

STATEMENT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, DR LOUIS GALEA

PARLIAMENT'S SCRUTINY FUNCTION ON EUROPEAN UNION MEASURES

The Speaker of the House of Representatives, Dr Louis Galea, refers to recent articles in some sections of the media regarding the Maltese Parliament scrutiny function on European Union measures. Contrary to the impression given by these reports, the Maltese Parliament is very active in assiduously and carefully analysing all European Union measures, including Commission proposals and is currently up to date in this exercise.

Since September 2006 until May 2009 (the period commencing from the Barroso Initiative), 1,040 EU documents, accompanied by Explanatory Memos on Malta's position as approved by the Ministry concerned, the Inter-Ministerial Committee and Cabinet, have been scrutinised by Parliament through its Standing Committee on Foreign and European Affairs (Working Group 1 in particular) and its Standing Committee on Social Affairs.

1,013 documents were cleared, while 74 were cleared only after further information in response to questions raised by the Parliamentary Committees. Parliament still awaits further information from Ministries on 27 documents. Working Group 1 of the Foreign and European Affairs Committee, and the Social Affairs Committee meet regularly and are up to date with the discussion on such documents, which are first analysed by Parliament's analysts and then presented for discussion by the Members. A further 615 EU documents were scrutinised by Parliament between June 2004 and August 2006, prior to the Barroso initiative.

The Maltese Parliament system of scrutiny, like that of the House of Commons, is set up to address the positions taken by the Malta Government in the European Union and therefore is fundamentally based on a Malta Parliament-Government relationship and not on a direct relationship with the European Commission. It does not, to date, have a set-up parallel to that in each and every Ministry of Government, to analyse all documents independently of Government's position.

Furthermore, for the first time this year, the Foreign and European Affairs Committee of the House of Representatives has taken part in the experimental subsidiarity exercise carried out by COSAC, the Conference of Community and European Affairs Committees of Parliaments of the European Union, and has opined that COM (2009) 338, a Proposal for a Council Framework Decision on the right to interpretation and to translation in criminal proceedings, represents "an instance of overregulation and duplication since the matter is already sufficiently uniformly regulated by each individual member state in accordance with an agreed common standard, as set out in the European Convention for the Protection of Human Rights (forming part of the general principles of law in EU Law) and the Human Rights Charter, to be given legal effect on ratification of the Treaty of Lisbon."

Past and the current Chairman in office of the Foreign and European Affairs Committee have made representations on the issue of the setting up of the necessary permanent infrastructure for Parliamentary analysis with regard to the issue of subsidiarity, to complement the current analysis set-up.

I raised this issue in the House Business Committee and that Committee is currently examining how to secure a permanent solution to this issue in view of the possible ratification of the Lisbon Treaty which will give powers to national parliaments in this regard. This, then, would be a set-up which would be based on a direct relationship between the Malta Parliament and the European Commission.

Members of Parliament have attended numerous meetings organised by the European Parliament with National Parliaments, although there have been times when Parliamentary commitments in Malta have prevented such participation.

The Foreign and European Affairs Committee holds regular sessions with the Permanent Representative of Malta with the European Union to review the annual work programme of the Commission and the general work carried out by the Representation in Brussels.

As to a Parliamentary officer accredited in Brussels to the European Parliament, this is a proposal I fully support but which can only be put into effect if Parliament received the necessary financial support in its budgetary allocation.

These facts show how committed, through its work, the Maltese Parliament is to engaging in EU matters, a far cry from the impression given by a recent press report and subsequent comments. Of course, more can be done, and it is right that we continue to strengthen our infrastructure in order to meet new challenges such as the ratification of the Lisbon Treaty when the Barroso Initiative, up to now a unilateral Commission measure, will come into its own and be given a proper legal basis particularly with regard to the issue of subsidiarity.

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