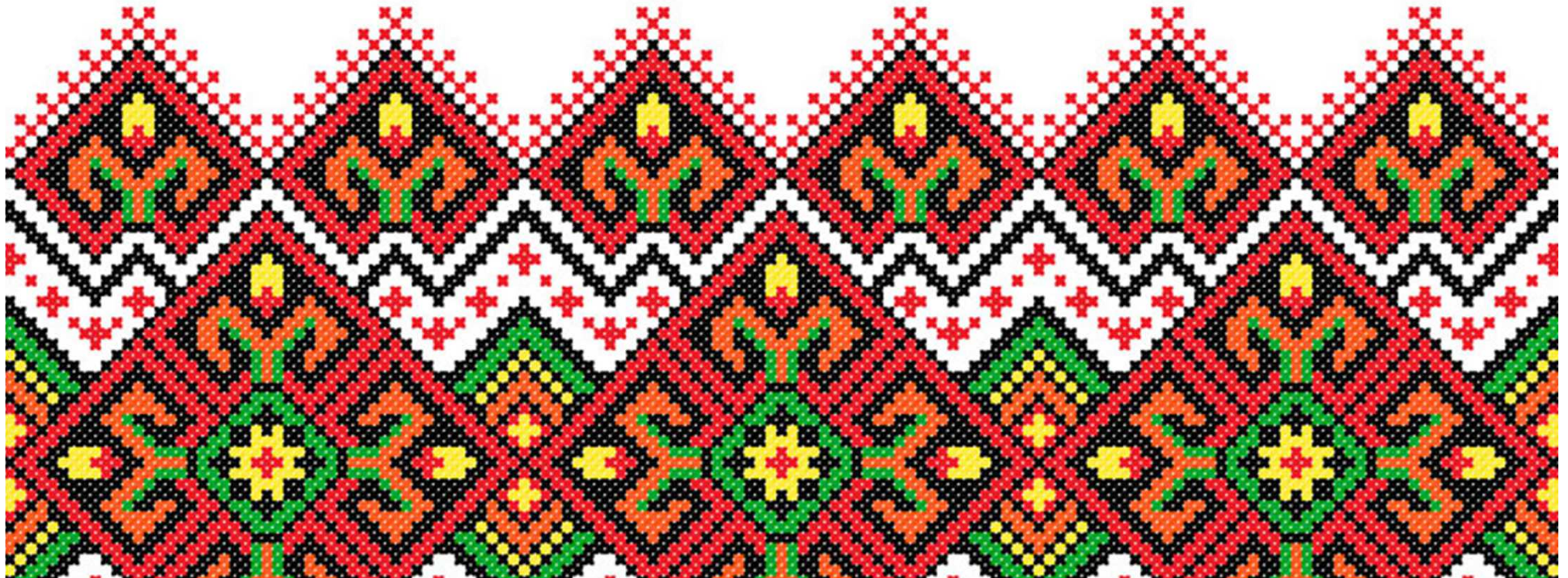


# **Nordic Programme for co-operation on legislative affairs 2015 - 2018**

Elín Flygenring





# The Nordic Story

“In the northern part of the Northern Hemisphere lives a relatively small group of people on large areas of land connected by an even larger area of water. This is a way to describe the Nordic region. However, to complete the picture, it must be added that the countries have together developed into welfare societies positioned among the leading economies in the world.”

*Extract from the Strategy for International Branding of the Nordic Region.*

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# The Nordic Region

Denmark

Iceland

Finland

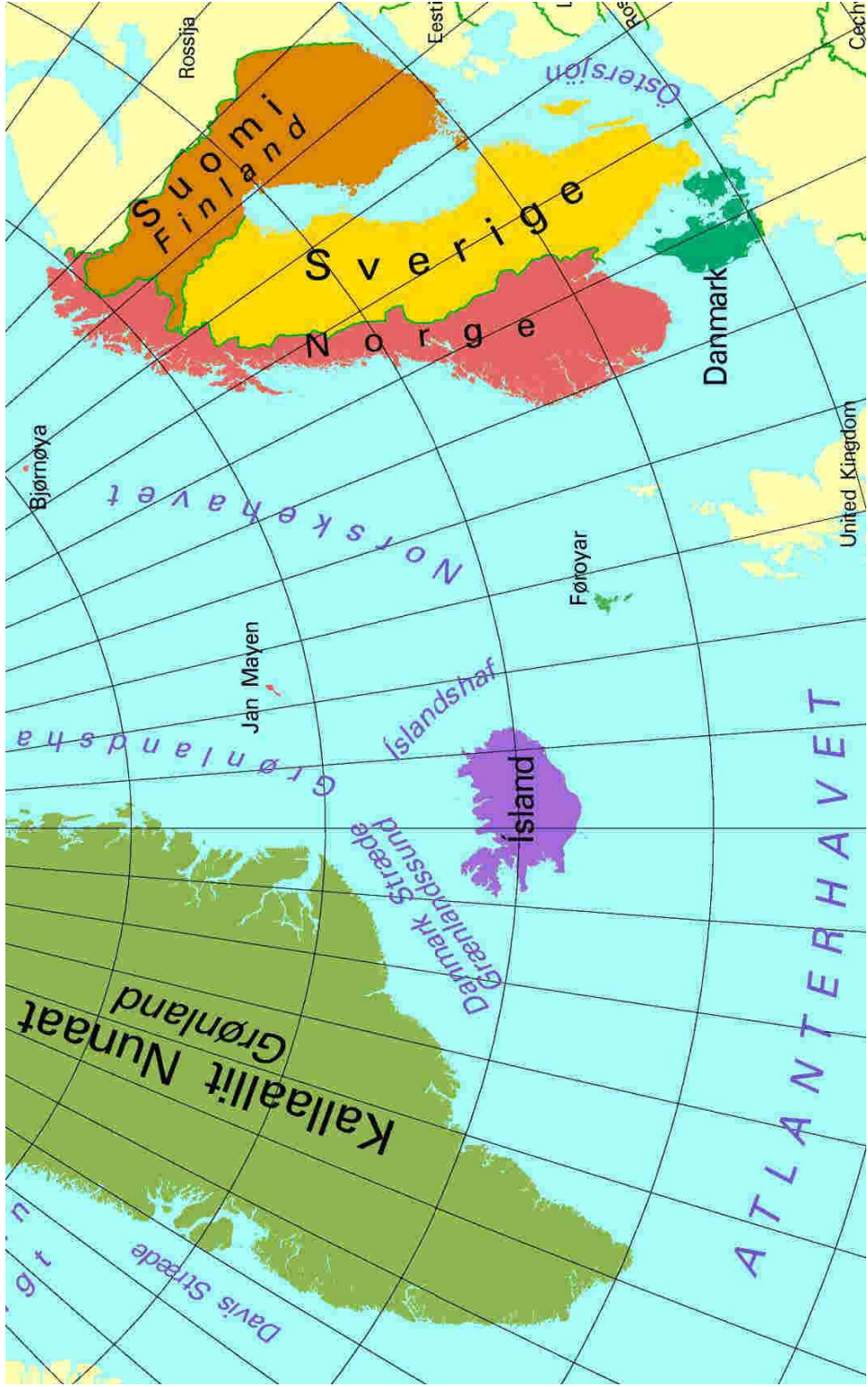
Norway

Sweden

Greenland

Faroe Islands

Åland Islands





# The Nordic Co-operation



norden

The official co-operation takes place in:

- The Nordic Council – an inter-parliamentary body for parliamentarians from the Nordic countries
- The Nordic Council of Ministers – co-operation between the Nordic governments and ministers







# The Nordic Co-operation

- One of the oldest and most comprehensive regional collaborations in the world
  - After the Second World War, it became clear that small countries needed to work together
  - Nordic Council 1952 – Inter-parliamentary forum
  - Helsinki Treaty 1962
  - Nordic Council of Ministers 1971 - Inter-governmental body
  - Secretariat in Copenhagen
-



# Joint strenght

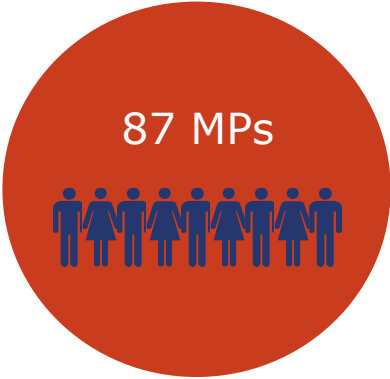
- 26 million inhabitants
  - One of the strongest economies in the world
  - High level of education
  - Innovative power – creativity
  - Welfare - fair distribution
  - 200+ years of peace between the countries
-



# Nordic Council 1952

**Leadership:** The country holding the presidency (rotates annually)

## 87 Nordic Parliamentarians



Denmark:	16
Faroe Islands:	2
Greenland:	2
Finland:	18
Åland:	2
Iceland:	7
Norway:	20
Sweden:	20







# Committees and Party Groups

## Committees

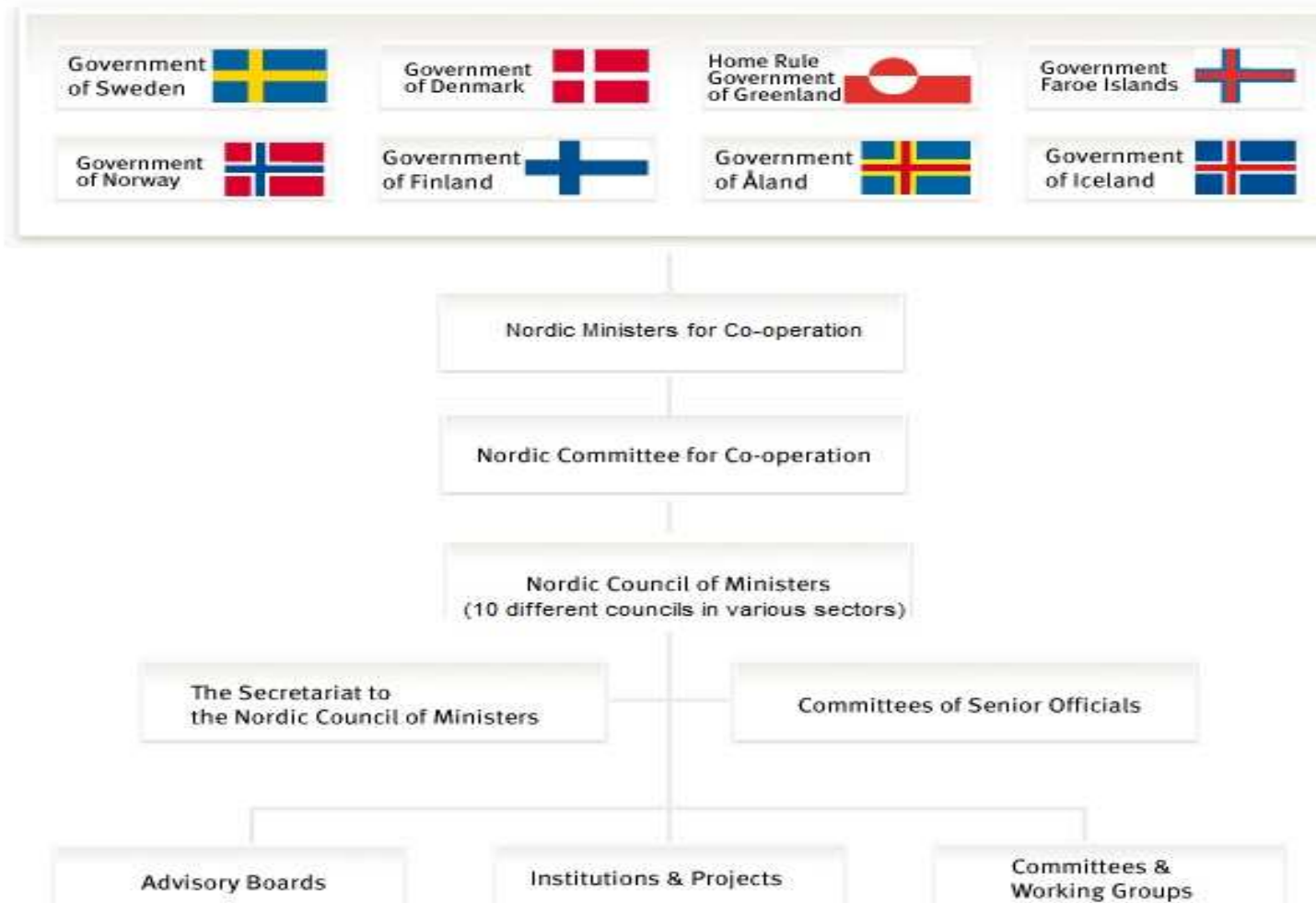
- Culture and Education
- Citizens and Consumers
- Environment and Natural Resources
- Business
- Welfare

## Party Groups

- Conservative Group
  - Centre Group
  - Nordic Freedom
  - Social Democratic Group
  - Left-wing Socialist Green Group
-



# Organisation of the Nordic Council of Ministers





# Nordic Synergies

- Passport Union (1957)
  - Nordic Council prizes – support to culture and the environment
  - Integrated labour market (1962)
  - Common social rights
  - Nordic Language Convention
  - Nordic Investment Bank
  - The Swan ecolabel – environmental certification
  - Common education market
  - New Nordic Food
  - Keyhole label for food quality
  - Joint clampdown on tax havens – missing taxes returned to the Nordic region
-





# Councils of Ministers

## **Leadership: Ministers in each sector**

- Education and Research
  - Culture
  - Business, Energy and Regional Policy
  - Environment
  - Health and Social Affairs
  - Fisheries and Aquaculture, Agriculture, Foodstuffs and Forestry
  - Labour
  - Gender Equality
  - Finance
  - Legislative Affairs
-



# **The duties of the presiding country**

## **The presidency entails certain duties such as:**

- Setting the agenda for the co-operation to a certain extent
  - Planning and organizing events and conferences
  - Planning and preparation of the meetings of the Nordic Co-operation Committee and the ministers of co-operation in collaboration with the NCM offices in Copenhagen
  - Chairing all ministerial meetings, incl. the meetings of the Nordic Co-operation Committee and NCM
  - Dialogue with the Nordic Council, e.g. concerning the budget
  - Compiling answers to recommendations from the NC that are aimed at the governments of the Nordic countries
-

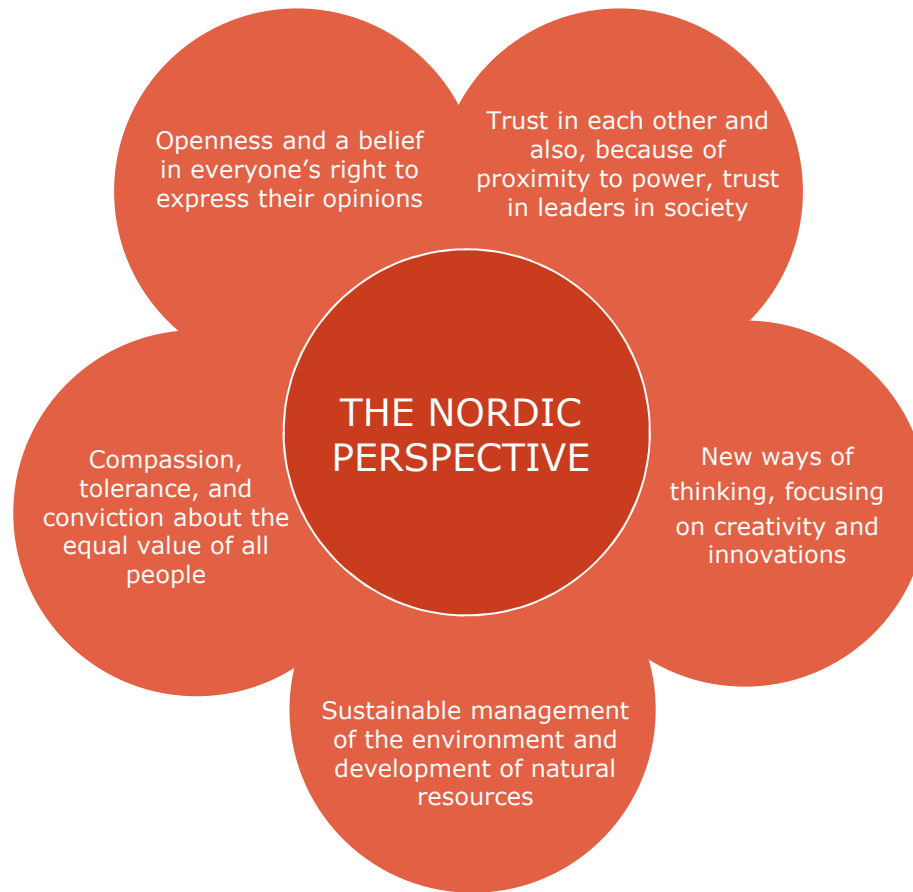


# Vision

*“Together We Are Stronger”*

- Freedom of movement
  - Innovation
  - International engagement
  - Visibility
-







# Budget

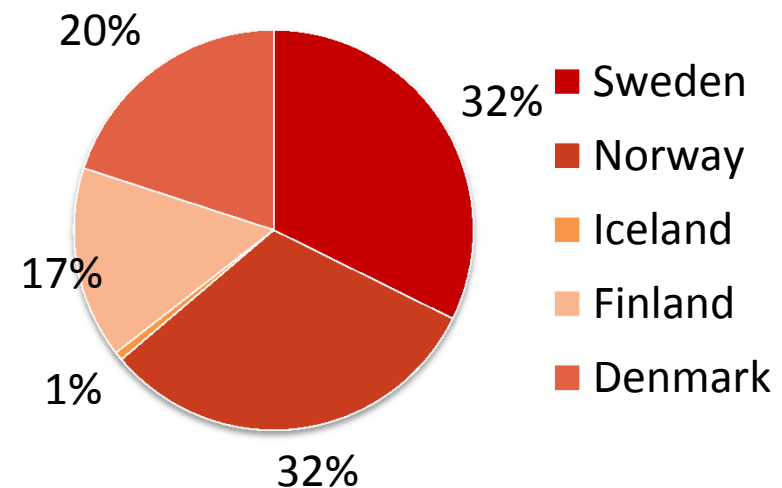
## Nordic Council of Ministers:

DKK 923 million (*EUR 124 million*) -  
of which:

**Culture Fund:** DKK 34 million  
(*EUR 4,5 million*)

**Nordic Council:** DKK 35 million  
(*EUR 4,7 million*)

## Contributions from the countries:





# Institutions in the Nordic Region

- Nordforsk (NO)
  - Nordic Innovation (NO)
  - Nordic Energy Research (NO)
  - Nordic Culture Point (FI)
  - Nordic Institute for Advanced Training in Occupational Health (FI)
  - Nordic Centre for Welfare and Social Issues (SE)
  - Nordic Centre for Spatial Development (SE)
  - Nordic Genetic Resource Center (SE and Svalbard)
  - Nordic Information Centre for Media and Communication Research (SE)
  - Nordic House/Institute (IS, FO, GL, AX)
  - Collaboration bodies throughout the Nordic region
-





# International Activities

- Baltic States and Baltic Sea area
- Arctic region and neighbours in the West
- EU – EU Baltic Sea Strategy

## Offices:

- Tallinn, Estonia
  - Riga, Latvia
  - Vilnius, Lithuania
-



## **Nordic program for co-operation on legislative affairs 2015-2018**

- A tool used in the work to promote the **common principles** shared by the Nordic legal systems
  - Used in the work on **European law** and for facilitating the implementation of EU/EEA acts and other international obligations
  - Designed to help make the **four principles**:  
1) freedom of movement; 2) innovation; 3) visibility; and 4) international engagement, a reality
-



# Legal Basis

**The Helsinki Treaty (1962) contains the following articles:**

## **Article 2**

“In the drafting of laws and regulations in any of the Nordic countries, citizens of all the other Nordic countries shall be treated **equally** with the citizens of the aforementioned country. This shall apply within all those areas falling within the jurisdiction of the Treaty of Co-operation.

Exceptions to the first paragraph may, however, be made if a requirement of citizenship is constitutionally stipulated, or is necessary because of other international obligations, or is otherwise deemed necessary for particular reasons.”

## **Article 3**

“The High Contracting Parties shall endeavour to **facilitate the acquisition by citizens** of one Nordic country of citizenship in another Nordic country.”



# Legal Basis

## Article 4

“The High Contracting Parties shall continue their co-operation in the field of law with the aim of attaining the **greatest possible uniformity** in the field of **private law**.”

## Article 5

“The High Contracting Parties should seek to establish **uniform rules** relating to **criminal offences** and the penalties for such offences.

With regard to criminal offences committed in one of the Nordic countries, it shall, as far as circumstances allow, be possible to investigate and prosecute the offence in another Nordic country.”





# Legal Basis

## Article 6

“The High Contracting Parties shall seek to achieve a **co-ordination of legislation** in such areas, other than the aforementioned, as are considered appropriate.”

## Article 7

“Each High Contracting Party should endeavour to ensure the implementation of regulations to allow decisions by a court of law or other public authority in another Nordic country to be **executed also** in the territory of the said Party.”



# Legal Basis

## Article 33

“Participation by the High Contracting Parties in **European and other international forms of co-operation** provides excellent opportunities for collaboration for the benefit of Nordic citizens and companies. The Governments bear a particular responsibility in this regard to safeguard common interests and values.”



# Overarching principles

- **The rule of law**
  - **Nordic synergy**
  - **Uniform legal system**
-



# Overarching principles

## The rule of law

- Nordic co-operation helps to strengthen **democratic decision-making** processes in and to promote the **legal rights** of citizens and companies
  - One of the key objectives of legal co-operation is that legislation and other regulations are **accessible to all citizens** and that they and companies have **cross-border freedom of movement**
-





# Overarching principles

## Nordic synergy

- Joint or similar Nordic activities and solutions can achieve **better results** than if the same activities were managed at national level
  - Nordic **competence** and competitiveness are enhanced
  - **Contacts and connections** between the Nordic countries are improved
-



# Overarching principles

## Uniform legal system

- The Helsinki Treaty strives for the mutual **co-ordination of legislation**
  - Nordic countries must **not** have identical laws
  - The Nordic system involves achieving a **joint legal structure** and **joint principles** for legislation
  - Uniform approach is desirable when implementing **EU/EEA regulations** and other international obligations
-



# Overarching principles

## Uniform legal system

- Co-operation on legislative affairs varies in different areas of the law
  - The greatest possible degree of convergence is striven for in civil law
  - If this is not possible, the Nordic countries exchange information and experiences about the situation with each other
  - Draft bills must, where relevant, include an account of similar legislation in the other Nordic countries
-



# **Organisational and financial framework**

- **The organisation**
  - **Project funding**
  - **Gender mainstreaming**
-





# Organisational and financial framework

## The organisation

- The Nordic Council of Ministers for Legislative Affairs (MR-LOV) has overall responsibility for the co-operation
  - The ministers discuss political matters of Nordic interest and decide whether to initiate co-operation in new areas of the law
  - The Committee of Senior Officials for Legislative Affairs (EK-LOV) consists of senior officials responsible for legislative and justice issues from the Nordic ministries of justice
  - The Committee prepares and follows up on the annual meeting of the justice ministers and initiates new projects
  - Possibility to establish permanent or ad hoc working groups
-



# Organisational and financial framework

## Project funding

- The Nordic Council of Ministers for Legislative Affairs or the Committee of Senior Officials for Legislative Affairs can, within the framework of the annual budget, fund conferences, seminars, research, studies etc.
  - According to guidelines, approximately 75% of funds should be earmarked for the implementation of:
    - the Nordic program for co-operation on legislative affairs
    - initiatives taken by the annual Presidency of the Nordic Council of Ministers
    - the Council of Ministers for Legislative Affairs' initiatives and priorities
    - the Committee of Senior Officials for Legislative Affairs' initiatives and priorities
    - initiatives proposed by the Nordic Council.
  - Approximately DKK 100,000 (EUR 13,400) is for activities within the framework of co-operation with Estonia, Latvia, Lithuania and North-West Russia
  - Funds may also be granted for external projects that, following an evaluation of the application, are deemed to meet the criteria for "Nordic synergy"
-



# Organisational and financial framework

## Gender mainstreaming

- In the Ministers for Nordic Co-operation's guidelines, the way in which co-operation on legislative affairs is organized strives to ensure that **working groups have at least 40% representation from both genders**, and that gender equality is taken into account when assessing applications for project funding





## **Co-operation on legislative affairs in practice**

- **Overall principles**
  - **Nordic co-operation on legislative affairs *in relation to the EU and EEA***
  - **Nordic co-operation on legislative affairs *with the Baltic states***
  - **Nordic co-operation on legislative affairs *in relation to other international forums***
  - **Other forms of legal co-operation**
  - **Dialogue with the Nordic Council**
  - **Reporting and evaluation**
-





# Co-operation on legislative affairs in practice

## Overall principles

- The ongoing **co-operation takes place as an informal collaboration** at senior-official level between departments of the justice ministries and in special working groups
  - When a country is **considering new legislation** that will affect Nordic co-operation on legislative affairs, the other countries are **informed** of this
  - **Contact** should be established at an **early stage** of the process, so that the outcome of Nordic discussions can be incorporated into the actual bill
  - **Countries should exchange white papers and bills on a regular basis** and, when necessary, takes the initiative on co-operation between the relevant regulatory authorities
-



# Co-operation on legislative affairs in practice

## **Nordic co-operation on legislative affairs *in relation to the EU and EEA***

- Nordic co-operation on legislative affairs **evaluates the consequences of EU/EEA legislation** as early as possible in the EU decision-making process
  - The Nordic countries have the option of taking **joint initiatives in certain areas** based on Nordic experience when new or amended EU/EEA legislation is being drafted
  - When implementing EU/EEA legislation, the Nordic countries should **not duplicate work**, e.g. by conducting joint studies
  - **Informal co-operation** between officials and authorities should be maintained and developed
  - It is **not necessary** for all of the Nordic countries **to choose the same legislative solutions** but agreement should be reached on the understanding and interpretation of the relevant EU legislation
-



## Co-operation on legislative affairs in practice

### **Nordic co-operation on legislative affairs *with the Baltic states***

- The Nordic justice ministers **meet with their colleagues** from Estonia, Latvia and Lithuania at least every two years. The chair rotates between the countries
  - The work is based on the perception that **close regional co-operation is important** in the EU and in relation to other countries
  - **Other Nordic-Baltic meetings** are held at an official level in Brussels, in order to adopt a co-ordinated approach to relevant EU legislation
-



## Co-operation on legislative affairs in practice

### **Nordic co-operation on legislative affairs *in relation to other international forums***

- Nordic co-operation on legislative affairs **promotes contacts** in the region and when necessary, co-ordination at senior-official and political level in relation to **other international forums**, e.g. the United Nations and the Council of Europe
  - Nordic co-operation on legislative affairs also includes **appointing joint representatives to international bodies** when it is not possible for all of the Nordic countries to be represented at the same time
-





# Co-operation on legislative affairs in practice

## Other forms of legal co-operation

- In addition to Nordic co-operation on legislative affairs, the countries work together in practice across the **whole of the justice sector**
  - On an administrative level, **meetings** are held between representatives of the Nordic countries' courts, prosecution services, heads of police forces and prison and probation services
-



# Co-operation on legislative affairs in practice

## Dialogue with the Nordic Council

- The justice ministers seek **dialogue with the Nordic Council** on matters of common interest, including drafting and revising the programme for co-operation on legislative affairs





# Co-operation on legislative affairs in practice

## Reporting and evaluation

- Working groups under the Committee of Senior Officials for Legislative Affairs submit **annual reports** on the **results** of their activities
  - This program for co-operation will remain valid until further notice, but will be **evaluated** and, if deemed necessary, revised no later than 2019
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# Thank you

