To Mr. Martin Schulz

 President of the European Parliament

 Rue Wiertz 60

 B-1047 Brussels

Binnenhof 1a

2513 AA Den Haag

Postbus 20018
2500 EA Den Haag

T 070 318 23 07

E  cie.biza@tweedekamer.nl

www.tweedekamer.nl

 date The Hague, 1 February 2016

 subject On communication shortcomings regarding the transmission of the Proposal for aCouncil decision adopting the provisions amending the Act concerning the election of the members of the European Parliament by direct universal suffrage to the national Parliaments

Dear Mr. Schulz,

We the undersigned chairs of the competent Committees of national Parliaments of the European Union are writing you to express our concern for the way the European Parliament has transmitted its draft legislative proposal on the reform of the Electoral Act (EP-resolution T8-0395/2015, file number 2015/2035) to us.

You are aware, on 11 November 2015 the European Parliament adopted a resolution and a proposal for a Council decision, based on Article 223 TFEU, adopting the provisions amending the Act concerning the election of members of the European Parliament by direct universal suffrage (electoral act reform proposal). This proposal constitutes a draft legislative act as specified in Article 3 of Protocol 2 to the Lisbon Treaty. According to Article 2 of Protocol 1 and Article 4 of Protocol 2 to the Lisbon Treaty, draft legislative acts originating from the European Parliament shall be forwarded to national Parliaments directly. Then, within eight weeks of a draft legislative act being made available to national Parliaments in the official languages of the Union, any national Parliament or chamber has a right to issue a reasoned opinion concerning the subsidiarity of the proposal.

In this particular instance, national Parliaments were notified of the adoption of the draft legislative act by the EP not just much later than the Council, but also on different dates to each other, sometimes without the actual text of the proposal, and in some instances only via the IPEX system for the dissemination of documents. In fact some national Parliaments have still not received the transmission letter either by hard-or soft copy.

On this occasion, for whatever reason, the European Parliament failed to send the legislative proposal to the national Parliaments within the provisions of Protocol 1 and 2 of the Lisbon Treaty. As a result, national Parliaments were hampered in the exercise of their rights under the Treaty.

We, the national Parliaments are requesting you to provide us with an explanation for the failure of the European Parliament to transmit this proposal as a draft legislative act, in accordance with the provisions of Protocols 1 and 2. Furthermore, we ask you to take appropriate steps to ensure that this situation does not occur again.

We look forward to receiving a response to this letter and certainly before Tuesday, 16 February 2016.

Yours sincerely,

|  |  |  |
| --- | --- | --- |
| Ms. P.A. DIJKSTRAChairwoman of the Committee on the InteriorTweede Kamer der Staten-Generaal |  |  |
| Mr. J. TAVERNE*Rapporteur European Electoral Act* | Tweede Kamer | Netherlands |
| Prof. J.W.M. ENGELS*Chairman of the Committee for the Interior**and High Councils of State/General Affairs and**the Household of H.M. the King* | Eerste Kamer | Netherlands |
| Mr. O. BENEŠÍK*Chair of the Committee on European Affairs* | Poslanecká snĕmovna | Czech Republic |
| Mr Václav HAMPLChairman of the Committee on EU Affairs | Senát | Czech Republic |
| Ms. D. AUROIChair of the Committee on European Affairs | Assemblée nationale | France |
| Mr. J. BIZETChair of the Committee on European Affairs | Sénat | France |
| Dr. R. HÖRCSIK*Chair of the Committee on European Affairs* | Országgyűlés | Hungary |
| Mr. M. McCARTHY, TD*Chair of the Joint Committee* *on the Environment, Culture and the Gaeltacht* | Dáil Éireann and Seanad Éireann | Ireland |
| Ms. L.ČIGĀNE*Chair of the European Affairs Committee* | Saeima | Latvia |
| Hon. L. BUSUTTIL*Chair of the standing Committee on Foreign* and European Affairs | Kamra tad-Deputati | Malta |

|  |  |  |
| --- | --- | --- |
| Ms. I. KLOC*Chair of the European Union Affairs Committee* | Sejm | Poland |
| Prof. M. ROCKI *Chairman of the Foreign and EU Affairs Committee*  | Senat Rzeczypospolitej Polskiej | Poland |
| Mr. B. DE VASCONCELOS*Chair of the Constitutional Affairs, Rights, Freedoms* *and Guarantees Committee* | Assembleia da República | Portugal |
| Ms. R. BASTOS*Chair of the European Affairs Committee* | Assembleia da República | Portugal |
| Sir W. CASH*Chairman of the European Scrutiny Committee* | House of Commons | United Kingdom |
| Lord T. BOSWELL*Chairman of EU Select Committee* | House of Lords | United Kingdom |