

October 2002

# The EU and democracy in the Nordic Region

European Affairs

Committees in

Finland,

Sweden

and Denmark



# INTRODUCTION

Historically, Sweden, Finland and Denmark have had differing viewpoints and experiences in relation to the national supervision of their Governments' EU policies. Denmark joined the EC in 1973, whereas Sweden and Finland became members of the EU in 1995. From the start of its membership of the EC, Denmark introduced a system of close coordination of EU policy between the concerned specialist ministries and the Folketing by means of a special committee - the European Affairs Committee - the task of which was to supervise the actions of Danish Ministers in the Council.

The same philosophy lay behind the establishment of the Swedish Advisory Committee on EU Affairs in the wake of Sweden's taking up membership of the EU. In Finland there was also a desire for parliamentary supervision of the Government's EU policies, but, instead of creating a new committee, it was decided to allocate new powers in EU matters to a traditionally powerful committee - the Grand Committee.

Both Sweden and Finland had an eye on the Danish model, but finished up developing their own models. Nonetheless, it makes sense to talk of a Nordic model of European Affairs Committees, as the basic principle that Parliaments exercise influence and supervision over their Governments on EU questions is the same. In all three countries it has also been stressed that EU questions are a matter for the whole Parliament.

This brochure is divided into the following parts: first a presentation of the legislative basis for the three European Affairs Committees; then an examination of the committees' work and powers, including granting of mandates, information flows, specialist committees and parliamentary representation in the EU; lastly the three Parliaments are reviewed for their cooperation with the European Parliament and the Commission, their cooperation with the Parliaments of the other EU member states and for the information on the EU they provide to their citizens. The final chapter deals with the secretariats to the three committees. Throughout the brochure, the emphasis is on the similarities between the three European Affairs Committees, though without neglecting the differences.

## LEGISLATIVE BASIS

### *Finland*

Finland became a member of the EU on 1 January 1995. In the Finnish Constitution of 2000 it is directly stated that the Finnish Parliament, EDUSKUNTA, must participate in the preparation of EU questions for which the Finnish Government is responsible.

According to the Finnish constitution, Parliament must participate in the consideration of all proposals for legislative acts, agreements or other obligations which are to be decided in the EU or which otherwise would fall within the Parliament's competence under the constitution. Under the principle of parliamentary responsibility, Parliament's decision on these matters is binding on the Government.

The Grand Committee is the Parliament's European Affairs Committee. Its primary task is to deal with EU matters, however alongside its EU work the Committee has in special circumstances an involvement in the consideration of national legislation. Normally it is the Grand Committee which formulates Parliament's opinion, except in matters relating to the EU's common foreign and security policies, where the Foreign Affairs Committee expresses Parliament's view under the same procedures as the Grand Committee.

The relevant provisions for Parliament's involvement in EU matters are stated in the constitution § 93, par. 2 and § 96:

#### **§ 93, par. 2**

*"The Government is responsible for the national preparation of the decisions to be made in the European Union, and decides on the concomitant Finnish measures, unless the decision requires the approval of the Parliament. The Parliament participates in the national preparation of decisions to be made in the European Union, as provided in this Constitution."*

#### **§ 96**

##### **Participation of the Parliament in the national preparation of matters relating to European Union matters**

*"The Parliament considers those proposals for acts, agreements and other measures which are to be decided in the European Union and which otherwise, according to the Constitution, would fall within the competence of the Parliament.*

*The Government shall, for the determination of the position of the Parliament, communicate a proposal referred to in paragraph (1) to the Parliament by a communication of the Government, without delay, after receiving notice of the proposal. The proposal is considered in the Grand Committee and ordinarily in one or more of the other Committees that issue statements to the Grand Committee. However, the Foreign Affairs Committee considers a proposal pertaining to foreign and security policy. Where necessary, the Grand Committee or the Foreign Affairs Committee may issue to the Government a statement on the proposal. In addition, the Speaker's Council may decide that the matter be taken up for debate in plenary session, during which, however, no decision is made by the Parliament.*

*The Government shall provide the appropriate Committees with information on the consideration of the matter in the European Union. The Grand Committee or the Foreign Affairs Committee shall also be informed of the position of the Government on the matter".*

## The Grand Committee of the Eduskunta

The Grand Committee was in existence before Finland became a member of the EU. It comprises 25 members and 13 substitutes taken from the Parliament's 200 members. The substitutes participate in the work of the Committee even when the permanent members are present. Influence on EU matters by the autonomous Åland is secured by having the Eduskunta member for Åland participate in the work of the Committee. The Committee is regarded as influential in Finland, as a number of leading politicians sit on it, including the chairs of other committees.

### Sweden

Sweden became a member of the EU on 1 January 1995. Sweden possesses four fundamental statutes and the so-called Government Act which lays down detailed provisions for the Swedish Parliament or RIKSDAG and its work. The Government Act is halfway between a constitutional statute and an ordinary act.

Under the Government Act, the Government is obliged to inform the Riksdag about all matters to be considered in the Council of the European Union. The Government shall hold consultations with the Advisory Committee on EU Affairs on the position Sweden is to take on important matters to be considered in the Council. The Advisory Committee on EU Affairs decides which matters are to be dealt with by consultation.

The central provision relating to the work of the Advisory Committee on EU Affairs is contained in § 5, par. 1 of Chapter 10 of the Act:

#### § 5, stk. 1.

*"The Government shall inform the Advisory Committee on EU Affairs of matters before the Council of the European Union. The Government shall also confer with the Advisory Committee regarding the conduct of negotiations in the Council prior to decisions which the Government deems significant, and on other matters which the Advisory Committee determines."*

## Advisory Committee on EU Affairs of the Riksdag

The Advisory Committee on EU Affairs was established to undertake the Riksdag's consideration of EU matters. The reason for choosing the name Advisory Committee on EU Affairs was to underline the fact that, unlike the other committees, this new body would not be examining proposals for decision by the Riksdag, but would be a consultative body. The Advisory Committee on EU Affairs has 17 members and 30 substitutes taken from the Riksdag's 349 members. Most of the members are leading representatives of their parties in the various specialist committees. The high number of substitutes is intended to permit also the smaller parties to participate in the Committee.

### Denmark

Denmark joined the EU (EC) on 1 January 1973. The question of subsequent parliamentary supervision of the Government's EU policies is not mentioned in the Danish Constitutional Act, and the Act on Denmark's Accession to the European Communities merely states that the Government is to inform



*Christiansborg castle seen from the Marble Bridge*

the European Affairs Committee of proposals to be decided by the Council which are of immediate applicability to Denmark or for the implementation of which the participation of the Danish Parliament, the FOLKETING, is necessary.

There are no statutes governing the procedures of the European Affairs Committee, but instead working procedures and competencies are laid down in so-called reports, which are agreements between the European Affairs Committee and the Government. The crucial provision on the Committee's authority is laid down in the first report of 1973:

*"The Government shall consult the Market Committee of the Folketing in questions relating to EC policy of a major importance so that the regard for the influence of the Folketing as well as the freedom to negotiate are respected.*

*Prior to negotiations in the EC Council of Ministers on decisions of a wider scope, the Government submits an oral mandate for negotiation to the Market Committee. If there is no majority against the mandate, the Government negotiates on this basis."*

The tasks of the European Affairs Committee are described in the Standing Orders of the Folketing in a list of committees' areas of responsibility:

*“Matters which are dealt with by the European Union and the WTO. The Committee coordinates the Folketing’s consideration of these matters.”*

### European Affairs Committee of the Folketing

The European Affairs Committee is one of the Folketing’s 25 standing committees. It comprises 17 members and 11 substitutes taken from the Folketing’s 179 members. Traditionally, members have been leading politicians and former Ministers.

### Creation, number of members, composition and frequency of meeting

|                          | Denmark  | Sweden   | Finland  |
|--------------------------|--|--|--|
| <b>Name</b>              | Europaudvalget (European Affairs Committee).   | EU-nämnden (Advisory Committee on EU Affairs).   | Stora utskottet (Grand Committee).   |
| <b>Creation</b>          | 11 October 1972.   | 1 January 1995.  | Originally 1906, but current tasks from 1 January 1994.  |
| <b>Number of members</b> | 17 permanent members and 11 substitutes.   | 17 permanent members and 30 substitutes from February 2001.  | 25 permanent members and 13 substitutes. Parliamentary member for Åland has a permanent place and speaking rights.   |
| <b>Composition</b>       | The parties are allocated places on the Committee relative to their strength in the Folketing. Members are appointed after every general election by the political parties and the committee is reformed at the start of each session. | At the start of each electoral period, the Riksdag decides on the number of members of the Advisory Committee on EU Affairs (at least 15). The Advisory Committee on EU Affairs reflects the parties’ strength in the Riksdag. | Eduskunta selects committee members to reflect party strength in the Eduskunta. However, each party (even the smallest) normally has at least one substitute place on the committee. |
| <b>Meeting frequency</b> | The Committee normally meets each Friday all year round, except in August. Extraordinary meetings are also held.   | The Committee normally meets each Friday all year round, except in August. Extraordinary meetings are also held.   | The Committee meets every Wednesday (mainly U and E cases) and Friday (mainly for hearings with Ministers).  |

## Areas of responsibility

### Proposals from the European Commission (pillar I)

Common to all three European Affairs Committees is that they may consider all proposals for legislative acts from the European Commission, regardless of subject. Committee members must therefore deal with many different topics, from tobacco advertising and gene-modified foodstuffs to competition policy, transport and development aid. They are aided by the fact that members of the European Affairs Committees often have wide experience from their work on other committees.

### Committee decisions

Only in Denmark does the Government's obligation to inform the European Affairs Committee and to obtain a mandate also include proposals for the Commission's implementation instruments which can be adopted under the so-called committee procedures, in the event that the Government judges that the proposals are of substantial importance. The consideration of proposals for legislative acts from the Commission proceeds under the same guidelines as for cases adopted in the Council of Ministers. Due to the short time limits for committee consideration, information items are often only presented to the European Affairs Committee in written form, but if the Government is to present a mandate for negotiation in a committee case of major importance, this may only be done at a meeting of the European Affairs Committee.

In Sweden and Finland, the Advisory Committee on EU Affairs or Grand Committee may demand to be informed about a proposal for a legislative act from the Commission.

### Topics and proposals relating to EU's common foreign and security policy (pillar II) and Justice and Home Affairs (pillar III)

With regard to the consideration of cases relating to intergovernmental cooperation on the EU's common foreign and security policy, the Committees are organised slightly differently.

In Sweden the rule is that the Advisory Committee on EU Affairs deals with all areas of EU cooperation, including the common foreign and security policy. Meetings with the Minister on questions falling under the second and third pillar must as far as possible be conducted under the same guidelines as for the first pillar. In other words, in principle the Government must obtain a mandate from the Advisory Committee on EU Affairs in these cases too. Under the Danish Constitution Act § 19, Par. 3, the Government must confer with the Foreign Affairs Committee (*Det Udenrigspolitiske Nævn*) in cases of major foreign policy importance (*corresponding provisions for the Swedish Utrikesnämnd*). Some of these cases are considered in the Council of Ministers and therefore these cases are considered in both the Foreign Af-



*Statue of P.E. Svinhufvud in front of Eduskunta*

fairs Committee and in the European Affairs Committee. The Danish Government is however only obliged to confer with the European Affairs Committee over these cases - not to submit a mandate for negotiation, although the Government has in fact several times chosen to follow this path.

In Finland, § 96 of the Constitution prescribes that proposals relating to foreign and security policy are considered in the Foreign Affairs Committee.

With regard to the third pillar (Home and Justice Affairs), in Sweden and Finland these cases are primarily considered by the Advisory Committee on EU Affairs and the Grand Committee. In Denmark the Government discusses the third pillar cases with both the Legal Affairs Committee and the European Affairs Committee. Mandates for negotiation are only submitted to the latter committee. In Finland the Grand Committee always operates on the basis of recommendations from another committee, in this case the Legal Affairs Committee and the Administration Committee.

## The European Council

All the European Affairs Committees are involved in meetings of the European Council. In all three countries the Prime Minister presents reports to the European Affairs Committees in person prior to and, in the case of Finland and Denmark, also after participating in meetings of the European Council. In Sweden, the Prime Minister does not report personally to the Advisory Committee on EU Affairs after European Council meetings, but instead the assembled Riksdag is usually given an oral account with the opportunity to ask questions and make comments.

## Intergovernmental Conferences and treaty negotiations

In all three countries, the Government briefs the European Affairs and Foreign Affairs Committees ahead of Intergovernmental Conferences (IGC). IGCs are continuously monitored by the committees. In Sweden there are normally also telephone conferences between the Advisory Committee on EU Affairs and the Minister of Foreign Affairs or the Prime Minister's closest associates during the final ne-

gotiations at IGCs. The Prime Minister briefs the committees ahead of IGCs and also afterwards, but in Sweden reporting back is done to the whole Riksdag in the Chamber.

In all three countries, both the European and Foreign Affairs Committees are briefed ahead of IGCs. In Sweden and Denmark, the European Affairs Committees are responsible for granting mandates, while in Finland both the Grand Committee and the Foreign Affairs Committee are able to present the Government with politically binding mandates for negotiation.

In Denmark the European Affairs Committee is also responsible for preparing the Folketing’s resolutions on the approval and adoption of changes to the treaty basis. This is unlike Sweden and Finland, where the Foreign Affairs Committees are responsible for preparing parliamentary decisions on the approval and adoption of changes to the EU’s treaties.

## WTO and trade policy

In Denmark, the Folketing has decided that the consideration of WTO cases shall also fall within the scope of the European Affairs Committee, as is stated explicitly in the Standing Orders of the Folketing. WTO cases are presented under the same criteria as EU cases. In Sweden WTO cases are dealt with in the Advisory Committee on EU Affairs if they relate to the EU’s common trade policy, while the Grand Committee in Finland has a permanent sub-committee for WTO affairs.

## Implementation of directives

Implementation of directives from the EU often requires national legislation. It is true of all three European Affairs Committees that they do not participate in the subsequent consideration of the laws under which EU legislation is implemented, but that the preparation of these laws is carried out under the normal national legislative procedure.

Areas of responsibility and authority

|                               | Denmark   | Sweden   | Finland  |
|-------------------------------|---|--|--|
| <b>Area of responsibility</b> | EU and WTO.   | EU (in Sweden WTO is mostly regarded as falling within the EU sphere).   | EU and certain national legislative issues (in Finland, WTO is mostly regarded as part of the EU sphere).  |
| <b>Competence</b>             | The primary role of the European Affairs Committee is to provide a mandate for the Government’s EU and WTO policies. The mandate is politically (legally?) binding. | The primary role of the Advisory Committee on EU Affairs is to provide a mandate for the Government’s EU and WTO policies. The mandate is politically binding. | The Grand Committee’s most important task is to determine Finland’s negotiating basis in relation to the proposed Council Acts lying within the Parliament’s competence. |

# WORK AND AUTHORITY

## Mandates

The primary task of the European Affairs Committees in all three countries is to provide a mandate for the relevant specialist Minister who is to represent the country in the Council. The starting point for all three committees is that this is only a political mandate. However the question has been raised in Denmark whether the provisions in the European Affairs Committee's reports, having been followed with extreme accuracy for a lengthy period, should be recognised as not merely political but also as legally binding provisions.

The actual granting of the mandate occurs in much the same way in the three countries, which in principle all meet on the Friday before the coming week's Council meetings. The Ministers who are to represent the country on the Council are obliged to brief the European Affairs Committees in person at a committee meeting prior to the Council meeting. The Minister presents the Government's position on the EU questions to be discussed at the Council. The Committee members then have the opportunity of commenting on the mandate for negotiation.

The chairs of the three committees conclude the debate. In all three committees no formal vote is normally taken on the mandates for negotiation. Instead, at the end of the discussion the chair summarises the majority view on the basis of the contributions from the different political parties. In Sweden and Finland a formal vote may be held (for instance, if it is unclear whether there is a majority behind the Government's view). In Denmark there is subtle difference: the Government need not have a majority behind its policy but may not have a majority against it.

With respect to the timing for the mandate there is a difference between the three countries. In Finland the mandate to negotiate is granted before the consideration of the proposals in the Council's working groups, whereas in Denmark and Sweden this is done on the Friday before the next week's Council meetings. In Finland too, the Minister attends the Committee on the Friday before the next week's Council meetings, but this is to allow a final parliamentary check of the Government's position and the mandate on cases not yet decided by the Council.

The reason for the mandate in all three countries is to ensure that a majority in Parliament is not opposed to the Government's EU policy. Especially in Denmark, where there is a tradition for minority governments, political legitimacy is strengthened by the rule that the sitting government must not have a majority against it. Not even a majority government can be sure of a majority in the European Affairs Committee. In Sweden there is also a long tradition for minority governments consisting of a single party, whereas in Finland in recent times there has been more of a tradition for broad majority coalition governments.

In practice it is very rare for Ministers not to obtain their negotiation mandates. Normally the committee will try to have the mandate altered at the actual meeting if it is unsatisfactory. The fact that

Ministers mostly get their negotiation mandates does not mean that the European Affairs Committees are without influence, as to a certain extent governments feel obliged to take account at an early stage of the opinions they can expect to encounter in the committees.

In Finland Ministers have the option to depart from their mandates, for instance to achieve an advantageous compromise. In this event they must subsequently explain their actions to the Grand Committee.

## Information from the Government to the European Affairs Committee

Central to the European Affairs Committee's power to influence and supervise their Governments' EU policies is a high level of information. In all three countries there are permanent institutionalised procedures controlling the way the Government informs the committees.

### *Prior to Council meetings*

In Sweden the Government must continuously inform the Riksdag of events within the sphere of EU cooperation (Government Act Chapter 10 § 1). The Government is obliged to inform the Riksdag on its views on those of the Commission's proposals which the Government judges to be of substantial importance. This is usually effected by the circulation of memoranda which give the content of the Commission's proposals for important legislative acts, explain how Swedish legislation will be affected and give the Government's provisional position on the proposals. Green and White Papers and the Commission's notifications of proposals for new important legislative acts are also presented in memoranda. In Sweden memoranda must be sent to the Riksdag no later than five weeks after the Commission has issued its proposal. The Government must also forward an annotated agenda for coming Council meetings containing relevant information and the Government's proposal on the Swedish position no later than Monday in the same week that the Advisory Committee on EU Affairs holds its meeting on Friday.



*The meeting room of the European Affairs Committee of the Danish Parliament*



*The Swedish Riksdag*

Under the Finnish Constitution, Parliament must participate in the national consideration of EU decisions which would otherwise fall within the Eduskunta's competence. The Government must send all the Commission's proposals "without delay" to the Speaker of the Eduskunta if the legislation is such that it would otherwise have been enacted by the Eduskunta. These cases are called "U-cases". Along with the EU documents, the Government must send a memorandum containing a description of the document and the Government's position on it. U-cases are considered in the various specialist committees in the same way as for bills. The specialist committees report to the Grand Committee on U-cases and the Grand Committee determines the position of the Eduskunta

on their basis of these reports. The Grand Committee reviews its position if the Minister's mandate for negotiation gives grounds for this.

Apart from U-cases, the Eduskunta also receives information on other matters which the Government considers to be of substantial importance, or on which the Eduskunta itself requests information. These cases are called E-cases. The definition of which proposals are E-cases is thus primarily negative, i.e. it is cases which fall outside the Parliament's normal competence or which do not contain actual legislative proposals, but which are nevertheless regarded as important. E-cases are considered in the same way as U-cases in the Eduskunta, but the Grand Committee only rarely sets out its own formal position in these cases, which are normally within the Government's sphere.

In Denmark the same duty to inform applies as in Finland and Sweden. Under the Danish Accession Act § 6 Par. 2. of 1972, "*the Government shall inform the European Affairs Committee of the Folketing about proposals for decision in the Council which will be immediately applicable in Denmark, or for the enactment of which, action on the part of the Folketing will be necessary*". Apart from the Accession Act, the information flow from the Government to the European Affairs Committee is governed by the Committee's reports. According to these, the Commission's proposals and other important documents must be sent to the European Affairs Committee as soon as possible after they have been translated into Danish. The Government is also obliged to prepare special reports, the so-called basic memoranda, for the European Affairs Committee regarding the Commission's proposals. The basic memoranda contain a factual summary of the proposal contents, the implications for Danish legislation and a résumé of the hearing responses received from interest groups etc. The Government's position on the proposal is not given in the memorandum.

The time limit for basic memoranda has grown shorter over the years and today the basic memorandum - as far as possible - must be passed to the European Affairs Committee within four weeks of the Commission issuing its proposal. This also applies to proposals for legislative acts from the Commission which the Government regards as of substantial importance. Apart from basic memoranda, the Government must, prior to meetings of the European Affairs Committee also forward so-called topical memoranda and summary memoranda, which respectively give an account of the latest developments and summarise all the cases on the Council agenda.

#### *After the Council meetings*

After meetings in the Council, the Riksdag, the Folketing and the Eduskunta are entitled to written information on the course of the meeting (both formal and informal Council meetings), and what decisions were taken. The information contains the decisions taken at the meeting and their implications for the country. Members of the European Affairs Committees are also able to follow up on matters from previous Council meetings when meeting the Minister responsible in consultations (in Sweden, consultations always commence with an oral report of the previous Council meeting). In Sweden and Denmark, the Government is also obliged to prepare an annual report to the Riksdag/Folketing on developments in the EU, and in Finland the Government reports every six months in connection with the programme for the next EU Presidency.

## Information flows

| Information flows from: | Denmark   | Sweden   | Finland   |
|-------------------------|---|--|---|
| <b>The Government</b>   | All commission documents.   | All commission documents.  | All commission documents about U and E-cases.   |
|                         | Basic memoranda about all new draft directives, Green and White Papers and other proposals that the Government considers important (including committee cases). | Memoranda about important proposals. The Government's point of view is presented in the memoranda.         | Memoranda about all U-cases and most E-cases. The Government's point of view is presented in the memoranda. |
|                         | 4 week time limit for memoranda.  | 5 week time limit for memoranda.   | Memoranda to be provided "without delay".   |
|                         | Summary memorandum. The Government's point of view is not presented in the memorandum.  | Annotated agendas.   | Memoranda on each item on the agenda for the coming Council meeting.  |
|                         | Written account of Council meeting.   | Written and oral account of Council meeting.   | Written and oral account of Council meeting.  |
|                         | Annual progress report on EU matters.   | Annual progress report on development in the EU.   | Reports on particularly important and far-reaching projects.  |
|                         | Regular communications on certain particularly important and far-reaching issues (Convention/IGC etc.).   | Government communications on certain particularly important and far-reaching issues (Convention/IGC etc.). | Regular follow-ups on IGC and the Convention.   |
|                         | -   | Oral information in the Chamber.   | -   |
| <b>Other</b>            | Possible involvement of experts and interest groups.  | Possible involvement of experts and interest groups.   | Possible involvement of interest groups.  |
|                         | Permanent representative in Brussels.   | -  | Informal information from permanent representative in Brussels.   |

## Openness and access to information

Sweden, Finland and Denmark all give a high priority to openness in the decision-making process. Openness enables the public, including the media, to follow events in EU affairs.

Important to the strategy of openness is the use of the Internet as a medium for reaching the public. In all three countries, all material, including all meeting documents, is published on the Parliaments' website and /or EU Information Centre's website immediately after the meetings, unless classified as "confidential".

In all three countries the vast majority (at least 95%) of documents are public. Openness is greatest in Sweden, where for example, the shorthand records of European Affairs Committee meetings are normally made public within 14 days of the meeting. Parts of the record may however be classified “confidential” for reasons of Sweden’s negotiating tactics or other countries’ negotiating positions. In Denmark shorthand records are also made, but they are not made public, while selected memoranda from the EU consultant may also be internal. A so-called record of decisions is prepared which contains only a note of whether there was a majority against the Government’s mandate for negotiation or not and an indication of which parties came out against it. In Finland no shorthand records are made, but a short record of decisions is prepared and made public immediately after the meeting. On the other hand, Finland (also Sweden) issues a press release both before and after each meeting of the European Affairs Committee.

The actual committee meetings take place in closed session in all three countries, although in Denmark there have been experiments with open European Affairs Committee meetings, though not in connection with negotiation proposals from the Government. Similarly, in Sweden there are open interpellations for obtaining information via interventions and questions to members of the Government and experts.

## Specialist committees

In all three countries efforts are made to foster close cooperation with the specialist committees as an important part of attempts to optimise parliamentary consideration and supervision of EU matters. However, in Finland this cooperation is more institutionalised than in Denmark and Sweden.

### *Finland*

In the Finnish model cooperation with the Parliament’s specialist committees is laid down in the Constitution § 96 and § 97. Thus the task of the specialist committees is to make political recommendations to the Grand Committee on EU proposals relating to the committees’ areas of work. According to the Standing Orders of Eduskunta, the specialist committees’ consideration of EU questions has priority over other political matters, underlining the important role the specialist committees play in the EU decision-making process.

The specialist committees are kept informed via government memoranda of the Government’s provisional political position vis-à-vis the EU proposal, but when preparing their recommendation they may request an independent report on current EU issues. Similarly the specialist committees may obtain access to other official documents relevant to the consideration of an EU question. It is the task of the Government to provide the information requested without delay.

On the basis of the information from the Government and relevant contributions from experts, the specialist committees are obliged to prepare an *Opinion* for the Grand Committee. This Opinion should ideally be available at an early stage in the decision-making process, before the consideration of the question has started in the Council’s working groups. Several specialist committees may

issue an opinion on the same question and on average the specialist committees sent 148 written Opinions per year to the Grand Committee in the period 1995-99. In most cases the Grand Committee concurs with the specialist committee opinions.

The specialist committees are also involved in the on-going progress of the EU matters on which they have issued a report. The Government must therefore regularly brief the specialist committees on developments at EU level if the basic conditions for the specialist committee's first recommendations are altered.

Thus, by formal guidelines in both the constitution and the Standing Orders, the specialist committees in the Eduskunta are thus assured of a central place in the Finnish Parliament's consideration of EU matters, since the consideration of EU questions in the specialist committees is a compulsory part of the parliamentary consideration of EU questions.

#### Specialist committees, Members of European Parliament (MEPs) and openness

|   | Denmark   | Sweden   | Finland  |
|---|---|--|--|
| <b>Involvement of specialist committees</b> | <ul style="list-style-type: none"> <li>• Voluntary consideration of EU cases.</li> <li>• Opportunity for asking questions.</li> </ul>   | <ul style="list-style-type: none"> <li>• Specialist committees must follow developments in the EU within their work area.</li> <li>• Specialist committees are able to make recommendations to the Advisory Committee on EU Affairs.</li> <li>• The Foreign Affairs Committee is responsible for proposals to the Chamber on overlapping questions, e.g. annual reports or decisions on treaty alterations.</li> </ul> | <ul style="list-style-type: none"> <li>• Compulsory consideration of U-cases in specialist committees. As a rule E-cases are also considered in specialist committees.</li> <li>• Under the Constitution, all committees have unlimited rights to information, including on EU matters. Several specialist committees arrange monthly hearings of their Ministers on current EU developments.</li> </ul> |
| <b>Participation of MEPs</b>                | MEPs are not normally allowed to participate in meeting of the European Affairs Committee.  | MEPs are not allowed to attend Advisory Committee on EU Affairs meetings. However, the Advisory Committee may decide to permit MEPs and others to attend a meeting.  | MEPs are not entitled to attend meetings of the Grand Committee.   |
| <b>Openness</b>                             | <ul style="list-style-type: none"> <li>• Meetings of the European Affairs Committee normally take place in closed session.</li> <li>• The record of decisions is published.</li> <li>• Shorthand records are confidential.</li> </ul> | <ul style="list-style-type: none"> <li>• The Advisory Committee's meetings normally take place in closed session.</li> <li>• The shorthand record is published about two weeks after the meetings. Exceptionally parts of the record may be confidential.</li> </ul>   | <ul style="list-style-type: none"> <li>• The Grand Committee's meetings take place in closed session.</li> <li>• The record of decisions of the committee and the meeting documents are made public after the meeting.</li> </ul>  |



*Christiansborg castle, home of the Danish Folketing*

### *Denmark and Sweden*

Neither in Sweden or Denmark is it compulsory for the specialist committees to be involved. In both countries there have been calls for a closer and more wide-ranging cooperation between the Advisory Committee on EU Affairs or European Affairs Committee and the specialist committees. In Sweden this has resulted in a provision in the Government Act which explicitly charges the specialist committees with “following” work in the EU within their specialist area (Chap. 10 § 3). In Denmark the desire for greater cooperation is expressed in the European Affairs Committee reports.

In Denmark the specialist committees can (and in Sweden must) receive all relevant EU proposals and memoranda from the Government in their specialist area and in both countries the specialist committees may make recommendations to the European Affairs Committee/Advisory Committee on EU Affairs, which, however, has the decision-making authority. Alternatively, the specialist committees may approach the Minister directly and engage in consultations. The intention is that the specialist committees, as in Finland, take up the early consideration of EU cases and via recommendations to the committees or approaches to Ministers exert an influence on the Government’s EU policies.

## Parliamentary representation at the EU

As part of a policy to enhance the work of the national European Affairs Committees, Denmark and Finland have established schemes with a permanent representative at the EU. The aim is to guarantee the best possible information on EU matters to members of the European Affairs Committees and thus supplement the information flow from the Government.

### *The Folketing and Eduskunta in Brussels*

Since 1991 and 1995 respectively, the Folketing and the Eduskunta have had a representative at the EU with a permanent residence in Brussels. The task of the representatives is to report from the work of the European Parliament, the European Commission and the other EU bodies. This is done by issuing notes and brief publications etc. In simple language, the job of the representatives is to be the Parliaments' "eyes and ears" in the EU institutions, in order to ensure that the Parliaments are informed of EU initiatives as soon as possible. The Danish representative reports to the European Affairs Committee, but the memoranda returned by the representative are made public (on the EU Information Centre's web) and can thus be used by both the European Affairs Committee and the specialist committees. The Finnish representative is a part of the Eduskunta's EU secretariat and communicates with the Parliament and others via weekly newsletters on EU issues of interest to members of the Eduskunta. The weekly letter is also published on the Eduskunta website.

### Representation in Brussels and EU information

|                                   | Denmark   | Sweden   | Finland  |
|-----------------------------------|---|--|--|
| <b>Representation in Brussels</b> | The Folketing has had a permanent representative at the EU since 1991.  | The Riksdag has tried an experimental scheme with a representative at the EU. The experiment is currently being assessed.  | Eduskunta has had a representative in Brussels since 1995.   |
| <b>Information on the EU</b>      | The Folketing has had an EU Information Centre since 1994, the task of which is to provide neutral information on the EU to the general public. | Since 1996 the Riksdag has had an EU Information Centre with the task of providing factual and neutral information to the general public on the EU. The Government also carries on extensive information work on the EU. | The Eduskunta provides information on the EU as part of its external information function. The national EU Information unit currently operates under the Foreign Ministry, but there is discussion over whether this should be moved to the Eduskunta. |

### *Sweden*

Sweden has not established a scheme with a permanent representative in Brussels. During the Swedish EU Presidency the Riksdag did have a representative in the European Parliament, who like the Danish and Finnish representatives, had the task of gathering information. Experience from this scheme is the basis of an on-going discussion as to whether the Riksdag should set up permanent representation in Brussels.

## Relationship with EU institutions

### The European Parliament

#### *Denmark*

In Denmark the establishment of closer cooperation between the European Affairs Committee and the European Parliament has been discussed several times. In 1979 informal joint meetings were held but were unsuccessful, and the experiment lapsed after a few meetings. The attitude

of the Folketing has generally been that cooperation between the Danish members of the Folketing and of the European Parliament should mainly be conducted through the political parties.

To support this cooperation the Folketing has since 1979 forwarded all non-confidential documents from the European Affairs committee to the Danish MEPs. In 1999, the Folketing gave MEPs a new opportunity to forward proposed amendments and draft questions to Ministers for consideration by the Folketing's specialist committees or the European Affairs Committee. In the European Affairs Committee's last Statement of 2001, yet another attempt to build contacts between the two institutions was proposed, this time by joint meetings between the Danish MEPs and the members of the European Affairs Committee. Among other measures, MEPs are invited to hearings at the Folketing.

#### *Sweden*

Similarly, in the Swedish EU decision-making process no institutionalisation of information input from the Swedish members of the European Parliament has taken place. The Riksdag has on several occasions stated that contacts between the Riksdag and MEPs should not be formalised as the two



*An aerial view of the Swedish Riksdag*



*Statue in front of the Finnish Parliament, Eduskunta*

groups hold two different mandates which should not be confused. Contact with MEPs must take place primarily through the political parties. In recent times however it has become possible for specialist committees and the Advisory Committee on EU Affairs to invite MEPs to a meeting. Thus there are signs of increased opportunities for involving the European Parliament in the exchange of information.

#### *Finland*

With regard to the Finnish Parliament's cooperation and information exchange with the Finnish MEPs, this occurs, just as in Denmark and Sweden, primarily through the political parties. However, there are a few forms of institutionalised cooperation organised by the Eduskunta. The Grand Committee thus has two annual seminars with the Finnish MEPs at which current EU issues and the adoption of the EU budget are among the subjects discussed.

## The European Commission

From time to time the Commission publishes Green and White Papers dealing with a particular topic, such as transportation policy or energy supply security. Since 1996 the European Affairs Committee in Denmark has taken advantage of this and in cooperation with the relevant specialist committees organised hearings in connection with the Green and White Papers. At these hearings various players have the opportunities to give their opinions on the topic in question. Typical participants are interest groups, experts in the field, central administration, the specialist Minister and the political spokespersons. Alone among EU Parliaments so far, the Folketing has forwarded a hearing response to the Commission based on the responses received. The hearing response has the nature of a consensus statement but also contains a place for minority views. The Folketing's hearing response is not necessarily in agreement with that of the Government.

In Sweden hearings are held on general EU subjects, including Green and White Papers. In Finland Green and White Papers are typically treated as E-cases and the specialist committees' comments are in practice normative for the Government's hearing response.

## COSAC meetings

All three countries' European Affairs Committees participate in the COSAC cooperation, a meeting forum for the national Parliaments' European Affairs Committees and members of the European Parliament. COSAC stands for "Conférence des organes spécialisés dans les affaires communautaires", and since 1989 it has held meetings twice yearly.

The aim of the meetings is to exchange information and experience on EU work. The meetings last 1½ days and the agenda is prepared by the Parliament of the EU member state currently holding the Presidency in cooperation with the Parliaments from the previous and next country holding the Presidency and by a representative of the European Parliament. The country holding the Presidency hosts the event.

Items discussed at COSAC meetings may vary from topical matters to subjects of more principle nature, such as the role of the national Parliaments in the EU, openness in the EU etc.

# INFORMATION ON THE EU FOR CITIZENS

Both in Denmark and Sweden the Folketing and the Riksdag have established their respective information services and documentation centres, the primary task of which is to communicate and gather neutral and factual information on the EU for its citizens. Common to these information services are their very extensive websites with information on EU matters and especially on the national Parliament's consideration of EU matters. The EU information centres compose material on the EU, such as fact sheets, questions and answers and information leaflets.

The EU information centres operate so that citizens can ask questions by telephone, e-mail or personal visit. Most of the users are private citizens, but students and journalists make up a relatively large proportion of users. Questions typically relate to EU institutions and the national decision-making process in EU matters.

In Denmark, the EU Information Centre of the Folketing basically serves the general public, but also the Folketing's own members. In Sweden the Riksdag has its own internal briefing service which works in cooperation with the EU Information Centre.

In the Eduskunta an information officer is linked to the EU secretariat and has the task, partly in cooperation with the parliamentary library, of answering questions from the public, including journalists, about the EU and the Grand Committee's work. The internal servicing of members is, as in Sweden, dealt with by a briefing unit.

Common to all three Parliaments is that the information centres' work with regional and local European informants. A particular emphasis is laid on working with libraries.

## The Internet

Eduskunta library  
[www.eduskunta.fi/kirjasto/](http://www.eduskunta.fi/kirjasto/)

EU Information Centre of the Riksdag  
[www.riksdagen.se/eu](http://www.riksdagen.se/eu)

EU Information Centre of the Folketing  
[www.eu-oplysningen.dk](http://www.eu-oplysningen.dk)

### *Themed consultations*

As part of an attempt to improve public debate on the EU, the Danish European Affairs Committee has since 2001 held themed consultations on current or important topics in the EU area. To create the maximum attention, themed consultations have been transmitted on TV, radio or on the Internet or otherwise been channelled to the public.

# THE SECRETARIATS OF THE EUROPEAN AFFAIRS COMMITTEES

### *Finland*

In Finland's Parliament, the secretariats for the Grand Committee and the Foreign Affairs Committee are responsible for their respective committees' documentation and reporting. The Parliament's EU secretariat consists of the secretariats of the two committees plus staff from the parliamentary Information Unit (external information) and the Briefing Service (internal information). The EU secretariat is responsible for the Parliament's participation in parliamentary cooperation on EU matters and for the Parliament's contact with the EU institutions. In EU relations, the EU secretariat replaces the

Parliament's international unit. The Parliament's permanent representative in Brussels is also attached to the EU secretariat.

The EU secretariat has 15 permanent staff and a trainee (stationed in Brussels). To aid the Finnish Parliament's members of the Convention for Europe, a temporary task force has been established consisting of members of the EU secretariat and other units of the Parliament.

#### *Denmark*

The Folketing's European Affairs Committee is also assisted in its daily work by an EU Secretariat. The EU Secretariat is a part of the Folketing's administration and consists of five sub-units, each undertaking specific functions for the European Affairs Committee and the Folketing. The sub-units are the European Affairs Committee secretariat (committee secretaries), a consultant service, an information service, a representative at Brussels and a temporary Convention secretary.

The task of the committee secretaries is to service members of the European Affairs Committee, including preparation of agendas for the meetings of the European Affairs Committee, advice, planning of various arrangements and travel. The EU consultant service prepares political briefings for the European Affairs Committee on for example Green and White Papers, major policy areas or special Danish angles on EU material. The EU Information Centre provides information on the EU to the public, including the press. The EU Secretariat has in all 22 staff members and some eight part-time students.

#### *Sweden*

The Advisory Committee on EU Affairs also has its own secretariat. This consists of a head of secretariat and seven staff. The secretariat prepares complementary material for use in decision-making by politicians. It is also responsible for the administrative preparation, execution and follow-up of the Advisory Committee meetings. Further, the secretariat provides regular material on the work of the Advisory Committee for the media and assists the committee in its relatively wide-ranging contact with colleagues in other Parliaments.

Sweden's Riksdag, as with the Folketing, has an EU Information Centre with about 10 staff and a temporary secretariat for the use of the Riksdag's members in the Convention on Europe. In addition the Riksdag has an internal briefing service which all members of the Riksdag can use. However, all these units are formally independent of the Advisory Committee on EU Affairs.



*The Swedish Parliament, Riksdagen*



Eduskunta/Finlands Riksdag  
FIN-00102  
Helsinki  
Tel: (+358) 9 4321  
E-mail: [eduskunta@eduskunta.fi](mailto:eduskunta@eduskunta.fi)  
Web: [www.eduskunta.fi](http://www.eduskunta.fi)

SVERIGES   
RIKSDAG 

Sveriges Riksdag  
100 12 Stockholm  
Tel: (+46) 08-786 40 00  
Tel: (+46) 020 250 000  
E-mail: [riksdagen@riksdagen.se](mailto:riksdagen@riksdagen.se)  
Web: [www.riksdagen.se/eu](http://www.riksdagen.se/eu)



Folketinget  
Christiansborg  
1240 Copenhagen K  
Tel: (+45) 33 37 55 00  
Tel: (+45) 33 37 33 37  
E-mail: [euopl@folketinget.dk](mailto:euopl@folketinget.dk)  
Web: [www.eu-oplysningen.dk](http://www.eu-oplysningen.dk)