual financial support and the redistribution of wealth. But while the economic, political and financial ties between member states have been strengthened in many respects, this has led in particular (in the words of the Council of State) to democratic alienation between citizens and European governance.ⁱⁱⁱ The lack of support, in combination with what are sometimes unwanted outcomes, has made Brussels into a political scapegoat. The saying 'sow the wind and reap the whirlwind' seems to apply here. The question addressed in this report is how we in the House of Representatives, as a political and official organisation, can work on improving the recognition and legitimacy of European policy, based on the role of MPs as a link between citizens and government.

Democratic support for policies – regardless of whether these are made (largely) in Brussels or The Hague – is something that politicians have to win on a daily basis. This demands that politicians have a particular *attitude* and *set of skills*: clarity, appealing language and persuasiveness. With this, it is crucial that those bodies that are (jointly) responsible are accountable for European decisions, even if the latter fall short of expectations or prove inconvenient. In the words of the AIV (2013): ‘So long as Dutch politics fails to see Europe as an integral part of national governance, and the European message is communicated with insufficient expertise, conviction and passion, the citizen will see this and politicians will reap what they have sown: conceitedness.’^{iv} In addition, adequate institutional arrangements, such as debates in the House of Representatives on the actions of the Cabinet, and these same ministers being publicly accountable and providing feedback after (European) Councils, can bring the European debate closer to the citizens. This report will make recommendations on this.

1.2 Objective and scope of this report

This report is the concluding piece in the rapporteurship on democratic legitimacy, which was approved by the House of Representatives in November 2013. The objective of the project was to develop a broadly based position for the House of Representatives on a number of current questions relating to the role of parliaments in the EU, also for determining its own position and input into the European discussion. The mandate of the rapporteur (Appendix III) was passed in plenary by the House of Representatives in November 2013. In January 2014, a common position was published as a parliamentary document and in the form of an English-language brochure.^v The findings and recommendations of this process are set out in this report.

In parallel with this rapporteurship, reflection took place in both the British House of Lords and the Danish Folketing on the opportunities for strengthening the role and influence of parliaments. There was regular contact during COSAC meetings and via videoconferences, allowing insights to be exchanged. Many of the recommendations are similar, while on other issues, further discussions can be held.^{vi}

This report is grounded in the conviction that strengthening the House of Representatives’ involvement in the European decision-making process and concerted action on the part of national parliaments can contribute to better representation of European voters, stronger accountability mechanisms, and thus improve the legitimacy of decision-making.^{vii} The focus is on the opportunities for increasing the House of Representatives’ influence on the European legislative process, such as that which plays out in The Hague and Brussels on a daily basis. The objective is to make recommendations on how MPs can improve their use of parliamentary instruments,

and on which new instruments might be developed. Aside from looking at how the House of Representatives itself works, the report will also look at the cooperation with the other 40 Houses of national parliaments in the EU.

At the time of writing (spring 2014), there is unique momentum for focusing attention on the ways in which parliament works when it comes to cooperating with Europe. In May 2013, the elections to the European Parliament will be held. A new College of Commissioners will take office in the autumn, accompanied by the usual institutional dynamics (musical chairs). And in December, the Treaty of Lisbon – also known as the ‘treaty of parliaments’ because of the powers that it granted parliaments – will celebrate its fifth anniversary. This will bring opportunities for strengthening the working methods of national parliaments and their cooperation with new and existing institutions.

This report is the third part in a trilogy on how the House of Representatives can gain a stronger hold on European policy. In the 1990s, the House of Representatives realised that the role of parliaments had changed. They had gone from being the ‘losers’ to being the ‘latecomers’ on the European stage. Although the House of Representatives was one of the first national parliaments to set up a European committee (1986), the feeling remained that European affairs could be better organised. In 2002, the report ‘Op tijd is te laat’ [On time is too late] was published, in which the House of Representatives realised that timely involvement is a condition for influence in Europe.^{viii} This was followed by ‘Bovenop Europa’ [Scrutinising Europe] (2011),^{ix} in which internal procedures were evaluated and an official EU staff was embedded in order to be able to maintain a better hold on procedures.

This report, ‘Ahead in Europe’, presents recommendations on how the House can improve its own working methods and cooperation with other parliaments, with a focus on transparency and effectiveness as key factors for legitimacy. Along with this, it also considers the position of the national parliament vis-à-vis the government. Attention is paid to the role of national parliaments, where these offer starting points for improving daily parliamentary procedure in the Netherlands. It discusses the European Parliament, where the role and relationship with this people’s representative are relevant for national parliaments.^x It addresses improved cooperation with other parliaments, and also citizens, where these are affected by the actions of their representatives.

The focus lies on changing behaviour, not changing treaties. Treaties capture existing working arrangements. Think of the European Council, which started as informal meetings between government leaders in the 1970s. Only decades later was this institution embedded in a treaty. This report does not address the desirability or undesirability of a treaty change; that discussion is an excuse for avoid-

ing the responsibility for optimally using and improving the instruments that parliament already has at its disposal. This report analyses the opportunities that lie within the existing treaty to strengthen democracy. As a majority of national parliaments shape and interpret their powers and responsibilities, the seeds of a new norm will grow.

2. On the lack of democratic legitimacy

Article 10 of the Treaty of Lisbon (2009) sets out the arrangements for guaranteeing the democratic legitimacy of the EU. These arrangements are two-fold: new European legislation must be approved by both a weighted majority of countries in the Council (supervised by their national parliaments) and by a majority of MEPs.

To begin with the latter: it is clear that the European Parliament is struggling with its role as representative of the people. This is partly because the member states are not represented in the European Parliament to an equal degree. A German MEP represents 830,000 Germans, while a Maltese MEP represents 67,000 Maltese. In addition, the fact that the European Parliament is not organised in the form of an opposition versus a coalition has resulted – notwithstanding the enormous increase in political power – in a lack of recognisability and steadily falling turnouts at European parliamentary elections.

National parliaments also confer legitimacy on European decisions, by supervising their governments' actions at the (European) Council. Different parliaments do this in different ways. Besides this, there are also parliaments in Europe making very little use of this 'scrutiny'.^{xi} And in practice, monitoring is complicated. A majority in parliament can hardly provide more than one message for each Council meeting. In addition to this, MPs have little insight into, let alone a hold on, the bargaining and compromise-making that takes place with other member states and within the European Parliament. Moreover, there is a trade-off between monitoring and effectiveness. If parliament has a stronger hold, such as overly-rigid mandates, this can result in less national effectiveness in steering European negotiations. There is always also a chance that a member state is outvoted at the Council, so that a minister or prime minister comes home empty-handed. Particularly when acute or unforeseen decision-making is taking place, for example with the recovery from the financial-economic crisis (the banking union), a lack of political oversight is experienced at the (European) Council and the Commission. In the coordination of economic governance between the member states, the involvement of the European Parliament and the national parliaments can be improved. It is then about budgetary supervision and the common approach to macro-economic imbalances; a dossier that warrants greater involvement on the part of parliaments. The House of Representatives sees the importance of this, partly due to the parliamentary right to approve the budget. Despite the new European opportunities for scrutiny and intervention, ultimately, primacy in budgetary supervision lies with the member states. National parliaments must therefore work on developing a thorough approach to the European Semester and thereby exchange information about this approach and the substantive details. The House of Representatives can also play a pioneering role in this, based on its own experience of dealing with such issues.^{xii}

Legitimacy in Europe is undermined in three areas.

1. Citizens often feel that their interests are not being represented.

Brussels is often seen as a bureaucratic machine over which national politicians have little control. It is seen as a rampant policy factory, producing measures that create costs and burdens. European decisions are pre-cooked in a bureaucratic machine that smothers political differences in consensus at an early stage. Brussels has no political coalition or opposition, and in many proposals the political differences are deliberately concealed.

2. In terms of content, the results of policy frequently fail to live up to expectations.

This is sometimes because negative or unforeseen effects are attributed to being the result of European cooperation and negotiations. The crisis is currently having major effects (unemployment, reduced purchasing power) that are difficult to explain or deal with. 'Faceless Brussels' then becomes a welcome scapegoat for politicians and citizens. European legislation is also often disappointing because the national contribution cannot be recognised in a compromise.

Sometimes Europe fails in the eyes of its citizens in those areas where it should intervene, for example in foreign policy.

3. Ministers and MPs lack accountability for their role in Europe.

National politicians are often unwilling to expose the political balance sheet of European policy. Indeed, the media – the watchdog of democracy – also seldom interrogates them in detail on this. Moreover, politicians who do attempt to discuss Europe with the media and citizens struggle to account for their actions and contribution in comprehensible and appealing language.

3. On the opportunities for the House of Representatives to strengthen its hold on Europe

This chapter will look at how the House of Representatives can use the instruments at its disposal to find a solution to the problems that have been identified. It will look at timely action in the input and output phases of policymaking; at how priority proposals are dealt with; the horizontal role of the standing Parliamentary Committee on European Affairs; and how MPs could become better informed.

The House of Representative's way of dealing with European topics is essentially three-fold:^{xiii}

1. *Timeliness*: even before the policymaking phase, policy ideas can be discussed in direct contact with the European Commission and the European Parliament. The House discusses all Councils in public beforehand with the minister, and new policy is included on the meeting agenda.
2. *Selectivity*: by carefully highlighting a number of dossiers beforehand and paying special attention to them upon publication, the House of Representatives is in a better position to monitor political priorities. The existing parliamentary toolkit is used for this, such as regular consultations with the government, an official briefing, a working visit – and, optionally, two specific EU instruments: the *scrutiny reserve* and the *subsidiarity test*.
3. *Decentralised organisation*: the spokespersons of the parliamentary committees are responsible for handling European dossiers, such as those on labour migration or energy, making Europe an integral part of the working area of every spokesperson. As a horizontal committee, the standing Parliamentary Committee on European Affairs coordinates the internal working methods pertaining to Europe and, in a substantive sense, broader or committee-overarching themes such as expansion, constitutional issues and the European Semester.

3.1 More influence through early presence more control over input

Many of the people interviewed for this report, including MPs, emphasised the importance of *early involvement* in the development and (at a later phase) implementation of European policy. National parliaments have more influence over the European decision-making process if there is early *steering of input*, by means of earlier, better and more focused signalling of what is considered to be 'good policy' in a political sense. Influence on European decision-making will also be increased if adequate efforts are made to *steer output*, following the publication of an EU proposal. Cooperation with other national parliaments is extremely important for this. One example is to hold a first subsidiarity discussion the moment a green

or white paper is published, without neglecting the Commission's arguments as to why the European legislation is essential.

3.1.1 The importance of early reflection – and action

In 2002, the House of Representatives adopted the report entitled 'Op tijd is te laat' [On time is too late] by the rapporteur Hans van Baalen. The core message of the report was that the House of Representatives must get involved in European decision-making at an earlier stage. The underlying idea is that you can influence European decision-making more effectively if you are (also) more active in the initial phase, when it is still just about ideas. While a match can be blown out easily, once a blaze has started, you have to call the fire brigade.

There is an art to being on time. As the footballer Johan Crujff once persuasively put it: 'You only have one moment to be on time – otherwise you're either too early or too late.' In order to be able to intervene effectively in the initial phase, you need to know which ideas are being discussed, who is involved in developing them, and what procedures exist to be able to intervene in practice. What are the House of Representatives' options for exercising influence in the initial ideas phase of the European decision-making process? And could these be used better?

As a rule, MPs are particularly able to influence the input for the European agenda when the government's contribution to ongoing negotiations is under discussion. In public general meetings, the minister who will be visiting the Council can be given an assignment. Although the thorough way in which MPs deal with Councils at a preliminary stage is unique in Europe, it only entails scrutiny of the main issues as opposed to the details of dossiers. In the interviews for this report, the observation was made that 'the European Parliament negotiates for two years, while the MPs get two minutes of speaking time in a two-hour general meeting that covers twenty subjects'. More importantly, general meetings address the Dutch input into the decision-making, whereas the opportunities for influence are to be found at a much earlier stage: in that of policymaking.

3.1.2. Initiative-takers gain the most influence

Input can be influenced at an early stage if parliament itself takes the initiative. This is something that frequently happens in the national process. As soon as the House believes that issues in the Netherlands should be regulated by law, and that the Cabinet is taking insufficient action with regard to parliament's purposes, parliament has the power to take the initiative.

At the EU, the power to take the initiative is held by the European Commission. As a senior EU civil servant pointed out during one of the interviews for this report, however, ‘the Commission does not have a monopoly on good ideas’. The European Parliament and the European Council can ask the Commission to come up with new proposals, but most EU proposals stem from organised interests: experts, companies or organisations. In this way, a particular subject or an approach to a social problem can be made political in Europe. If a group, or preferably a majority of national parliaments, makes a suggestion to the Commission, the latter cannot simply ignore it. This idea is known as a *green card* (an analogy to the existing ‘yellow card’ procedure against new EU proposals). A group of parliaments that is gathered around a theme (cluster of interest) could propose ideas for new European policies to the European Commission, or could propose the amending or revoking of existing legislation. There is nothing, for that matter, to prevent national parliaments from doing this already. In a joint letter with other parliaments, for example, the House of Representatives has drawn the attention of the European Commissioner responsible to the importance of a division of powers for international trade treaties.

National parliaments have more options in the initiative phase than they realise. It is a question of ‘doing’ and making use of the opportunities that parliaments, acting together, can create. This lies at the heart of evolving constitutional law. Marianne Williamson’s wonderful vision – which is often attributed to Nelson Mandela – is also applicable to parliaments: ‘Your playing small does not serve the world. There is nothing enlightened about shrinking so that other people won’t feel insecure around you.’

3.1.3. The first blow is half the battle: consultations

In order to find out which instruments the House of Representatives has to influence European policy in the initial phase, it is a good idea to look in the ‘toolkit’ for national legislative processes. With national legislation, the government proposes a law, asks the Council of State for advice, and subsequently sends the bill and the advice to the House of Representatives. In the case of important major laws, such as the Environmental Law for example, public consultation rounds are held to gather input for the bill. The reports of these consultation rounds are included in the explanatory memorandum. Sometimes a general debate on top lines is also held on a bill. This gives the House opportunities to draw interim conclusions with regard to the progress of the bill to come.

Consultation rounds are also held in Europe. Every quarter, the standing Parliamentary Committee on European Affairs receives an overview of all of the European Commission’s consultations, including Internet consultations. Every citizen, MP, parliamentary group or parliament can provide input by a certain date. The spokesmen on Europe can bring these opportunities for early input to the attention

of their colleagues in the other parliamentary committees and their colleagues in the parliamentary groups.

The European Commission's plans are elaborated in green or white papers. In a green paper, the European Commission sets out a social problem and makes recommendations for the policy that is to be developed. Green papers have the function of getting the discussion going regarding potential policy interventions. The Commission invites governments and other organisations to respond to a green paper within a given period. White papers are normally used to discuss more concrete proposals, and are ultimately followed by binding or non-binding legal instruments.

The House of Representatives can give its own response to green and white papers. In recent years, MPs have seldom made use of this opportunity; this could thus be done more often. In fact, the planning phase would be a good time for a first appraisal of subsidiarity. If a proposal ultimately results in concrete legislative proposals, the emphasis of parliament's handling of the proposal can lie more on proportionality. Although at present the yellow card only applies to objections on the grounds of subsidiarity, in the long-term, this instrument would also allow for a broader appraisal of the legal grounds and proportionality.

The House of Representatives also receives the government's responses to the European Commission's policy plans. These governmental responses are available in parliament for 30 days before being sent to Brussels. The House of Representatives also receives copies of the Cabinet's definitive responses to the European Commission's regular consultations. In this way, during the ideas phase, the House of Representatives can deliver input for the drafting phase both directly and via the Cabinet.

3.1.4. The pen is mightier than the sword: draft legislation

In national parliaments, and certainly in coalition governments such as that in the Netherlands, coalition parties enjoy an advantageous position compared to opposition parties. Most bills originate from a coalition agreement; the outcome of negotiations between the coalition parties. In this way, the coalition parties determine the contours of new policy. The majority of the House has a seat at the table from the very outset, be it in the secrecy of the negotiating room.

For proposals from the European Commission, the situation is different. As there are no coalition or opposition parties in European politics, the House of Representatives is not involved in policy issues at an early stage. In a year in which European elections are being held, when the newly appointed College of Commissioners is busy writing the programme of activities for the coming five years, the House of Representatives can seize the moment to make its own

priorities known. The Netherlands will hold the Presidency of the Council of the Council of the EU for the first six months of 2016. Proposals that the Netherlands wants to see dealt with during its own presidency must be highlighted now.

The House can try to combine this content-related opportunity with making agreements on procedure. One important opportunity for intervention is that of the European Parliament's interviews with candidate Commissioners. The candidate Commissioners' answers to key policy-related questions, such as 'How would you deal with a yellow card from the national parliaments?' or 'What do you consider to be the most important assessment frameworks?', in fact represent their contract with both the European Parliament and the national parliaments. Everyone knows what the agreement is and what they are dealing with. Prior to the hearings in the autumn of 2014, the standing Parliamentary Committee on European Affairs could make suggestions to the newly elected Dutch MEPs regarding the right questions, and could encourage fellow parliamentarians in other countries to take the same approach.

3.2 'Selective is effective' – more control over output

There is an important difference between national and European decision-making. With national decision-making, the government must always ensure that a majority in parliament supports a proposal. If the government fails to ensure its 'right to land', then parliament can reject a proposal. This mechanism works as an insurance policy for the quality of legislation.

At the European level, it is naturally important to have the support of (a majority of) the member states, and the Commission takes account of this when drafting new policy. However, due to amendments by MEPs and the dynamics at play in negotiations between member states and the European Parliament, it is difficult to assess political support beforehand. The Commission is not always in a position to gauge the political support from representatives of other member states, or sometimes prefers not to anticipate it. Criticism of the policy must then come from the member states at the final stage of the process, scrutinised by their parliaments and preferably in cooperation with the MEPs.

3.2.1. The list of priorities – focus and planning

Once the ideas have been developed, and also after the round of consultations, the European Commission incorporates them into an annual programme of activities. This programme, which tends to be published around November, is a concrete plan of action for the legislative and policy initiatives that the European Commission wishes to address in the following year. The member states and the Euro-

pean Parliament can subsequently start work on the programme of activities. Addressing the European legislative and policy initiatives originating from this programme of activities is now a well-established part of the House of Representatives' way of working. Stakeholders (the public affairs of social organisations and companies) are also proving increasingly able to find their MPs during this process.

In recent years, the House has improved the way in which it selects priorities from the plan of activities. The selection stands or falls on transparency. As soon as the selection of priorities from the programme of activities of the European Commission starts, this must be made widely known. Both MPs and their staff, stakeholders and the media must be kept informed of when a particular proposal is going to be addressed. At the right moment, cooperation must be sought with other parliaments with the same priority. Only then will there be an optimal chance of delivering input and adjusting proposals. One key instrument is to use actively all incoming and outgoing working visits to and from EU member states (and their parliamentary delegations) and inter-parliamentary conferences for the exchange of knowledge and to share priorities.

3.2.2. The power of the unexpected: responding effectively to 'events'

Once, when asked by a journalist where the greatest risk lay in politics, the former British Prime Minister Harold Macmillan answered: 'Events, my dear boy, events.' Since the beginning of this century, the number of events seems only to have increased. In both national politics and in the EU, coalition agreements and programmes of activities do not always cover the proposals that are actually prescribed by the government or the Commission. In practice, there are frequently responses to events that require immediate action. As a result, it can be the case that some of the EU proposals that have been announced remain on the drawing board. The House of Representatives and other national parliaments are also frequently surprised by unannounced EU proposals; proposals that have been formulated by the Commission in response to social issues or problems. One recent example was the proposal for European border management, which came about shortly after the crisis involving migrants in Southern Europe.

At an estimate, the annual programme of activities that parliament carefully addresses covers just a quarter of new European policy intentions. Most policy proposals are the result of 'events'.

In a national parliament, in any case, the coalition parties have the possibility of negotiating on proposals that result from 'events'. The majority in parliament exercises direct influence on this. In order to be 'on time' in Europe, national parliaments will not only have to

look at the programme of activities, but must also develop a system in order to know, in good time, which proposals the Commission is drafting and which subjects will not be addressed. The indications from the civil service play a key role in this, and also (and especially) within parliamentary groups, staff must have a good ear for this.

3.2.3 A finger on the pulse during negotiations

As soon as a concrete EU proposal is published, it is discussed in the parliamentary committee. This is followed by a debate on the proposal and how it will be translated into national legislation.

The parliamentary committee has two ways of dealing with this:

1. Most EU proposals that parliament receives directly from Brussels are dealt with in the **standard** manner. That is to say, the House receives an appraisal from the government within six weeks. Parliamentary committees can subsequently address the proposal and appraisal in a meeting. There are two kinds of proposals: proposals from the programme of activities, and programmes that appear 'unannounced' during the year. The House of Representatives has to pay careful attention to 'ad hoc' issues. For any of these ad hoc issues, the government – through the Committee of Permanent Representatives (COREPER) and various councils – will have a knowledge advantage over the MPs. The House will have to pull out all the stops to gather information, such as organising meetings with its own government or with the various stakeholders in Brussels. Particularly in the debate surrounding the euro crisis and the banking union, parliaments seem to be finding it difficult to keep up with the rapid pace of developments. In practice, it remains difficult to monitor compliance with the agreements made.
2. Besides the standard handling of proposals, proposals can be indicated beforehand (from the programme of activities) as **priority** proposals. Priority proposals are immediately addressed by the House of Representatives. The Cabinet's appraisal must be in the House within three weeks in order to be included in the discussions.

The parliamentary committees can organise various activities in order to gather more information about a proposal:

- the appointment of a rapporteur
- a discussion with a European Commissioner
- a discussion with a rapporteur from the EP
- sharing information with other parliaments

- making priority issues permanent agenda items on the agenda of the procedure meeting
- a round-table discussion
- a technical briefing
- a round of written questions
- a working visit

In addition to the parliamentary toolkit, the House has two instruments that deal specifically with handling EU proposals. With the new division of powers set out in the Treaty of Lisbon, parliaments have the option of responding directly to Brussels. After publication, the House of Representatives can subject proposals that are considered to be of particular importance to a **subsidiarity test**. A subsidiarity test concerns just one aspect of a proposal, however: namely, a political assessment of the added value of European policy. Moreover, as has been shown in practice, the Commission can ignore this parliamentary “vote of censure” and wait to see how the rejection plays out in practice at the Council. The House of Representatives can also submit questions to the European Commission (political dialogue). In recent years, sporadic use has been made of this option; other parliaments do this more often.

The second instrument for dealing with EU proposals was called into being by the House of Representatives itself, with the Treaty of Lisbon. The **scrutiny reserve** is mainly concerned with improving information provision by the government. The Netherlands does not have a mandate system, such as that in Denmark. The government maintains the flexibility to negotiate. Certainly for dossiers with a scrutiny reserve, however, detailed information agreements do apply. The government must provide the parliament with information in good time, not only for Council meetings (at which decision-making or partial decision-making takes place), but also in relation to major changes. This can concern substantive policy changes (for example, due to amendments by the European Parliament), but also if the balance of forces changes because more countries support or oppose a proposal, with potential consequences for the Dutch negotiating position. In addition, the House of Representatives is committed to achieving more transparency regarding what happens in negotiations, and has asked the Cabinet to take an active stance on this at the EU. This can improve parliamentary monitoring and also gives citizens and interest groups more insight into the European process.

3.3 Becoming better informed on Europe

When preparing this report, conversations were held with many MPs.^{xiv} These conversations built up a picture of coincidences: ‘Too often, an individual MP ends up focusing on Europe “by accident”.’ As far as the provision of information is concerned, the flow of documents on the extranet remains a mystery to many MPs, including

experienced members, and many do not have regular discussions with EU advisors (attached to all parliamentary committees). In 2012, the House of Representatives gained access to the EU-extranet database, which provides access to information from other capitals and on current European negotiations. Parliament can use the information from other capitals to keep itself and the government more up-to-date.

3.4 Strengthening the House of Representatives' hold on Europe

The House of Representatives has been 'scrutinising Europe' since 2010. In lists comparing parliaments, the Dutch House of Representatives always appears in the top three for active monitoring (scrutiny) of the (European) Council and for taking an active position on (joint) subsidiarity testing.^{xv} The information from the government and Brussels is much improved; the transparent handling of Councils, both before and afterwards, is unique, while the handling of the Commission's programme of activities is an example for other parliaments.

Below, a number of potential improvements to the current procedure are described.

1) The House of Representatives supervises the main issues, but for this it is essential to have broader insights and details. Sometimes parliament allows a European strategy to pass it by, as was the case with the government's actions on a long-term judicial EU policy framework. Only when the government sent a press release to the media did a letter to parliament follow. Parliament discusses the Cabinet's actions at the (ministerial) Council level, but the Dutch position offers no insight into the trade-offs at the COREPER level, amendments by the EP, developments in secret trilogues (between the Council, EP and the Commission) and the negotiations about elaboration in delegated rule-making. Even spokespersons on particular issues do not always find it clear which stage of decision-making the discussion has reached, and what the instruments used for influence are.

In order to improve this, MPs must make better use of their own parliamentary instruments (official memoranda, parliamentary contacts, the extranet). However, in the annotated Council agendas, the government also often provides parliament with insufficient insight into developments in the play of forces between the member states and the EP. One favourable exception is the practice of the Minister of Infrastructure and the Environment, who sends MPs a structural overview of the dossiers that are being negotiated and the items that have been added to the Council agenda. This practice deserves to be imitated. The Ministry of Foreign Affairs will be reminded of its commitment to state, in every annotated agenda, whether the Netherlands is in a majority or minority position.

2) On its own initiative, but encouraged by the Committee for European Affairs, every committee can appoint a permanent EU rapporteur. A number of parliaments have had good experiences with this. This member is responsible for highlighting issues and informing the other committee members about developments on the European agenda pertaining to the committee's area. He or she is supported by the committee staff (EU advisor). Reporting on current and upcoming European dossiers should be made a permanent agenda item at the procedure meeting. The rapporteur can also act upon the expressed intention of the House's President and committee chairs, that every specialised committee should visit Brussels each year in order to inform themselves as a group of the developments pertaining to one or a number of current (priority) dossiers.

3) The accountability of the government after taking part in the Councils can be improved, as can compliance with information agreements relating to the scrutiny reserve. If the government can use parliament's support to develop EU proposals further, then there is no need for the letter with the evaluation of the (interim) result of a negotiation on an important dossier to wait for the next general meeting. Parliament can also better scrutinise whether ministers themselves negotiate in Brussels. For ministers, building up personal contacts and a network in Europe will be crucial to the success of the upcoming Dutch Presidency in 2016.

4) Intensifying the holding of shared technical briefings between specialist spokespersons and European affairs spokespersons, for example in the run-up to (European) Councils when there is a focus on a particular problem, can help to improve monitoring and keeps each other up-to-date. The agenda of the procedure meeting should routinely include consideration of whether there is a need for a shared briefing for priority issues.

5) The link between the implementation of national laws, which (partly) originate from binding EU directives, and (parliamentary contributions to) earlier European negotiations, must be improved. One example is the framework directive on the labelling of medicines. In its handling of the bill for implementation in 2013, in the policymaking phase, parliament was shown to have gained insufficient insight into the consequences. In the Explanatory Memorandum to a bill originating from Europe, the government can be asked always to revert to its original input (the BNC file) and the results of the negotiation process, and also to refer explicitly to the national political choices in the elaboration of the directive into national law. For its monitoring role, parliament must also invest in securing its knowledge and institutional memory, so that the link is routinely made between implementation and (parliament's input into) EU policymaking, both in the civil service (at the committee secretariats, the legislation office and digitally on Parlis. Parlis is the document database and planning tool of the parliament) and in the parliamentary groups.

6) As soon as an EU proposal is published, the House of Representatives looks closely at the issue of subsidiarity. But once a proposal is in process, the elaboration takes place. This happens in the negotiations between the member states and the European Parliament, and in the 'follow-up phase' (previously known as comitology). In meetings of public officials from the capitals, with a key role for the European Commission, the required percentages and norms are often filled in after the decisions have been made. Here, too, the 'devil is in the detail'. After all, these appendices to legislation are ultimately determining for the elaboration of European legislation at the local level. In this phase, parliament's focus should also be on priority issues. Here it can be more targeted in its requests for information and steering activities.

7) In addition to the regular 'introduction programme', the so-called Plein 2 courses and the EU Studium Generale that is organised by the staff, it is important that regular attention is also paid within the parliamentary groups (official and political) to exchanging knowledge about the European policy process and current EU dossiers in their own working areas. Ideally, following the course on 'Europe in the House of Representatives' would be a more emphatically recommended part of the induction programme for all (new) members and staff from the parliamentary and European parliamentary groups and the official staff of the House.

3.5. Recommended instruments

Which instruments can MPs currently use to strengthen their own command of information and improve their contact with Brussels?

1. Appointment of a rapporteur

A rapporteur is responsible for closely following discussions in Brussels and reporting on these to the standing committee. Following the adage, 'If everyone is responsible, no one is responsible', it is suggested that committees should more frequently appoint MPs as rapporteurs to take responsibility for concrete EU dossiers. On the basis of this information, the House of Representatives can decide on possible action. Rapporteurs can be appointed to concrete dossiers (budget, EU dossier) or where an issue is involved that concerns the entire House. They receive adequate support from the official staff and, on the basis of their role, they actively exchange information on Europe with the parliamentary committees.

2. position paper from the EU staff

For activities and dossiers with a European dimension, EU advisors on the staff of every parliamentary committee provide written memos and indications with additional in-

formation (position paper or signalling paper). This is supplementary to the annotated agenda provided by the government. The memoranda contain information about the power play between the member states and the position of the European Parliament. With this, there could also be a focus on planning. Every six months, for example, it could be stated which topics of discussion are in play at what time, and the various points of view from which these topics of discussion are being approached. The House of Representatives could then choose whether to take further action, by requesting further information or by using other instruments.

3. Access to and use of the extranet

The EU extranet database, which is updated daily by the Council secretariat, provides digital information on all dossiers that are in negotiation, such as information on the positions of various countries and draft Council conclusions. This information can be used by MPs, so that on the basis of the dossiers and Council conclusions, they can better assess the context and better prepare their own position and that of the government.

4. Regular feedback between the European Parliament and the House of Representatives

The House can invite member rapporteurs (or shadow rapporteurs) from the European Parliament to report on negotiations, for example in trilogues. In addition, standing parliamentary committees can invite non-Dutch MEPs more often for substantive discussions on current affairs. This could concern a first reading, but it could also, for example, concern trilogues: the non-transparent final part of the legislative process. In addition, standing parliamentary committees can invite MEPs more often for substantive discussions on current affairs.

5. Parliamentary representative

The structural exchange of information is also being addressed at the level of the civil service, through the parliamentary network in Brussels. The House established a second official place for this in the Brussels office. The information and knowledge from the parliamentary representative could be shared in biannual briefings to the parliamentary committees. On the basis of the priorities, this official 'antenna' of both Houses can be invited to monitor specific developments. The government can be urged always to involve the representative of the States General in Brussels in the regular provision of information for MEPs and stakeholders.

Recommendations for within the House of Representatives:
Improve use of own and governmental information
Make use of rapporteurships for EU dossiers
Pay more attention to accountability of Councils
More shared technical briefings
Draw link between contribution and implementation
Track follow-up phase (comitology)
EU-related knowledge for all

4. Strength through cooperation

4.1 Working with other parliaments

The previous chapter looked at how to improve the set of instruments that the House of Representatives has at its disposal. Dealing with European policy is not only an internal affair of the House, but also a team effort involving the House and other national parliaments, the House and the European Parliament, and the House and other players, such as the media and stakeholders. Discussions on Europe often focus on centralisation or decentralisation; the debate about subsidiarity is one example. This discussion is sometimes confusing. In particular, European cooperation means making policy and legislation together. All member states and parliaments address the same regulations from Brussels at approximately the same time. As stated above, cooperation and the coordination of agreements can be improved: this is strength through cooperation.

There are significant differences between the working methods and cultures of different parliaments. In France, a minister can refuse to come to the Assembly, which does little to advance the debate on Europe. In Rome, an interviewee explained that the Italian attitude to legislation is very different from that of the Dutch. In Italy, European legislation is seen as a 'guideline', where it is sometimes the question whether enough will be done to uphold the new legislation. The Dutch, with their Calvinist roots, follow the prescriptions to the letter and sometimes have the tendency to go even further. One good example is the Dutch interpretation of the directive on air quality, which almost led to many building projects being discontinued, causing the usual social unrest and scepticism about Brussels. This example shows once again that the key is to make agreements with the EU at as early a stage as possible.^{xvi}

Precisely because parliamentary toolkits are used differently everywhere, interparliamentary cooperation is a promising instrument. This report, to which many colleagues from the House of Representatives and the Senate contributed, is a first exploration of this.^{xvii}

Naturally, joint action on the part of national parliaments will not magically make up for citizens' dissatisfaction with European decision-making (lack of legitimacy). However, people's representatives in all member states do have an important role to play in translating European decision-making into national decisions. This realisation has come late: for a long time, parliaments were the 'losers', but now they are the 'latecomers' in European decision-making. In recent years, all parliaments have gained an opportunity to transform the 'moaning' about Europe into understanding. A single national parliament can only play a very limited role in European decision-making. But by working with other parliaments, one's own parliament becomes stronger.

Since the Treaty of Lisbon, national parliaments have been able to test new proposed EU legislation on the grounds of subsidiarity, without interference from their governments, and have been able to challenge infringements collectively. This new instrument, which can result in a 'yellow card', still needs development. Interparliamentary cooperation between the 41 parliaments is evolving, but it can be improved further.

It is obvious that when evaluating cooperation with national parliaments, one should look first at cooperation within the States General. In order to strengthen international cooperation, and with this interparliamentary cooperation, there are then a number of options: interparliamentary contacts can be established and strengthened during COSAC and other meetings, there can be more cooperation regarding the yellow card procedure, and other forms of cooperation can also be established, such as the green card procedure.

4.1.1. Interparliamentary cooperation with the Senate

In the Netherlands, the House of Representatives plays the lead role in applying the Lisbon instruments. The Senate plays a complementary role in the legislative process, as interpreted in its political and official capacity. On Europe, however, the Senate has an autonomous role. Each year, both Houses make their own lists of priority proposals from the European Commission's programme of activities. The Senate is particularly active in the political dialogue with the European Commission in the area of juridical and internal affairs (migration). Both Houses have the scrutiny reserve, which is used to keep close tabs on the government during negotiations. The Senate has not yet used this instrument, whereas the House of Representatives has used it more than ten times; this leads to additional letters from the government, which is also of benefit to the Senate. Detailed coordination among public servants takes place at the moment the dossiers are addressed. Indeed, if both Houses appraise a proposal negatively on subsidiarity grounds, this counts as two votes in the 'yellow card' procedure. Cooperation also takes place during the preparations for the EU Presidency.

The Senate has a detailed digital tracking system for Europe, www.europapoort.nl, which gives the public insight into all parliamentary activities relating to EU dossiers. With 'Parlis for the web', the House of Representatives has also taken the transparency of parliamentary activities a step forward. The weekly EU newsletter gives an overview of upcoming activities. However, citizens, companies and stakeholders are unable to follow the handling of concrete EU dossiers in the House of Representatives online. In order to do this, one has to search in the decision lists, reports on negotiations, letters from the Cabinet (such as BNC files) and in the documents relating to the legislative process regulating the translation of EU directives into Dutch law, which are spread here and there across

the site. Here, the House of Representatives could look to the example of the websites of the European Commission and the European Parliament.^{xviii}

4.1.2. Interparliamentary meetings; COSAC

European politics, just like national politics, is ultimately about organising a majority of people who support the decisions. The Treaty of Lisbon gives national parliaments more opportunities for intervention. This possibility of intervening becomes stronger when more national parliaments agree with one another. For this to happen, MPs have to get to know one another and must inform each other as to what the priorities are and which procedures are being followed.

Parliaments have various opportunities for exchanging information: via their networks of representatives, via party meetings of the parliamentary groups, and digitally, through the Interparliamentary Information Exchange (www.ipex.eu) website. But the best way to encourage effective cooperation is for parliamentarians to meet each other. For this purpose there are a number of thematic 'interparliamentary meetings' during each presidency and in the European Parliament. Some convene every six months, such as the foreign affairs and defence spokespersons at the CFSP meeting. The economic and financial discussions take place at the so-called 'article 13' meeting. Other key meetings are the annual Conference of Speakers of the Parliaments and the meetings of EU spokespersons, COSAC, every quarter.

As far as the House is concerned, all interparliamentary meetings, but especially COSAC, should further the exchange of information and the extending of a network. For a few years, the House of Representatives' parliamentary committee on European Affairs has been committed to making COSAC meetings more interactive. In Dublin (June 2013) and Vilnius (October 2013), there were popular 'side meetings' at which many parliamentarians and their staff, and also the European Commission and the European Parliament, could meet one another. Thanks to the efforts of the delegation from the House of Representatives at the side meetings and at the plenary meetings, the delegation encouraged interaction during the meetings. This also serves as preparation for the COSAC meetings in The Hague during the Dutch Presidency of the EU in the first half of 2016.

When setting the agenda for a COSAC meeting, the presiding host-country, in cooperation with the secretariat in Brussels, can draw on the common priorities submitted by the various national members, based on the Commission's programme of activities. A group of 41 contact persons (chairs on European Affairs) could also be set up within COSAC. Indeed, a group of European Affairs chairpersons

could be put into action quickly and would be able to respond rapidly in the eight-week period by drawing (or initiating an attempt to draw) the yellow card.

The interparliamentary EU meeting (COSAC) can:
1. Chart the parliamentary network: in addition to e-mail and telephone lists, social media can be used to allow for the exchange of official and political information, as is routinely the case in the NATO and OSCE assemblies.
2. Put greater emphasis on sharing best practices.
3. Offer parliaments the opportunity to exchange European priorities.
4. Play a coordinating role in relation to procedures, for example when using the yellow card.

In addition to careful monitoring, parliaments can also achieve more guarantees in their working relationship with the European Commission. For example, via COSAC, parliaments can make a gentleman's agreement with the newly appointed European Commission. The Commission can make working agreements with parliaments on a selection of legislative proposals for which the eight-week period can be extended by a number of weeks (four weeks, for example). This could be based on the lists of priorities that have already been drawn up by various parliaments.^{xix} The House of Representatives can request the newly elected Dutch MEPs to ask proposed European Commissioners, during their hearing, a number of questions on the role of national parliaments, such as dealing with yellow cards. For example, how would the intended Chair of the Commission propose to respond if a third of the parliaments were to ask the Commission to initiate or amend a proposal? The answers to this and other questions can function as a contract between the Commission and national parliaments. The new Commissioners could also be asked whether they would draw up internal rules for a response within 3-6 weeks to parliamentary requests for written and verbal 'inquiries'. If there is support for this from a number of national parliaments, this approach will gain in strength.

4.1.3. Parliamentary thematic meetings (clusters of interest)

In addition to visits and actively shaping existing interparliamentary meetings, MPs can also take the initiative themselves. The House of Representatives could set itself the goal of taking the initiative at least twice a year for a so-called 'cluster of interest'. By this is meant ad hoc meetings between (groups of) parliaments that address concrete, current themes, such as the meeting on labour migration that took place in October 2013 on the initiative of and at the Danish Folketing.

4.1.4. The cards procedure: yellow, green and red cards

The yellow card is an instrument that allows national parliaments to continue steering once an EU proposal has been published. Only the threat that national parliaments might, after a long internal drafting process, still reject a proposal that has been published can force the Commission from the outset to improve its consideration of how a proposal might be received by the different parliaments. This is to the benefit of the quality of the legislation and regulations. In recent years, the Commission has indeed invested heavily in impact assessments and better regulation. With the yellow card, the discussion on subsidiarity has entered a second phase. Originally, the concept was used mainly for the internal market. Now, subsidiarity is frequently used in discussions about limiting European regulation.^{xx} For example, a Dutch plan for the curtailment of regulation has been put to the Council.

The first yellow card concerned a plan by the European Commission to limit the right to strike. The plan was immediately withdrawn by the Commission. The second yellow card was drawn because national parliaments thought that the European Commission had extended its powers unnecessarily with its proposed plans for a European Public Prosecutor's Office. Despite the yellow card, the proposal is being pushed through by the Commission. The House of Representatives has appointed a rapporteur to work on behalf of the House, together with the other parliaments that drew the card, to convey the House's position to the Commission; namely, to withdraw the proposal or to adjust it. Moreover, the rapporteur will hold discussions on what the consequences of drawing a yellow card should be. With this, national parliaments are showing that they are serious about the subsidiarity test. This second case on the creation of a European Public Prosecutor's Office is extremely important, as it is about safeguarding parliament's own powers. But it is not just about where parliament's influence ends and that of Brussels begins; it is also about how parliaments engage in the 'follow-up'. If parliaments, also by guiding their governments at the Council, fail to show that they are serious about the proposal, the yellow card will be a dead instrument.

Moreover, it is important for national parliaments that draw a yellow card to be heard by the Commission. Not in order to get their way *per se*, but in order to have a good debate and be able to make the right assessment. Besides subsidiarity, the discussion about the Public Prosecutor's Office is also largely about proportionality. The House's objection to the European Public Prosecutor's Office is centred on the way it has been interpreted by the European Commission; in the meantime, the House has put forward an alternative proposal.

The experiences of parliament and the European Commission with the handling of reasoned opinions and the two yellow cards suggest

that in practice, improvements are being made. In 2014, the House of Representatives is commissioning external research into the functioning, impact and effectiveness of the yellow card procedure, the results of which will be presented on the anniversary of the Treaty of Lisbon in December. In advance of the results, one can already say that in practice, the eight-week period is hardly long enough to complete the procedure in one's own parliament, let alone long enough for adequate coalition-building. For this purpose, the delegation from the House of Representatives will submit a twofold proposal to COSAC. First, the parliaments should agree, in the interparliamentary cooperation, to consider together, in good time, those legislative proposals that on the basis of a first appraisal are considered to be priorities and that qualify for a subsidiarity test. This could be based, for example, on joint coordination of responses to consultation documents, if the parliaments can already make a first appraisal of green and white papers during this drafting phase.

Second, in close cooperation with the group of 41 (European Affairs chairpersons) that is to be set up, a standard paragraph should be developed that could serve as the opening paragraph of every reasoned opinion (subsidiarity objection from a national parliament), so that the European Commission would immediately be able to see that the submission concerned an objection in the framework of the yellow card procedure. At present, every parliament uses its own letter or form, which allows the European Commission to assess whether or not a yellow card is involved.

The House of Representatives is favourable to the idea of a 'green card', which parliaments, in a form of joint action, could use to propose new European policies to the European Commission. This would include the possibility of a proposal to amend or revoke existing legislation. Here one should note that nothing stands in the way of parliaments making such a proposal now. A group of countries that is gathered around a theme (cluster of interest) could draw a green card.

The idea of introducing a 'red card' – a test at the end of the decision-making process, which could lead to an agreement that has been reached by the Council and the European Parliament being rejected by a majority of national parliaments – is hampered by legal objections. After all, such cases involve a legitimate European decision; although many opportunities for steering the process still remain in the follow-up phase. Parliaments must engage in timely monitoring in the drafting phase and when legislation is being addressed, however, and this report discusses the instruments that are needed to do this.

4.2. Cooperation with the European Parliament

As the British House of Lords writes in its report on the role of national parliaments, the role of the latter must not become stronger at the expense of the European Parliament.^{xxi} However, cooperation

between the two can certainly be improved. From the 1970s until the mid-1990s, there was a broad consensus that the House of Representatives (only) had to be active if the European Parliament failed to act. As soon as the European Parliament gained more powers, the House stepped back.^{xxii} Since a report by the Committee on Working Procedures in 1985, however, which led to the establishment of the Committee on European Affairs, the House has simultaneously made thorough use of its own 'scrutiny' (monitoring at the Council) and active role regarding EU proposals.^{xxiii} This does justice to the fact that the House of Representatives and the European Parliament each have their own role to play in European policymaking. Both are responsible for monitoring European policymaking and the citizen's link with 'Europe'. In this, MPs and members of European parliamentary groups are not each other's competitors, but natural allies. It is good to acknowledge that in recent years, the Advisory Council on International Affairs' recommendation that the House should ensure that 'MEPs are more frequently involved in their duties' has been complied with through various initiatives (working visits, meetings and information exchange).^{xxiv} In addition to the dossier-related visits by rapporteurs, the annual debate on 'the State of the European Union' is an opportunity for a strategic debate on Europe between the government, MPs and MEPs. The visiting MEPs value the livelier organisation of this debate, achieved (notwithstanding the constitutional limits) by leaving some room for questions and interruptions. The European parliamentary groups (to be newly elected) have the task of increasing cooperation with national parliaments. Many improvements can still be made with regard to this. To give two examples: first, the drawing of the yellow card by a large number of parliaments opposed to the proposal for a European Public Prosecutor's Office provoked few questions and little to none discussion in the European Parliament. This was a missed opportunity for exploring the new role of parliaments and the possibility of collectively improving the Commission's proposal. Second, intensifying the discussions with MEPs who hold rapporteurships (or shadow rapporteurships) on European legislation can lead to better insights on both sides into the handling of the dossier concerned. In recent years, at the invitation of parliamentary committees, a handful of rapporteurs have contributed to a discussion or debate.^{xxv} There is no routine as of yet, however, and the invitation policy is limited to the 26 Dutch MEPs. Although this in itself helps to increase the visibility of MEPs in the Netherlands, there is nothing to prevent non-Dutch MEPs from being invited. The videoconferencing facilities that both the House and the European Parliament possess, along with an increasing number of national parliaments, offer an opportunity for this.^{xxvi}

4.3 Scrutiny from the media and interest groups

MPs can do a great deal themselves in order to increase their understanding and hold on Europe; this is what this report is about. But parliaments function in the heart of society, and the benefits

can also flow from the 'outside in'. For instance, companies and organisations have a lot of very important information about upcoming European legislation, and have an ear for European affairs. It is good if this information can be delivered by stakeholders to MPs in timely fashion, for example by calling for attention to European interests just before a meeting about a (European) Council, or immediately upon the publication of a new EU proposal. These social questions can stimulate MPs to use their instruments, as is also the case when debating domestic legislation.

Instruments such as petitions and other citizens' initiatives also help MPs to get social concerns on the agenda. At the end of 2013, a citizens' initiative on 'No transfer of powers without a referendum' led to a round-table discussion and a debate in the plenary chamber that attracted a great deal of attention from society.

The media play an important role in the societal debate on Europe. Just as with 'national' politics, good journalists keep MPs on their toes with questions prior to, during and after European decision-making. If the active role played by parliaments remains unreported in the press, politicians will be less inclined to take an active approach. If journalists are closely involved in European affairs and are as well acquainted with the toolkit of the House of Representatives as they are with its café, more attention will be paid to the House's role in the area of European decision-making. Parliament has the task of involving journalists more actively in the workings of Europe, by pointing them towards important debates and inviting them to accompany them to and report on meetings of parliaments.

5. Recommendations

Increasing the House of Representatives' involvement in the European decision-making process and improving cooperation with national parliaments on Europe will contribute to better representation of European voters. Together with the use of stronger accountability mechanisms, this can enhance the legitimacy of European policymaking.

In the framework of this rapporteurship, by means of valuable input from colleagues, experts and participants in the Internet consultation on the House of Representatives' website, ideas were gathered on how to improve parliament's timely, adequate and shared approach to EU dossiers. The ultimate objective of this is to achieve a stronger hold on Europe. This report reflects our findings, but above all, it is also a starting point for further discussion.

A number of recommendations are presented for each phase. In the input phase, the focus is mainly on more insight and input in the stage of drafting European dossiers, which presents a number of opportunities. While the European Commission has 'the power of the pen' in this phase, this does not mean that the Commission has a monopoly on good ideas. National parliaments can follow the example of interest groups and companies and contribute ideas to the birthplace of future national legislation.

In the output phase, the House of Representatives must make more use of existing instruments and available information to exercise its supervisory responsibilities. This includes holding discussions with invited MEPs, Commission experts and parliamentary delegations. It also means putting its own documentation in order, giving more insight into how dossiers are being dealt with at the European and national levels, both internally and on the website.

In the cooperation phase, a new playing field has been created, thanks to the Treaty of Lisbon. To the amazement of both friend and foe, an effective process of parliamentary bandwagoning has resulted in two 'yellow cards'.^{xxvii} The House will seize upon the fifth anniversary of the Treaty of Lisbon, in December 2014, to draw lessons for more efficient cooperation in future.^{xxviii} This report already makes a number of recommendations, so that parliaments can find each other more quickly. The House has a special reason for wanting to get to know its European colleagues quickly, as it will be hosting the EU Presidency in 2016. Besides the Presidency and hosting the (informal) Councils, the parliaments of the member states will also assemble in the Netherlands. The Presidency offers opportunities for agenda-setting and cooperation. With this, it will be a unique moment for addressing the recommendations made in this report.

Steering input	
1.	<p>An overview of consultations, green and white papers and newly published EU proposals to become a permanent agenda item in the procedure meetings of the relevant parliamentary committees</p> <p>What: green and white papers to be routinely included on the agendas of procedure meetings, after which a decision can be made regarding the parliamentary (committee) response, and a first subsidiarity test can be done. If the subsidiarity test is positive, a start can be made on organising a coalition of other parliaments</p> <p>How: to be put on the agenda by the secretariat and decision on approach to be made by the committee</p> <p>Planning: ongoing after approval of report</p> <p>Budget: none</p>
2.	<p>A permanent EU rapporteur for each parliamentary committee and allocation of rapporteurs for EU dossiers considered to be priorities</p> <p>What: appointment of rapporteurs, who are responsible for both acquiring and summarising information for the parliamentary committees, to keep the House of Representatives up-to-date on developments in priority dossiers</p> <p>How: set up ad hoc project committee from committee secretariats involved in EU issues (Finance, Economic Affairs, Security & Justice, Infrastructure & Environment), which elaborates proposal on EU rapporteurs, also on the basis of the findings of recent official evaluation of rapporteurships</p> <p>Planning: set up ad hoc committee in June, proposal Q4 2014</p> <p>Budget: civil service time budget</p>
3.	<p>More attention to be paid to mid-to-long-term planning for upcoming proposals, also in the run-up to the EU Presidency in 2016 in indications from civil service and information from government</p> <p>What: based on parliamentary priorities, put proposals on agenda and take initiatives for streamlining subjects that are important to the Netherlands for decision during the Presidency in 2016</p> <p>How: use the agenda of the standing parliamentary committees to establish priorities, by analogy with handling of the Commission's programme of activities</p> <p>Planning: draft during procedure meeting in June</p> <p>Budget: none</p>
4.	<p>Also for the purposes of the Dutch EU Presidency, House to give input to newly elected MEPs for hearings of candidate Commissioners and to the new College of Commissioners regarding potential priorities</p> <p>What: draft questionnaire with suggestions for newly elected MEPs with questions on the substantive priorities of potential candidate Commissioners and their working methods in relation to, e.g., subsidiarity tests, and pass on these suggestions to other parliaments at COSAC</p> <p>How: questionnaire to be drafted by standing Parliamentary Committee on European Affairs</p> <p>Planning: draft during procedure meeting in June</p> <p>Budget: none</p>
Steering output	
5.	<p>(Non-Dutch) EP rapporteurs to be routinely invited in relation to the handling of EU dossiers</p> <p>What: invite rapporteurs</p> <p>How: via the agenda of procedure meeting of various parliamentary committees, take decisions on inviting rapporteurs (via EU advisors supporting various clerks)</p> <p>Planning: ongoing after approval of report</p> <p>Budget: none</p>

<p>6. Government to be requested to make structural improvements to quality of annotated agendas (e.g., through standard format for a sketch of the European play of forces) and post-Council accountability</p> <p>What: letter with proposal to Minister of Foreign Affairs regarding information provided in general meeting, among other things</p> <p>How: letter drafted by standing parliamentary committee on European Affairs</p> <p>Planning: after approval of report</p> <p>Budget: none</p>
<p>7. With regard to internal flow of documents (ongoing content development of Parlis) and for the website, give insight into how EU proposals are dealt with and influenced up to and including their implementation in national policy/legislation</p> <p>What: draw up business case and project plan focused on expanding effectiveness of the House in EU by means of transparent handling of dossiers</p> <p>How: ad hoc project committee from committee secretariats, plenary secretariat (Parlis) and ICT services</p> <p>Planning: draft after approval of report</p> <p>Budget: civil service time budget (possible budget for ICT adjustments)</p>
<p>8. EU knowledge programmes to be offered more emphatically to all new staff at the House of Representatives (parliamentary groups/officials)</p> <p>What: personal invitation from chair of the standing parliamentary committee on European Affairs covering summons and the utility and necessity of the course</p> <p>How: via standing parliamentary committee on European Affairs</p> <p>Planning: draft after approval of report</p> <p>Budget: European Affairs secretariat time budget</p>
<p>9. Increased use of shared technical briefings spokespersons/European affairs spokespersons</p> <p>What: when parliamentary committee on European Affairs forwards European issues, for major and/or priority dossiers add suggestion of shared briefing</p> <p>How: decision on shared technical briefing via standing parliamentary committees, whereby the 'specialist committee' is in the lead</p> <p>Planning: ongoing after approval of report</p> <p>Budget: none</p>
<p>Cooperation</p>
<p>10. For all incoming and outgoing working visits to and from the House of Representatives, information exchange on European working methods and priorities to be made a permanent agenda item</p> <p>What: in preparation for working visits, focus on and reserve time for information exchange</p> <p>How: call to the attention of all committee staff preparing for EU working visits, coordination via standing parliamentary committee on European Affairs</p> <p>Planning: ongoing after approval of report</p> <p>Budget: none</p>
<p>11. House delegation to COSAC to realise the role of the (secretariat of) meeting by developing tools such as telephone/e-mail lists and active exchange through social media and website</p> <p>What: send letter with proposal to COSAC and presentation of report during COSAC</p> <p>How: via standing parliamentary committee on European Affairs</p> <p>Planning: draft after approval of report</p> <p>Budget: none</p>

<p>12. House of Representatives to make structural contribution regarding space for interactive discussion and/or (multiple) side meetings in the COSAC programme, article 13 and other interparliamentary meetings</p> <p>What: actively point standing committees towards COSAC, with invitation to take initiative or to attend side meetings</p> <p>How: via standing Parliamentary Committee on European Affairs</p> <p>Planning: ongoing after approval of report</p> <p>Budget: none</p>
<p>13. At least twice per year, House to take initiative on ad hoc interparliamentary meetings ‘clusters of interest), also in preparation for the EU Presidency in 2016</p> <p>What: letter to standing parliamentary committees recommending the development of proposals, plus an initiative on the part of the standing Parliamentary Committee on European Affairs, e.g. on red card</p> <p>How: via standing Parliamentary Committee on European Affairs</p> <p>Planning: ongoing after approval of report</p> <p>Budget: to be formulated as a result of concrete initiative</p>
<p>14. House of Representatives to organise a cluster of interest on potential changes to the scope and thresholds of the current procedure whereby national parliaments test subsidiarity, in preparation for making essential legal changes to it</p> <p>What: initiative to be presented at COSAC in Athens, June 2014; House of Representatives to organise a first meeting in autumn of 2014</p> <p>How: decision-making on actions of delegation to COSAC, procedure meeting in June</p> <p>Planning: meetings to be organised</p> <p>Budget: to be determined in project plan</p>
<p>15. In consultation with group of 41 (European Affairs committee chairs of national parliaments, to be established), House delegation to COSAC to initiate development of standard opening paragraph of reasoned opinion in order to achieve an efficient procedure</p> <p>What: letter with proposal to fellow parliaments</p> <p>How: via standing Parliamentary Committee on European Affairs</p> <p>Planning: draft after approval of report</p> <p>Budget: none</p>
<p>Evaluation</p>
<p>16. The conclusions and recommendations in this report and its predecessor, ‘Bovenop Europa’ [Scrutinising Europe] (2011), to be evaluated in February 2015, with an eye to potential focusing/adjustments for the purpose of the EU Presidency 2016</p> <p>What: evaluation of status quo recommendations from ‘Ahead in Europe’ and ‘Scrutinising Europe’</p> <p>How: survey and interviews with committee chairs and clerks, by evaluation committee from standing Parliamentary Committee on European Affairs</p> <p>Planning: February 2015</p> <p>Budget: secretariats’ time budget</p>

Appendices

Appendix I. Methodology

This report is based on a process of advancing knowledge, to which many people contributed during the term of the rapporteurship on democratic legitimacy (October 2013 – May 2014). The rapporteur worked on the basis of a position paper that, after being approved by the committee on European Affairs, was passed in plenary on 5 November. A public Internet consultation was held in the autumn of 2013. Via the website of the House of Representatives, dozens of citizens and experts gave their input on the role of the House in European policymaking. In January 2014, an animated discussion was held with a number of contributors and journalists in the Smoking Room of the House of Representatives.

The rapporteur spoke a number of times with the President of the House of Representatives and the spokespersons on European Affairs at the House of Representatives and the Senate, and with various official staff. The Party for Freedom (PVV) remarked that in their view, Europe lacks any legitimacy. Legitimacy can only be gained if the Netherlands leaves the European Union.

In November, a videoconference was held with the British House of Lords, and the rapporteur spoke with an incoming delegation of Swedish parliamentarians. During working visits to Brussels, discussions were held with Luuk van Middelaar and Richard Corbett from the Van Rompuy Cabinet, with the Dutch MEPs Bas Eickhout (GL), Hans van Baalen (VVD) and Corinne Wortmann-Kool (CDA), and with Andrew Duff (UK/Lib Dem), among others. Discussions were also held with Marianne Klingweiler, repl. Secretary General of the European Commission, and with Sonia Piedrafita and Steven Blockmans of the Centre for European Policy Studies think tank. During a working visit to Dublin, a discussion took place with Dominic Hannigan, the chair of the committee on European Affairs at the Irish parliament, the Oireachtas, and the official secretariat, also in the framework of the preparations for the Dutch EU Presidency in 2016.

In Paris, the rapporteur spoke with Mme Danielle Auroi, chair of the committee on European Affairs at the French National Assembly, with the members and staff of the committee on European Affairs in the French Senate, and with the EP Information Offices and the European Commission.

In Rome, the rapporteur was received at the Senate by Mario Chiti, the chair of the committee on European Affairs at the Italian Senate, and by members of the official secretariat. Among others, he spoke with Natali Tocci of the Istituto d'Affari Internazionali and Pier Pietro Dastoli, chair of the European Movement in Italy.

The Dutch embassies in Brussels, Paris, Dublin and Rome were extremely helpful with setting up the foreign working visits, and the rapporteur would like to thank them and all of the contributors for

their role in the realisation of this report. The exchange of ideas with the British House of Lords and the Danish Folketing was extremely constructive. A special word of thanks must go to the secretariat of the standing Parliamentary Committee on European Affairs, for the long hours that were worked to bring about this report.

Appendix II. Example of best practice: sharing priorities

Parliaments that publish their selection of political priorities from the Commission's programme of activities at www.IPEX.eu

Programme of activities for 2014

UK: House of Lords and House of Commons
Sweden
Czech Senate
Lithuania
The Netherlands (House of Representatives)

Programme of activities for 2013

UK: House of Lords and House of Commons
Sweden
Czech Senate
The Netherlands (Senate and House of Representatives)

Appendix III: Mandate of the rapporteur on democratic legitimacy

1 Mandate for activities, timeframe

The objective of the rapporteurship on 'democratic legitimacy in the EU' is to reach, in the autumn of 2013, and thus in an early stage, a broadly based standpoint for the House of Representatives on a number of current issues, to help with determining its position and its contribution to the European discussion. It thus concerns in particular the issues that relate to the role of national parliaments in policymaking in the European Union, and the question of whether and how their role in developments that were set in motion by the Treaty of Lisbon (2009) might be further strengthened. On the basis of this common position, in the coming six months, an attempt will be made to influence the national and European discussion in the direction chosen by the House of Representatives. The findings and recommendations of the process will be set out in a final report that can serve as a basis for further presentation. Finally, it is clearly not possible to separate the abovementioned discussions, namely those on the role of the European Parliament in the relationship between the citizen, governance and Europe, from the elections for the European Parliament in May 2014.

This ambition can be made more concrete through the following activities:

Contribution of parliamentary groups to the questions in the appendix

In the appendix, you will find a list of questions on four key points relating to democratic legitimacy in the EU. It is proposed that these questions should be put to the parliamentary groups by e-mail, with an input date of 10 October, in order to build up a picture of the current play of forces in national politics.

Internet consultation

An Internet consultation will be held via the website of the House of Representatives. In this, citizens and interested parties will be asked to contribute inventive and concrete solutions to narrow the democratic gap between citizens and the European legislator.

Position paper

The input from the parliamentary groups and the Internet consultation will be translated into a position paper, which can be put to the procedure meeting/EU for decision on 17 October. The first moment for presentation will be the meeting of EU committees in Vilnius, the COSAC meeting, on 27-29 October 2013.

Letter to Cabinet, general meeting on questions in the appendix

During the procedure meeting held on 12 September last, the decision was made to request a Cabinet appraisal which, also drawing on information from the diplomatic network, would address the cur-

rent discussion in the member states regarding the development of the role of national parliaments in Europe and the EP and the minister's vision on this. The questions in the appendices will be put before the Cabinet, with an eye to having these answered prior to a general meeting in November 2013 (to be planned), to which you had agreed earlier at your procedure meeting.

Discussions with third parties

During the inventarisation phase, the rapporteur will hold discussions in the Netherlands and abroad with Dutch MEPs, among others. The questions in the appendix will also be put on the agenda of the regular six-monthly talks between the committee on European Affairs and Dutch MEPs, to be scheduled in November or December.

Discussions are anticipated with representatives from other national parliaments in the EU, including, in any case, the members of the British House of Lords in the framework of their parliamentary investigation into the role of national parliaments in the EU; the Danish EU chair Eva Kjer Hansen, in the framework of her recent Green Card proposal; and one or two other parliaments in Eastern/Central/Southern Europe that have a distinctive position in relation to the context of the problem. As far as possible, these discussions will be held at the margins of scheduled meetings, such as the COSAC meetings.

During a working visit to Brussels with representatives of the European institutions, including, in any case, the European Commission and the European Parliament.

Reporting (end of rapporteurship)

The rapporteur will deliver the findings and recommendations to the House in a final report in mid-2014.

Proposal: the committee on European Affairs agrees to the timeframe and organisation of the rapporteur's planned activities.

Preconditions/budget for rapporteurship

The budget from the committee on European Affairs is not sufficient to cover the costs relating to the rapporteurship, including travel costs (also for travelling support staff, when necessary). A solution is to use a budget that has been specifically earmarked for this. This should be requested from the Presidium, or, if it concerns the budget for interparliamentary relations, from the Secretary-General.

Appendix IV: Key questions on democratic legitimacy in the EU

The role of national parliaments

How would you assess the role of national parliaments in European decision-making? (Indirect influence through supervision of government; direct influence on subsidiarity)

Beyond the above-named direct and indirect tasks, can you see additional roles/tasks for the national parliament in influencing proposed European policy (green and white paper phase)?

Do you think that the national parliament has enough information to be able to fulfil this role?

The House of Representatives' set of instruments

Yellow card

How do you assess the effectiveness of the current yellow-card procedure?

In your view, is the input period for national parliaments (eight weeks from the time of publication) long enough? If not, how long should it be?

Do you think that the scope of the subsidiarity test should be extended with a test on proportionality and legal grounds?

Should the current threshold for a yellow card (one-third of the national parliaments, which is with 28 member states comes out at 19 parliaments) be lowered? Should a mechanism be designed whereby also in the case of fewer negative reactions, the Commission would commit to providing a substantive response or action?

What suggestions do you have for improvement?

Green card

What is your position on a possible new power for national parliaments, which would allow them, for example, in a form of joint action, to submit initiatives for new EU policies, to amend EU policy or to drop existing EU legislation?

NB see on this, for example, the recent Green Card proposal by the Danish EU chairperson in the Folketing.

Other

Which suggestions for other instruments or other powers do you see for strengthening the role of national parliaments in the EU? E.g. joint thematic meetings, permanent coalitions on themes, decision-making process ('late card'), joint coordination of responses to consultation documents.

3. Cooperation with the European Parliament and between national parliaments themselves

How do you assess the current cooperation between national parliaments and the European Parliament? In your view, what could be done better?

How do you assess the cooperation between parliaments themselves (COSAC, interparliamentary meetings, bilateral discussions), and what suggestions do you have for improvement?

What opportunities do you see for strengthening this cooperation in future, in light of the relationship between citizens, national governance and Europe?

4. Other questions

What other suggestions or initiatives would you propose to strengthen the role of national parliaments in the European decision-making process?

What would be needed for this (treaty change; interinstitutional agreement; informal coalition-forming).

Endnotes

ⁱ When this report refers to ‘the EU’ or ‘European governance’, it means the European and national politicians and officials who work in the daily interplay between member states and Brussels policy forums. The lack of familiarity with this largely invisible interplay (when does a national politician become a European politician? And what does that mean for his/her behaviour?) is part of the problem.

ⁱⁱ The analysis of legitimacy in this report is based on the report by the Dutch Scientific Council for Government Policy (WRR), ‘Europa in Nederland’ [Europe in the Netherlands] (The Hague: 2007). It also draws on the valuable contributions of many experts and individuals who were involved in bringing about this report (see Appendix 1: Methodology).

ⁱⁱⁱ Council of State: Verzoek om voorlichting inzake de verankering van de democratische controle bij de hervormingen in het economisch bestuur in Europa ter bestrijding van de economische en financiële crisis [Request for information concerning the establishment of democratic supervision of reforms to economic governance in Europe to combat the economic and financial crisis]. The Hague: January 2013.

^{iv} Advisory Council on International Affairs: Nederland en het Europees Parlement [The Netherlands and the European Parliament], The Hague: November 2012.

^v House of Representatives, Conceptmandaat van de rapporteur democratische legitimiteit in de EU [Draft mandate for the rapporteur on democratic legitimacy in the EU], 33750-V-36, 3 October 2013. House of Representatives, 2013-2014, Eerste gezamenlijke standpunt over democratische legitimiteit [First common position on democratic legitimacy], brochure: Democratic legitimacy in the European Union – work in progress, January 2014.

^{vi} House of Lords: The Role of national parliaments in the European Union, London: March 2014; Danish Folketing: 23 recommendations for a strengthened role of national parliaments, Copenhagen, January 2014.

^{vii} Many experts have written on the ways in which parliaments work in Europe, but to date, few have addressed the connection between parliament and voters/citizens: ‘In fact, we know hardly anything about whether and how individual MPs, political parties, or legislatures as institutions “link” with their electorates in EU affairs. Do parliaments inform the public about European matters? Are EU issues debated in plenary and are these debates covered by the media? Do MPs and political parties use publicly accessible control mechanisms like parliamentary questions or confidence votes in EU matters? Are citizens approaching MPs with requests or concerns about the EU? Do MPs defend constituency interests in EU affairs – if yes, how is this done? Do political parties and their parliamentary groups have specific mechanisms for interacting with their supporters in EU affairs?’. Katrin Auel and Tapio Raunio (ed., 2013) in National Parliaments, electorates and EU affairs, Vienna: IHS paper no. 129.

^{viii} House of Representatives, 2002–2003 session, 28 632, no. 1.

^{ix} Bovenop Europa, evaluatie van de versterkte EU ondersteuning van de Tweede Kamer [Scrutinising Europe, an evaluation of increased EU support from the House of Representatives], 2010-2011 session, 32762, no. 1.

^x Democratic legitimacy has also become a topic of discussion at the European Parliament. A report by the rapporteur Casini was discussed in April 2014, in the final plenary meeting of the period in Strasbourg. Report on the relation between the EP and national parliaments, 2014. The report contains many recommendations on joint meetings and visits, with a central focus on the importance of the former institution in particular. The German academic Jurgen Habermas, with whom the rapporteur corresponded in the autumn of 2013, also points to the importance of the European Parliament as the place for deliberating European interests.

^{xi} The COSAC meeting of EU spokespersons regularly devotes reports to the working methods of the 41 Houses of the participating parliaments. See <http://www.cosac.eu/documents/bi-annual-reports-of-cosac>.

^{xii} In the recent report by the AIV, ‘Towards legitimate European cooperation: working on trust’, the complexity of the European Semester is described in more detail, and reference is made to the way parliament handles it in various specialist committees. In 2014, a working group from the Parliamentary Committee on Governmental Expenses is developing a vision on ‘The national budget law in parliamentary perspective’.

^{xiii} Kester, J. and M. van Keulen (2011), De Tweede Kamer-methode. Versterkte parlementaire invloed op EU-besluitvorming [The House of Representatives’ method. Increased parliamentary influence on EU decision-making]. In: RegelMaat, vol. 26 no. 6, pp. 303-314.

^{xiv} See appendix for overview of the politicians, officials and experts that were consulted.

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- ^{xv} See, for example, references to the activism of the Dutch parliament in C. Heffner et al.: National parliaments, their emerging control over the European Council, Notre Europe policy paper 89, May 2013, and the joint research by EU think tanks, Legitimising EU Policymaking: : What Role for National Parliaments? Bertelsmann Stiftung, the European Policy Centre (EPC) and the Centre for European Policy Studies (CEPS) in 2014.
- ^{xvi} Rood, J.Q.Th, Nollen, S.J., Keulen, M. van and Arts, G. (2005), Nederland en de totstandkoming van EU-milieurichtlijnen [The Netherlands and the emergence of EU environmental directives], report, The Hague: Clingendael Institute.
- ^{xvii} See appendix for a list of interviews.
- ^{xviii} Both institutions have useful monitors that clarify the status of legislation. See Prelex (<http://ec.europa.eu/prelex/apcnet.cfm?CL=nl>) and OEUIL (<http://www.europarl.europa.eu/oeil/home/home.do>).
- ^{xix} See Appendix II.
- ^{xx} Schout, A. et al. From subsidiarity to better governance, CEPS paper no. 10, April 2014.
- ^{xxi} House of Lords, The role of National Parliaments in the European Union; 9th Report of Session 2013-14, London.
- ^{xxii} Compare the observation of the Committee on Working Procedures in 1985: 'The real strengthening of parliamentary supervision will be at the community level, and thus should take place through the European Parliament.' Proposal on the House of Representatives and European decision-making, House of Representatives, 1985-6 session, 19336 no. 3.
- ^{xxiii} Keulen, M. van (2014), Parlement en Europa, van arena tot tegenmacht. De ontwikkeling van het Europadebat in het Nederlandse parlement [Parliament and Europe, from arena to countervailing power. The development of the European debate in the Dutch parliament]. In: H. Vollaard, Voerman and Van der Harst, Lemma Publishers, to be published in 2014.
- ^{xxiv} AIV report, The Netherlands and the European Parliament, The Hague, 2012, p. 36.
- ^{xxv} In 2008, rapporteur Buitenweg on the draft directive on equal treatment; in 2009, rapporteur Corbey on EU policy on medicines; in 2012, rapporteur Gerbrandy on biofuels and MEP Brok on the banking union; in 2013, rapporteur Sargentini on the fourth directive against money-laundering. There is also the regular participation of EP delegation chairmen in the annual State of the Union debate.
- ^{xxvi} These facilities are already used in sporadic fashion for contact with Brussels and the capital cities. For example, in November 2013 a videoconference on EU scrutiny was held with the House of Lords, and in April 2014 with the European Commission on an EU proposal on cloning.
- ^{xxvii} Cooper, Ian (2013), A yellow card for the striker, how national parliaments defeated an EU regulation, EUCE 2013, available online at www.euce.org/eusa/2013/papers/12g_cooper.doc.
- ^{xxviii} To be carried out by external researchers, supervised by an internal feedback group, the Office for Government Expenses and EU staff, between May and December 2014. Compare the decision by the Presidium of the House of Representatives, 5 April 2014.

