

Work of the Saeima after entering into force of the Treaty of Lisbon

With the entering into force of the Treaty of Lisbon, the role of national parliaments in the European Union's decision-making process will increase significantly. The Saeima will henceforth provide reasoned opinions about EU's draft legislative acts by assessing whether the EU's legislative initiatives comply with the principles of subsidiarity and proportionality.

The Treaty of Lisbon¹ simplifies and improves the decision-making procedure in the EU, and it precisely defines and separates competences of the EU and member states. Moreover, the Treaty changes the EU's institutional structure and grants the EU the status of a legal entity. The Treaty, for the first time, also provides a procedure according to which a member state can withdraw from the EU.

How is the involvement of national parliaments in the EU's legislation process enlarged?

The Treaty of Lisbon provides greater opportunities for national parliaments to get involved in drafting the EU's legislative acts. The parliaments of member states ensure that proposals and legislative initiatives comply with the principles of subsidiarity and proportionality².

It means that national parliaments have the opportunity at the beginning of drafting an EU legislative act to assess whether its goals could be achieved more successfully on a lower level, i.e., on the legislative level of member states.

In order to ensure the involvement of parliaments in assessing the EU draft laws, parliaments of all 27 member states receive the EU's new draft legislative acts simultaneously with other EU institutions. After evaluating the draft legislative act, parliaments give a reasoned opinion thereof, which is sent to the European Commission, the EU Council and the European Parliament.

After receiving reasoned opinions issued by national parliaments, the European Commission may decide to maintain, amend or withdraw proposals. Opinions of the European Commission, as well as of the national parliaments, are submitted to the EU legislator – the EU Council and the

¹ The Treaty of Lisbon (Treaty on European Union and the Treaty on the Functioning of the European Union) was signed on 13 December 2007. On 8 May 2008, the Saeima ratified the Treaty; on 1 December 2009, the Treaty entered into force.

² The principle of subsidiarity prescribes that decisions must be taken at the lowest possible administrative level, i.e., as close to citizens as possible. Within the context of EU law, this principle envisages the division of spheres of responsibility between EU and its member states. The principle of proportionality states that the extent of any EU action must be limited to what is necessary to achieve the set goal.

If at least one-third of the parliaments (parliaments of nine member states) submit a reasoned opinion on a draft legislative act's non-compliance with the principle of subsidiarity, the relevant legislative initiative has to be reviewed. A legislative act concerning security and justice-related issues must be reviewed if at least seven national parliaments object to it.

European Parliament. Before concluding the first reading, the EU legislator considers whether the legislative proposal is compatible with the principle of subsidiarity by taking particular account of the reasons expressed.

If, by a majority of 55% of the members of the EU Council or a majority of the votes cast in the European Parliament, the legislator is of the opinion that the proposal is not compatible with the principle of subsidiarity, the legislative proposal is not given further consideration.

How does the Treaty of Lisbon affect the work of the Saeima?

The Rules of Procedure of the Saeima set forth that the Saeima participates in EU affairs through the European Affairs Committee unless the Saeima has ruled otherwise. The process for assessing EU's draft legislative acts envisaged by the Treaty of Lisbon also provides opportunities for other Saeima committees to participate more actively in the decision-making process concerning EU-related issues.

The Saeima's opinion on the compliance of EU's legislative initiatives with the principles of subsidiarity and proportionality is prepared by the European Affairs Committee. After receiving a draft law, the Committee sends it to the relevant Saeima line committee and line ministry with the request to provide a reasoned opinion. **Within eight weeks after receiving an EU draft legislative act, the European Affairs Committee, on behalf of the Saeima, submits an opinion to the European Commission, EU Council and the European Parliament** on whether the respective legislative initiative complies with the above-mentioned principles.

The Treaty of Lisbon also envisages more active involvement of parliament in scrutinising the work of several EU institutions (Europol, Eurojust, the Court of Auditors). After publication of annual reviews of the above-mentioned institutions, persons who represent Latvia in these institutions will present these annual reviews in the European Affairs Committee and relevant line committees of the Saeima.