



Tweede Kamer

DER STATEN-GENERAAL

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 a Council 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



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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. DIJKSTRA

*Chairwoman of the Committee
on the Interior*
Tweede Kamer der Staten-
Generaal

Mr. J. TAVERNE

Tweede Kamer

Netherlands

*Rapporteur European Electoral
Act*

Prof. J.W.M. ENGELS

Eerste Kamer

Netherlands

*Chairman of the Committee for
the Interior
and High Councils of
State/General Affairs and
the Household of H.M. the King*



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Mr. O. BENEŠÍK Poslanecká sněmovna Czech Republic

*Chair of the Committee on
European Affairs*

Mr V. HAMPL Senát Czech Republic

*Chairman of the Committee on
EU Affairs*

Ms. D. AUROI Assemblée nationale France

*Chair of the Committee on
European Affairs*

Mr. J. BIZET Sénat France

*Chair of the Committee on
European Affairs*

Dr. R. HÖRCSIK Országgyűlés Hungary

*Chair of the Committee on
European Affairs*

Mr. M. McCARTHY, TD Dáil Éireann and Seanad Éireann Ireland

*Chair of the Joint Committee
on the Environment, Culture
and the Gaeltacht*

Ms. L. ČIGĀNE Saeima Latvia

*Chair of the European Affairs
Committee*

Hon. L. BUSUTTIL Kamra tad-Deputati Malta

*Chair of the standing
Committee on Foreign
and European Affairs*



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