

Source: European Centre for Parliamentary Research and Documentation

On 29 September 2020, the French National Assembly (*Assemblée Nationale*) submitted request 4520 to the ECPRD network. The request sought to determine whether national Parliaments held a plenary debate on the occasion of meetings of the European Council. The request received 27 replies, sent by 24 EU Member states' national Parliaments and Chambers¹.

The responses to this request highlighted a number of different practices in the EU member states, which ranged from never holding a plenary in connexion to a European Council meeting to systematically holding one before and after each meeting. The details of national regulations as well as the form taken by exchanges on this topic vary greatly from parliament to parliament.

Parliaments generally holding a plenary debate	Parliaments generally not holding a plenary debate	Discussion taking place in the committee in charge of European affairs
Croatia, French Senate, Germany (Bundestag), Greece, Hungary, Ireland (Dáil), Netherlands (Tweede Kamer), Portugal, Spain (Congress and Senate), Sweden	Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France (Assembly), Germany (Bundesrat), Latvia, Lithuania, Netherlands (Senate), Poland, Romania, Slovenia (Council and Assembly)	Austria, Belgium, Hungary, Czech Republic, Denmark, Estonia, Finland, France (Assembly), Latvia, Germany (Bundestag), Netherlands (Senate), Slovenia (Assembly)
<p>In Hungary, the plenary debate is a possibility but is not systematic. In the Dutch Senate, there is a yearly debate. In Bulgaria, there is the possibility of holding a non-binding hearing of the PM in National Assembly on position of Republic of Bulgaria in forthcoming sittings of European Council. In the German Bundesrat, European Council issues can be discussed upon request of a Land. If a Land requests it, the government has to provide replies to questions.</p>		

No plenary debate

The majority of national Parliaments do not, or only rarely, hold a plenary debate to discuss a meeting of the European Council. This concerned 16 member states: Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany's *Bundesrat*, Latvia, Lithuania, the Dutch Senate, Poland, Romania, and both Slovenian chambers.

However, almost all chambers indicated that such debates do take place in other settings, namely in the relevant parliamentary committee rather than in the plenary. Cyprus, Lithuania, Poland, Romania and the Slovenian Council gave no further detail.

Debates in the relevant committee

A very common practice across most parliaments taking part in the survey was that the European Affairs Committee plays a key role in the process leading up to and following meetings of the European Council. This was particularly important for chambers not systematically holding plenary debates regarding European Council meetings, as listed above.

¹ Italy and Malta did not reply.

The boundary between plenary and committee work is not always clear-cut. For instance, the Czech Republic and Estonia indicated that the positions expressed by their committee in charge of European affairs on such matters were considered to be the opinion of the plenary (Czechia), or were at least expressed on behalf of the plenary (Estonia).

Legal value of the committee's position

Another variable element was timing and legal effect of the committee's position. In Austria, the Czech Republic, Estonia, Latvia and Slovenia, the relevant committee is consulted *before* a European Council Meeting. In Estonia, the committee is tasked with defining the position of the government, while in Latvia and Slovenia it approves a position prepared by the government itself.

In Denmark, Finland and in the Dutch Senate, the committee in charge of European affairs is consulted *both before and after* each Council meeting. In Finland, the mandate provided to the Prime Minister before each Council meeting by the 'Grand Committee' is politically binding.

Plenary debates

Ten national Parliaments indicated that it is customary for them to hold plenary debates in connexion with meetings of the European Council. Among these parliaments, the most common practice was holding a plenary debate *after* each meeting: this is the case for Croatia, Greece, Spain, Sweden, and Hungary. Usual practice and the degree to which it is regulated, however, varied strongly from one Chamber to the other. In Spain, both the Congress and Senate are legally required to hold these debates. In Greece and Hungary, this is more of an established practice. That also applies to Croatia, whose Prime Minister has started reporting to the plenary after each Council Meeting even though he is not legally required to do so.

The German *Bundestag* and Irish Senate go one step further and often hold plenary debates both *before and after* each meeting of the European Council. For Germany, the *Bundestag* should be informed in writing and orally of every topic which will be discussed in Council, before and after each meeting. Accordingly, there are regular plenary debates on the topic. As for Ireland, Standing Orders require that statements are taken before and/or after European Council Meetings.

The least common practice is holding a plenary debate before a European Council meeting. This is what the Portuguese *Assembleia da República* does, as well as the Dutch *Tweede Kamer* and French *Sénat*. It is however worth noting that both these chambers have – and regularly make use of – the possibility of holding further plenary debates regarding European affairs on other occasions.

Conclusion

In one way or another, all parliaments that responded (and gave more detail than a yes/no answer) have a mechanism at their disposal to enter into dialogue with their government regarding the European Council meetings. The means employed (plenary debate, questions to the government, committee opinion) and the degree of oversight afforded to parliament may differ, but the possibility always exists.

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