



CORTES GENERALES



XLIX CONFERENCIA DE COMISIONES DE ASUNTOS EUROPEOS DE LA UNIÓN EUROPEA (COSAC), CELEBRADA EN DUBLÍN LOS DÍAS 23 A 25 DE JUNIO DE 2013.

La XLIX COSAC se celebró en el Castillo de Dublín, con los asistentes y el Orden del Día que se acompañan como documentos números 1 y 2.

La delegación de las Cortes Generales estuvo formada por D. Rubén Moreno Palanques (GP), D. Diego López Garrido (GS) y D. Iñaki Mirena Anasagasti Olabeaga (SGPV), asistidos por el Letrado D. Manuel Delgado-Iribarren y García-Campero, y por la Representante Permanente de las Cortes Generales ante la Unión Europea, D^a Carmen Sánchez-Abarca Gornals, autores del presente Informe.

El domingo 23 de junio, a las 19,00 horas hubo una cena de recepción en el Real Hospital de Kilmainham.

El lunes 24 de junio, a las 9,15 horas, comenzó formalmente la Conferencia.

Tras las palabras de bienvenida del Presidente de la Cámara “Dáil Éireann”, Sr. Seán Barret -en las que se refirió a la crisis existente en la Unión Europea-, el Presidente de la Comisión Mixta para Asuntos de la Unión Europea del Parlamento irlandés, Sr. Dominic Hannigan, procedió a someter a la aprobación por asentimiento del primer punto del Orden del Día sobre **cuestiones procedimentales**:

- Aprobación del Orden del Día.
- Presentación del decimonoveno informe semestral (documento nº 3).
- Cuestiones procedimentales.
- Resumen de la reunión informal de Presidentes de Comisiones de Asuntos de la Unión Europea, celebrada en Copenhague, y de la Conferencia de Presidentes de Parlamentos de la Unión Europea celebrada en Nicosia en abril de 2013. Sobre este último punto, se dio cuenta de los acuerdos de la Conferencia de Presidentes, sobre apertura de reflexión sobre el reforzamiento del papel de los Parlamentos nacionales en materia económica y monetaria, así como en el intercambio de información entre ellos.

Los representantes de diferentes delegaciones hicieron comentarios sobre estos extremos y el de la delegación lituana destacó los principales actos de su Presidencia.



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Se emitió un vídeo con la intervención de la Comisaria Viviane Reding por no haber podido asistir a la Conferencia. En ella se refirió a la importancia del euro; al fortalecimiento del control, la responsabilidad y la legitimación democrática de la Unión; a la participación de los Parlamentos Nacionales; a los nuevos poderes del Parlamento Europeo y a las próximas elecciones en las que deberán debatirse estos temas; y a la necesidad de consolidar unos Estados Unidos de Europa, que respeten la diversidad y pluralidad de cada uno (véase el texto en el documento nº 4).

• Intervención del Primer Ministro irlandés, Sr. Enda Kenny: “Haciendo balance y mirando al futuro”.

En ella puso de relieve las realizaciones de la presidencia irlandesa durante el semestre. Subrayó que en ésta, como en antiguas presidencias irlandesas, siempre han buscado fortalecer la legitimación democrática de las instituciones europeas.

También se refirió a las medidas adoptadas: sobre empleo, con la creación de un fondo para combatir el desempleo juvenil; para completar la unión bancaria; a las políticas de defensa del consumidor, educación, justicia e interior, desarrollo y ampliación de la Unión Europea. Hizo también mención a los nuevos retos que plantean otros continentes como Asia y África. Manifestó su confianza en que el Consejo Europeo de esta semana pueda culminar esta obra.

Seguidamente diferentes oradores plantearon cuestiones sobre la Unión bancaria, la crisis de confianza de la Unión Europea; la libre circulación de personas de nacionalidades rumana y búlgara; la actuación de la Troika; las garantías para la financiación del presupuesto europeo; y la armonización fiscal.

El Premier Kenny apuntó la necesidad de completar la unión bancaria; de reforzar la solidaridad; de que participen también los países de fuera de la eurozona; subrayó la ventajas que para Irlanda ha supuesto la integración europea; así como la necesidad de combinar medidas de ajuste fiscal y de inyección de financiación a las empresas.

El Sr. López Garrido (GS) preguntó por la posición de la presidencia irlandesa en materia de empleo juvenil, poniendo de relieve la escasa cuantía de la cantidad asignada para este fin y planteando la necesidad de que pudiera ser completada con otros fondos.

El Sr. Moreno Palanques (GP) destacó los esfuerzos de los Estados miembros y la necesidad de que se vean complementados por financiación en condiciones de igualdad en el mercado interior, y por medidas para combatir el empleo juvenil. Concluyó pidiendo un esfuerzo a la Presidencia irlandesa para avanzar en esa línea.



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El Primer Ministro Kenny concluyó manifestando que compartía que 6.000 millones de euros para empleo juvenil era una cantidad pequeña, pero que mejor era eso que nada como hasta ahora.

• El futuro de la Unión Europea

Tras una pausa, el Sr. Herman De Croo, de la delegación belga, se refirió a los nuevos retos de la Unión Europea ante las nuevas potencias emergentes, así como a los problemas internos y a otros problemas globales como la pobreza.

El Sr. Brendau Halligan, Presidente del Instituto de Asuntos Europeos e Internacionales irlandés, consideró que debe tenerse en cuenta en el futuro la diversidad entre Estados miembros en dos aspectos, capacidad económica y voluntad política (véase documento nº 5)

El Sr. William Cash, de la delegación británica, indicó que, a su juicio, hay una contradicción entre las previsiones de los Tratados de una mayor integración europea y la ausencia de una auténtica democracia europea. Apuntó que hasta que no se resolviese esa cuestión íbamos a tener problemas.

Los diferentes oradores se refirieron a la Europa social, a la Europa de la energía, al reforzamiento de la legitimación democrática y la participación de los Parlamentos nacionales, a un posible nuevo "Plan Marshall" europeo, y a la adopción de medidas contra el euroescepticismo.

El Sr. Moreno Palanques (GP) manifestó que es fundamental cumplir los acuerdos europeos; que no se puede estar a favor y en contra de la integración europea; que la crisis es también una oportunidad; y que el mayor regalo que se puede ofrecer a los ciudadanos europeos es conseguir crecimiento y empleo. Por eso, es necesario conducir a buen puerto las iniciativas que se están tomando.

El Sr. López Garrido (GS) cuestionó las dificultades en la adopción de acuerdos, y que éstas sean mayores incluso en la ejecución de los acuerdos adoptados, situación que crea una profunda frustración. Así ha sucedido con el Plan de Estabilidad y Crecimiento y con la Unión Bancaria.

El Sr. Halligan recordó que la integración europea es un viaje a un destino desconocido. Coincidió que la energía y el cambio climático son objetivos que pueden unir a los europeos. En cuanto a lo planteado por el Sr. López Garrido (GS), le dio la razón, afirmando que todos, y en particular Alemania y Francia, deben reconocer que han incumplido los acuerdos adoptados unánimemente.



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El Sr. Martínez Martínez, del Parlamento Europeo, puso de relieve que el reto europeo es corregir las deficiencias en el funcionamiento de la Unión y plantear alternativas. Sostuvo que la vuelta a la soberanía de los Estados miembros es el regreso a la irrelevancia. Preguntó si el Sr. Halligan estaría de acuerdo con un Senado europeo con representantes de los Parlamentos nacionales que sustituyera al actual Consejo de la Unión Europea.

A las 13,20 horas se suspendió la sesión.

Después del almuerzo, se celebró una sesión informal sobre prácticas de Comisión de Asuntos Europeos hasta la reanudación de la Conferencia a las 14,50 horas.

• Política de desarrollo de la Unión Europea

El Sr. Mo Ibrahim, Presidente de la Fundación Ibrahim, agradeció la ayuda europea, subrayando que tan importante es la cantidad como en qué campos y con qué procedimientos se ejecuten esas ayudas. Examinó la forma de ayuda que pueda ser más eficiente para el continente africano, concretándola en materia agrícola. Recordó que el 50% de la población africana es menor de 18 años, y que por eso es particularmente relevante la educación de los jóvenes.

La Sra. Michele Striffler, Vicepresidenta de la Comisión de Ayuda al Desarrollo del Parlamento Europeo, denunció los incumplimientos de compromisos adoptados en esta materia. Puso de relieve la conveniencia práctica de las ayudas europeas y que la Unión Europea es el primer donante mundial. Subrayó que es preciso mantener la financiación de estas ayudas, aun cuando las perspectivas financieras futuras no sean buenas. Por otra parte, anunció que se pretende concentrar estas ayudas en los países más pobres para aumentar su eficacia (véase documento nº 6).

El Sr. Barry Andrews, Director ejecutivo de GOAL (ONG dedicada a la ayuda internacional humanitaria), destacó las acciones realizadas en la África Subsahariana y la importancia del sector privado en el futuro (véase documento nº 7).

En el debate los intervinientes hicieron mención a los desvíos de estas ayudas de los objetivos y destinatarios previstos y a la corrupción que existe en muchos de los estados beneficiarios; también a la necesidad de reforzar la coordinación de las ayudas de la Unión Europea con las de los Estados miembros.



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• Reunión de Presidentes

En la parte final de esta sesión, los Presidentes de delegación procedieron a deliberar sobre los proyectos de Conclusiones y de Contribución de la Presidencia, así como las enmiendas presentadas.

Respecto al **Proyecto de Contribución** (véase en documento nº 8), las enmiendas presentadas al proyecto se recogen en el documento nº 9. Se aprobaron las enmiendas a los apartados 2 bis; 5; 6 (con modificaciones); 9 (con modificaciones); 10 bis (con modificaciones); la propuesta italiana al apartado 14; 15 (con una redacción transaccional); la propuesta del Reino Unido y otros sobre el apartado 15 (con modificaciones); y la 27 (con modificaciones).

En cuanto al **Proyecto de Conclusiones** (documento nº 10), las enmiendas presentadas se incluyen en documento nº 11. Se aprobaron todas ellas, salvo las dos últimas relativas al apartado 3.3.

A las 18,40 horas concluyó la sesión del lunes 24 de junio.

A las 9 horas del martes 25 de junio el Sr. HANNIGAN reanudó la sesión. A esta parte de la sesión únicamente pudo asistir la Sra. Sánchez-Abarca, por tener que volver el resto de la delegación a Madrid para poder asistir al Pleno del Congreso, convocado a las 4 de la tarde.

El Sr. HANNIHAN, tras anunciar el acuerdo alcanzado en la sesión de Presidentes del día anterior, dio paso al punto siguiente:

“Un futuro europeo para los jóvenes ciudadanos”.

El Ministro de Comercio y Desarrollo de Irlanda, Sr. COSTELLO, en sustitución del Ministro de Educación y Formación irlandés, Sr. QUINN, expuso el grave problema del desempleo juvenil, y las medidas que se han adoptado para combatirlo en Irlanda, donde el desempleo juvenil es del 30%. Una de las prioridades irlandesas en su Presidencia fue la garantía para la juventud, por la que los menores de 25 años en los Estados con más del 25% de desempleo juvenil podrán seguir una formación. Si bien es insuficiente, 6.000 millones de euros han sido destinados a este objetivo.

A continuación, el Sr. HANNIGAN mantuvo una conversación con tres jóvenes europeas, Sra. CREEVY (Irlanda), Sra. ÖZTOP (Turquía), y Sra. HERFORT (Hungría) sobre distintos temas, como los derechos de los homosexuales, en concreto en Irlanda donde hace 20 años se descriminalizó la homosexualidad; los derechos de los discapacitados, en Irlanda y la UE; y la integración de la comunidad gitana y en especial



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de los jóvenes gitanos en Europa, con dos tercios de desempleados y el impacto de los partidos populistas en esta comunidad.

En el debate subsiguiente, se valoró muy positivamente la presencia de jóvenes así como el que se tratara el tema de la discriminación en la COSAC. La delegación lituana anunció que se retomará este formato en la reunión de la COSAC que se celebrará en Vilnius. Se presentaron modelos de medidas de lucha contra el desempleo juvenil, como el modelo dual de formación en Austria, país con el índice de paro juvenil más bajo de Europa; o el programa de empleo juvenil aplicado en Gales (UK). Se destacó así mismo la importancia de la educación para facilitar el acceso al mundo laboral, y en concreto el programa Erasmus. Se propusieron múltiples medidas para luchar contra el desempleo de los jóvenes, bien institucionales, como el nombramiento de un nuevo Comisario europeo de juventud (Parlamento rumano), bien más concretas como la necesidad de aumentar la inversión en educación e innovación, o la eliminación de la discriminación salarial (Parlamentos portugués e italiano), o la creación de una "tarjeta europea de discapacidad". El Sr. MARTÍNEZ (Parlamento Europeo) consideró radicalmente insuficiente la cantidad con la que se financia la Garantía Juvenil (6.000 millones de euros, 20 euros por joven).

A las 10,50 horas comenzó el debate del punto siguiente:

"La política de ampliación y vecindad: manteniendo el impulso"

El Sr. INZKO, Alto Representante de la UE para Bosnia Herzegovina destacó la buena situación de esta región en la actualidad así como sus perspectivas de adhesión a la UE.

El Sr. FOUÉRE, del Centro de Estudios de Políticas Europeas, expuso la situación de las negociaciones en los procesos de ampliación, así como las reacciones a estas negociaciones en la UE. Valoró negativamente las demoras en los procesos de ampliación en la zona de los Balcanes, por sus consecuencias negativas para las reformas en los países afectados. El texto de su intervención se adjunta como documento nº 12.

Abrió el debate subsiguiente el Sr. MARTÍNEZ, en su calidad de Vicepresidente del PE encargado de relaciones con los países candidatos. Resumió la ampliación de la UE como una historia de éxito, y valoró la continuación de estas ampliaciones que llevan a reformas muy beneficiosas para los pueblos correspondientes. En el resto de intervenciones se mencionó a Turquía por los recientes disturbios, y se reclamó un mensaje claro de la UE a este país, en el que deben cumplirse los requisitos democráticos y de respeto a los derechos humanos. Se solicitó de nuevo desde la delegación griega la inclusión de su enmienda a la Contribución relativa al conflicto greco macedonio en relación con el nombre de este Estado, anunciando su voto en



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contra salvo que se incluyera dicha referencia. También se felicitó a los parlamentarios croatas por la próxima adhesión de su Estado a la UE, el 1 de julio de 2013.

En su segunda intervención, el Sr. INZKO consideró que la ampliación de la UE a los Balcanes sería un movimiento que completaría a la UE. Criticó la falta de responsabilidad de los políticos en países de esta región, como Bosnia, así como la discriminación de ciertas minorías.

El Sr. FOUÉRÉ reconoció que el acceso a la UE es un procedimiento que se ha complicado en gran medida, dado el aumento del acervo comunitario.

En la última parte de este debate, en relación con Bosnia Herzegovina se sugirió evitar crear una cámara de compresión forzando la unificación. La asociación oriental, por su parte, revela que hay una cooperación excelente, pero pretender que los países en vías de adhesión incorporen el 80% del acervo comunitario, puede ser demasiado ambicioso.

Votación de las Conclusiones y la Contribución de la XLIX COSAC.

El último punto del orden del día comenzó con la intervención Sr. MARTÍNEZ anunciando su voto a favor de la Contribución, pero solicitando que constara en acta la siguiente posición del Parlamento Europeo: “El Parlamento Europeo rechazaría cualquier interpretación de la Contribución que pueda ir más allá de la letra de los Tratados en el equilibrio actual de COSAC entre los Parlamentos nacionales y las instituciones europeas”.

La delegación griega anunció su voto en contra de la Contribución, por el retraso de la adhesión de Serbia, pese a sus avances, y el progreso de la ARYM, pese a la interrupción de las reformas y los graves acontecimientos ocurridos en 2012 en su Parlamento.

La delegación de Países Bajos presentó una declaración del Senado a favor de la contribución, pero añadió que se abstendrán en la votación dado que la enmienda de Países Bajos no fue aprobada.

La delegación británica solicitó la inclusión de una referencia en cuanto al papel de las mujeres en el desarrollo mundial, y en el párrafo 32 relativo al escrutinio parlamentario, querrían que se dijera que se acordó el intercambio de sistemas de escrutinio. Dado que dichos temas habían sido debatidos en la sesión del día anterior, la delegación británica aceptó apoyar la Contribución siempre que dichas menciones se reflejaran en el acta de la reunión.



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Con estas reservas, fueron aprobadas por asentimiento las Conclusiones y la Contribución, en los términos que se acompañan en documentos nº 13 y 14.

Por último, la Presidencia entrante de COSAC se dirigió a la conferencia. El Sr. KIRILAS, Presidente de la Comisión de Asuntos Europeos del Parlamento lituano, expuso las prioridades de la Presidencia lituana.

La XLIX COSAC finalizó a las 13,50 horas. A continuación, se ofreció una comida y se celebró una reunión de funcionarios relativa al acceso de los Parlamentos nacionales a los documentos sobre asuntos europeos y en especial, en el marco del control de subsidiariedad.

Manuel Delgado-Iribarren García-Campero
Letrado de la Comisión Mixta para la Unión Europea

Carmen Sánchez-Abarca Gornals
Representante Permanente de las Cortes
Generales ante la Unión Europea



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DOCUMENTO N° 1

PROVISIONAL LIST OF PARTICIPANTS

LISTE DES PARTICIPANTS

AS AT 19/06/2013

**XLIX Conference of the Parliamentary Committees for Union Affairs of Parliaments of
the European Union – COSAC Plenary meeting**

Reunion Pleniére de la XLIXeme COSAC

Dublin 23-25 June 2013

Dublin 23-25 juin 2013



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Ms Brigitte BRENNER, Head of EU and International Services of the Austrian Parliament

Mr Gerhard KOLLER, Head of European Relations Division

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House of Representatives/ Chambre des représentants /Kamer van volksvertegenwoordigers

Mr Herman DE CROO, Former Speaker of the House, Minister of State, Member of the European Affairs Committee

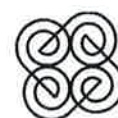
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Mr Carlos DEMEYERE, Principal Advisor

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Mr Etienne SCHOUPPE, Member of the Federal Advisory Committee on European Affairs



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Mr Tim DE BONDT, Advisor

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Mr Fidias SARIKAS, Member of the House Standing Committee on Foreign and European Affairs

Ms Parla HARA, Senior International Relations Officer

Mr Hadjigeorgiou PHIVOS, International Relations Officer 'A'

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Mr Jaroslav LOBKOWICZ, Vice-Chairperson of the Committee for European Affairs



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Mr Peter SARAMO, Counsel to the Grand Committee, Director of the Secretariat for EU Affairs

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Mr Pierre LEQUILLER, Vice- Président de la Commission des Affaires Européennes

Ms Axelle LEMAIRE, Membre de la Commission des Affaires Européennes

Ms Pascale LAUZE, Conseillère

Mr Damien CESSÉLIN, Fonctionnaire parlementaire

Mr Édouard MICHEL, Fonctionnaire de liaison de l'Assemblée nationale française auprès de l'Union européenne

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Mr Jean BIZET, Vice-Président de la Commission des Affaires Européennes

Mr François SICARD, Fonctionnaire parlementaire



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Mr Michael STÜBGEN, Member of the Committee on the Affairs of the European Union

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Mr Andreas VEIT, Deputy Head of the Secretariat of the Committee on European Union Questions

Mr Roman GOETZMANN, Official

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Ms Panagiota SMYRNIOTI, Official, European Affairs Directorate

Ms Margarita FLOUDA, Official

Ms Constantina ZAGORIANOU-PRIFTI, Ambassador

Ms Paraskevi CHARITIDOU, First Secretary, Embassy of Greece in Dublin



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Mr Lajos MILE, Member of the Committee on European Affairs

Mr Peter SZALAY, Member of the Committee on European Affairs

Ms Zsuzsanna DOCZY, Advisor to the Committee on European Affairs

Mr Krisztian KOVACS, Head of the EU Department

Ms Zsuzsanna ROSTASI-SZABO, Official

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Mr Dominic HANNIGAN, Chairperson of the Joint Committee on European Union Affairs

Mr Paschal DONOHOE, Vice-Chairperson of the Joint Committee on European Union Affairs

Mr Timmy DOOLEY, Member of the Joint Committee on European Union Affairs

Mr John HAMILTON, Clerk to the Joint Committee on European Union Affairs

Mr Conor GOULDSBURY, Policy Advisor

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Chamber of Deputies/ Chambre des députés/ Camera dei Deputati

Mr Michele BORDO, President of the European Union Affairs Committee

Ms Paola CARINELLI, Vice-President of the European Union Affairs Committee

Mr Paolo TANCREDI, Vice-President of the European Union Affairs Committee

Ms Livia MINERVINI, Head of Secretariat

Mr Antonio ESPOSITO, Official, EU Affairs Department

Senate/ Sénat/ Senato della Repubblica



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Mr Vannino CHITI, Chairperson of the European Union Policies Committee

Ms Elena FATTORI, Vice-Chairperson of the European Union Policies Committee

Mr Vincenzo D'ANNA, Vice-Chairperson of the European Union Policies Committee

Mr Giovanni BAIOCCHI, Head of Secretariat, European Union Policies Committee

Mr Davide CAPUANO, Official, Bureau of Relations with EU Institutions

LATVIA - LETTONIE

Parliament/ Parlement/ Saeima

Ms Zanda KALNIŅA-LUKAŠEVICA, Chairperson of the European Affairs Committee

Mr Atis LEJIŅŠ, Vice-Chairperson of the European Affairs Committee

Mr Igors PIMENOVŠ, Secretary of the European Affairs Committee

Mr Ģirts OSTROVSKIS, Senior Adviser of the European Affairs Committee

Ms Lelde RĀFELDE, Official

Ms Zane RUKMANE, Official

Mr Ainars ŠTINTMANIS, Official

Ms Simona MEGNE, Representative to the EU Parliament of Latvia (Saeima)

LITHUANIA - LITUANIE

Parliament/ Parlement/ Seimas

Mr Gediminas KIRKILAS, Chairperson of the Committee on European Affairs

Mr Petras AUŠTREVČIUS, Member of the Committee on European Affairs

Mr Andrius MAZURONIS, Member of the Committee on European Affairs

Ms Renata LYGIENĖ, Head of Office of the Committee on European Affairs

Ms Dovilė PAUŽAITĖ-SLIACHTOVIC, Advisor to the Committee on European Affairs

Ms Loreta RAULINAITYTĖ, Director of the Communications Department/EU Presidency Coordinator



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Mr Rokas GRAJAUSKAS, Chief Officer (EU Presidency), Communications Department

LUXEMBOURG - LUXEMBOURG

Chamber of Deputies/ Chambre des députés

Mr Fernand BODEN, Membre de la Commission des Affaires étrangères et européennes, de la Défense, de la Coopération et de l'Immigration

Mr Eugène BERGER, Député, Membre de la Commission des Affaires étrangères et européennes, de la Défense, de la Coopération et de l'Immigration

Mr Gast GIBERYEN, Député, Membre de la Commission des Affaires étrangères et européennes, de la Défense, de la Coopération et de l'Immigration

Ms Isabelle BARRA, Secrétaire Générale adjointe

MALTA - MALTE

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Dr Christopher FEARNE, Chairperson of the Standing Committee on Foreign and European Affairs

Dr Carmelo MIFSUD BONNICI, Member of the Standing Committee on Foreign and European Affairs

NETHERLANDS - PAYS-BAS

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Mr René LEEGTE, Vice-Chairperson of the EU Affairs Committee

Mr Harry VAN BOMMEL, Member of the EU Affairs Committee

Ms Mendeltje VAN KEULEN, Clerk to the EU Affairs Committee

Mr Peter VAN KESSEL, Deputy Clerk to the EU Affairs Committee

Ms Caroline KEULEMANS, Permanent Representative of the Dutch Parliament in Brussels



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Mr Nico SCHRIJVER, Vice-Chairperson of the Standing Committee for European Affairs

Ms Margreet DE BOER, Member of the Standing Committee for European Affairs

Ms Ilse VAN DEN DRIESSCHE, Assistant Clerk of the Standing Committee for European Affairs

POLAND - POLOGNE

Sejm/ Sejm/ Sejm

Ms Agnieszka POMASKA, Chairperson of the EU Affairs Committee

Ms Anna FOTYGA, Vice-Chairperson of the EU Affairs Committee

Mr Andrzej GALAŻEWSKI, Vice-Chairperson of the EU Affairs Committee

Mr Andrzej SZTORC, Vice-Chairperson of the EU Affairs Committee

Mr Adam DUDZIC, Deputy Director of the International Affairs Bureau

Ms Kaja KRAWCZYK, Head of Unit of the EU Division

Ms Iga CIESLICKA-TOMASZEWSKA, Official

Ms Magdalena SKRZYŃSKA, Polish Sejm Chancellery Representative to the EU

Senate/ Sénat/ Senat

Mr Edmund WITTBRODT, Chairperson of the European Union Affairs Committee

Mr Marek ZIÓŁKOWSKI, Member of the European Union Affairs Committee

Ms Lidia SPYRKO VEL SMIETANKO, Head of the EU Affairs Unit

Ms Joanna KWIECIEŃ-ROSIŃSKA, Official

PORTUGAL - PORTUGAL

Assembly of the Republic/ Assemblée de la République/ Assembleia da Republica

Mr Paulo MOTA PINTO, Chairperson of the European Affairs Committee

Mr António RODRIGUES, Member of the European Affairs Committee



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Mr Carlos SÃO MARTINHO, Member of the European Affairs Committee

Ms Maria Helena ANDRÉ, Member of the European Affairs Committee

Mr Alberto COSTA, Member of the European Affairs Committee

Mr Honório NOVO, Member of the European Affairs Committee

Ms Maria João COSTA, Committee Official

Mr Bruno PINHEIRO, Permanent Representative of the Portuguese Parliament to the EU

ROMANIA - ROUMANIE

Chamber of Deputies/ Chambre des députés/ Camera Deputatilor

Mr Ovidiu Ioan SILAGHI, Chairperson of the Committee on European Affairs

Mr Florian Daniel GEANTĂ, Vice-Chairperson of the Committee on European Affairs

Ms Ana BIRCHALL, Member of the European Affairs Committee's Bureau

Mr Dan MATEI, Counsellor, Head of the European Affairs Committee Secretariat

Mr Mario LA SALA, Committee Official

Senate/ Sénat/ Senatul

Ms Anca-Daniela BOAGIU, Chairperson of the European Union Affairs Committee

Ms Mihaela POPA, Deputy Chairperson of the European Union Affairs Committee

Mr Iulian BUGA, Romanian Ambassador to Ireland

Mr Daniel RISTEA, First Secretary, Embassy of Romania

SLOVAKIA - SLOVAQUIE

National Council/ Conseil national/ Narodna rada

Mr Ľuboš BLAHA, Chairperson of the Committee on European Affairs

Mr Dušan MATULAY, Extraordinary and Plenipotentiary Ambassador, the Embassy of the Slovak Republic in Dublin



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National Assembly/ Assemblée nationale/ Državni Zbor

Mr Jožef HORVAT, Chairperson of the Committee on European Union Affairs

Ms Aleksandra OSTERMAN, Vice-Chairperson of the Committee on European Union Affairs

Ms Jana JENKO, Member of the Committee on European Union Affairs

Ms Janja NAPAST, Member of the Committee on European Union Affairs

Mr Zvonko BERGANT, Secretary of the Committee on EU Affairs

National Council/ Conseil national/ Državni Svet

Mr Bojan KEKEC, Vice-President of the Commission for International Relations and European Affairs

Mr Miloš POHOLE, Member of the Commission for International Relations and European Affairs

Ms Ana IVAS, Official

SPAIN - ESPAGNE

Cortes Generales (Congreso de los Diputados and Senado de España)

Mr Rubén MORENO, Member of the Joint Committee of European Union Affairs

Mr Juan MOSCOSO DEL PRADO, Member of the Joint Committee of European Union Affairs

Mr Iñaki Mirena ANASAGASTI OLABEAGA, Member of the Joint Committee of European Union Affairs

Mr Manuel DELGADO-IRIBARREN, Legal Advisor

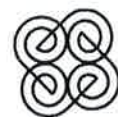
Ms Carmen SÁNCHEZ-ABARCA, Permanent Representative of the Spanish Parliament to the European Union

SWEDEN - SUEDE

Parliament/ Parlement/ Riksdagen

Ms Marie GRANLUND, Vice-Chairperson of the Committee on European Union Affairs

Mr Bo BERNHARDSSON, Member of the Committee on European Union Affairs



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Mr Gustav BLIX, Member of the Committee on European Union Affairs

Mr Karl SIGFRID, Member of the Committee on European Union Affairs

Mr Bengt-Anders JOHANSSON, Member of the Committee on European Union Affairs

Mr Kew NORDQVIST, Member of the Committee on European Union Affairs

Ms Margareta LJUNGGREN HJORTH, Head of Secretariat of the Committee on European Union Affairs

Ms Pia TÖRSLEFF HERTZBERG, Deputy Secretary of the Committee on European Union Affairs

Ms Tuula ZETTERMAN, Permanent Representative of the Swedish Parliament to the EU Institutions

UNITED KINGDOM - ROYAUME-UNI

House of Commons/ Chambre des Communes

Mr William CASH, Chairperson of the European Scrutiny Committee

Ms Nia GRIFFITH, Member of the European Scrutiny Committee

Ms Hannah FINER, Assistant to the Clerk of the European Scrutiny Committee

Mr Edward BEALE, UK National Parliament Representative to the EU

House of Lords/ Chambre des Lords

Lord Timothy BOSWELL, Chairperson of the Select Committee on the European Union

Baroness Margaret Lola YOUNG, Member of the Select Committee on the European Union

Baroness Rosalind SCOTT, Member of the Select Committee on the European Union

Mr Jake VAUGHAN, Clerk of the European Union Committee

Ms Dominique GRACIA, Committee Official



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EUROPEAN PARLIAMENT - PARLEMENT EUROPÉEN

Mr Miguel Ángel MARTÍNEZ MARTÍNEZ, Vice-President of the European Parliament

Mr Carlo CASINI, Chairperson of the Committee on Constitutional Affairs

Mr Ioan Mircea PAȘCU, Vice-Chairperson of the Committee on Foreign Affairs

Ms Michèle STRIFFLER, Vice-Chairperson of the Development Committee

Mr Rafał TRZASKOWSKI, Member of the Committee on Constitutional Affairs

Mr Francesco Enrico SPERONI, Vice-Chair of the Delegation to the ACP-EU Joint Parliamentary Assembly

Ms Emer COSTELLO, MEP

Ms Christine VERGER, Director for Relations with National Parliaments

Mr Francisco GÓMEZ MARTOS, Head of the Institutional Cooperation Unit, Directorate for Relations with National Parliaments

Mr Vincent François NÉMOZ-HERVENS, Administrator, Secretariat of the Committee on Constitutional Affairs

Mr André DE MUNTER, Administrator, Institutional Cooperation Unit, Directorate for Relations with National Parliaments

Mr Francis JACOBS, Head of the European Parliament Information Office in Ireland

Ms Beatrice SCARASCIA MUGNOZZA, EPP Group, Head of Unit for Relations with National Parliaments

Mr Peter REICHERT, S&D Group, Political Adviser for Relations with National Parliaments

Mr Riccardo ALFIERI, Assistant to Mr Casini

Mr Fabian MONCADE, Assistant to Ms Striffler

Ms Antonella PETRACCHI, Interpreter



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COSAC SECRETARIAT - SECRÉTARAIT DE LA COSAC

Ms Libby KURIEN, Permanent Member of the COSAC Secretariat

Mr Eschel ALPERMANN, Administrator, European Parliament, Institutional Cooperation Unit, Directorate for Relations with National Parliaments

Mr Derek DIGNAM, Permanent Representative of the Houses of the Oireachtas to the EU - Member of Secretariat of COSAC

Ms Živilė PAVILONYTĖ, Permanent Representative of the Seimas of the Republic of Lithuania to the EU - Member of Secretariat of COSAC

Ms Jurgita MARCINKUTĖ, Deputy Permanent Representative of the Seimas of the Republic of Lithuania to the European Union- Member of Secretariat of COSAC

Ms Mary SAVVA, Permanent Representative of the House of Representatives of Cyprus to the European Parliament - Member of Secretariat of COSAC

Ms Christiana FRYDA, Permanent Representative of the House of Representatives of Cyprus to the European Parliament - Member of Secretariat of COSAC

ACCEDING COUNTRY - PAYS ADHÉRENT

CROATIA - CROATIE

Parliament/ Parlement/ Hrvatski Sabor

Mr Gordan JANDROKOVIĆ, Deputy Chairperson of the European Integration Committee

Mr Damir MATELJAN, Member of the European Integration Committee

Mr Tonino PICULA, Member of the European Integration Committee

Ms Jelena ŠPILJAK, Advisor to the European Integration Committee

CANDIDATE COUNTRIES - PAYS CANDIDATS

FORMER YUGOSLAV REPUBLIC OF MACEDONIA/FYROM - ANCIENNE RÉPUBLIQUE YUGOSLAVE DE MACÉDOINE/ARYM

Assembly of the Republic/ Assemblée de la République/ Saborie



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ICELAND - ISLANDE

Parliament/ Parlement/ Althingi

Mr Birgir ÁRMANNSSON, Chairperson of the Foreign Affairs Committee

Mr Óttarr PROPPÉ, Member of the Foreign Affairs Committee

Ms Silja Dögg GUNNARSDÓTTIR, Member of the Foreign Affairs Committee

Mr Stigur STEFANSSON, Secretary of the Foreign Affairs Committee

MONTENEGRO - MONTENEGRO

Parliament/ Parlement/ Skupština

Mr Slaven RADUNOVIĆ, President of the Committee on European Integration

Mr Jovan MARTINOVIĆ, Member of the Committee on European Integration

Mr Dritan ABAZOVIĆ, Member of the Committee on European Integration

Mr Andrej ORLANDIĆ, Official

SERBIA - SERBIE

National Assembly/ Assemblée nationale / Narodna skupstina

Ms Gordana ČOMIĆ, Vice-Speaker of the National Assembly, Member of the European Integration Committee

Ms Dijana VUKOMANOVIC, Member of the European Integration Committee

Mr Dragan SORMAZ, Member of the European Integration Committee

Ms Marija UROŠEVUC, Advisor in the EU Integration Department

TURKEY - TURQUIE

Grand National Assembly of Turkey/ Grande Assemblée nationale de Turquie /Türkiye Büyük Millet Meclisi

Mr Mehmet Sayim TEKELIOĞLU, Chairperson of the EU Harmonization Committee

Ms Ayşe Eser DANIŞOĞLU, Member of the EU Harmonization Committee



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Mr Yildirim Mehmet RAMAZANOĞLU, Member of the EU Harmonization Committee

Mr Ahmet KAYMAZ, Expert on Legislation, EU Harmonization Committee

OTHER PARTICIPANTS - AUTRES PARTICIPANTS

COUNCIL OF THE EUROPEAN UNION - CONSEIL DE L'UNION EUROPÉENNE

Mr Klaus SCHWAB, Head of Unit, European Parliament Coordination: Internal Policies, Relations with other Institutions and Bodies

Mr Olivier SEGNANA, Administrator, National Parliaments/ Advisor, General Secretariat of the Council of the European Union

EUROPEAN COMMISSION - COMMISSION EUROPÉENNE

Mr Jens NYMAND-CHRISTENSEN, Director, Directorate G, Relations with the European Parliament, the Committees and General Institutional Issues

Mr Martin AHBE, Co-ordinator for Inter-institutional Relations - Relations with the European Parliament, the European Economic and Social Committee and the Committee of the Regions

Ms Barbara NOLAN, Head of European Commission Representation in Ireland

Mr Daniel IZSAK, Political Reporter, European Commission Representation in Ireland

Ms Nicola JOHNSTON, Political Reporter, European Commission Representation in Ireland

Ms Eimear NÍ BHROIN, Political Reporter, European Commission Representation in Ireland



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SPECIAL GUESTS/ INVITÉS SPÉCIAUX

NORWAY - NORVEGE

Parliament/ Parlement/ Stortinget

Ms Ine Marie ERIKSEN SØREIDE, Chairperson of the Standing Committee on Foreign Affairs and Defence

Mr Per SIGURDSSON NESTANDE, Senior Advisor at the Brussels office of the Norwegian Parliament

Mr Roald NÆSS, Norwegian Ambassador to Ireland

Ms Lena K. HAUGLAND, Royal Norwegian Embassy, Dublin



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SPEAKERS - ORATEURS

Mr Enda KENNY, An Taoiseach (Prime Minister of Ireland)

Mr Herman DE CROO, Former Speaker of the House of Representatives, Belgium

Mr Brendan HALLIGAN, Chairperson, Institute of International and European Affairs

Dr Mo IBRAHIM, Chairman of the Mo Ibrahim Foundation

Ms Michèle STRIFFLER, Vice-President of the Development Committee of the European Parliament

Mr Barry ANDREWS, Chief Executive of GOAL

Mr Ruairí QUINN, Minister for Education and Skills

Dr Valentin INZKO, High Representative for Bosnia-Herzegovina

Mr Erwan FOUÉRIÉ, Associate Senior Research Fellow, Centre for European Policy Studies, Brussels

Ms Nevin ÖZTOP

Ms Rachel CREEVY

Ms Marietta HERFORT



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XLIX COSAC

Dublin Castle 23 – 25 June 2013

PROGRAMME

Sunday, 23 June 2013

15:00 – 19:00 Registration desk open at the Hotels

For the participants of the meeting of the Presidential Troika of COSAC

Venue: The Printworks Conference Centre, Dublin Castle

17:30 Departure by bus from the Hotels

18:00 – 19:00 Meeting of the Presidential Troika of COSAC

19:00 Departure by bus from the hotels

19:30 Welcome reception

20:00 Welcome Dinner hosted by Mr. Dominic Hannigan T.D., Chairman of the
Oireachtas Joint Committee on European Union Affairs

Venue - Royal Hospital, Kilmainham

22:30 Return by bus to the hotels





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Monday, 24 June 2013

Venue: The Printworks Conference Centre, Dublin Castle

For the participants of the meetings of Political Groups

07:30 Buses depart from the hotels for Dublin Castle

08:00 – 09:00 Meetings of Political Groups

08:30 Buses depart from the hotels for Dublin Castle

09:15 **Opening and procedural issues**

- Opening address by Mr. Seán Barrett T.D., Ceann Comhairle of Dáil Éireann
- Opening of session by Mr. Dominic Hannigan T.D. , Chairman of the Oireachtas Joint Committee on European Union Affairs
- Adoption of the Agenda of the XLIX COSAC
- Presentation of the 19th Bi-annual Report
- Procedural issues
- Outcome of the informal meeting of EU Committee Chairs, Copenhagen, March 2013
- Outcome of the Conference of Speakers of EU Parliaments, Nicosia, April 2013

10:15 **'Taking Stock and Looking to the Future'**

Address by An Taoiseach Mr. Enda Kenny T.D., Prime Minister of Ireland

Debate

11:00 Family Photo/Coffee Break

11:45 **'The Future of European Integration'**

- Address by Mr. Herman De Croo, Former Speaker of the Belgian House of Representatives
- Address by Mr. Brendan Halligan, Chairperson, Institute of International and European Affairs

To respond: Mr. William Cash MP, Chairman of the European Scrutiny Committee of the House of Commons

Debate



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13:15

Buffet Lunch

Venue: Castle Hall, Dublin Castle

Informal Lunchtime Session

Venue: Georges Hall, Dublin Castle

14:00 – 14:30 **Parliamentary practices in selective EU Scrutiny**
Presentations by Mr. René Leegte
Vice-Chair of the European Affairs Committee
Tweede Kamer der Staten-Generaal

Note: there will be no interpretation at the informal session

14:45

'Delivering on Development'

Panel discussion

- Dr. Mo Ibrahim, Chairman, Mo Ibrahim Foundation
- Ms. Michèle Striffler, Vice-president of the Development Committee of the European parliament
- Mr. Barry Andrews, Chief Executive, GOAL

Debate

16:45

End of session - Buses depart for hotel

Chairpersons Meeting

Venue: The Printworks Conference Centre, Dublin Castle

16:45 Consideration of the draft Contributions and Conclusions of the XLIX COSAC

18.00 Chairpersons return to the Hotels

19:00

Departure by bus from the hotel

19:30

Welcome reception

20:00

Dinner hosted by Mr. Seán Barrett T.D., Ceann Comhairle of Dáil Éireann

Guest of Honour : President of Ireland, Michael D. Higgins

Venue - Round Room, Mansion House, Dublin

22:30

Return by bus to the hotel





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Tuesday, 25 June 2013

Venue: The Printworks Conference Centre, Dublin Castle

08:20 Buses depart from the hotels for Dublin Castle

09:00 **'A European Future for Young Citizens'**

- Address by Mr. Ruairi Quinn TD, Minister for Education and Skills
- Interventions by three young European citizens
 - Nevin Öztop (Turkey)
 - Rachel Creevy (Ireland)
 - Marietta Herfort (Hungary)

Debate

10:30 Coffee Break

10:50 **'Enlargement and Neighbourhood Policy – Maintaining Momentum'**

- Address by Mr Valentin Inzko, High Representative for Bosnia-Herzegovina
- Address by Mr. Erwan Fouéré, Associate Senior Research Fellow, Centre for European Policy Studies, Brussels

To respond: Mr. Miguel Angel Martínez Martínez, Vice President of the European Parliament

Debate

12:15 **Adoption of the Conclusions and Contribution of COSAC XLIX**

13:00 **Buffet Lunch**

Venue: Castle Hall, Dublin Castle

14:45 End of meeting - Buses depart for hotels



COSAC

17 May 2013

**Nineteenth Bi-annual Report:
Developments in European Union
Procedures and Practices
Relevant to Parliamentary Scrutiny**

Prepared by the COSAC Secretariat and presented to:

**XLIX Conference of Parliamentary Committees
for Union Affairs of Parliaments
of the European Union**

23-25 June 2013
Dublin

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Background

This is the Nineteenth Bi-annual Report from the COSAC Secretariat.

COSAC Bi-annual Reports

The XXX COSAC decided that the COSAC Secretariat should produce factual Bi-annual Reports, to be published ahead of each ordinary meeting of the Conference. The purpose of the Reports is to give an overview of the developments in procedures and practices in the European Union that are relevant to parliamentary scrutiny and to provide information better to facilitate plenary debates.

All the Bi-annual Reports are available on the COSAC website at: <http://www.cosac.eu/en/documents/biannual/>

The four chapters of this Bi-annual Report are based on information provided by the national Parliaments of the European Union Member States and the European Parliament. The deadline for submitting replies to the questionnaire for the 19th Bi-annual Report was 28 March 2013.

The outline of this Report was adopted by the meeting of the Chairpersons of COSAC, held on 28 January 2013 in Dublin.

As a general rule, the Report does not specify all Parliaments or Chambers whose case is relevant for each point. Instead, illustrative examples are used.

Complete replies, received from 39 out of 40 national Parliaments/Chambers of 26 out of 27 Member States and the European Parliament, can be found in the Annex on the COSAC website.

Note on Numbers

Of the 27 Member States of the European Union, 14 have a unicameral Parliament and 13 have a bicameral Parliament. Due to this combination of unicameral and bicameral systems, there are 40 national parliamentary Chambers in the 27 Member States of the European Union.

Although they have bicameral systems, the national Parliaments of Austria, Ireland and Spain each submitted a single set of replies to the questionnaire, therefore the maximum number of respondents per question is 38. There were 37 responses to this questionnaire.

ABSTRACT

CHAPTER 1: GENUINE ECONOMIC AND MONETARY UNION

The majority of Parliaments/Chambers actively debate key EMU related documents and have found them to be a useful basis for discussion, mostly in committee but occasionally in plenary. There was some concern that policy measures previously announced or already agreed should be advanced or implemented as quickly as possible.

In terms of democratic legitimacy Parliaments/Chambers should aim at making greater use of existing tools and seek to develop new ones such as the right of initiative. There is a belief that the key documents relating to the EMU referred to in this report do not adequately address the issue of democratic legitimacy for Parliaments as they are not clear enough on what is being proposed and there is a concern that democratic legitimacy should be deepened.

Most Parliaments/Chambers see the need for appropriate parliamentary structures and instruments aimed at strengthening the role and involvement of Parliaments in EU level consideration of new economic measures which affect citizens as a way of increasing democratic legitimacy. While the arrangements for the new Article 13 Conference will be important in showing how Parliaments can work together effectively in this regard some national parliaments equally do not necessarily want an overly EU centralised system for the development of economic policy. There were nonetheless high levels of support for the concepts that accountability should rest at the level at which decisions are taken and implemented and equally for further integration to be accompanied by the commensurate involvement of the European Parliament.

Although the response level was low on the specific questions asked, it is safe to say that there were no negative reactions among Parliaments/Chambers to the concept of the establishment of, for example, a single resolution mechanism or the ex-ante coordination of major economic reforms. It may, however, have been too early to seek views on these matters.

Parliaments/Chambers, in general, have a wide range of useful and well used mechanisms to help them prepare national policy positions before and after European Councils including debates with prime Ministers and with other Ministers at Plenary and committee levels.

CHAPTER 2: EUROPEAN SEMESTER 2013

The majority of Parliaments/Chambers reported that they were satisfied or partly satisfied with their degree of engagement in the economic governance of the EU and the European Semester at national level in 2013. Likewise, the majority of Parliaments/Chambers answered that they had scrutinised the Annual Growth Survey 2013. The majority of Parliaments/Chambers also scrutinise or plan to scrutinise the draft Stability and Convergence Programme (SCP), National Reform Programme (NRP) and the Country-Specific Recommendations (CSR) at committee level. Just under half the respondents have changed or plan to change procedures in their Parliament/Chamber in order to respond to the

European Semester and the Report highlights a number of examples of best practice in this area.

Seventeen Parliaments/Chambers responded that they had engaged with the European Commission in some part of the process and some noted the publishing of specific reports or the arrangement of special briefings for Members or the appointment of a rapporteur to coordinate political positions as useful techniques for increasing engagement.

With regards to whether Parliaments/Chambers plan to scrutinise the Draft Stability and Convergence Programme, the National Reform Programme and Country-Specific Recommendations, most Parliaments/Chambers reported that they will, either ex-ante and/or ex-post. Concerning the participation of Parliaments/Chambers in the European Semester since the process began in 2011, the majority answered that this has increased. Likewise, a great majority of Parliaments/Chambers reported that they had participated in the European Parliamentary Week (EPW), while around a third of them responded that the EPW had enhanced their involvement in the European Semester. The organisation of the EPW, however, requires reviewing according to some Parliaments/Chambers as it did not facilitate proper discussion among parliamentarians particularly with the early departure of keynote speakers.

Support for the optimum forum for interparliamentary cooperation at European level on the European Semester varied and was divided between the EPW, the idea of an interparliamentary conference and the use of existing fora or a combination of existing fora.

CHAPTER 3: EUROPEAN UNION ENLARGEMENT

For the ratification of an accession treaty in most cases an Act of Parliament is needed and in two cases a referendum might have to be held.

Monitoring reports (on acceding countries) and annual progress reports (on candidate and potential candidate countries) were scrutinised and debated by around 60% of responding Parliaments/Chambers. Half of the respondents discussed the Commission's Enlargement Strategy 2012-2013. Most Parliaments/Chambers debate enlargement in relation to all candidate and potential candidate countries while just five Parliaments/Chambers did not discuss on any of them at all.

While two thirds of the respondents answered that their Parliament/Chamber engages in dialogue with political, official and civil society representatives in enlargement states, the intensity of this involvement as well as the interlocutors vary widely.

The understanding of Parliaments'/Chambers' own role in enhancing the public discourse in their Member State is very complex. Some do not see a role for themselves in this regard at all, others describe this as a matter to be dealt with principally by their governments, while a few see a need for public communication and for a well-informed public debate.

CHAPTER 4: SUBSIDIARITY

Although formal procedures of subsidiarity scrutiny have remained unchanged in recent years, some Parliaments/Chambers adopted important changes in the practical application of the procedures. Best practices related to putting more focus on improving co-operation with other Parliaments/Chambers and included: the exchange of information between members of staff of different Parliaments; cooperation among National Parliament Representatives of Parliaments/Chambers to the EU; and attendance of interparliamentary conferences and debates with other MPs.

Around two thirds of Parliaments/Chambers answered that the eight-week period was sufficient for scrutiny of subsidiarity under the Lisbon Treaty. However, a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess. Twelve Parliaments/Chambers believed that the eight-week period was not sufficient and emphasised that an extension would not mean a significant slowing down of the European legislative procedure.

There has been significant exchange of information between Parliaments/Chambers on subsidiarity scrutiny using a variety of exchange methods and networks, in particular email, the IPEX database and National Parliament Representatives based in Brussels. This shows the successful intensification of interparliamentary exchange of information since the coming into force of the Lisbon Treaty, in many cases contributing to specific scrutiny outcomes. These overall trends are also reflected in the specific case of "Monti II".

Half of responding Parliaments/Chambers called for European Commission's replies to reasoned opinions to be provided in a swifter manner and a further 20 out of 33 for them to be more focused on the arguments contained in the opinions drafted by the national Parliaments to ensure continuing genuine dialogue between the Commission and national Parliaments. In the specific case of "Monti II" the majority of Parliaments/Chambers believed that the European Commission actions in responding to the "yellow card" were in line with the Lisbon Treaty and that it applied correctly the practical arrangements for the operation of the subsidiarity mechanism. However, 12 Parliaments/Chambers did not believe that the reply from the Commission to the reasoned opinion (dated 12 September 2012) was an adequate response.

CHAPTER 1: GENUINE ECONOMIC AND MONETARY UNION

In November 2012, the European Commission published a Communication of major significance setting out a blueprint for a deep and genuine economic and monetary union (EMU),¹ with a view to launching a debate. In this document the Commission highlighted the measures already taken during the current crisis and set out possible measures to deepen EMU in the short, medium and long term, including possible steps towards a political union.

In December 2012, the European Council adopted conclusions² on a roadmap for the completion of EMU. The conclusions dealt with the most immediate aspects of the roadmap drawing on a report on the issue published earlier that month by President of the European Council Mr Herman Van Rompuy.³ The report identified four main building blocks for the completion of EMU: an integrated financial framework; an integrated budgetary framework; an integrated economic policy framework; and democratic legitimacy and accountability.

This section of the Report will summarise information provided by Parliaments/Chambers on the level of debate within Parliaments/Chambers on the European Commission's blueprint for a genuine EMU, given its intended purpose as a debate-starter, and will summarise the views of Parliaments on some of the possible measures outlined therein, and in the Van Rompuy report, such as the promotion of structural reforms in Member States through arrangements of a contractual nature, and the creation of a euro area fiscal capacity.

Finally, this section of the Report will summarise the views of Parliaments/Chambers on the extent to which these three key EMU documents have sufficiently addressed the issue of democratic legitimacy and accountability, and in particular the role of Parliaments, in a genuine EMU.

1.1 Parliamentary activities and views on key EMU documents

The results show that more than three quarters of responding Parliaments/Chambers have scrutinised the key documents described above. This has taken place either in plenary or committee sessions, and in the case of the European Council conclusions either before and/or after the Council according to the tradition of the respective Parliaments/Chambers. In one case the Hungarian *Országgyűlés* mentioned that the debate with their Prime Minister on the European Council conclusions was done "in camera". In another case, the Dutch *Tweede Kamer* held a public roundtable on the future of EMU during which "about 20 authorities and experts were invited to share their insights".

Nine respondents did not scrutinise the Commission Blueprint, while eight did not scrutinise the Van Rompuy Report and seven did not scrutinise the European Council conclusions.

When asked to comment further some Parliaments/Chambers noted that the documents were a sound basis for the discussion on the future direction of the EMU or created greater

¹COM (2012) 777 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0777:FIN:EN:PDF>

² 14 December 2012 http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/134353.pdf

³Towards a Genuine Economic and Monetary Union, 5 December 2012

http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/134069.pdf

understanding around the process of developing and deepening the EMU and are still continuing to do so (the Italian *Senato della Repubblica*, the Lithuanian *Seimas*, the Hungarian *Országgyűlés* and the Dutch *Tweede Kamer*). For others the documents were background material which fed into their regular policy debates on these matters.

Of the 34 respondents, 29 said that the documents contributed to a debate in their Parliament/Chamber on the future direction of the EMU in committee and 10 of these also said it contributed to a debate in plenary session. A small number (five) had not debated the documents.

Of the 14 Parliaments/Chambers which responded to the question about their overall reaction to the documents, there was a clear and positive reaction to all three documents. All but one of these respondents (Czech *Poslanecká sněmovna*) considered the steps set out in the documents to be necessary and all but two considered them realistic (Czech *Poslanecká sněmovna* and UK *House of Lords*). However, given the low response rate this is merely a very broad indication of sentiment towards these documents.

In the follow-on comments the views of Parliaments/Chambers became more nuanced. It is clear that the documents cover a wide variety of issues and that some Parliaments/Chambers did not have one overall view on them. A number were still reflecting on the documents and had not reported on them and some referred to previous reports expressing support for the deepening of the EMU more generally. However, many welcomed the documents as a step forward in the right direction. In that regard this broad support was tempered by some critical comments: the European Parliament pointed out the absence of any mention of "the mutualisation of debt or of the redemption fund" or of a "European Treasury" or of further explanation of "the fiscal capacity"; some called for the measures that had already been agreed to be implemented effectively as soon as possible [6 pack, 2 pack, etc.] and evaluated (the French *Assemblée nationale*, the Estonian *Riigikogu* and the Swedish *Riksdag*); the UK *House of Commons* expressed deep concern about the possible implications for the UK of what was being proposed; "the need for immediate clarification of the operational framework for the recapitalisation of banks through the ESM, in a direct and retrospective way, for countries in an adjustment programme" was called for by the Greek *Vouli ton Ellinon*; the notion of a contractual relationship between the Union and each state was criticised by the French *Sénat*; and the Austrian *Nationalrat* and *Bundesrat* pointed out the absence of any mention of or a commitment to a convention for the revision of the Treaties.

1.2 Views on certain aspects of a deepening of the EMU

Parliaments/Chambers were asked to give information about their views on a number of proposals for deepening the EMU currently being considered at EU level. This was an attempt to get a first reaction. The results are best shown in tabular form as set out below.

Question	Positive	Negative		Necessary steps	Unnecessary steps		Realistic	Unrealistic	
SRM ⁴	15	1		9	0		9	0	
Ex-ante coordination of major economic reforms in the short term	11	0		6	0		6	1	
Ex-ante creation of a CCI in the short term ⁵	8	1		5	1		4	2	
Possible creation of a fiscal capacity fund for the euro area in the medium term	9	3		6	1		6	1	
Possible creation of a redemption fund for the euro area in the medium term	8	3		5	1		6	1	

Many Parliaments/Chambers have yet to take a formal position on these matters. Some have said they are awaiting Commission proposals before doing so and some have said they will be examining these matters in the next semester. The Spanish *Cortes Generales* noted that it had asked its government to link the fiscal capacity fund to the question of economic growth and jobs while the Dutch *Tweede Kamer* did not agree with the creation of the fund.

1.3 The role of Parliaments in terms of democratic legitimacy and accountability

In response to the question on their role in terms of democratic legitimacy and accountability, a number of Parliaments/Chambers referred to fact that their role is to actively scrutinise their own governments. However, it is also clear that many look to the broader European stage. The Danish *Folketing* defined itself "as an active player scrutinising the national government as well as European decision-making; applying existing tools to

⁴ A single resolution mechanism [SRM] for the recovery and resolution of banks within the Member States participating in the Banking Union in the short term

⁵ Convergence and Competitiveness Instrument (CCI)

European decision-making and to developing new tools - for instance through interparliamentary cooperation". The German *Bundestag* referred to the need to "get informed extensively" and "to be involved in a coordinating role at an early stage". The Latvian *Saeima* believed that existing instruments for economic policy coordination have to be used to the utmost extent and agreed that there should be ex-ante economic policy coordination. The Spanish *Cortes Generales* noted that the role of Parliaments in the EU should be increased, while the Lithuanian *Seimas* cited the need for systematic involvement of national Parliaments both aimed at ensuring the necessary democratic legitimacy and accountability of decision making in the EMU. The Austrian *Nationalrat* and *Bundesrat* argued that it had to make use of new instruments and mechanisms and to become more involved while it also said that Parliaments/Chambers needed to create new mechanisms, on the European level and between national Parliaments and the EU institutions, which have full democratic accountability. The European Parliament mentioned the recommendations contained in its "Thyssen report"⁶ and notably that "the future architecture of the EMU must recognise that the European Parliament is the seat of accountability at Union level". In addition it pointed out that "the Commission and the Council should be present when inter-parliamentary meetings between representatives of national Parliaments and representatives of the European Parliament are organised at key moments of the Semester (i.e. after the release of the Annual Growth Survey, and after the release of the Country-Specific Recommendations), notably allowing national Parliaments to take into account the European perspective when discussing the national budgets". The Irish *Houses of the Oireachtas* stated that "initial steps towards the completion of the EMU have taken place without any significant change to the role of Parliaments in the institutional mix at EU level".

The Swedish *Riksdag* noted, however, that the suggested measures represent "a significant centralisation of economic policy in the EU" which is a "worrying development". It also said that national parliamentary control on budgetary matters should not be weakened and the Slovenian *Državni zbor* agreed on this point too.

The Dutch *Tweede Kamer* acknowledged "the feelings of citizens who do not feel represented in the on-going developments in Europe" and wanted clear arrangements on a strengthened democratic legitimacy and accountability and instruments in the field of the Banking Union, the Fiscal Union and the Economic Union in which national Parliaments play an effective and adequate role".

1.4 Consideration of democratic legitimacy and accountability and the role of national Parliaments and the European Parliament in key EMU documents

There is a clear belief among those Parliaments/Chambers which responded that the key documents do not adequately consider the issues of democratic legitimacy and accountability and, in particular, the role of the national Parliaments and the European Parliament. Fifteen out of 21 (71.4%) of those who responded believe this to be the case with the Van Rompuy Report and the European Council conclusions of December 2012. The Commission Blueprint, at 13 out of 19 (68.4%), fared only marginally better. In further comments Parliaments/Chambers outlined the reasons for this. Some Parliaments/Chambers

⁶ European Parliament resolution of 20 November 2012 with recommendations to the Commission on the report of the Presidents of the European Council, the European Commission, the European Central Bank and the Eurogroup 'Towards a genuine Economic and Monetary Union' (2012/2151(INI))

responded that the proposals were not specific enough (Danish *Folketing*, Irish *Houses of the Oireachtas*, Greek *Vouli ton Ellinon*, Austrian *Nationalrat* and *Bundesrat*, Dutch *Eerste Kamer*, Slovenian *Državni zbor*, Portuguese *Assembleia da República* and French *Sénat*). The Lithuanian *Seimas* said it believed that the debate is wider than economic policy alone. The Latvian *Saeima* noted that none of the documents outline clear options for guaranteeing legitimacy thus leaving it to Parliaments to decide how to become genuinely involved in the debate.

A smaller number of Parliaments/Chambers considered that the documents were a good base for discussion which created a framework for national Parliaments to take the matter further and decide for themselves (UK *House of Lords*, Romanian *Senatul*, Hungarian *Országgyűlés* and Slovak *Národná rada*). The Portuguese *Assembleia da República* supported the need for national Parliaments to define how best to oversee the deepening of the EMU.

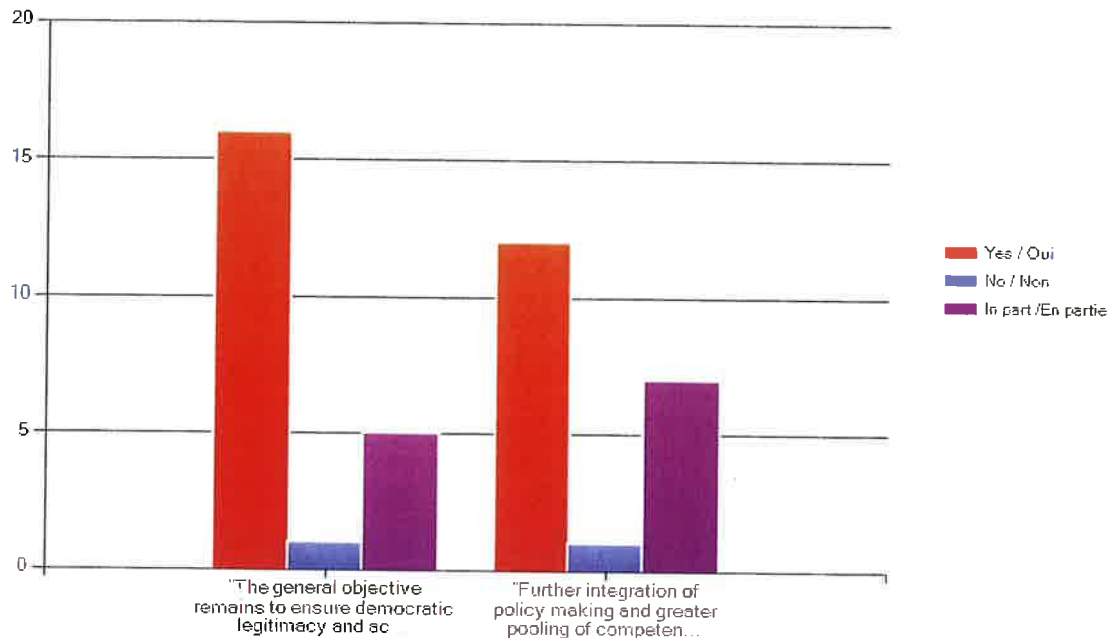
Others offered proposals as to how to improve the situation; the Italian *Senato della Repubblica* proposed that national Parliaments could have a greater role in debating the Country-Specific Recommendations with the Commission and Council, in the accountability of the ECB, in the new contractual arrangements under development and in the fiscal capacity. The Austrian *Nationalrat* and *Bundesrat* suggested that "national Parliaments should be strengthened within the European legislative process by deepening the subsidiarity control mechanism (i.e. subsidiarity and proportionality check), improving parliamentary oversight of the European Semester and giving national Parliaments the possibility to actively initiate European debates". The Swedish *Riksdag* cautioned that "several of the proposals contained in the documents are far reaching and require treaty changes" and the Austrian *Nationalrat* and *Bundesrat* stated that democratic accountability on the European level should also be brought before a European Convention.

1.5 December 2012 European Council Conclusions - democratic legitimacy and accountability

Parliaments/Chambers were asked whether they agreed with the following excerpts from the December 2012 European Council Conclusions:

1. "The general objective remains to ensure democratic legitimacy and accountability at the level at which decisions are taken and implemented"; and
2. "Further integration of policy making and greater pooling of competences must be accompanied by a commensurate involvement of the European Parliament".

1.7 Does your Parliament/Chamber agree with the following excerpts from the December 2012 European Council Conclusions? / Votre parlement/chambre, est-il/elle d'accord avec les passages suivants extraits des conclusions du Conseil européen de décembre 2012 ?



In regard to the first excerpt 21 out of 22 Parliaments/Chambers (95.4%) mentioned that they were in favour or partly in favour as long as competences remained where they currently are; for example, the Dutch *Eerste Kamer* stated that the approval of a national budget is ultimately the prerogative of the national Parliament. The Portuguese *Assembleia da República* said that the level where a decision was made does not always coincide with the level where that decision is implemented and so argued that democratic legitimacy and accountability should go across several levels. The UK *House of Lords* responded that, if there was a move to more decision making at an EU level or on the basis of inter-governmental agreements outside the framework of the Treaties, there may be a case for facilitating greater involvement of national Parliaments than currently exists at an EU level. The French *Sénat* did not agree with the first excerpt and argued that, in reality, European and national levels are now closely interdependent, while the Dutch *Tweede Kamer* and the Danish *Folketing* argued that the role of national Parliaments must be strengthened as they are close to their citizens.

Nineteen out of 20 Parliaments/Chambers (95.0%) were in favour or partly in favour of the second excerpt. Some of these Parliaments/Chambers emphasised the importance of a broad debate among and the key role of national Parliaments in subsequent procedures. The Lithuanian *Seimas* said that there is a need to ensure an effective dialogue between all the national Parliaments and the European Parliament. The Romanian *Camera Deputaţilor* cautioned there should be no competition in terms of legitimacy between national Parliaments and the European Parliament.

The Parliaments/Chambers which partly agreed with the second excerpt (7 or 35.0%) stated that it is not only the European Parliament but national Parliaments too that must be involved, this is especially true for matters within their reserved competence. The German

Bundestag emphasised that legitimacy should follow competences and that, therefore, a clear assignment of competences was necessary. The Romanian *Camera Deputaţilor* argued that more stringent fiscal rules were making the process more invasive in terms of national sovereignty and, therefore, greater legitimacy was being sought.

The UK *House of Commons* did not agree with the second excerpt and with the statement of the Commission that it is only the European Parliament that can provide democratic legitimacy for the EU and, therefore, the euro. It pointed out that any parliamentary oversight of a strengthened EMU should be at the level of 27 national Parliaments and the European Parliament; and any new arrangements must respect the different competences of national Parliaments and the European Parliament and operate consistently with national democratic scrutiny processes.

Many Parliaments/Chambers emphasised that, in practice, the statements could be implemented by creating appropriate parliamentary structures wherein both national Parliaments and the European Parliament are represented. The effective implementation of Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union and Protocol No 1 to the Lisbon Treaty could show how to put these statements into practice. The Cyprus *Vouli ton Antiprosopon* said that the statements could be achieved in practice through strengthening democratic legitimacy of the European Semester process as well as through strengthening cooperation between national Parliaments and the European Parliament. It also said that the European Parliamentary Week on the European Semester for Economic Policy Coordination, the COSAC and the Political Dialogue with the Commission contribute towards ensuring democratic accountability and legitimacy. The European Parliament answered when new competences are transferred to or created at Union level or when new Union institutions are established, a corresponding democratic control by, and accountability to, the European Parliament should be ensured⁷ while the Slovak *Národná rada* emphasised that strengthening the role and increasing the competences of the European Parliament must be accompanied by increasing the European Parliament's direct political responsibility for its decisions.

Some Parliaments/Chambers suggested concrete steps for strengthening the role of national Parliaments in European decision-making. For instance, the Romanian *Senatul* suggested that democratic legitimacy and accountability in the case of the national parliaments may be enhanced through a stronger involvement of the Parliament, at the national level, regarding the European Semester, National Reform Programme and Council recommendations, while the Danish *Folketing* suggested establishing a right of initiative for national Parliaments in parallel to a citizens' initiative (a certain number of national Parliaments should be allowed to invite the European Commission to consider tabling a legislative proposal) in order to strengthen national Parliaments in European decision-making. Another idea proposed by the Danish *Folketing* was for political opinions to undergo the subsidiarity check procedure and obtain the same status as reasoned opinions thereby strengthening the Political Dialogue with the Commission.

⁷ A specific part of the Thyssen report is dedicated to this topic (part 4: "Strengthening democratic legitimacy and accountability"): <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0430&language=EN&ring=A7-2012-0339>

1.6 Parliamentary preparation for European Council meetings and scrutiny of European Council conclusions

At least 23 Parliaments/Chambers scrutinise the European Council meetings and/or conclusions in some way.

Procedures differ among Parliaments/Chambers; nevertheless some similarities and trends can be identified. Debates are organised before and after the European Council meetings in many Parliaments/Chambers. Debates usually take place within committees and less often in plenary sessions. The Prime Minister (usually alone or accompanied by a Minister) attends the debates in the majority of Parliaments/Chambers. Policy-setting documents may be approved during meetings held to debate the conclusions of the European Council meeting. Governments give feedback on the conclusions adopted by the European Council irregularly (usually when the issue can fundamentally affect states' interests) at some Parliaments/Chambers.

Where do debates take place?

According to the responses given to the questionnaire, at least 13 out of 32 Parliaments/Chambers answered that prior to and/or after European Council meetings debates take place only within committee(s). In many of these Parliaments/Chambers, Committees on European Affairs play the key role and debate European Council meetings and/or their conclusions. Other committees can also be involved (for instance, Committees on Foreign Affairs, Committees on Finance, etc.). The Hungarian *Országgyűlés* responded that prior to a European Council meeting a special forum called the European Union Consultation Body is convened by the Speaker in order to provide a forum for a dialogue on EU matters between the Government and the Parliament.⁸

At least 11 Parliaments/Chambers said that prior to and/or after European Council meetings debates take place within plenary sessions. Four of these Parliaments/Chambers indicated that before European Council meetings they hold plenary debates to discuss the position that the Government will take during the forthcoming European Council meeting; and seven of these Parliaments/Chambers hold plenary debates afterwards on the results of the European Council meetings.

The responses of two Parliaments/Chambers (Romanian *Camera Deputaţilor* and Cyprus *Vouli ton Antiprosopon*) characterised the degree of influence that can be formally exercised over the actions as limited due to the nature of their presidential democracy systems.

When are debates organised?

More than half (some 17) of Parliaments/Chambers remarked that debates are organised before and after European Council meetings. Three Parliaments/Chambers said that the government reports to the Parliament/Chamber on the outcome of a European Council meeting within a certain period (one week in Ireland and fifteen days in Italy).

⁸ The Speaker, the Deputy Speaker, the leaders of parliamentary factions (political groups), the Chairman and Vice-chairman of the Committee for European Union Affairs, the Chairman of the Committee for Foreign Affairs and the Chairman of the Constitutional Affairs Committee are members of the Body.

Six Parliaments/Chambers (for instance, the Dutch *Tweede Kamer* and German *Bundesrat*) in their answers said that debates on the results of European Council meetings are held occasionally or not on a regular basis.

Four Parliaments/Chambers responded that European Council conclusions are not scrutinised. For instance, the Estonian *Riigikogu* emphasised that it is the Government's duty to monitor whether the conclusions are in compliance with the Estonian positions. The Slovenian *Državni zbor* stated that after European Council meetings the Government only sends it reports on the debates and conclusions of the meetings.

The European Parliament responded that it regularly prepares for European Council meetings in its plenary sessions. The President of the European Parliament is also invited to address European Council meetings and the President of the European Council is obliged to report back to the European Parliament after each European Council meeting.

Who represents the Government in the debates?

The majority of Parliaments/Chambers responded that their Prime Minister attends the debates usually alone or accompanied by a Minister. Some Parliaments/Chambers (for instance, the Portuguese *Assembleia da República*) responded that plenary debates held prior to European Councils are attended by the Prime Minister only, while meetings which are held to debate the conclusions of the European Council are attended by the Secretary of State for EU Affairs. For example, the Slovak, Lithuanian, Belgian Prime Ministers usually present the positions, prepared by the Government, to the Parliament/Chamber. The Greek *Vouli ton Ellinon* held hearings with keynote speakers from the competent ministries.

Debates before the European Council are followed by the approval of positions prepared by the government in some Parliaments/Chambers (for instance, the Italian *Camera dei Deputati*, Lithuanian *Seimas*) and sometimes policy-setting documents such as resolutions and motions may be approved during meetings held to debate the conclusions of the European Council meeting.

CHAPTER 2: EUROPEAN SEMESTER 2013

The European Semester, the annual cycle of EU level surveillance and coordination of Member States' fiscal, economic and structural reform policies is now in its third year. While the process has been bedding down at EU level, it has been largely dominated by the Commission and the Council to date, with the European Parliament and national Parliaments struggling to define their role in the new and rapidly evolving economic governance of the Union.

At national level, Parliaments/Chambers can obviously play a critical role in ensuring appropriate and timely oversight of government inputs at key points during the period of the European Semester process and subsequently, as well as debating relevant EU level growth forecasts, guidance and Country-Specific Recommendations.

At European level, oversight by the European Parliament, together with greater interparliamentary cooperation with national Parliaments will be crucial to underpin the European Semester process. The European Parliament organised a Parliamentary Week on the European Semester in January 2013, involving its relevant committees and representatives from equivalent committees of national Parliaments, to promote interparliamentary cooperation and specifically to stimulate debate and parliamentary involvement in the European Semester in 2013.

This section of the Report will seek to analyse information from Parliaments/Chambers on their involvement in the European Semester in 2013 at national level, particularly in relation to scrutiny of the Annual Growth Survey (AGS) 2013, the relevant draft Stability and Convergence Programmes (SCP), National Reform Programmes (NRP), and Country-Specific Recommendations (CSR), as well as summarising their views on the substance of these documents, the overall economic governance process, and how it might be improved upon.

2.1. Engagement in the economic governance of the EU and the European Semester at national level in 2013.

When all Parliaments/Chambers were asked whether they were satisfied with the degree of engagement in the economic governance of the EU and the European Semester at national level in 2013, out of 28 Parliaments/Chambers that answered this question, 24 said that they were satisfied or partly satisfied, while 4 were not. The majority of national Parliaments/Chambers stated that they had debated the AGS, the NRP and/or the SCP, as well as the CSR and that they would continue to debate these matters in their relevant competent committees and/or with their government. Two Parliaments/Chambers had additionally scrutinised the Alert Mechanism Report (Dutch *Eerste Kamer* and UK *House of Lords*). In subsequent comments Parliaments identified the improvements they thought were warranted i.e. a more timely consideration of the documents (Latvian *Saeima*, Polish *Sejm* and Dutch *Tweede Kamer*), consideration of the documents before they were issued to the Commission (Estonian *Riigikogu*, Austrian *Nationalrat*, Czech *Senát* and Portuguese *Assembleia da República*), the need to be able to amend the documents (French *Assemblée nationale*), the need to develop a separate specific parliamentary procedure to integrate it

into parliamentary life (Dutch *Eerste Kamer*, Belgian *Chambre des représentants* and *Sénat*, the Irish *Houses of the Oireachtas* and Romanian *Camera Deputaţilor*) and the need to review the content and substance of the key documents. The German *Bundesrat* disagreed that education policy should be part of the CSR. The European Parliament noted that in many resolutions it had called for the strong involvement of national Parliaments/Chambers in the Semester Cycle.

2.2. Scrutiny of Annual Growth Survey 2013.

The majority of national Parliaments/Chambers (24 out of 34) had debated/scrutinised the AGS 2013. The European Parliament adopted two own-initiative reports on the AGS 2013 and called for the AGS to be subject to the co-decision procedure. In addition, within the context of the economic dialogue, the European Parliament planned to conduct two dialogues, one within the framework of the European Semester in April and another scheduled in June on CSR.

Some of the procedural steps employed by Parliaments/Chambers to scrutinise the AGS included the following: UK *House of Lords* issued a letter to the relevant minister; the Portuguese *Assembleia da República* issued a report on the AGS; a number Parliaments/Chambers discussed the AGS in the European Affairs Committee (Austrian *Nationalrat* and *Bundesrat*, German *Bundestag*, Lithuanian *Seimas*, Polish *Sejm*, Slovenian *Državni svet* and Spanish *Cortes Generales*) or Finance Committee (Irish *Oireachtas*) or other committee (UK *House of Commons*); some Parliaments/Chambers questioned Ministers and Prime Ministers (including the Danish *Folketing*); a few brought the matter to plenary for a debate or adoption of a resolution (Austrian *Nationalrat* and *Bundesrat*, Dutch *Eerste Kamer* and Czech *Senát*); and the Latvian *Seimas* adopted a decision recommending the Government to align its position on the AGS.

In the Danish *Folketing* there is a well ordered parliamentary procedure, parts of which are evident in many other but not all Parliaments/Chambers and under which the relevant ministers appear before the European Affairs Committee prior to discussions in the Council on different parts of the Annual Growth Survey. The Prime Minister appears before the European Affairs Committee prior to and again after the European Council spring meetings where the Annual Growth Survey is endorsed. Likewise government representatives present Country Specific Recommendations prior to Council meetings and European Council meeting in June. A draft plan for a national semester envisages improving the procedure by having a government representative appear at joint meetings between Finance Committee and European Affairs Committee three times during the semester: 1) in December when the Annual Growth Survey is launched, 2) in March before the government submit the National Reform Programme and the Convergence Report to the Commission, 3) by the end of May when the Commission give country specific recommendations.

2.3. Scrutiny of Documents in 2013

A summary of the responses of national Parliaments/Chambers can be seen below in relation to their plans to scrutinise key documents in 2013. It is clear that there is a high level of scrutiny either ex-ante or ex-post and that less than one fifth of respondents did not scrutinise them.

	Yes (ex-ante)	Yes (ex-post)	No	Total No. of Responses
Draft Stability and Convergence	19 (59.4%) ⁹	8 (25.0%)	5 (15.6%)	32
National Reform Programme	18 (56.3%)	10 (31.3%)	4 (12.5%)	32
Country-Specific Recommendations	15 (48.4%)	11 (35.5%)	5 (16.1%)	31

The Spanish *Cortes Generales* added that the above documents were subject to scrutiny, via hearings held by members of the government prior and post the European Council, both at Plenary and committee level and may result in different initiatives (written questions, non legislative resolutions, interpellations (a form of plenary debate)). It added that the SCP and the NRP were also the subject of an *ad hoc* hearing held in the *Congreso de los Diputados* on the 8th May 2013, in which the Prime Minister appeared before the plenary. The Slovak *Národná rada* further noted that with regards to the CSR, it "considers ex-ante/ex-post debate/scrutiny formulation in relation to the CSRs as unclear" and that the relevant Committee debates the CSR before meetings of the Council of the EU and the European Council in June. The European Parliament also noted that the competent committee organised economic dialogues with other EU institutions, as part of the "comply or explain" principle.

2.4 Role of Committees in preparation of key documents

A majority of 20 of the 34 Parliaments/Chambers responded that their committees were already involved in the preparation of the SCP, NRP and the CSR and three Parliaments/Chambers foresaw future involvement.

Some of the notable mechanisms for committee involvement included:

- The Lithuanian *Seimas* committees discussed the draft documents extensively and have the right to recommend amendments that the Government is obliged to include in the drafts.
- In the Slovenian *Državni zbor* the [European Affairs] Committee and the sectoral committees may choose to adopt opinions on drafts which might be included in the SCP and NRP.
- The Romanian *Senatul's* Committee on EU Affairs coordinated a debate regarding the European Semester, the AGS, the NRP and the SCP, in March 2013.
- The European Union Affairs Committee of the Polish *Sejm* holds a debate on CSRs pursuant to the Act of 8 October 2010 on the cooperation of the Council of Ministers with the *Sejm* and the *Senat* of the Republic of Poland in matters relating to the Republic of Poland's membership in the European Union.
- The French *Sénat* replied that in future the organisation of debates on these subjects is prescribed by law. This obligation has been respected in 2011, but not in 2012 due to the national elections which caused an interruption of parliamentary work.

⁹ Percentages given are calculated as a percentage of the total respondents to each question or part thereof. This does not represent a percentage of Parliaments/Chambers.

- The Swedish Government is obliged to consult *Riksdagen's* Committee on EU Affairs each time the European Semester appears on the Council's agenda for a discussion or a decision and is given a mandate to negotiate the Swedish position on the matter. The Government presents the SCP and the NRP in the Committee on Finance.

At the same time some Parliaments/Chambers replied that their committees did "not participate in such procedures".¹⁰ The European Parliament answered that it organises an exchange of views on CSR annually and it "may invite Member States to a dialogue on national reforms and measures that may have a clear spill-over effect to other Member States [or] on the EU as a whole".

2.5. Engagement of national Parliaments/Chambers with the European Commission in the European Semester process

In response to the degree of engagement of national Parliaments/Chambers with the European Commission in the European Semester process, 17 out of 34 Parliaments/Chambers answered that they had engaged with the European Commission in some part of the process. These Parliaments/Chambers had direct communication with a Commissioner, the Commission Representation in capitals or staff from Brussels who had participated in a debate held in the relevant committee (Polish *Sejm*, Italian *Camera dei Deputati* and *Senato della Repubblica*,¹¹ Swedish *Riksdag* and Belgian *Chambre des représentants*) or envisage a discussion taking place before the publication of CSR (French *Assemblée nationale* and the *European Parliament*). Other ways of engaging included the informal sharing of the relevant ministerial correspondence with the European Commission (UK *House of Lords*) the issuing of a reasoned opinion to the Commission (Portuguese *Assembleia da República*).

2.6. Increased participation of Parliaments/Chambers in the European Semester since the process began in 2011

The majority of national Parliaments/Chambers (23 out of 33) answered that their participation in the European Semester had increased since the process began in 2011. According to the replies to the questionnaire, this increase mainly entailed active participation in interparliamentary meetings on the European Semester and debates at committee level. Ten national Parliaments/Chambers noted that the level of engagement was the same and/or their procedure had not changed. A number of the national Parliaments/Chambers whose engagement had increased, have specifically noted examples such as the following: the publication of a specific report which considered the European Semester process (UK *House of Lords*), briefings by members of the Permanent Representation to the European Union were organised "with a view to explaining the process of the European Semester process to the parliamentarians, while highlighting its impact at national level" (Belgian *Chambre des représentants*), the appointment of a rapporteur for the European Semester to coordinate the Dutch *Tweede Kamer's* position in the interparliamentary week and in the various relevant committees during the preparation of

¹⁰ Greek *Vouli ton Ellinon*, UK *House of Lords*, Austrian *Nationalrat* and *Bundesrat*, Cypriot *Vouli ton Antiprosopon*, Danish *Folketing*, Irish *Houses of the Oireachtas*

¹¹ The Italian *Senato della Repubblica* has noted that the information in this chapter refers to practices and political positions expressed during the previous parliamentary term of 2008 - 2013, meaning that these positions may be subject to change by the new parliament.

various council meetings. The European Parliament noted that the establishment of a working group on the European Semester ensured continuity and follow-up on the European Semester. The Finnish *Eduskunta* noted that while it had not changed the qualitative relationship between it and the government, in quantitative terms the number of descriptive documents available from the government had increased.

The European Parliament further noted that the European Parliamentary Week had enabled representatives of national Parliaments/Chambers and representatives of the European Parliament to discuss the main priorities of the next Semester Cycle.

2.7. European Parliamentary Week

Thirty-two out of 37 Parliaments/Chambers said that they had participated in the European Parliamentary Week (EPW) on the European Semester in January 2013. Of these, 10 found that the EPW had enhanced their involvement in the European Semester, while 19 other Parliaments/Chambers answered that it had not. Of this latter group a small number of them said that, although the EPW did not enhance their involvement they noted its importance as a platform to share views and experiences (Estonian *Riigikogu*), that it provided an additional source of background information for the participants (Hungarian *Országgyűlés* and Finnish *Eduskunta*) and that it contributed to a better awareness and understanding of the European Semester stages (Greek *Vouli ton Ellinon*). The Irish *Houses of the Oireachtas* commented that the EPW was informative and increased the level of awareness of the European-level debate, but that it was, however, perceived as a "stand-alone event and did not translate into greater involvement". Other Parliaments/Chambers answered that they had begun to reflect on the impact of the EPW (Italian *Senato della Repubblica*), that the "involvement at national level cannot be clearly identified" (German *Bundesrat*) and that the impact of the involvement had not yet been decided as "the debate is ongoing" (Cypriot *Vouli ton Antiprosopon*).

Further replies expressed that there was a "lack of opportunities for a dialogue and debate with the Presidents of the European Union Institutions" (Czech *Poslanecká sněmovna*) or that there was a lack of genuine dialogue on the semester-related topics with the "EU representatives showing up only to read their short speeches and then leaving the event without engaging in any dialogue with national Parliaments" (Czech *Senát*).

Sixteen out of 27 national Parliaments/Chambers thought that the EPW facilitated inter-parliamentary dialogue at European level on key questions pertaining to the European Semester in 2013.

Some of these expressed the view that the EPW was an appropriate forum for dialogue at European level. They commented that it offered parliamentarians a forum to exchange best practices and fostered inter-parliamentary debate on the different procedures applied to scrutinise the European Semester in national Parliaments (Spanish *Cortes Generales* and Hungarian *Országgyűlés*) and that it was a "valuable set of meetings which allowed dialogue and networking between parliaments" (UK *House of Lords*). The Slovak *Národná rada* answered that the EPW contributed to the selection of key topics and themes to be presented and debated at national level and the Portuguese *Assembleia da República* stated

that the exchange of experience between Parliaments proved to be "an unquestionable asset in [the] scrutiny of the Annual Growth Survey".

However, a number of Parliaments/Chambers were critical of the EPW and/or said that improvements were needed to be made to it. Specifically, the Czech *Poslanecká sněmovna* said that the organisation was "very chaotic and as a result very unsatisfactory in all aspects", the German *Bundestag* answered that there was "too little opportunity for real discussion among parliamentarians". The Austrian *Nationalrat* and *Bundesrat* noted that, although the EPW facilitated dialogue, the position of the governing parties (SPÖ (S&D) and ÖVP (EPP)) was that earlier timing of the conference with a clear structure and agenda would have been very helpful. It further noted that "the establishment of the conference as foreseen by Article 13 of the TSG could inter alia fulfil this role". The French *Sénat* deplored the fact that the debates were simply a juxtaposition of speeches and regretted that they did not lead to conclusions. The Dutch *Tweede Kamer* mentioned that, although the EPW facilitated dialogue, meetings of this type tended to result in "unrelated monologues". They wanted to make the number of delegates smaller or use parallel part-sessions or working groups and to reduce the role of Members of European Parliament. They expressed disappointment for the lack of dialogue with Presidents of the European Commission and the European Council who "both left the conference after their speech". The French *Assemblée nationale* said that to get beyond the level of polite small talk the themes for the conference should be chosen by the Parliaments together and the outcomes would depend on the quality of the preparatory work done by each Parliament.

The European Parliament expressed the view that both the European Parliament and national Parliaments had complementary roles to play within the framework of the European Semester and that in this respect, the EPW aimed to discuss the various priorities and policies under the European Semester and learn from each other's experiences in improving and implementing them.

2.8 Optimum forum for interparliamentary cooperation at European level on the European Semester

Thirty-six Parliaments/Chambers responded to the question of the optimum forum for interparliamentary cooperation at European level on the European Semester. The responses were varied with some Parliaments/Chambers supporting the European Parliamentary Week and many supporting the idea of an interparliamentary conference while others were proposing the use of existing fora or a combination of existing fora. Six Parliaments/Chambers replied that the issue was still under consideration or that no formal position had been adopted (though two of these made comments with this caveat in place).¹²

The European Parliament replied that it wanted to see reinforced interparliamentary cooperation "based in existing EU procedures". It said that the activities should be timely from both a European and national perspective and should be devised by the European Parliament and national Parliaments together. A number of national Parliaments/Chambers called for the use of existing structures or fora in principle, including the Irish *Houses of the Oireachtas*, replying that, at administrative level, consideration is being given to "idea of a

¹² German *Bundesrat*, Czech *Poslanecká sněmovna*, Lithuanian *Seimas*, Swedish *Riksdag*, UK *House of Commons* Portuguese *Assembleia da República* (the latter two also made comments with this caveat)

consecutive COSAC Chairpersons and Article 13 TSG Conference, held in the same location, with the latter replacing the existing Finance Chairpersons meetings". Five Parliament/Chambers suggested the possible use of various existing fora such as the "[European] Parliamentary Week, COSAC, the meeting of the relevant committee chairpersons or IPEX" (Hungarian *Országgyűlés*). The Finnish *Eduskunta* stated that "any interparliamentary cooperation should preferably be combined with or replace some existing interparliamentary meeting" and the Dutch *Tweede Kamer* said that "no new institutions should be set up".

A number of Parliaments/Chambers identified "an interparliamentary conference" on Article 13 TSCG as the optimum forum. These included (some of) the Parliaments/Chambers which met in Luxembourg on 11 January 2013 and issued a "working paper".¹³ Others supported the concept of an interparliamentary conference included Slovak *Národná rada*, Portuguese *Assembleia da República*, and the Polish *Sejm*.¹⁴

A number of Parliaments/Chambers supported the continuation of the European Parliamentary Week (EPW), organised by the European Parliament, as the optimum forum. This included the Cyprus *Vouli ton Antiprosopon*, the Polish *Senat*, the Romanian *Senatul* (which also said "in the frame of the Article 13 of the Treaty on stability coordination and governance and an option might be the extension of COSAC attributions"). The Czech *Senát*, though it did not exclusively support the EPW, suggested a number of improvements that could be made to it such as the use of smaller workshops, the adoption of a resolution and the presence of representatives from the EU institutions throughout the whole event. The UK *House of Lords* expressed the view that "the forum provided by the Parliamentary Week worked very well but decisions on the optimum forum need to be taken in the right way – by collective agreement between parliaments".

The questionnaire replies predated the meeting of the Conference of Speakers of EU Parliaments, held in Nicosia on 21-23 April 2013, which agreed on the establishment of a Conference, in line with Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, building on established structures for interparliamentary cooperation.

2.9 Changes to procedures at national level in response to the European Semester

	Yes	No	Total No. of responses
Changes already made to national procedures	9 (27.3%)	24 (72.7%)	33
Changes to national procedures planned	12 (38.7%)	19 (61.3%)	31

The summary of responses above shows that eight Parliaments/Chambers answered that they had already changed parliamentary procedures and 12 said they foresee a change due

¹³ Working paper of the meeting of the Speakers of Parliament of the Founding Member States of the European Union and the European Parliament in Luxembourg on January 11th, 2013. The Italian *Camera dei Deputati* did not participate in the meeting and does not endorse the working document.

¹⁴ As did the French *Assemblée nationale* who adopted a resolution on the matter on 27 November 2012.

to the European Semester (four of these answered "yes" to both categories). Changes that had already been made included, for example: in the Greek *Vouli ton Ellinon* the creation of the State Budget Office and an enhancement of the Parliament's relations with the Greek Court of Audit and organisation of public hearings; in Italy the amendment of Law no.39 (7 April 2011) included the obligation for the government to forward "the acts, draft acts and documents adopted by the EU institutions in the framework of the European semester" to the two chambers of the Italian Parliament and the "Economy and Finance Minister will report to the appropriate parliamentary committees...also with a view to the development of the Stability Programme and the NRP" and other provisions; in the French *Senát* the change took the form of the organisation of debates, provided for by law; the amendment of the Budgetary Framework Law in 2011 in the Portuguese *Assembleia da República* to consider the Stability and Growth Programme (SGP) at the start of the internal budgetary process and to make mandatory the plenary debate on the SGP and; consultation of the German *Bundestag* prior to the submission of the NRP and SGP.

The changes foreseen by Parliaments/Chambers included:

- A draft plan for a national semester (mentioned earlier) envisaged improving the procedure by having a government representative appear at joint meetings between Finance Committee and European Affairs Committee three times during the semester: 1) in December when the AGS is launched, 2) in March before the government submits the National Reform Programme and the Convergence Report to the Commission, 3) by the end of May when the Commission gives CSR (Danish *Folketing*).
- SCP to be discussed in Parliament before it is sent to the European Commission (Dutch *Tweede Kamer*).
- A proposal to harmonise the schedule under which the Government will submit the drafts of the NRP and the SCP to the Parliament, allowing reasonably sufficient time for parliamentary scrutiny (Lithuania *Seimas*).
- The Draft Law on Cooperation between the Parliament and the Government in European Affairs, in the final stage of adoption in the Senate, contains provisions on the parliamentary action in all phases of the European Semester (Romanian *Camera Deputaţilor*).

CHAPTER 3: EUROPEAN UNION ENLARGEMENT

The European Commission published its most recent annual Communication on Enlargement Strategy in October 2012.¹⁵ Council conclusions from December 2012 highlighted the need for a credible enlargement policy to maintain reforms in the countries concerned and for public support for enlargement in Member States.¹⁶

Following the anticipated accession of Croatia to the EU on 1 July 2013, there is no clear candidate state that is next in line to join the Union. This fact, coupled with so-called “enlargement fatigue”, whether real or perceived, holds the prospect that momentum for reform in candidate states and potential candidate states may be lost.

Parliaments play a key role in the enlargement process in the EU in terms of debate and ratification of accession treaties, scrutiny of stabilisation and association agreements, facilitation of dialogue with state and civil society actors in candidate countries and potential candidate countries and for communicating the case for enlargement to citizens.

This section of the Report contains information on the practices and procedures within Parliaments in relation to the enlargement process, views on the most recent Enlargement Strategy, dialogue with political, official and civil society representatives in enlargement states, and the role of Parliament in the national discourse on enlargement.

3.1 Practices and procedures within Parliaments in relation to the enlargement process

The introductory question asked in this chapter was what form the parliamentary approval of Accession Treaties and Stabilisation and Association Agreements (SAAs) takes in Parliaments/Chambers. In most cases an Act of parliament was reported to be needed (30 out of 35 respondents).¹⁷ In some cases, however, an Act of Parliament as such is not sufficient: in France draft laws authorising the ratification of a treaty of accession are in principle subject to a referendum, except if both Chambers adopt a motion by a two thirds majority to submit the question to the *Congr s*. In the United Kingdom, three requirements for approval had to be met: a ministerial statement as to whether the treaty triggers a referendum under the European Union Act 2011; an Act of Parliament approving the treaty and; compliance with either the referendum condition or exemption condition are necessary. This does not apply to SAAs which are scrutinised at committee level but do not require an Act of Parliament. In Sweden, in addition to the decision of the *Riksdag* on the accession treaty, a revision of the Swedish act on accession was required. Only following the consent of the European Parliament to Agreements by means of a legislative resolution can the respective agreements be signed and their ratification procedure by EU Member States and the country concerned launched.

¹⁵ http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/strategy_paper_2012_en.pdf

¹⁶ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/EN/genaff/134235.pdf

¹⁷ The Polish Sejm replied 'no'. "However, the European Union Affairs Committee discussed, for example, the Communication from the Commission to the European Parliament and the Council on a Feasibility Study for a Stabilisation and Association Agreement between the European Union and Kosovo [COM(2012) 602 final]."

3.2 Monitoring reports, annual progress reports and the enlargement strategy

Twenty-one Parliaments/Chambers reported regularly debating and/or scrutinising *monitoring* reports (on acceding countries) and 20 out of 34 Parliaments/Chambers reported debating and/or scrutinising *annual progress* reports (on candidate and potential candidate countries).¹⁸ While most of the Parliaments/Chambers that responded either debated or scrutinised both kinds of reports (19 out of 21 which replied positively regarding monitoring reports), a number had not debated them (14 out of 15 gave a negative reply). The EU Committee of the Latvian *Saeima* considers these reports if "relevant discussions [or decisions] are expected at the EU Council".

When asked whether they debated the most recent Commission Communication setting out an Enlargement Strategy and the Main Challenges 2012-2013,¹⁹ 18 Parliaments/Chambers said they (already) had, while an equal number replied in the negative. In most of the Parliaments/Chambers which provided additional information the discussion on this Communication was limited to the level of EU Affairs Committees. Two Chambers dealt with the enlargement strategy in plenary: the Romanian *Camera Deputaţilor* and the Czech *Senát* (which adopted a resolution). It should be mentioned that even though they did not answer the question in the positive, three Parliaments/Chambers held discussions in their respective committees on enlargement in general terms (the Irish *Houses of the Oireachtas* and the UK *House of Commons*) or took note of the Commission Communication (the Spanish *Cortes Generales*). The EU Committees of the German *Bundestag* and the French *Sénat* discussed the reports and the Enlargement Strategy with Enlargement Commissioner Füle. On 22 November 2012 the European Parliament adopted a resolution on "Enlargement: policies, criteria and the EU's strategic interests", which put forward a number of recommendations for the future of the Enlargement policy.²⁰ The replies from the Polish *Sejm*, Romanian *Camera Deputaţilor* and the Slovenian *Državni zbor* explicitly mention their Committee's support for the enlargement process and the latter two called for an intensified and better enlargement communication strategy in the EU.

Parliaments/Chambers were also asked to provide details on whether they discussed enlargement in relation to individual candidate and potential candidate countries. An overview is given in the table below:

	Yes	No	Total No. of responses
a) Turkey	28 (82.4%) ²¹	6 (17.6%)	34
b) Iceland	20 (58.8%)	14 (31.2%)	34
c) Montenegro	22 (64.7%)	12 (35.3%)	34

¹⁸ The Greek *Vouli ton Ellinon* and the Dutch *Eerste Kamer* discussed just some of the countries and the Slovak *Národná rada* and the Swedish *Riksdag* replied they did not discuss any of them on a subsequent question.

¹⁹ COM (2012) 600

²⁰ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0453+0+DOC+XML+V0//EN&language=EN>

²¹ Percentages given are calculated as a percentage of the total respondents to each question or part thereof, This does not represent a percentage of Parliaments/Chambers.

	Yes	No	Total No. of responses
d) Former Yugoslav Republic of Macedonia	21 (61.8%)	13 (38.2%)	34
e) Serbia	25 (73.5%)	9 (26.5%)	34
f) Albania	21 (63.6%)	12 (36.4%)	33
g) Bosnia and Herzegovina	21 (63.6%)	12 (36.4%)	33
h) Kosovo	21 (63.6%)	12 (36.4%)	33

The replies show that in all cases a larger number of Parliaments/Chambers discussed enlargement in relation to each of the candidate and potential candidate countries than did not. Ten Parliaments/Chambers held discussions on enlargement selectively, depending on the country in question or whether it was a neighbouring country. However, with the exception of the German *Bundesrat* all of them discussed enlargement to Turkey. Other than this, the replies did not show any obvious patterns. Seventeen Parliaments/Chambers, including the European Parliament, declared that they debated enlargement with regards to all the countries in question while five Parliaments/Chambers responded that they did not discuss enlargement to any countries. In addition, the UK *House of Commons* and the French *Assemblée nationale* stated in replies to previous questions that they discussed both kinds of reports on a regular basis.

Seventeen Parliaments/Chambers held these discussions in their specialised European Affairs and/or Foreign Affairs committees. Three Parliaments/Chambers mentioned the adoption of reports or resolutions, and two Chambers mentioned debates in plenary: the Dutch *Eerste Kamer* explained that "the enlargement of the EU is yearly touched upon during the debate on the policy of the government for Europe (also called State of the Union debate)", while the Italian *Camera dei Deputati* made reference to a plenary resolution that committed the Government to support the accession of Turkey to the European Union at the same conditions as the other candidate countries.²² The Italian *Senato della Repubblica* said that it "believes that a process leading to the enlargement of the Union to all Western Balkan countries should be considered irreversible" and "reaffirms the relevance of Turkey, whose European perspectives are a powerful factor of stability and geopolitical balance in the Mediterranean and the Middle East" while insisting fully on respecting the Copenhagen criteria. Other Parliaments/Chambers highlighted a generally favourable disposition towards enlargement "provided" the candidate countries "meet the Copenhagen criteria". The Slovenian *Državni zbor* stated that it "believe[s] that a positive agenda with Turkey cannot represent an alternative to accession negotiations".

3.3 Dialogue with political, official and civil society representatives in enlargement states

About two thirds of the respondents answered that their Parliament/Chamber had engaged in dialogue with political, official and civil society representatives in enlargement states "on a regular basis" (24 out of 36, with 12 negative replies). The most intense and regular relations

²² Approved on 7 September 2011, i.e. during the previous legislature.

with its parliamentary counterparts from each 'enlargement country'²³ were maintained by the European Parliament, some of them based on legal provisions within the SAA: it replied that "the most advanced type of inter-parliamentary relationship is the Joint Parliamentary Committee (as in the case of Croatia, Turkey, Iceland and the former Yugoslav Republic of Macedonia), followed by the Stabilisation and Association Parliamentary Committees (where the SAA is in force - Albania and Montenegro) and Inter-parliamentary Meetings (IPM - with Bosnia and Herzegovina, Serbia, Kosovo)." The Standing Bureaus of the Romanian *Senatul* and the *Camera Deputaţilor* adopt an annual Foreign Affairs Plan which includes "actions on bilateral or multilateral level, involving adhering, candidate states, or other states with a certain accession perspective". On the other side of the spectrum some Parliaments/Chambers maintained contacts rather "on an informal basis" (e.g. Belgian *Sénat* and Irish *Houses of the Oireachtas*).

Additional information provided by Parliaments/Chambers showed a broad variety of distinctive dialogue partners:

- some Parliaments'/Chambers' contacts were limited to the administrative level (Greek *Vouli ton Ellinon*, Belgian *Chambre des représentants*);
- ten Parliaments/Chambers predominantly engaged in discussions at the level of politicians in enlargement countries;²⁴ and
- eight Parliaments/Chambers engaged in discussions with politicians as well as civil society in enlargement countries.

Twelve Parliaments/Chambers mentioned missions to enlargement countries as well as the reception of visitors from candidate and potential candidate countries. Seven Parliaments/Chambers reported that they received visitors from candidate and potential candidate countries.²⁵ The Lithuanian *Seimas* provided further insight into its contacts, when it mentioned that "usually discussions on EU enlargement with politicians, officials, civil society, researchers and other stakeholders are...not only...open for public, but they are also broadcast on the *Seimas* TV and the *Seimas* website", which is an interesting proposal in relation to the following chapter.

3.4 Enhancing the national discourse on enlargement in the EU Member States

A broad variety of answers were given on the question as to how Parliaments/Chambers believe that the national discourse on enlargement could be enhanced in their Member State.

Parliaments/Chambers generally took one of two views: on the one hand, a status quo approach with answers such as "this is not a political question" (Finnish *Eduskunta*) or statements that the respective Member State "is not against enlargement" (Estonian *Riigikogu*), or that "all relevant political forces" were in favour and therefore there was "no need to enhance the discourse or to change the approach on enlargement" (Romanian

²³ Including acceding, candidate and potential candidate countries.

²⁴ Details of Parliaments /Chambers can be found in the appendix to this Report... The replies from the French *Assemblée nationale* and the German *Bundesrat* were not explicit as concerns the level of their contacts, but it seems they rather maintain contacts at political level only.

²⁵ The Luxembourg *Chambre des Députés* did not specify whether the dialogue in the framework of "parliamentary visits" took place at home or abroad.

Camera Deputaţilor; similar replies from the Hungarian *Országgyűlés*, the Slovenian *Državni zbor* and the Slovak *Národná rada*).

On the other hand, there was a slightly more proactive communications approach, for example, from the Swedish *Riksdag* which "concluded that enlargement is beneficial both for the EU and the enlargement countries, and that this message needs to be communicated to the public in a clear manner in order to enhance understanding of and support for the enlargement process". Other Parliaments/Chambers believe that "the information of the public...remains insufficient" (French *Sénat*, German *Bundestag*, Austrian *Nationalrat* and *Bundesrat*, Portuguese *Assembleia da República*). The Latvian *Saeima* stated that also NGOs and social partners should explain the benefits of enlargement to the general public.

There were also different views expressed on the role of Parliaments/Chambers in the enlargement process: a certain number of Parliaments/Chambers regarded the communication on EU enlargement as a task for the EU institutions and their own governments rather than an area where they could become more active themselves. The UK *House of Lords* stressed that its "recent report on the EU's enlargement agenda emphasised the importance of national governments and the Commission communicating the benefits of enlargement – and the costs of non-enlargement – to the general public". The European Parliament expressed the view that "it would be important to enhance the contacts between the national Parliaments and the European Parliament on the issue of enlargement" and stated it was ready "to discuss methods for more comprehensive contacts among parliamentarians on Enlargement", e.g. through the participation of the European Parliament's Standing Rapporteurs on each enlargement country, appointed for the whole legislative term, at committee meetings in national Parliaments/Chambers.

The Romanian *Senatul* (which held parliamentary meetings with acceding countries) and the UK *House of Lords* (see above) made proposals as to how to enhance the debate on enlargement on the political level while the Irish *Houses of the Oireachtas*, the Polish *Sejm* and the Lithuanian *Seimas* suggested stronger involvement of well known official and civil society representatives from such states, representatives of the government, scientific circles and non-governmental organisations, universities and research institutions in the debate could attract more attention from the public and make the debate more visible.

CHAPTER 4: SUBSIDIARITY

Under Article 6 of the Protocol on the Application of the Principles of Subsidiarity and Proportionality of the Lisbon Treaty, national Parliaments have the right to submit a reasoned opinion to the European institutions outlining why they consider that a particular proposal does not comply with the principle of subsidiarity. Critically, Article 7 of the above Protocol provides that where reasoned opinions represent at least one third of national Parliaments i.e. 18 votes, the proposal must be reviewed (the so-called “Yellow Card” procedure).

On 21 March 2012 the European Commission published a proposal for a Council Regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services (the so-called “Monti II” proposal).²⁶ By the time the subsidiarity deadline had expired at the end of May 2012, it was clear that the “Yellow Card” threshold had been reached and the Commission would be required to review the proposal. On 12 September 2012, the Commission decided to withdraw its proposal completely.

In the Contribution of the XLVIII meeting in October 2012, in the absence of any formal communication from the Commission, and in the context of strengthening the political dialogue,²⁷ COSAC called upon the European Commission to provide individual responses to the reasoned opinions submitted and the reasoning as to why it considered that the principle of subsidiarity had not been breached.

This chapter of the Report will seek to update information on the process of parliamentary scrutiny, in particular, on this proposal, the mobilisation of interparliamentary cooperation, and the views of Parliaments on the Commission’s response and the degree to which it took the contributions of Parliaments/Chambers into account.

4.1 Updated subsidiarity scrutiny procedures in Parliaments/Chambers and examples of innovation and best practise

A total of 32 out of 36 Parliaments/Chambers responded that subsidiarity scrutiny procedures had not been changed since the publication of the 16th Bi-annual Report in October 2011. Two Parliaments/Chambers indicated that negotiations were currently on-going and some changes may happen:

- The UK *House of Commons* indicated it was in negotiations with the Government on some issues, including: whether the Explanatory Memorandum (supplied by UK Ministries on Commission proposals) should contain a detailed statement on subsidiarity scrutiny; strengthening co-ordination with other national parliaments; clarification of how the red card procedure might operate; early engagement by other institutions; close cooperation between the House and the Government; and evaluation that would “demonstrate whether the proposed instrument is necessary”.

²⁶ COM (2012) 130. <http://www.ipex.eu/IPEXL-WEB/dossier/document/COM20120130.do>

²⁷ See paragraph 6.3 of the Contribution of the XLVIII COSAC here: <http://www.cosac.eu/documents/contributions-and-conclusions-of-cosac/>

- The Romanian *Camera Deputaţilor* responded that it expected changes after the adoption of the Draft Law on Cooperation in European Affairs between the Parliament and the Government.

Although formal procedures of subsidiarity scrutiny have remained unchanged, four Parliaments/Chambers indicated some changes in the practical application of the procedures. The Dutch *Tweede Kamer* said that more focus was put on improving co-operation with other parliaments, for example: on an informal basis, between members of staff of the different Parliaments; through the Permanent Representative of the Dutch Parliament; attendance at interparliamentary conferences and debates with other MPs; and through videoconferencing. The UK *House of Lords* secretariat continued its efforts to identify possible subsidiarity concerns early, including through close scrutiny of the Commission's Annual Work Programmes. In the French *Sénat* a working group composed of two representatives of each political group examines systematically the texts transmitted under protocol 2 and proposes positions to the committee on European Affairs. The Italian *Senato della Repubblica* noted that while the internal procedures remained unchanged at least for the time being, a law had been approved and now fully regulated all aspects of Italy's participation in the EU. As regards the subsidiarity check, the law enabled the Parliament to engage directly in the legislative process of the EU through subsidiarity control and obliged the Government to provide the Parliament with its position on draft legislative proposals. The Swedish *Riksdag* indicated that the Committee on the Constitution had presented two pieces of best practise advice concerning the subsidiarity scrutiny. First, the "two-step approach" emphasised the need to assess subsidiarity on the basis of "necessity" and "EU value-added" tests. Second, the Committee emphasised that the two-step approach could be applied not just to the whole proposal, but also to each and every single part of the proposal. The Maltese *Kamra tad-Deputati* stated that reasoned opinions were now also transmitted to Maltese Members of the European Parliament and all European Speakers.

Four Parliaments/Chambers stated that subsidiarity scrutiny procedures had been recently changed.²⁸ The Lithuanian *Seimas* altered its subsidiarity scrutiny to include all its sectoral committees which may submit conclusions to the Committee on European Affairs which in case of a breach of the principle of subsidiarity may refer the conclusions for debate at the *Seimas* plenary sitting under a special urgency procedure.

The Austrian Parliament answered that in 2012 the Rules of Procedure of both the *Nationalrat* and the *Bundesrat* – implementing the Lisbon Treaty – entered into force and an EU-Information Law was adopted, further enlarging the parliament's right to information.

Hungarian *Országgyűlés* responded that since April 2012 the legal background regulating the subsidiarity procedures was changed through the adoption of the Act on the National Assembly and the modification of the Standing Orders. As a new element, procedural rules were laid down for the *ex-post* subsidiarity check whereby the Committee on European Affairs is entitled to initiate action before the Court of Justice of the European Union on grounds of infringement of the principle of subsidiarity by an adopted EU legislative act. If

²⁸ Since the publication of the 16th Bi-annual Report in October 2011.

the Government considers the action by the Committee to be justified, the action shall be brought by the Government.

In January 2013, the Portuguese *Assembleia da República* adopted a new scrutiny procedure under which scrutiny is based on the European Commission's Work Programme, from which the initiatives to be scrutinised are pre-selected by committees. Following the analysis of the sectoral committees, the European Affairs Committee may adopt a Written Opinion on the compliance with the principle of subsidiarity while a breach of the principle of subsidiarity would have to be determined in a plenary resolution.

4.2 Appropriate time period for internal parliamentary scrutiny of subsidiarity

Twenty out of 32 (62.5%) Parliaments/Chambers answered that the eight-week period was sufficient for internal parliamentary scrutiny of subsidiarity (as provided for in the Lisbon Treaty). Although some Parliaments/Chambers (the UK *House of Lords*, the Polish *Senat*, and the Slovenian *Državni zbor*) answered "yes", they emphasised that a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess.²⁹

Twelve out of 32 Parliaments/Chambers answered that the eight-week period for internal parliamentary scrutiny of subsidiarity was not sufficient. Six Parliaments/Chambers³⁰ said that a 12-week period for internal parliamentary scrutiny of subsidiarity would be better. Two Parliaments/Chambers (Hungarian *Országgyűlés* and Cypriot *Vouli ton Antiprosopon*) stated that a ten-week period would be more appropriate, especially in the case of legislative proposals that bear significant economic or social importance and require more in-depth analysis.

Some Parliaments/Chambers emphasised that a longer period would not mean a significant slowing down of the European legislative procedure (given its usual duration), but it would provide enough time for the national Parliaments to thoroughly scrutinise subsidiarity. This could also lead to an improvement in the quality of the reasoned opinions. The Swedish *Riksdag* supported the view that a review of the current timescales available for subsidiarity checks is needed. According to the latter, a longer time frame would make it easier for more Parliaments/Chambers to examine more proposals and would facilitate interparliamentary cooperation.

4.3 Methods and/or networks used by Parliaments/Chambers to exchange information on subsidiarity and their influence over particular scrutiny outcomes

There has been significant exchange of information between Parliaments/Chambers on subsidiarity scrutiny using a variety of exchange methods and networks.

Thirty-two responding Parliaments/Chambers said that they used email to give and send early notice of reasoned opinions to and from other Parliaments/Chambers. Half of these, 17

²⁹ The month of August is already discounted from the deadlines for reasoned opinions by the Commission.

³⁰ German *Bundestag*, Irish *Houses of the Oireachtas*, UK *House of Commons*, Czech *Senát*, Belgian *Sénat* and Dutch *Tweede Kamer*

Parliaments/Chambers, said it assisted them in drafting a reasoned opinion and 16 in drafting an opinion as a result of scrutiny. About a quarter of responding Parliaments/Chambers indicated that it helped in deciding to not adopt a reasoned opinion (8 Parliaments/Chambers), or in taking no action (6 Parliaments/Chambers) as a result of scrutiny. Information from other Parliaments/Chambers appears to influence decision making in this matter.

There was also extensive use made of the IPEX database; 32 out of 35 (91.4%) Parliaments/Chambers indicated having looked at it for details of reasoned opinions already issued. Almost half (17) of these Parliaments/Chambers said it helped in drafting a reasoned opinion and 17 Parliaments/Chambers said it helped in drafting an opinion. Almost a third of the Parliaments/Chambers said it helped in deciding to not develop a reasoned opinion (10). A high number of 31 out of 34 Parliaments/Chambers also indicated they had sent early notice of a likely reasoned opinion via National Parliament Representatives. Just less than a half of them said that it helped to draft a reasoned opinion (17) and 15 Parliaments/Chambers said it aided them to draft an opinion as a result of scrutiny.

A significant number (24 out of 27 or 88.9%) Parliaments/Chambers said that information had been received from (or passed on to) the Permanent Representation/Government. Over half of the Parliaments/Chambers responded that it helped to draft a reasoned opinion (15 Parliaments/Chambers) and 13 said it helped to draft an opinion as a result of scrutiny. A total of 22 out of 25 Parliaments/Chambers indicated that they had received/sent letter from a Chairman of a parliamentary committee from/to another Parliament/Chamber. Eight of them said it helped to draft a reasoned opinion and 10 said it helped to draft an opinion as a result of scrutiny. A total of 22 out of 26 Parliaments/Chambers reported discussions were held between MPs and/or MEPs on the margins of COSAC. Fifteen out of 19 Parliaments/Chambers responded holding discussions with MPs and MEPs at EP interparliamentary meetings; 10 out of 14 Parliaments/Chambers reported holding discussions between Parliamentary Committees (i.e. video conference) and eight out of 13 Parliaments/Chambers indicated having initiated discussions in a political group meeting at COSAC.

The Swedish *Riksdag* noted that contacts and the information exchange between the national Parliaments/Chambers generally provided added value to the scrutiny process. Its preferred method of information exchange was the network of National Parliament Representatives.

As regards the development of particular scrutiny outcomes, some Parliaments/Chambers answered that it was difficult to say how the different methods of information exchange influence the results of the scrutiny process.

4.4 Improvements to increase the effectiveness of the interparliamentary exchange of information on the scrutiny of subsidiarity

A majority of 15 out of 27 Parliaments/Chambers replied that the existing practices, such as the rapid flow of information among Permanent Representatives of the national Parliaments, as well as the proper functioning of the updates of the IPEX website and its enhanced

features, and the broader network of officials based in the capitals exchanging information by email, ensure the necessary framework for the exchange of information.

Although the exchange of information was generally judged to be satisfactory, some Parliaments/Chambers expressed the opinion that there was still some room for improvement in this regard. For instance, the IPEX website could also cover the reasons for breaching the subsidiarity principle and not only the results of the examination. The IPEX website could also ensure well-timed availability and accuracy of information and provide more detailed English and/or French summaries or translations of important documents. Some Parliaments/Chambers emphasised that an exchange of information earlier in the scrutiny process would be of added value. Some other Parliaments/Chambers say that improvements should include greater use of IPEX and exchange of information between Members of Parliaments in the forum and/or on the margins of COSAC.

4.5 Improvement of European Commission responses to reasoned opinions

A number Parliaments/Chambers responded that the Commission's replies to reasoned opinions should be provided in a swifter manner (16 out of 34) and should be more focused on the arguments contained in the opinions drafted by the national Parliaments (20 out of 34).

The Spanish *Cortes Generales* suggested that the answers sent by the Commission to the national Parliaments that had issued reasoned opinions could be improved by adopting a more individual approach allowing the Commission to offer in-depth answers to every aspect mentioned in each reasoned opinion. This would avoid the short and general answers which have been sent by the Commission on previous occasions. The Czech *Senát* said that the Commission should support its position with qualitative and quantitative arguments (perhaps based on impact assessment) and, if relevant, also a legal analysis, in a more detailed and specific manner than in the explanatory memorandum. The Romanian *Camera Deputaţilor* recommended avoiding diplomatic restraints for the benefit of the clarity of replies. The Italian *Senato della Repubblica* stated that the responses to the reasoned opinions should focus, as they do, on the legal points offered by national Parliaments and the political views that sometimes underpin the "subsidiarity exception".

Most Parliaments/Chambers believed the Commission's replies to reasoned opinions could be swifter and/or better formulated.

"Monti II"

On 21 March 2012 the European Commission published a proposal for a Council Regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services (the so-called "Monti II" proposal).³¹ By the time the subsidiarity deadline had expired on the 22 May 2012, it was clear that the "Yellow Card" threshold had been exceeded as 19 votes from 12 Parliaments/Chambers³² had been submitted to the Commission. This meant that the Commission was required,

³¹ COM (2012) 130

³² Belgian *Chambre des représentants*, Danish *Folketing*, Finnish *Eduskunta*, French *Sénat*, Latvian *Saeima*, Luxembourg *Chambre des Députés*, Maltese *Kamra tad-Deputati*, Polish *Sejm*, Portuguese *Assembleia da República*, Swedish *Riksdag*, Dutch *Tweede Kamer*, UK *House of Commons*.

under Article 7(2) of Protocol 2, to review the proposal. Under the same Article the Commission "may decide to maintain, amend or withdraw the draft. Reasons must be given for this decision".

In the responses to the questionnaire sent to all Parliaments, 25 out of 34 Parliaments/Chambers stated that they had scrutinised the Monti II proposal, 12 stated that they had issued a reasoned opinion and nine stated that they had issued an opinion in the context of the political dialogue.

The European Parliament Committee on Legal Affairs also examined the proposal and the reasoned opinions issued by National Parliaments as it does with all reasoned opinions but as the Commission withdrew the Monti II proposal the Committee did not need to issue a formal opinion on compliance with the principle of subsidiarity and the correctness of the legal basis.

4.6 Exchange of information on the "Monti II" proposal

It can be seen that there was an intensive exchange of information by Parliaments/Chambers on the "Monti II" proposal. When asked if they had exchanged information with other Parliaments/Chambers, 11 answered that they had received information, one replied that it had sent information, 22 had done both and only 3 had not engaged at all.

Parliaments/Chambers were very active in exchanging information on this proposal and answers suggest that much of this took place before or during the 8-week period given for reasoned opinions to be issued. When the information provided is broken down further, it can be seen that the largest number of 28 Parliaments/Chambers used National Parliament Representatives and the Monday Morning Meeting to exchange information, 25 Parliaments/Chambers used the IPEX database, 23 Parliaments/Chambers exchanged information between administrations,³³ 22 Parliaments/Chambers exchanged information with their national government, 16 Parliaments/Chambers did so through the COSAC meeting in Copenhagen from 22-24 April 2012, 11 cited exchange between Parliamentary committees, nine Parliaments/Chambers exchanged information with Permanent Representations of their governments, eight Parliaments/Chambers cited exchange of information between individual MPs and MEPs, whereas eight Parliaments/Chambers cited exchange between individual MPs, and five cited EP interparliamentary meetings and networks of political groups. The nature and level of parliamentary contact was, therefore, complex and intensive.

Of these methods/networks, a number were said to have helped Parliaments/Chambers to develop a scrutiny outcome. It is worth noting the information in the table below which highlights the methods/networks that 7 or more Parliaments/Chambers identified as having influenced particular scrutiny outcomes.

³³ Note that the Irish Houses of the Oireachtas said that the vast majority of information exchanged between parliamentary administrations flowed via National Parliament Representatives in Brussels.

Method/network	Scrutiny outcome influenced ³⁴		
	RO	Opinion	No action
National Parliament Representatives /MMM	9	10	7
IPEX database	9	10	
Exchange between Parliamentary administrations	9	8	
National Governments	9	8	

The Dutch *Tweede Kamer* also commented that "if IPEX is to be the vital platform for exchange of information, it is crucial that information and documents on reasoned opinions are uploaded (by Parliaments/Chambers) with the needed sense of urgency. In several cases IPEX seems to have lagged behind, especially in the final days before the deadline."

4.7 The European Commission response to "Monti II"

On 12 September 2012, the Commission decided to withdraw its proposal completely. This decision was first announced by Commissioner László Andor in the European Parliament Employment and Social Affairs Committee on 11 September 2012 and through a letter sent by the European Commission President José Manuel Barroso to the President of the European Parliament Martin Schulz of 12 September 2012. Letters to national Parliaments that had issued reasoned opinions on the proposal were also sent on 12 September.

In response to the questionnaire to all Parliaments, 22 Parliaments/Chambers replied that they believed that the Commission actions in responding to the "yellow card" were in line with the Lisbon Treaty provisions in the Protocol on the Application of the Principles of Subsidiarity and Proportionality. Many Parliaments/Chambers, however, chose not to answer or expressed no opinion on this question. Seven Parliaments/Chambers did not believe that the Commission action was in line with the Lisbon Treaty and gave the following reasons for their negative response: the Czech *Poslanecká sněmovna* said that the Commission did not react to the issued reasoned opinions at all. It only stated other reasons for withdrawal of the proposal; the UK *House of Commons* commented that "the means by which the Commission has communicated its intention to withdraw the proposal illustrates a broader concern we have with the inadequate response of the Commission to reasoned opinions issued by national Parliaments"; the Polish *Senat* said that according to Article 7 (2) of the Protocol, the Commission should review the draft legislative act. However, the answer given did not prove that the act has been reviewed but instead addressed the "political probability of issuing an act taking into account national Parliaments' opposition and not the reasons why they decided to issue reasoned opinions"; and the Slovenian *Državni zbor* believed that the reaction of the Commission was a result of negative responses from the Council and the European Parliament, and not of the positions taken by the national Parliaments. The Cyprus *Vouli ton Antiprosopon* were critical of the fact that even though, the withdrawal of the proposal from the Commission seems to be in line with the Lisbon Treaty, the justification given by the Commission was not based on the subsidiarity and proportionality criteria. The Latvian *Saeima* observed a lack of justification as to why despite numerous reasoned

³⁴ Methods/networks that influenced 7 or more Parliaments/Chambers to adopt a specific scrutiny outcome are highlighted only. Additional results can be seen in the annex to the Report.

opinions provided by national parliaments, the Commission still believes that in this case the principle of subsidiarity was observed. In its point of view, the "yellow card" mechanism was put into practice, but the outcome cannot be regarded as a trustworthy precedent because it did not facilitate the understanding of the subsidiarity principle.

It is also worth noting the reply from the Czech *Senát* which responded that it thought that the Commission was in line with the Protocol but said the Commission does not address the objections included in the individual reasoned opinions in its reply. Therefore, it is unclear whether the Commission reviewed the proposal or simply restated its initial arguments."

When asked if they believed that the Commission had applied correctly the practical arrangements for the operation of the subsidiarity mechanism as laid out in the letter (and annex) from President Barroso (dated 1 December 2009),³⁵ the majority of respondents (17 Parliaments/Chambers) replied that it had complied, whilst 13 said it had not or had only in part applied them correctly. Again, a number of Parliaments/Chambers replied that they had no formal position on this matter.

Those who responded that the Commission had not correctly applied the practical arrangements were critical of the Commission. Their comments included the following: "the Annex to the Commission President's letter clearly states that in the case of the yellow card procedure the Commission will give reasons for its decision in the form of a Commission Communication. This did not happen." (UK *House of Commons*); the Commission did not respond in detail, it did not publish a Communication as indicated in the annex to the letter. It did not demonstrate transparency envisaged in the letter (French *Sénat*); that the reasons for withdrawal of the draft act should have been given in a Commission Communication, which did not happen (Portuguese *Assembleia da República*) and the Dutch *Tweede Kamer* complained that "the European Parliament was informed before national Parliaments were".

Of the 30 Parliaments/Chambers that replied to the question of whether the reply from the Commission to the reasoned opinion (dated 12 September 2012) was an adequate response, seven said it was and a majority of 12 said it was not (11 said not applicable). Interestingly, the 12 negative replies included seven Parliaments/Chambers that had issued a reasoned opinion,³⁶ including the UK *House of Commons* who commented that "No – it did not address the legitimate concerns about a breach of the subsidiarity principle" and Dutch *Tweede Kamer* who said "there was no reasoning on the subsidiarity issue and the Commission did not go into the arguments put forward by the Dutch Parliament."

In the Contribution of the XLVIII meeting in October 2012 and in the context of strengthening the political dialogue, COSAC called upon the European Commission to provide individual responses to the reasoned opinions submitted and reasoning as to why it considers that the principle of subsidiarity has not been breached. Responses to the questionnaire confirmed that such letters were sent from the Commission to those Parliaments who raised a reasoned opinion on the 14 March 2013. The Portuguese *Assembleia da República* noted, however, that the Commission replied to "the arguments advanced by national Parliaments, but not

³⁵ http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npo/docs/letter_en.pdf

³⁶ UK *House of Commons*, French *Sénat*, Luxembourg *Chambre des Députés*, Polish *Sejm*, Dutch *Tweede Kamer*, Danish *Folketing*, Maltese *Kamra tad-Deputati*

specifically to the Reasoned Opinion of the *Assembleia da República*...[and] does not recognise any of the arguments presented and repeats that the reason why the draft act was withdrawn was the foreseeable impossibility of its approval and not because of the merit of the arguments advanced by the national Parliaments".

When asked about whether the Commission took sufficient account of the views included in their reasoned opinion, four Parliaments/Chambers answered "yes" (Belgian *Chambre des représentants*, Portuguese *Assembleia da República*, Estonian *Riigikogu* and Danish *Folketing*) and eight answered no. These Parliaments/Chambers included the following criticisms in their responses: that the response had not presented precise arguments (French *Sénat*); that the Commission did not put forward strong and convicting arguments on the basis of national Parliaments' assessments that the principles of subsidiarity have not been infringed (Polish *Sejm*); that the Commission did not refer to any findings included in Eduskunta's reasoned opinion but the findings and conclusion to withdraw its proposal were based solely on the fact that the proposal was unlikely to get an unanimous approval of 27 Member States (Finnish *Eduskunta*); and that although the Commission withdrew the proposal, it did not provide the Dutch Parliament with a reply as to substance or with an argument against or for, so in that respect they did not take into account the (substantial) views (Dutch *Tweede Kamer*).

**Conference of Parliamentary Committees for Union Affairs
of Parliaments of the European Union**

COSAC SECRETARIAT

WIE 05 U 041, 50 rue Wiertz, B-1047 Brussels, Belgium
E-mail: secretariat@cosac.eu | Tel: +32 2 284 3776

PRESIDENTIAL TROIKA OF COSAC, DUBLIN 24 JUNE 2013

VICE-PRESIDENT VIVIANE REDING VIDEO RECORDING

Mr Chairman,

Honourable Members of the Parliaments,

Excellencies,

Ladies and gentlemen,

I am very sorry for not being able to attend the meeting and convey to you personally my greetings and the greetings of the European Commission. I am however grateful to Chairman Dominic Hannigan for hosting COSAC in Dublin and for the debate with national Parliaments on the Future of Europe.

Europe is at a defining moment. The European Union has taken concrete steps to firmly reinforce the Single Market. The European Union is also building a structure to secure the stability of the common currency of the European Union – the Euro – which is a strong currency and the world's second most important currency making up 25% of the world's foreign exchange reserves. We have also taken bold steps to improve the joint governance of our economies – as economic decisions taken in one Member State affect its neighbours and the whole Union. The simple truth is that our economies are not islands.

We must remain firm in our efforts. Within the next months and years further decisions must be taken. In my view these changes are impossible without a European debate about democracy, legitimacy and the future of Europe.

Integration and legitimacy must advance in parallel. More democracy is the corollary of greater institutional integration – which the European Union needs to stand up to current global challenges and provide the best outlook to its more than 500 million citizens.

To that end we need to be convincing in explaining this to the citizens of Europe. And to we need to make sure that their voice is heard and truly counts.

Business as usual is simply not an option.

It is also not an option because we operate in a new environment. The Lisbon Treaty has given a clear and concrete role to national Parliaments as well as enhanced the role of the European Parliament as political actors. The national Parliaments play specific roles in reviewing the compliance of Commission proposals with the principles of subsidiarity and proportionality. The European Council meetings and the European Semester of economic coordination also have the effect of confronting national Parliaments with decisions taken at the EU level, forcing them to be involved early on in the policy-making cycle.

As for the European Parliament it now decides on the vast majority of EU legislation and has power over the entire EU budget on an equal footing with the Council of Ministers (representing the governments of the Member States). The Treaty also gives additional responsibility to the European Parliament as representatives of the Union's citizens: it elects the President of the Commission on the basis of a proposal by the European Council taking into account the results of the European elections. In short: the next Commission has to reflect the outcome of the 2014 European Parliament elections as it will be the first under the new Lisbon rules.

The 2014 elections should therefore be about European issues – about European choices and programmes – and not a referendum on local or national matters.

Excellencies, Colleagues,

Europe is at a defining moment. We are moving from crisis management to democratic, transparent and efficient decision-making. If we want to preserve and strengthen Europe's position as the biggest economy of the world and the most convincing peace project, I am absolutely convinced that we need to further build our Union based on a strong vision.

Upon mature reflection I think that the term 'United States of Europe' would best reflect the ultimate destination of the European Union. United States of Europe – the plural is a clear expression of the fact that we are not aiming at a unitary state or a super state, but at a federal entity, in which individual states agree to a new kind of association and where the diversity and individuality of each state is consciously preserved.

But also "United States of Europe" – which makes it clear that although we are aiming for a federal constitution similar to the one of the United States of America, we intend to do so in the specific context of European history, of our values, and of the unique diversity of our continent. Yes, one day, perhaps, we should have a directly elected President of the European Commission, in order to ensure that powers and competences at European level go hand in hand with stronger democratic legitimacy and accountability.

The European Year of Citizens 2013 is a unique opportunity to have a debate with citizens on the different possible visions for the future of

Europe, the one which I personally stand for, and other possible developments. It would be good if you – the Chairs of the European Affairs Committees of the national Parliaments – could hold debates on European matters with the citizens in your countries. I have done this in many countries across the Union. It is important to listen to the citizens, to respond to their concerns, their fears and their dreams. It is essential to make them understand that their voice counts and that their elected representatives care.

I hope you accept the challenge and I look forward to hearing from you about your experiences with the citizens in your constituencies.

I wish you a very productive discussion on the future of Europe and I hope that, together, we can show the way for a common shared space where more than 500 million citizens feel at home.

Thank you.

“The Future of European Integration”

address by

Brendan Halligan

Chairman Institute of International and European Affairs

to the

39th Meeting of COSAC

Dublin Castle

24 June 2013

Introduction

It is a great privilege to address this plenary meeting of COSAC being held here in Dublin during the Irish Presidency.

As a former parliamentarian I am particularly pleased to join in your debate on "The Future of European Integration" and I do so as the Chairman of the Institute of International and European Affairs, which is a Dublin based think-tank established twenty two years ago.

Referendum Country

Let me start by explaining the origins of the Institute.

First of all, Ireland has a written constitution which, for a combination of political and legal reasons, has to be amended before the Irish parliament can ratify a European treaty.

But amendments to the constitution can only be made by the people in a referendum - not the parliament- and we have already had such nine referenda, the first in 1972 on our accession to the EEC and the latest on the Fiscal Compact.

The practical effect of this requirement is that the electorate is called upon periodically to decide whether or not Ireland should remain a member of the European Union.

It became obvious after the Single European Act that other European treaties would follow and that each would necessitate a referendum; that was the reason the Institute was established. I should say that it is independent and widely representative.

The aim is to facilitate informed debate in Ireland on our membership of the EU and this is done by providing ongoing analysis of European developments and by assessing the implications of proposed changes to the Treaties.

In pursuit of this aim, the Institute has published economic and political analysis of new treaties, starting with the Maastricht Treaty, and of developments and trends in the integration process itself, such as the current moves to create a banking union.

In doing so, we have developed a considerable expertise in the integration process and from time to time we are invited to appear as expert witnesses before the Joint Oireachtas Committee on European Affairs.

I suppose one the characteristics of a think tank is that it focusses on the future by developing scenarios and we are presently doing that in a major project on the "Future of Ireland in Europe" which is focussed on the prospective Banking Union and on parallel developments in Economic and Fiscal Union.

As this process may lead to a Political Union we are also sketching out what this might mean in practice and as part of this exercise we reassessing the democratic

principles on which the EU is founded and addressing the future role of Europe in the world.

Europe as a Process

My contribution here today on “The Future of European Integration” is consequently built on this work and starts with the observation that the European Union is constantly under construction, as Jean Monnet stresses in the very last paragraph of his Memoirs.

Perhaps the best description of the integration process is that of Andrew Shonfield who described it in a series of lectures in 1972 as a “Journey to an Unknown Destination”.

“Journey” conveys a sense of movement and “an unknown destination” suggests that there is no preordained blueprint. There isn’t: Europe evolves out of the concrete necessity for our countries to act together in order to solve common problems.

We conduct our analysis on the premiss that common solutions will be constructed by the member states voluntarily sharing sovereignty in carefully specified areas of policy in accordance with agreed procedures established by law.

This is an important insight because shared sovereignty is in contrast to intergovernmentalism and is unique in the conduct of international relations. It calls for a different way of thinking and a new form of analysis.

Franco-German Project

I should also say that we regard the rapprochement between France and Germany as the rationale for the European Union and basis on which the project is built.

It is primarily driven by Franco-German leadership, as we are reminded by recent developments, and while other countries have a role to play they are not as central to the process as France and Germany.

Three Vectors

Now for our views on the future of European integration.

If it is seen as a process in which sovereignty is being progressively shared on a voluntary basis by countries which elect to do so then its evolution can be predicted in accordance with three separate but inter-related vectors:

- an enlarging membership,
- an expanding agenda, and
- a deepening interdependence.

Membership

The thrust of the first vector is consistent: membership constantly increases and it has gone from six to twenty-seven, soon to be twenty-eight, in a series of six, soon to be seven, enlargements. Clearly, there will be more new member states, beginning with the Balkans.

There may be additional members from the “near neighbourhood” and there could eventually be more new members from the “mature democracies”, such as Norway or Iceland.

In the light of this dynamic, it would be reasonable to assume that over the next twenty years or so the Union will expand to between thirty and thirty-five member states.

This will add to the economic weight and political significance of Europe but it will also add to the complexity of the decision-making process and increase the difficulty of arriving at consensus.

As a result, widening the membership sets up its own dynamic for change in the management of the Union.

It also has an effect on the way member states relate to each other and to their range of common interests.

Expanding Agenda

The second vector is the ever expanding policy agenda.

The European project has moved progressively from a coal and steel community to a common market covering trade, then in a major leap to an internal market covering all the factors of production, from which came a monetary union with a single currency, which, in turn, has given rise to an economic union and to the need for a banking union, to be followed, as seems probable, by some form of political union.

In addition, complex challenges, like climate change, have expanded the economic policy agenda.

The evolution of a common foreign and security policy, as well as the need for common positions on international trade and issues like climate change, have given the agenda an international dimension, which is growing in importance in view of changed relations in global affairs.

Deepening Interdependence

The third vector is the deepening of interdependence through changes in the decision making system and the institutional architecture of the Union.

Changes in decision making in the Council have been characterised by continuous movement away from unanimity towards majority voting; in other words, by the progressive abandonment of the veto.

This process has been going on for sixty years but still has along way to go, as recent developments confirm and as current developments suggest.

Institutional Architecture

But deepening the integration process also involves changes in what the Institute calls the “institutional architecture” of the Union.

The Rome Treaty created just two decision-making institutions so that decision-making essentially consisted of a dialogue between the Commission and the Council of Ministers.

That dialogue was slowly turned into a trilogue through a gradual but conscious policy to turn the European Parliament into a co-legislator with the Council.

But since the Lisbon Treaty the European Council, consisting of the Heads of State and Government, has also become an official institution, so that the decision-making system is now best described as a quadrangular one.

The Eurozone

The institutional architecture has been made even more complicated by the emergence of the Eurozone which, de facto, has become the core of the Union.

The proposal by Chancellor Merkel and President Hollande to establish a permanent President of the Eurozone Finance Ministers confirms that the institutional architecture is a long way from being settled.

The two leaders went further by proposing the creation of a Eurozone grouping within the European Parliament in parallel with the Eurozone Finance Ministers.

There is already a Eurozone “European Council” so the future configuration of the Union is becoming clear before our eyes.

Variability

So the first conclusion about the future is the integration process will continue to widen the membership, expand the policy agenda and deepen interdependence.

But life is not so orderly as this formula suggests and in reality the future is not so easy to predict .

Future scenarios have to take account of the reality that member states differ in terms of economic capacity and political will.

This has given rise in the past, and will continue to give rise in the future, to the phenomenon of variable geometry. But it takes two forms because there is a fundamental difference between economic capacity and political will.

The first give rise to different speeds in accomplishing an objective.

While Member States may start at different times they are expected to reach a common destination at some point in the future. That's a standard feature of the integration process.

But differences in political will give rise to a separate phenomenon: that of different spheres of action. In this case, the member states are divided into two, or more, camps for an unknown period of time ahead.

In arriving at scenarios about the future it's important to stress that the Union has always lived with variable geometry; defence would have been the first example. The Schengen Agreement would be an example from middle phase of integration.

The euro, would be the most recent example of not only differences in economic capacity but also in political will.

The recognition that there could be insoluble differences in political will led to the creation of the enhanced cooperation procedure at the time of the Maastricht Treaty and it has been refined to the point whereby some member states can be authorized to move ahead with a new form of shared sovereignty, such as the impending Financial Transaction Tax.

It is no more than common sense to allow for the fact that member states differ in their capacity to meet economic objectives. This is not a problem for the future.

But it is clearly a separate issue where a member state has the economic capacity to act if it wishes but the political will to do so is absent; this is a problem for which there is no obvious solution.

The Eurozone

It presents a particular dilemma in respect of the euro.

As we know, seventeen member states have joined the euro and a further seven will join later when they have the economic capacity to do so.

On the other hand, Britain and Denmark secured legal opt-outs from membership and Sweden is exercising a de facto opt-out. These three countries have indicated that they don't wish to participate in the creation of a common currency as an adjunct to the internal market.

The problem is that creation of the euro has set up its own dynamic with the result that the integration process precedes among those who share the political will to share a common currency and to follow the logic of constructing a fully functioning monetary union.

That logic includes a banking union with unprecedented innovations in prospect, such as a single regulatory authority and a common bank resolution mechanism.

It has already led to the Heads of State and Government and the Finance Ministers of the Eurozone to meet apart from their non-eurozone counterparts simply because they have interests in common which they do not share with non participants.

This development was predictable and the division between the “ins” and the “outs” is likely to become more pronounced as the banking and economic unions are fleshed out and are followed by some form of fiscal union.

Core Europe

One scenario is that the Eurozone will become the de facto core of the European Union and will be endowed with its own institutions and decision making procedures from which Britain, Sweden and Denmark will be excluded.

The question is whether membership of the internal market but self-exclusion from the euro are compatible with each other or, indeed, are politically acceptable in respect of a Union to which all are theoretically committed to the same degree.

The proposal of Chancellor Merkel and President Hollande to divide the European Parliament in two, in effect to create a European Parliament for the Eurozone was always in the logic of the euro itself but has now taken on a dramatic reality which has to be factored in scenario building.

Discussions in the next European Parliament on separating the euro and non-euro MEPs will give some indication on what sort of Europe lies ahead.

Global Governance

The final scenario for consideration concerns the role of Europe in the World. We all recognize that this century will be dominated by the rise of China and the threat to which we are subjected by Climate Change.

The European Union began as a project to manage the internal affairs of Europe. Of necessity, it was inward looking. When our Institute was formed we began with an agenda focused on the emergence of the single market, the evolution of the common agricultural policy and the emergence of the social and regional funds.

We called ourselves “The Institute of European Affairs”.

Today, our agenda is as much focused on Climate Change, China, IT and cyber security as it is on banking union and the fiscal compact.

We have changed our name to “The Institute of International and European Affairs”.

This change reflects the fact that the European Union has evolved into a project for managing the external relations of Europe in which the concentration will be on

global governance centered around climate change via the UN, international finance via the IMF and World Bank and trade via the WTO.

The integration process will have to take account of these new responsibilities and devise a governance system for Europe which will allow us Europeans to deal with the rest of the world in a coherent and consistent manner.

National Parliament

That will not be easy. It will almost certainly involve expanding the ambit of shared sovereignty.

That will create new problems in respect of national sovereignty.

One response could involve national parliaments. We know that the European Parliament had its remit expanded in step with the progressive movement away from the Veto towards majority voting. The Parliament became a co-legislator with the Council.

The direct election of MEPs was another development in compensating for the loss of the veto. It was entirely justified but it had the effect of severing the direct connection the European Parliament and the national parliaments from which the MEPs had previously been drawn.

Despite the innovations in the Lisbon Treaty, there is a still big gap between National Parliaments and the common European institutions. The European Parliament as presently constructed does not fill the gap.

There is a democratic deficit that needs to be resolved.

It would be worthwhile in these circumstances to consider the creation of a European Senate composed solely of members of national parliaments. A bi-cameral European Parliament would correspond to the Parliamentary system in most federations where the states or regions are represented in an Upper House.

It is a model that would bring great benefit in bringing Europe closer to the people and certainly to the national parliaments who feel somewhat disenfranchised by the current institutional architecture and decision making processes.

In order to play a real political role within Europe, the Senate would have to have the same legislative powers as the directly elected lower house.

This would add to the complexity of the institutional architecture, of course, but it's going to get more complex anyway. It would be better to put that trend to good use by re-enforcing the legitimacy of the European project in the eyes of European citizens and its national parliamentarians.

Conclusion

In conclusion, it can be said that the future of European integration will be an extension of the past in terms of membership, agenda and interdependence but that a break point may occur in the future when the Eurozone consists of all but a small number of member states.

The future will be different in so far as the Union will be as much concerned with external as internal affairs and will have to develop new systems and institutions to play a cohesive role on the world stage.

Democratic legitimacy will become an issue as the Union gets larger, more complex and more involved in national affairs. The closer involvement of national parliaments may be the best option for resolving the so-called democratic deficit.

We in the Institute have no scenario for the break-up of the Union or the implosion of the Eurozone.

On the contrary, we see the demands for a better system of global governance adding to the original "raison d'être" of the European Union.

Our scenarios suggest that for the foreseeable future, the process of European integration will continue along a well trodden path towards greater interdependence.

Ends.

COSAC : "Contributing to Development" Speech

Monday, 24th June 2013, 2 :45 p.m.

10'

(FRA. STRIFFLER, PE)

Good afternoon Ladies and Gentlemen,

I am delighted to be with you today for the 49th Conference of European Affairs Committees of the national Parliaments of the EU and to be discussing issues of common interest with my fellow EU parliamentarians.

I would like to thank the Irish Presidency of the Council for putting development - a key component of the EU external action- on the agenda of our discussions.

In September 2000, the United Nations adopted the Millennium Declaration, before establishing specific goals and dates for achieving them by 2015. Significant progress has been achieved in developing Millennium Development Goals (MDGs) and I want to emphasize this point because we tend to focus only on failures.

However, two years from the deadline, much remains to be done. Everywhere in the world, people still suffer from poverty hunger, inequalities and safety. 1.3 billion people are estimated to be still living in extreme poverty.

On 30th May last, The High-Level Panel studying the post-2015 programme presented a report, which is the starting point of a UN consultation process on Post-MDGs.

I wish to stress the fact that it is a general framework that goes beyond old paradigmatic antagonisms opposing "public-private" and "north-south".

This observation is supported by two facts : First of all, the world is less and less reliant on Official Development Assistance (ODA) (85% of financial flows from developed countries to developing countries come from the private sector, while 15% come from ODA).

Besides, partner countries need to play a more proactive role, to adapt the new framework to their national priorities. They will therefore have to use their budgets responsibly and create an environment encouraging economic development and private investment.

In addition, I believe it is vital for partner countries to implement an efficient and fair mechanisms of tax collection. The European Commission *Agenda for Change* regarding the impact of its development policy recommends strengthening that area as a condition for EU budget support.

As for development aid, it does not just support development strategies because, it is only through economic growth, if twinned with a fair redistribution of wealth, that we can ensure an effective and sustainable fight against poverty.

The financial resources needed to address the challenges facing poor countries are quite substantial and largely exceeds the Official Development Assistance (ODA) growth prospects. Hence the need to combine Official Development Assistance (ODA) with a medium-term and long-term economic policy in order to create the conditions for private sector development and integration of developing countries on the global market.

The stakes are high: 1,000 billion investment are expected in developing countries between 2015 and 2030.

This issue requires full commitment from The European Union with a coordinated position on the September 2013? MDGs Special Event preparation process.

Under the Monterrey Consensus on development financing, the EU committed to collectively dedicate 0.7% of their gross national income to development aid by 2015. But the strain of economic and financial recession and budget cuts in the EU has triggered a decrease in official development assistance flows.

My dear fellow parliamentarians, it is regrettable that most EU Member States are a long way off the track towards meeting their international commitments in dedicating 0.7% of their gross national income to development aid by 2015. As parliamentarians, we must condemn the non-fulfilment of the commitments.

Nevertheless, Europe supplies nearly 55% aid and represents the world's biggest donor with 53 billion euro in 2011.

The present economic downturn hitting the EU should not be let hinder the progress we have achieved so far. We need to build on the achievements made up to now.

Furthermore, Bill GATES, who recently came to the European Parliament, gave concrete evidence of the extent of the EU achievements by saving lives and improving those of the poorest. Let me give you an example: Malaria is a disease that we can eradicate. Progress to fight it has been significant thanks to EU contributions. Decreasing the funding would imply suppressing the current progress.

In addition, in the light of these tough times, it is all the more essential to ensure an effective aid expenditure and with better results. The European Commission *Agenda for Change* follows this approach. To achieve complete efficiency, the EU and its

Member States must speak with a single voice and “deliver as one” in order to obtain better results.

As for the 2014-2020 financial prospects, the EU Member States agreed, at the 8th of February Council, to operate a 10% cut on the global budget amount initially planned by the European Commission. Heading 4 of this budget, "the EU as a global partner" – which includes development aid and humanitarian aid- underwent a severe 16.1% cut compared with the Commission's initial proposal. That means that the amount decreased from 70 billion for 2014 -2020 to 58.7 billion following the decision of the Member States.

The Council also granted 26.98 billion euro to the 11th European Development Fund (EDF) for 2014-2020, compared to 30.3 billion as suggested by the European Commission.

It is essential that the adopted global amounts, both for the 11th EDF (outside budget) and the Development Co-operation Instrument (within the EU budget) enable the EU to meet its commitment to set aside 0.7% of its GDP for development aid by 2015.

In fact, the European Parliament rejected this agreement in its current form.

The Parliament and the Irish Presidency are currently negotiating and I can assure you that my colleagues from the Committee on Development and myself are doing our utmost for the development and humanitarian budgets to fulfil the EU challenges and commitments. We cannot accept a further budget cut.

The Agenda for Change, which I mentioned earlier, introduces the concept of differentiation at the heart of the European development policy. According to that principle, in the future, The EU will target its development aid to the poorest countries. The EU will thus have a differentiated approach for the aid modalities and partnerships to maximise aid impact and efficiency.

The aid fragmentation and proliferation are still widespread and even tend to increase. A joint programming of EU and MS assistance would help reduce its fragmentation and increase its impact and efficiency. This is an essential but sensitive issue because the Member States do not favour this system and would rather retain their full visibility.

Ladies and Gentlemen, the EU is also the largest donor of humanitarian aid in the world. Humanitarian aid is a moral imperative and is the fundamental expression of the EU solidarity and values. Humanitarian disasters and needs keep increasing, mainly due to climate change. The 2014 – 2020 financial prospects are also alarming and the budget is feared not to meet the needs of the victims of disasters.

I would like to conclude on a positive note: According to the 2012 Eurobarometer, European citizens massively support the European humanitarian aid despite the economic recession and the substantial pressure on public finances.

Thank you very much.

Speech at COSAC conference - Delivering on Development

Barry Andrews

CEO, GOAL

24th June 2013

Dublin Castle

INTRODUCTION

1. I wish to thank the organisers for the invitation to participate in this afternoon's panel discussion.
2. As one of Ireland's largest INGOs, GOAL is active in 13 countries, mostly in sub-Saharan Africa and most recently in Syria. With 2,500 staff and an annual budget of €60m we deliver humanitarian assistance as well as key nutrition, health and other interventions in the countries in which we operate. Our strategic plan commits us to working towards a world where the poorest people in the world have access to the fundamental rights of life.
3. Ireland has been at the forefront of the aid debate. For many years, Ireland's religious missions led innovations in education and health care in the developing world. Soon after, NGOs, including GOAL which was set up in 1977, began to work with very vulnerable populations. Concern and Trocaire are among the most respected INGOs globally in the coherence of their advocacy platform and the high degree of respect in the countries in which they operate. Ireland also hosts very active and innovative branches of major world NGOs like Oxfam, World Vision, Plan and UNICEF.
4. The Irish people have been both generous and thoughtful in their approach to improving the lives of the planet's most vulnerable people. Individuals

like our own Mary Robinson, Bob Geldof and Bono have been leading advocates and activists through Live Aid and the One Foundation. More recently, the Irish Government has taken up the challenge of ensuring that that popular sentiment is reflected in Government policy. In spite of retrenchment in the last few years, Irish Aid continues to be one of the most impactful donors ensuring greater Irish influence than our size should permit. Our record on aid gives us the platform to drive radical reform.

5. The Climate Justice conference that took place here in Dublin Castle last April had a very strong Southern focus with key testimonials being delivered by, for example, women farmers and activists with civil society organisations on the ground informing thinking among global leaders gathered on that occasion.

THE EU AND GOAL

6. The EU supports some key programmes for GOAL. Firstly, in Sierra Leone the EU is supporting our Disadvantaged Children and Youth initiative. As a former Minister for Children I am especially proud of the innovation involved in this programme. As we think about what the post-2015 agenda is going to look like, working in complex child protection environments requires more of our energy than has been the case.

This programme addresses the needs of street children, by providing them with a safe haven, shelter, food and alternative life choices.

We work with communities in slum areas to help prevent children being exploited and falling into prostitution or child labour.

It goes without saying that child protection work in stable environments is extremely complex and carries with it some great risks. This is all the more so in unstable and complex environments like the slums of Sierra Leone. However, the EU supports GOAL to do this work. This is an area I would encourage the EU to continue to support post-2015. The need is great but because of the complexity, most NGOs are disinclined to do this kind of work.

7. The EU also supports our REFLECT programme in South Sudan. In the area we work in, female adult literacy is 16%. REFLECT is a programme

pioneered by GOAL in Sudan over a decade ago and is designed to empower women in vulnerable communities through raising literacy levels, reducing child mortality and ensuring sustainable development. It has been hugely successful and has been rolled out in Malawi and Ethiopia.

Classes are run for 15 to 20 women for two hours a day and the course runs over two years. Women learn to read and write in English, the national language of the new country, with sessions based around food and nutrition, hygiene, child-raising and education. During year one, participants will elect a leader among themselves. The second year covers life skills and aims to further improve literacy and numeracy in addition to the management of small business.

At the end of the programme GOAL will assist the women in setting up their enterprises for three months.

For this work, GOAL received a UNESCO literacy prize in 2005. Recently, GOAL received a grant for €300,000 for our REFLECT programme in Sudan.

8. The total current EC and ECHO funding to GOAL is just over €10m per annum.

SYRIA

9. The greatest humanitarian catastrophe of recent years has been unfolding for the past two years in Syria. With high levels of fatality and displacement together with extreme complexity, resolution seems as far away now as ever.
10. The total failure of the international system to find its voice in any coherent way in regard to Syria underlines how much really needs to be done at an international level. After the Rwandan genocide, a lot of hot air and high-flown rhetoric was circulated at innumerable conferences and in innumerable academic papers with everyone saying "never again". The UN, to its credit, set itself the task of delivering on that promise.
11. Yet today, the UN still refuses to do cross-border work to relieve the enormous need in Northern Syria. A huge effort is being made to meet the genuine need in Government held areas and in refugee camps in neighbouring countries but the pressure on places along the Turkish border

in particular is growing.

12. The UN over the last 20 years grappled with how to reconcile, on the one hand, the sovereignty of member-states with, on the other hand, the protection of populations from mass atrocities inflicted or permitted by those member-states. To this end, the set of principles known as “Responsibility to Protect (R2P)” emerged in 2000.
13. In a nutshell, R2P meant that sovereignty was a duty rather than a right. And if a member-state failed in its duty to protect its people from mass atrocities, this would engage a process of response from the UN. In September 2012, Ban Ki-Moon presented a report on R2P to the General Assembly of the UN and it was discussed for the fourth year in a row. At the debate, the same post-Rwanda rhetoric was exchanged among the delegates. In fairness, it is not a simple idea and few people would like to have to make decisions when the consequences of failure carry such enormous risks. Nevertheless, it is hard to escape the conclusion that the international community is now confronted with the ghost of Rwanda and finds itself utterly powerless. Sadly, the price of this failure is now being counted in bodies in Syria. Syria, by any reasonable measure, is indeed a humanitarian catastrophe. I visited Turkey and Syria recently, to review GOAL’s programmes inside Syria.
14. Humanitarian assistance in non-international conflicts is referred to in Protocol II to the Geneva Conventions and in customary international law. Protocol II states that “if the civilian population is suffering undue hardship owing to a lack of supplies essential for its survival, ... relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the [host state].” In its commentary on Protocol II, the International Committee of the Red Cross (ICRC) says that “the fact that consent is required does not mean that the decision is left to the discretion of the parties,” and that “if the survival of the population is threatened and a humanitarian organisation fulfilling the required conditions of impartiality and non-discrimination is able to remedy this situation, relief actions must take place.” The reticence of international actors including the EU in the face of this point of customary international law needs to be challenged in parliaments across Europe as well as in the European Parliament itself.

THE ROLE OF NGOS

15. The northern hemisphere's advantage in wealth is diminishing. There is a great global rebalancing going on worldwide which will bring many to the conclusion that some have arrived at already; namely, that northern governments and by extension INGOs will have less and less to offer highly educated, well-resourced and quite frankly proud and assertive citizens that have for too long relied on aid for survival.
16. The rethinking of the role of NGOs is now urgent. It is useless to talk about Africa as a whole because of its size with over 1 billion people and 1000 languages. But in the short time that I have I hope I will be forgiven one generality. That resurgent pride and assertiveness driven by educational opportunities and wider communication is something that I sense in my brief time working in this sector. This has manifested itself at government, local and community level. Governments are quite properly driving NGOs to greater compliance with local tax codes and requiring that NGOs become incorporated under local Company Law provisions with local directors. My personal view about this is that it is not before time.

Recently I had the honour of introducing the Nigerian Human Rights lawyer Hauwa Ibrahim to an audience in Dublin. Hauwa won the Sakharov prize in 2005 for her work defending clients charged with offences under Sharia law. She didn't hold back in her criticism of NGOs and made comments about the SUVs and high overheads and the cultural insensitivity of language used by NGOs and almost complete lack of transferability of European or for that matter Chinese or American standards to many settings in Africa. She was also heavily critical of the vanity and self-serving nature of some NGOs who are more concerned with their televisual image than the quality of the work that they do.

17. In my conversations with NGOs over the last 6 months it is clear that this message has begun to be considered. Coupled with financial pressures being experienced, talk about rationalisation is much more prevalent than had been the case. There is no reason why this should not also be driven by parliamentarians.
18. Recently many countries have moved from being low income to middle income countries. India is a case in point. The UK government recently

announced that it would cease funding the Indian government from 2015. With a smaller GDP in nominal terms than the UK, India still holds almost three times as much foreign exchange reserves. The argument against this disengagement is based on the still enormous need in India and the suggestion that it is designed to counter criticism of ring-fenced aid budgets. GOAL's approach is to reconfigure our work in India. GOAL started as an aid agency working with street children in 1977. We are now in the process of reconfiguring our operation so that it is locally incorporated and run by Indian nationals. The plan is to be at arms-length with our role being to merely provide a financial indemnity for the work being carried out by GOAL India. This is a work in progress but it will provide us with a road map which could inform our approach to countries that reach escape velocity.

19. In conclusion, GOAL will continue to work closely with the EU on our more innovative development initiatives. Equally we are grateful to ECHO for their support on humanitarian work. We hope very sincerely, that given the EU's predominant role in aid that it will make the argument for a coherent and rigorous application of customary international law so that we can finally begin to properly absorb the lessons of previous failures in this field.

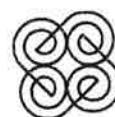


PROJECTO

Contribution of the XLIX COSAC
Dublin, 23-25 June 2013

Economic Governance

1. COSAC welcomes the important debate that is taking place at EU level and in the Member States on plans for the phased completion of the Economic and Monetary Union (EMU), and the strong role that Parliaments are playing as part of that debate.
2. COSAC acknowledges that there is broad consensus on the need for greater democratic accountability and legitimacy to underpin this process, and in the EU more generally, and welcomes the initiative by the Commission and European Council to place these issues on the agenda, as part of the wider debate on EMU.
3. COSAC notes the increasing involvement of Parliaments in the European Semester, but acknowledges that many Parliaments are not yet fully satisfied with their involvement in the process. COSAC encourages those Parliaments to engage more fully in the Semester in 2014, at an earlier stage in the process, and to take up the European Commission's offer of dialogue on the Annual Growth Survey, country-specific and euro area recommendations.
4. COSAC welcomes the significant steps that have been taken in recent months to strengthen EMU. COSAC notes the adoption of the so-called "Two Pack" Regulations on greater budgetary surveillance in the euro area, and welcomes in particular the provisions concerning the right for national Parliaments to request the Commission to present its opinion on a draft budgetary plan to that Parliament.
5. COSAC notes the conclusion of negotiations on a Council Regulation conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions, and specifically welcomes the inclusion of provisions regarding accountability and reporting by the ECB to the European Parliament, and that at the request of a national Parliament, a representative of the Banking Supervisory Board, together with a representative of the competent national authority, will be obliged to appear before that Parliament to answer questions about the performance of supervisory tasks.
6. COSAC looks forward to the time-bound roadmap to be presented by the President of the European Council to the European Council in June on the coordination of national reforms, the social dimension of EMU, the feasibility and modalities of mutually agreed contracts for competitiveness and growth, and solidarity mechanisms.





7. COSAC welcomes the European Commission's 2013 Convergence Report on Latvia and also the progress that Latvia has made in fulfilling the conditions for adopting the euro on 1 January 2014 as a further indication of the strengthening of economic integration in the EU.

Democratic accountability and legitimacy

8. COSAC considers that the Commission initiative on preparing for the 22-25 May 2014 European elections is particularly welcome, nevertheless it remains deeply concerned about the level of disconnect between Europe's citizens and the European Union; within the framework of Article 10, par.2 of TEU, COSAC underlines the importance, in relation to the European Year of Citizens, of launching genuine public debate prior to the elections in order to stimulate high participation and strengthen the connection between the citizens and the European Union; in this regard, Parliaments and political parties should engage further as facilitators of debates on EU matters raising awareness among citizens on their rights and on the challenges at stake at European elections.
9. COSAC believes that Parliaments, including through political parties, have a special role to play in establishing links between citizens and European decision-making. It acknowledges that Parliaments should aim to make greater use of existing tools, but considers that new mechanisms will also have to be found in order to adequately address, for Parliaments and ultimately citizens, the issues of democratic legitimacy and accountability.
10. COSAC therefore calls on the European Commission and the European Council to engage with Parliaments and to come forward with concrete proposals for greater democratic legitimacy and accountability with the same sense of urgency and ambition as that which has pertained to progressing other aspects of the completion of EMU.

Enlargement

11. COSAC believes that, notwithstanding the deeper integration that is taking place and envisaged in the EU, that momentum in the transformative process of enlargement should be maintained, and that a realistic prospect of eventual accession needs to continue to be offered to candidate and potential candidate countries in order to incentivise the necessary reforms.
12. COSAC looks forward to the accession of Croatia to the European Union on 1 July, and to the participation of Croatian parliamentarians as full COSAC members, beginning under the Lithuanian Presidency.





13. COSAC welcomes the agreement reached in April between Serbia and Kosovo, as well as the Implementation Plan agreed upon in May. COSAC notes the Commission's recommendation for negotiations to be opened with Serbia concerning EU accession. Furthermore, COSAC recognises the Commission's recommendation for negotiations to be opened with Kosovo on a Stabilization and Associations Agreement and the Commission's report for its implementation.
14. COSAC [calls on the Council/welcomes the Council's decision] to open negotiations with Serbia and the former Yugoslav Republic of Macedonia on EU accession, and with Kosovo on a Stabilisation and Association Agreement, and also notes progress achieved in negotiations with Iceland, Montenegro and Turkey, under the condition, especially in the latter case, of the continuation of reforms and of the respect of the criteria of Copenhagen.
15. COSAC appreciates that compromise decisions required by the EU were adopted by the Assembly of Albania prior to the parliamentary elections of 23 June concerning certain reforms in the area of judicial and public administration as well as regarding the revision of the parliamentary Rules of Procedure. COSAC highlights the importance of the implementation of the roadmap on EU integration in order to ensure the entry into force of the Stabilisation and Association Agreement with Bosnia and Herzegovina. COSAC calls on its members to further develop inter-parliamentary engagement with both countries.
16. COSAC calls on national Parliaments, as institutions being informed of applications for EU membership in accordance with Article 49 of the Treaty on European Union, to engage further, more fully and comprehensively in the enlargement debate as a means of enhancing public debate on the issue at national level in their respective Member States.

Development

17. COSAC is mindful of the need to achieve the Millennium Development Goals (MDGs) in full and of the historic opportunity to build on the MDGs and the globally agreed priorities they represent, to focus political attention and direct international cooperation efforts towards a limited number of achievable goals.
18. COSAC is conscious that the deadline for the achievement of the MDGs is drawing close, and that, pending their achievement, global discussions on how to build on the MDGs have started in order to seek to articulate the principles for a new globally agreed set of priorities for international cooperation aimed at eradicating extreme poverty.





19. COSAC acknowledges the strong views expressed by civil society organisations in Europe and across the globe on the need to base the new development framework on the needs, rights and priorities of communities experiencing poverty, exclusion and discrimination.
20. COSAC encourages EU leaders to develop national and local level initiatives aimed at forging consensus on the key priorities in the fight against poverty and marginalisation in Europe and globally, and to communicate the outcomes of such initiatives.
21. COSAC emphasises the need to work towards a continuous strengthening of the EU's and of Members States' development cooperation programmes, through the delivery on their commitments on aid quantity and aid quality; and to phase out all forms of tied aid, in line with the Paris Declaration and the Busan Partnership for Effective Development Cooperation.
22. COSAC calls on national Parliaments to engage further, more fully and comprehensively in the development debate as a means of enhancing public debate on the issue at national level in their respective Member States.

Subsidiarity

23. COSAC acknowledges the work of the Commission in dealing with the large number of reasoned opinions sent to it by national Parliaments. However, COSAC urges the Commission to respond to reasoned opinions issued by national Parliaments with greater speed and with greater focus on the arguments contained within each reasoned opinion.
24. While COSAC values practical arrangements published by President Barroso in 2009 it believes that lessons can be learnt from the experience of the first "yellow card" in response to the "Monti II" proposal.¹ In practice, a degree of uncertainty surrounded these arrangements following the triggering of the first yellow card and COSAC, therefore, invites the Commission to review, to improve and to clarify how these arrangements should operate for both the yellow and orange cards.
25. COSAC invites the Commission, in this review, to state, in particular, how and when its responses should be issued in response to the cards so triggered and the timeframe within which this will be undertaken.
26. COSAC also invites the Commission to identify the way in which it will communicate with national Parliaments in the scenario where a card has

¹ COM (2012) 130



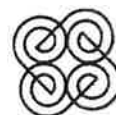


been triggered and encourages the Commission to address more specifically the concerns raised by national Parliaments in their reasoned opinions.

27. Finally, COSAC believes that the eight week period given for subsidiarity scrutiny is in most cases sufficient, however, it highlights the opinion of national Parliaments that a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess and emphasises that an extension would not mean a significant slowing down of the European legislative procedure.

Political dialogue

28. COSAC considers that national Parliaments should be more effectively involved in the legislative process of the European Union not just as the guardians of the subsidiarity principle but also as active contributors to that process. This goes beyond the adoption of reasoned opinions on draft legislative acts which may block those acts and would involve a more positive, considered and holistic view under which Parliaments could invite the Commission to develop legislative proposals which they believe to be necessary or to review and adapt existing proposals for specific stated reasons
29. Article 12 of the Treaty of the European Union notes that national Parliaments contribute actively to the good functioning of the Union and in that context COSAC will continue to seek to enhance and to promote the further positive involvement of national Parliaments in the legislative process.
30. COSAC calls on the Commission to consider within the existing context of political dialogue any individual or collective requests from national Parliaments for new legislative proposals.
31. COSAC notes the growing importance of national Parliaments' scrutiny to the legislative process. In the particular context of the 2014 European elections, COSAC draws to the attention of the Presidential Troika, the Council, the European Parliament, and the Commission the need to allow proper time for national scrutiny before legislation is concluded.
32. COSAC also calls on the Commission to give special attention and consideration to opinions on a specific legislative proposal or specific aspects of a proposal that have been issued in the context of the political dialogue by at least one third of national Parliaments.
33. The Commission is invited to update national Parliaments in advance in writing or at a subsequent COSAC Chairpersons or Plenary meeting or at any other appropriate and relevant interparliamentary conference organised by the





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Uachtaránacht na hÉireann ar
Chomhairle an Aontais Eorpaigh

Irish Presidency of the
Council of the European Union

Presidency on its reactions to any such requests or any political contributions so received as set out above.



34. With a view to enhancing the involvement and engagement of national Parliaments in the upstream policy formulation process, COSAC invites the Commission to ensure that national Parliaments are specially alerted to all Commission public consultations when they are launched, as called for in the Contribution of the XLVII COSAC, and to pay special attention to any contributions made by Parliaments to any such consultations.



DOCUMENT N: 9

Amendments to the draft Contribution of the XLIX COSAC in Dublin 23-25 June 2013

Version date: 24 June 2013

2 nd Draft of the Irish Presidency	Amendment	Explanation
<p><u>Paragraph 2 bis (Economic Governance)</u></p>	<p><u>Paragraph 2 bis</u> COSAC welcomes the EU's strong determination to foster Europe's competitiveness and to stimulate sustainable growth, jobs and social cohesion in Europe, while pursuing fiscal consolidation. (Portuguese, Belgian, Finnish Delegations and French Assemblée Nationale)</p>	<p>After Paragraph 2: add new paragraph</p> 
<p><u>Paragraph 5 (Economic Governance)</u> COSAC notes the conclusion of negotiations on a Council Regulation conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions, and specifically welcomes the inclusion of provisions regarding accountability and reporting by the ECB to the European Parliament, and that at the request of a national Banking Supervisory Board, together with a representative of the competent national authority, will be obliged to appear before that Parliament to answer questions about the performance of supervisory tasks.</p>	<p><u>COSAC welcomes the progress as regards the completion of the elements already agreed for a banking union and COSAC</u> notes the conclusion of negotiations on a Council Regulation conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions, and specifically welcomes the inclusion of provisions regarding accountability and reporting by the ECB to the European Parliament, and that at the request of a national Supervisory Board, together with a representative of the competent national authority, will be obliged to appear before that Parliament to answer questions about the performance of supervisory tasks. (Portuguese and Spanish Delegations)</p>	<p>Add text at beginning of paragraph 5</p> 

<p><u>Paragraph 6 (Economic Governance)</u></p> <p>COSAC looks forward to the time-bound roadmap to be presented by the President of the European Council to the European Council in June on the coordination of national reforms, the social dimension of EMU, the feasibility and modalities of mutually agreed contracts for competitiveness and growth, and solidarity mechanisms.</p>	<p>COSAC looks forward to the time-bound roadmap to be presented by the President of the European Council to the European Council in June on the coordination of national reforms, the social dimension of EMU, the feasibility and modalities of mutually agreed contracts for competitiveness and growth, and solidarity mechanisms. <u>COSAC emphasises the need for these proposals to aim at a fair distribution of added value within our economies as well as to explore the possibilities of setting up mechanisms leading up to a Sustainable Energy and Climate Europe</u></p>	<p><u>At the end of the paragraph, add new sentence</u></p> <p>perut <u>Si' can MODIFICATIONS</u></p>
<p><u>Paragraph 9 (Democratic accountability)</u></p> <p>also CCOSAC believes that Parliaments, including through political parties, have a special role to play in establishing links between citizens and European decision-making. It acknowledges that Parliaments should aim to make greater use of existing tools, but considers that new mechanisms will also have to be found in order to adequately address, for Parliaments and ultimately citizens, the issues of democratic legitimacy and accountability.</p>	<p>COSAC believes that Parliaments, including through European and national political parties, have a special role to play in establishing links between citizens and European decision-making. It acknowledges that Parliaments should aim to make greater use of existing tools, but considers that new mechanisms will also have to be found in order to adequately address, for Parliaments and ultimately citizens, the issues of democratic legitimacy and accountability.</p> <p>(European Parliament)</p>	<p><u>Paragraph 9:</u></p> <p>Amend text as indicated</p> <p><u>Si' can MODIFICATIONS</u></p>

<p><u>Paragraph 14 (Enlargement)</u> ^{to Res}</p> <p>COSAC [calls on the Council/welcomes the Council's decision] to open negotiations with Serbia and the former Yugoslav Republic of Macedonia on EU accession, and also notes progress achieved in negotiations with Iceland, Montenegro and Turkey, under the condition, especially in the latter case, of the continuation of reforms and of the respect of the criteria of Copenhagen.</p>	<p><u>Paragraph 14:</u></p> <p>COSAC [calls on the Council/welcomes the Council's decision] <u>looks forward to the Council's decision on to open negotiations with Serbia, and with the former Yugoslav Republic of Macedonia on EU accession, and with Kosovo on a Stabilisation and Association Agreement, and also notes progress achieved in negotiations with Iceland, Montenegro, and Turkey, under the condition, especially in the latter case, of COSAC takes not of the recent decisions taken in Iceland to hold further negotiations. COSAC is deeply concerned about the most recent developments in Turkey and urges the Turkish authorities to refrain from disproportionate violence and inappropriate measures. COSAC expresses its support for the continuation of reforms and of the respect of the criteria of Copenhagen.</u></p> <p>(German Delegation)</p> <p>COSAC [calls on the Council/welcomes the Council's decision] to open negotiations with Serbia and the former Yugoslav Republic of Macedonia on EU accession, and with Kosovo on a Stabilisation and Association Agreement, <u>following the important progress made in achieving a visible and sustainable improvement of relations between them and in achieving the necessary degree of compliance with other set criteria. It notes the need for further efforts by the former Yugoslav Republic of Macedonia in sufficiently fulfilling the Copenhagen political criteria and maintaining good neighbourly relations, including a negotiated, mutually agreed solution to the name issue. and It also notes welcomes progress achieved in negotiations with Iceland, Montenegro as well as the new emphasis given on rule of law issues in the accession process. and Turkey, under the condition, especially in the latter case, of the continuation of reforms and of the respect of the criteria of Copenhagen. It calls on the Council to continue to follow closely developments in Turkey, especially as regards fulfillment of the Copenhagen political criteria, and expects that the EU accession negotiations will remain the benchmark for reforms in the candidate country.</u></p> <p>(Hellenic Delegation)</p>	<p>Paragraph 14: proposed amendment</p> <p>Replace paragraph with revised text</p> <p><u>RETIKADA</u></p>
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14

Paragraph 15 (Enlargement)

COSAC appreciates that compromise decisions required by the EU were adopted by the Assembly of Albania prior to the parliamentary elections of 23 June concerning certain reforms in the area of judicial and public administration as well as regarding the revision of the parliamentary Rules of Procedure. COSAC highlights the importance of the implementation of the roadmap on EU integration in order to ensure the entry into force of the Stabilisation and Association Agreement with Bosnia and Herzegovina. COSAC calls on its members to further develop inter-parliamentary engagement with both countries.

Paragraph 16:

"COSAC is deeply concerned about the news coming from Turkey. The right to protest peacefully as well as pluralism and tolerance are some of the pillars of democracy. It is necessary to approach the different positions and orientations through dialogue and peaceful confrontation. Trusting that Turkey will be able to overcome this difficult period, by choosing without any delay the role of a mature democracy, COSAC will continue to firmly believe in Turkey's European perspective and in its role as a major factor for stability and geopolitical balance in the countries of the Mediterranean and the Middle-East. COSAC also wishes the EU to be present with determination to reach these goals."

(Italian Delegation)

COSAC appreciates that compromise decisions required by the EU were adopted by the Assembly of Albania prior to the parliamentary elections of 23 June concerning certain reforms in the area of judicial and public administration as well as regarding the revision of the parliamentary Rules of Procedure. **COSAC calls upon the Albanian political parties which will form the new government to clarify the events that occurred prior to and during the elections.** COSAC highlights the importance of the implementation of the roadmap on EU integration in order to ensure the entry into force of the Stabilisation and Association Agreement with Bosnia and Herzegovina. COSAC calls on its members to further develop inter-parliamentary engagement with both countries.

(Belgian Senate)

Replace paragraph with new text

SA, COSAC
NUGO
APARADO

No private translation
to continue respecting
the role of the

<p><u>Paragraph 26 (Subsidiarity)</u></p> <p>COSAC also invites the Commission to identify the way in which it will communicate with national Parliaments in the scenario where a card has been triggered and encourages the Commission to address more specifically the concerns raised by national Parliaments in their reasoned opinions.</p>	<p><u>Paragraph 26:</u></p> <p>“COSAC also invites the Commission to identify the way in which it will communicate with national Parliaments in the scenario where a card has been triggered and encourages the Commission to address more specifically the concerns raised by national Parliaments in their reasoned opinions, <u>or, in their opinions analysing in full the EU proposals, where useful contributions were made.</u>”</p> <p>(Romanian Chamber of Deputies)</p> <p>COSAC also invites the Commission to identify the way in which it will communicate with national Parliaments in the scenario where a card has been triggered and encourages the Commission to address more specifically the concerns raised by national Parliaments in their reasoned opinions. <u>In this context COSAC notes that in March 2013, following a request to the Commission in the XLVIII COSAC contributions, those national Parliaments that submitted Reasoned Opinions on the Monti II proposal received letters from the Commission providing reasoning why it considered that the principle of subsidiarity had not been breached. However, COSAC disappointed that the response was generic and did not engage with all the specific arguments raised by the individual national Parliaments.</u></p> <p>(UK and Swedish Delegations, Dutch Tweede Kamer)</p>	<p><u>Paragraph 26: Add text at the end</u></p> <p>Explanation: Many EU proposals pass the subsidiarity test narrowly and the issuing Chamber states a number of concerns that should also be considered by the Commission. To be consistent with paragraph 28.</p>
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Taken note

Paragraph 27 (Subsidiarity)

Finally, COSAC believes that the eight week period given for subsidiarity scrutiny is in most cases sufficient, however, it highlights the opinion of national Parliaments that a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess and emphasises that an extension would not mean a significant slowing down of the European legislative procedure.

Paragraph 27


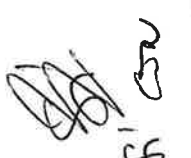
Finally, COSAC believes that the eight week period given for subsidiarity scrutiny is in most cases sufficient. However, in the context of the debate on the future of the EU it highlights that the future Treaty revision should take account of the opinion of national Parliaments that a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess and emphasises that an extension would not mean a significant slowing down of the European legislative procedure.

(Lithuanian Delegation)



Finally, COSAC believes that the eight week period given for subsidiarity scrutiny is in most cases sufficient, however, it highlights the opinion of national Parliaments that a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess and emphasises that an extension would not mean a significant slowing down of the European legislative procedure.

(Italian Delegation)

Paragraph 27, delete from "however" to "European legislative procedure".

  NO MODIFICATION

  NO

<p><u>Paragraph 30: Political Dialogue</u></p> <p>COSAC calls on the Commission to consider within the existing context of political dialogue any individual or collective requests from national Parliaments for new legislative proposals.</p>	<p>COSAC calls on the Commission to consider within the existing context of political dialogue any individual or collective requests from national Parliaments for new legislative proposals. On economic, fiscal and monetary issues, COSAC advocates using the conference based on Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union as the preferred mechanism.</p> <p>(French and Belgian Delegations)</p>	
	<p><u>Add new paragraph 35:</u></p> <p>The proposals contained in the draft contribution to the sections on subsidiarity and political dialogue must be understood and interpreted in the light of both the letter and the spirit of the Treaties, notably with regard to the respective roles of national and European institutions.</p> <p>(European Parliament)</p>	<p><u>Add new paragraph 35</u></p> 

	<p><u>Add new paragraph at end of Contribution:</u></p> <p>Under article 10 of the Protocol on the role of national parliaments in the European Union, COSAC may submit any contribution it deems appropriate for the attention of the European Parliament, the Council and the Commission. The Contributions from the conference shall not bind national Parliaments and shall not prejudice their positions. COSAC thus notes that the political consideration of the Contribution of the XLIX COSAC may still raise substantive discussions in national Parliaments and the European Parliament.</p> <p>(Dutch Delegation)</p>	<p><u>Add new paragraph at end of Contribution:</u></p> <p>Explanation: the Dutch Parliament notes an undesirable shift in the content of the Contributions of COSAC from a reflection of the views of various delegations during the policy debates, towards an expression of political opinions and positions of COSAC as such. The Dutch Parliament highly values that Contributions are made in full respect of the (protocols of the) Treaty.</p> <p>Therefore the Dutch Parliament proposes to add the following text as a separate paragraph at the end of the Contribution. The addition of the following paragraph will also increase the understanding of the status of this document to the reader.</p>
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PROJECT

CONCLUSIONS OF THE XLIX COSAC
Dublin, 23-25 June 2013

1. Bi-annual Report

1.1. COSAC welcomes the 19th Bi-annual Report prepared by the COSAC Secretariat and thanks the Secretariat for its work. The Report provides useful information on the parliamentary involvement in the Economic and Monetary Union, the European Semester and enlargement. It also examines the subsidiarity scrutiny in Parliaments and documents the extent of interparliamentary cooperation related to this.

2. Recent Parliamentary meetings

- 2.1. COSAC welcomes the Presidency Conclusions of the last Conference of Speakers of the EU Parliaments held on 21-23 April 2013 in Nicosia and expresses its support for the agreement reached on the establishment of a Conference, in line with Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, building on established models of interparliamentary cooperation upon the formula of the Conference on CFSP and CSDP. COSAC looks forward to the inaugural Interparliamentary Conference on Economic and Financial Governance of the European Union to be held in Vilnius, 16-18 October 2013 and urges careful consideration of the arrangements for this and the follow on conference to be co-hosted in Brussels.
- 2.2. COSAC welcomes the report from the informal meeting held in Copenhagen on 11 March 2013 on the role of national Parliaments in the EU as a forum for open discussion and exchange of ideas.
- 2.3. COSAC welcomes suggestions to use videoconferencing for interparliamentary cooperation and for the purposes of enhancing the exchange of information between national Parliaments and the suggestion to draw on to a greater extent the COSAC secretariat and national Parliament representatives in Brussels.
- 2.4. COSAC notes the important role played by national Parliaments in the national decision making process on EU affairs. Many countries have developed methods and procedures on how to integrate EU affairs into the daily life and work of national Parliaments. These experiences and best practices can provide inspiration for others on how to improve EU scrutiny and strengthen accountability also on a national level.





3. Genuine Economic and Monetary Union

- 3.1. COSAC notes that most Parliaments actively debate key EMU documents and the majority of Parliaments scrutinise the European Council meetings and/or conclusions in some way. COSAC believes that more should be done to also encourage interparliamentary debate on these topics and calls on future Presidencies to examine how best to do this.
- 3.2. COSAC encourages Parliaments to make greater use of existing tools and to seek to develop new ones at national and European level to ensure the democratic legitimacy of the EMU and in particular to ensure that democratic legitimacy and accountability rest at the level where decisions are taken and implemented.
- 3.3. COSAC encourages the European Parliament and the national Parliaments holding the Presidency of the EU Council in the first semester of the year to consider the constructive comments made in the 19th Bi-annual Report in relation to the organisation of the European Parliamentary Week.

4. Exchange of information between Parliaments on subsidiarity scrutiny

- 4.1. COSAC welcomes the continued development of procedures and practices relating to the scrutiny of subsidiarity. It highlights, in particular, the increased exchange of information between staff of different Parliaments; the greater cooperation among National Parliament Representatives in Brussels; and the continued high level of attendance at interparliamentary conferences.
- 4.2. COSAC welcomes the significantly increased exchange of information between Parliaments and Chambers on subsidiarity scrutiny using a variety of exchange methods and networks, in particular the IPEX database and National Parliament Representatives based in Brussels. It is pleased to see the successful intensification of interparliamentary exchange of information since the coming into force of the Lisbon Treaty, in many cases contributing to specific scrutiny outcomes. COSAC reminds national Parliaments of the importance of effectively executing subsidiarity scrutiny and encourages cooperation so that national Parliaments may reach the thresholds when appropriate.
- 4.3. In the context of this intensified activity, COSAC notes that further improvements could be made, such as: the exchange of information between Parliaments at an even earlier stage in the scrutiny process; improvements to the content of the IPEX website to cover the substantive reasons for breaching the subsidiarity principle and for Parliaments to ensure well-timed availability and accuracy of information and to provide more detailed English and/or French summaries or translations of important documents; and greater exchange of information between Members of Parliaments in the forum and/or on the margins of COSAC.



5. Permanent Member of the COSAC Secretariat

- 5.1. COSAC recalls that the term in office of the current Permanent Member of the COSAC Secretariat expires on 31 December 2013. COSAC underlines that the appointment of the new Permanent Member should take place during the L COSAC, therefore, asks the Lithuanian Presidency to prepare for the appointment.
- 5.2. COSAC also recalls that the present co-financing of the Permanent Member of the COSAC Secretariat and the costs of running the office and website of COSAC will end on 31 December 2013. COSAC welcomes letters of intent from 22 national Parliaments expressing their commitment for the co-financing for the following two years, i.e. 2014-2015. Furthermore, COSAC welcomes the fact that the threshold of a minimum of the national Parliaments of 14 Member States has been reached. COSAC calls upon the remaining Parliaments/Chambers to renew their commitment for the co-financing.

Amendments to the draft Conclusions of the XLIX COSAC in Dublin 23-25 June 2013

Version date: 24 June 2013

2 nd Draft of the Irish Presidency	Amendment	Explanation
<p><u>Paragraph 2.1 Recent Parliamentary meetings</u></p> <p>COSAC welcomes the Presidency Conclusions of the last Conference of Speakers of the EU Parliaments held on 21-23 April 2013 in Nicosia and expresses its support for the agreement reached on the establishment of a Conference, in line with Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, building on established models of interparliamentary cooperation upon the formula of the Conference on CFSP and CSDP. COSAC looks forward to the inaugural Interparliamentary Conference on Economic and Financial Governance of the European Union to be held in Vilnius, 16-18 October 2013 and urges careful consideration of the arrangements for this conference to be co-hosted in Brussels.</p>	<p>COSAC welcomes the Presidency Conclusions of the last Conference of Speakers of the EU Parliaments held on 21-23 April 2013 in Nicosia and expresses its support for the agreement reached on the establishment of a Conference, in line with Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, which could be built building on established models of interparliamentary cooperation upon the formula of the Conference on CFSP and CSDP. COSAC looks forward to the inaugural Interparliamentary Conference on Economic and Financial Governance of the European Union to be held in Vilnius, 16-18 October 2013 and urges careful consideration of the arrangements for this and the follow on conference to be co-hosted in Brussels.</p> <p>(Lithuanian Delegation)</p>	<p>Si</p>

<p><u>Paragraph 3.1 Genuine Economic and Monetary Union.</u></p> <p>COSAC notes that most Parliaments actively debate key EMU documents and the majority of Parliaments scrutinise the European Council meetings and/or conclusions in some way. COSAC believes that more should be done to also encourage interparliamentary debate on these topics and calls on future Presidencies to examine how best to do this.</p>	<p><u>Paragraph 3.1:</u></p> <p>COSAC notes that most Parliaments actively debate key EMU documents and the majority of Parliaments scrutinise the European Council meetings and/or conclusions in some way. COSAC believes that more should be done to also encourage interparliamentary debate on these topics and <u>the wider fundamental issues of democracy in the EU. COSAC therefore calls on future Presidencies of the Council</u> to examine how best to do this.</p> <p>(UK Delegation)</p> <p>COSAC notes that most Parliaments actively debate key EMU documents and a majority of Parliaments scrutinise the European Council meetings and/or conclusions in some way. COSAC believes that more should be done to also encourage interparliamentary debate on these topics and calls on future Presidencies to examine how best to do this, <u>particularly in the context of the new conference on the basis of article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union.</u></p> <p>(European Parliament)</p>	<p><u>Paragraph 3.1: amend as indicated</u></p> <p><i>Si</i></p> <p><u>Amend as indicated</u></p> <p><i>Si</i></p>
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2 nd Draft of the Irish Presidency	Amendment	Explanation
<p><u>Paragraph 3.3 Genuine Economic and Monetary Union.</u></p> <p>COSAC encourages the European Parliament and the national Parliaments holding the Presidency of the EU Council in the first semester of the year to consider the constructive comments made in the 19th Bi-annual Report in relation to the organisation of the European Parliamentary Week.</p>	<p><u>Paragraph 3.3</u></p> <p>COSAC encourages the European Parliament and the national Parliaments holding the Presidency of the EU Council in the first semester of the year to consider the constructive comments made in the 19th Bi-annual Report in relation to the organisation of the European Parliamentary Week and suggests considering linking it with the new Interparliamentary Conference on Economic and Financial Governance of the European Union.</p> <p>(Polish Delegation)</p> <p>COSAC encourages the European Parliament and the national Parliaments holding the Presidency of the EU Council in the first semester of the year to consider the constructive comments made in the 19th Bi-annual Report in relation to the organisation of the European Parliamentary Week. <u>On this matter, COSAC is convinced that the European Parliamentary Week can facilitate at European level the interparliamentary dialogue on key issues related to the European Semester.</u></p> <p>(Italian Delegation)</p>	<p><u>Paragraph 3.3: Add additional text</u></p> <p><u>Add additional text</u></p>

CONFERENCE OF THE PARLIAMENTARY EUROPEAN AFFAIRS COMMITTEES
FROM EU AND CANDIDATE COUNTRIES, DUBLIN CASTLE 24/25 JUNE, 2013

ENLARGEMENT AND NEIGHBOURHOOD POLICY - MAINTAINING MOMENTUM

It gives me great pleasure to join my friend and former colleague, Ambassador Inzko, for this morning's session which is devoted to 'Maintaining Momentum in the European Union's Enlargement and Neighbourhood Policy'.

This Conference, hosted by the Oireachtas Joint Committee on European Affairs, coincides almost to the day with the tenth anniversary of the EU-Western Balkans Summit held in Thessaloniki in 2003. It is worth recalling that this was the Summit which launched the process known as the 'Thessaloniki Agenda', a process which confirmed the EU accession perspective for the countries of the region. The language adopted was very clear: "The future of the Balkans is within the European Union".

Since then we have witnessed major developments in the region which have consolidated the countries efforts towards lasting stability, and in the process bringing them closer to the EU. Whether it is Croatia's imminent accession to the EU as the 28th member state, or the Stabilisation and Association Process, soon to lock the entire region into the accession perspective, or the recent agreement between Kosovo and Serbia, these all reflect clear evidence of the success of the reform process launched at Thessaloniki.

What probably had the greatest impact in terms of tangible benefits for the citizens of the region, as well as giving them a sense of belonging to the EU family, was the granting of visa-free travel to the Schengen area. That this was achieved is very much thanks to the pressure from the European Parliament, which understood from an early stage the benefits which would accrue. It is also thanks to the determination of the countries concerned. The success of this exercise demonstrated that the countries of the region do have the administrative capacity to deliver if they focus their minds on the job and are given clear and detailed conditions to fulfill in return for the granting of the agreed benefits.

All of these developments and many more are a concrete demonstration of the effectiveness of the EU's so-called 'soft power' and of the continued attraction of EU accession, despite the current adverse economic climate in the EU.

At the same time, there is no denying however the decrease in support within the EU for continued enlargement. In a number of EU member states, governments hesitate to give the enlargement process more than lukewarm support for fear of alienating voters. The rise of right wing parties which equate further enlargement with increased levels of immigration has further complicated the debate.

This in my view short sighted approach could have serious implications for the Western Balkan countries themselves. A diminishing prospect of accession would dilute the EU's transformative power for much needed reforms and would fuel nationalist agendas in some of the countries where political stability remains fragile. Indeed were it to adopt a pause in enlargement after Croatia, the EU would lose much of its credibility.

As the Irish Minister of State for European Affairs, Lucinda Creighton, stated at the conference marking the tenth anniversary of the Thessaloniki Agenda which was hosted by the Irish Department of Foreign Affairs together with the Institute of International and European Affairs on 24 May last :

"The Union offers the prospect of membership to those countries in Europe that meet its conditions. By withdrawing the offer, the EU would lose one of its most effective tools for promoting peace, democracy and prosperity in Europe".

She went on to emphasize that :

"Enlargement must remain an integral part of the Union's future because it has proved itself a powerful tool that has the capacity to transform the lives of the people of Europe, both within the Union and beyond it. The award of the Nobel Peace Prize to the EU provided eloquent testimony to this truth".

I do hope therefore that the European Council this week will reaffirm the central role played by enlargement in the EU's foreign policy. This will be the best and most effective message to those countries aspiring to join the Union and who are suggesting that reforms are not worth the effort.

This is particularly relevant for those countries where reforms are lagging behind. Fundamental weaknesses such as the lack of a culture of political dialogue and consensus building, and increased inter-ethnic tensions continue to undermine prospects for long term stability. This is certainly the case in Albania, in Bosnia and Hercegovina and in the former Yugoslav Republic of Macedonia . In these same countries, and especially in the latter, serious concerns remain over the absence of respect for independence of the media, as well as harassment of journalists with practices that have been condemned by the OSCE representative for the freedom of the media as well as by every international media watchdog.

Recent events in Turkey have also raised concern over the state of democracy in the country. As Commissioner Füle himself stated during his recent visit to Turkey earlier this month :

"Democracy is a demanding discipline - not only during election campaigns, but every day. It requires debates, consultation and compromise". It will be of critical importance that every effort is made by the government in engaging with all sectors of society to work together in a spirit of compromise, so that the reform process and the accession negotiations can continue.

Whether it is Turkey, or Bosnia and Hercegovina, Albania or the former Yugoslav Republic of Macedonia, there can be no substitute for political dialogue and consensus building. My own country Ireland provides an excellent example of how much can be achieved through political consensus . When we were preparing to join the European Community as it then was exactly 40 years ago , all the political parties put their party interests aside and worked together in the spirit of consensus to achieve the goals the country had set itself. And as the Foreign Affairs Minister from Croatia, Ms. Vesna Pusic stated at the Thessaloniki anniversary conference, it is a **working consensus** rather than a mere **declaratory consensus** that can make the difference for success or failure.

To achieve this, the role of Parliaments and in particular the European Affairs Committees can be decisive in creating a climate conducive for consensus building. By promoting dialogue and consultations with all sectors of society, it ensures greater acceptance by the public of the much needed reforms. Reaching out to civil society and the media in an inclusive manner should be seen as a sign of strength rather than of weakness.

Chairperson,

There is meanwhile no doubt that bilateral disputes between neighboring countries within the Balkan region also impact negatively on the enlargement process, deflecting attention from the real reform deficiencies and consuming far too much energy that could be more usefully deployed elsewhere. In this respect it is important for the EU to realize that excessive delays in allowing accession negotiations to start, or holding the process hostage to bilateral complaints of some member states will fuel nationalist agendas and make the reform process more difficult. It also diminishes the usefulness of the stabilization and association process itself.

These are all reminders of how heavily the legacy of the Balkan's turbulent history continues to weigh in the region, and how easy it is for positive trends to be reversed. Even with a framework for post conflict reconciliation in place, it takes very little for the process to unravel.

Just as in 2003, when it was emphasized that the EU perspective represents the 'glue' that maintains stability in the Balkan region, the response from the EU today should be to strengthen and reconfirm its policy of enlargement. We hope therefore that the European Council will this week take bold decisions that will inject new momentum into the enlargement process.

Turning now to the European Neighbourhood policy, which will reach its tenth anniversary during 2014, there is no doubt that, as far as the southern Mediterranean countries are concerned, developments on the ground often overtook the EU's capacity to deliver. This is not to minimize by any means the many successes achieved by the EU. But it does emphasize the need for the EU following in particular the decisions taken under the Lisbon Treaty, to enhance its capacity of analysis and longer term strategic policy development, and to make full use of the broad range of instruments that spring from its unique character. A more effective use of these instruments will enhance the EU's ability to fulfill its strategic objectives and enable it to be more proactive rather than merely reactive to events.

As regards the six countries of the Eastern Neighbourhood, the forthcoming Summit in Vilnius this November, hosted by the Lithuanian Presidency, offers an important opportunity to review progress since the previous Summit in Warsaw in 2011. It will also mark 4 years since the launching of the Eastern Partnership Programme in Prague in early 2009.

While the plans for Vilnius may be ambitious, they reflect the fundamental objectives of the Neighbourhood Policy, aimed at establishing a privileged relationship based on common values of democracy, human rights and the rule of law, strengthening economic prosperity through far reaching market reforms, while avoiding the emergence of new dividing lines within the European continent.

Association Agreements and Deep and Comprehensive Free Trade Areas have already been completed with Ukraine and just a week ago with Moldova. Similar agreements are also well under way with both Georgia and Armenia, and with Azerbaijan an Association Agreement without the DCFTA, as it is not a member of the WTO.

Visa liberalization and visa facilitation are also a vital part of the Neighbourhood agenda. In this respect, Moldova remains in the forefront with important progress already achieved in the reforms required by the relevant action plan for visa liberalisation, despite recent internal political problems.

Progress in this area however limited will strengthen the links between the citizens of this

region and the EU and will foster greater understanding and enhanced opportunities for the younger generation to discover their counterparts in EU member states.

A critical element of the Eastern Neighbourhood Programme which will no doubt be reconfirmed at the Vilnius Summit relates to the principle of differentiation, with each country being judged on the basis of the reforms it delivers. It is for this reason that the development of the EU's relations with Belarus will be conditional on progress towards respect by Belarus for the principles of democracy, rule of law and human rights.

Support for the role of civil society and media in strengthening the democratic process and guarding against any erosion of democratic values and standards by governments must remain at the core of the EU's policies whether it is in the Eastern Neighbourhood countries or in the Balkan region. This is particularly important in countries in transition or in post conflict societies. There are many examples of post conflict peace processes, where a successful implementation has been dependent on the involvement of civil society at the grass roots level at the earliest possible stage.

The Northern Ireland peace process offers us an eloquent illustration of the successful role which continues to be played by civil society organizations reaching across the ethnic or political divisions in local communities and creating, with government support, a critical space for dialogue. This dialogue helps to overcome long standing prejudices and establishes a relationship of trust between the different communities, reflecting the spirit of the 1998 Good Friday Agreement which brought peace to these islands.

It is for this reason that during the Irish Chairmanship of the OSCE in 2012, and as part of our role as mediator in the Transdniestrian settlement process, we brought civil society and media representatives from both Chisinau and Tiraspol to Dublin and Belfast so that they could together discover the different facets of the Northern Ireland peace process. During their visit they listened to personal testimonials of former prisoners from both the loyalist and republican traditions now working together at local level in joint projects. They also learned of the Peace Building and Conflict Resolution Centre currently being established in Northern Ireland with EU funds, which will provide a permanent platform for exchange of expertise between post conflict societies across Europe and beyond.

As our Tanaiste (Deputy Prime Minister) and Foreign Minister stated to the OSCE Participating States last year ;
' it is the responsibility of we who have known peace to share our experience with others'.

Whether it is South Africa in 1994, Northern Ireland in 1998, the Ohrid Framework Agreement in 2001, or Kosovo and Serbia today and tomorrow, the message is the same - courageous leadership and trust.

With leadership and courage, the impossible can be made possible, and a relationship of trust created across the political and ethnic divide.

This is the challenge facing the Balkan and wider region as we approach the 100th anniversary of the dramatic events in Sarajevo, an event which will bring much soul searching and debate as to whether we have learned the lessons from the past. Courageous leadership and stretching a hand of friendship to one's political opponents in a true spirit of reconciliation will ensure that we can shape that debate in a positive manner.

Thank you.!

Erwan Fouéré.



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**CONCLUSIONS OF THE XLIX COSAC
Dublin, 23-25 June 2013**

1. Bi-annual Report

- 1.1. COSAC welcomes the 19th Bi-annual Report prepared by the COSAC Secretariat and thanks the Secretariat for its work. The Report provides useful information on the parliamentary involvement in the Economic and Monetary Union, the European Semester and enlargement. It also examines the subsidiarity scrutiny in Parliaments and documents the extent of interparliamentary cooperation related to this.

2. Recent Parliamentary meetings

1. COSAC welcomes the Presidency Conclusions of the last Conference of Speakers of the EU Parliaments held on 21-23 April 2013 in Nicosia and expresses its support for the agreement reached on the establishment of a Conference, in line with Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, which could be built on established models of interparliamentary cooperation upon the formula of the Conference on CFSP and CSDP. COSAC looks forward to the inaugural Interparliamentary Conference on Economic and Financial Governance of the European Union to be held in Vilnius, 16-18 October 2013 and urges careful consideration of the arrangements for this and the follow on conference to be co-hosted in Brussels.
- 2.1. COSAC welcomes the report from the informal meeting held in Copenhagen on 11 March 2013 on the role of national Parliaments in the EU as a forum for open discussion and exchange of ideas.
- 2.2. COSAC welcomes suggestions to use videoconferencing for interparliamentary cooperation and for the purposes of enhancing the exchange of information between national Parliaments and the suggestion to draw on to a greater extent the COSAC secretariat and national Parliament representatives in Brussels.
- 2.3. COSAC notes the important role played by national Parliaments in the national decision making process on EU affairs. Many countries have developed methods and procedures on how to integrate EU affairs into the daily life and work of national Parliaments. These experiences and best practices can provide inspiration for others on how to improve EU scrutiny and strengthen accountability also on a national level.





3. Genuine Economic and Monetary Union

- 3.1. COSAC notes that most Parliaments actively debate key EMU documents and the majority of Parliaments scrutinise the European Council meetings and/or conclusions in some way. COSAC believes that more should be done to also encourage interparliamentary debate on these topics and the wider fundamental issues of democracy in the EU. COSAC therefore calls on future Presidencies to examine how best to do this, particularly in the context of the new conference on the basis of article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union.
- 3.2. COSAC encourages Parliaments to make greater use of existing tools and to seek to develop new ones at national and European level to ensure the democratic legitimacy of the EMU and in particular to ensure that democratic legitimacy and accountability rest at the level where decisions are taken and implemented.
- 3.3. COSAC encourages the European Parliament and the national Parliaments holding the Presidency of the EU Council in the first semester of the year to consider the constructive comments made in the 19th Bi-annual Report in relation to the organisation of the European Parliamentary Week.

4. Exchange of information between Parliaments on subsidiarity scrutiny

- 4.1. COSAC welcomes the continued development of procedures and practices relating to the scrutiny of subsidiarity. It highlights, in particular, the increased exchange of information between staff of different Parliaments; the greater cooperation among National Parliament Representatives in Brussels; and the continued high level of attendance at interparliamentary conferences.
- 4.2. COSAC welcomes the significantly increased exchange of information between Parliaments and Chambers on subsidiarity scrutiny using a variety of exchange methods and networks, in particular the IPEX database and National Parliament Representatives based in Brussels. It is pleased to see the successful intensification of interparliamentary exchange of information since the coming into force of the Lisbon Treaty, in many cases contributing to specific scrutiny outcomes. COSAC reminds national Parliaments of the importance of effectively executing subsidiarity scrutiny and encourages cooperation so that national Parliaments may reach the thresholds when appropriate.
- 4.3. In the context of this intensified activity, COSAC notes that further improvements could be made, such as: the exchange of information between Parliaments at an even earlier stage in the scrutiny process; improvements to the content of the IPEX website to cover the substantive reasons for breaching the subsidiarity principle and for Parliaments to ensure well-timed availability and accuracy of information and to provide more detailed English and/or French summaries or





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translations of important documents; and greater exchange of information between Members of Parliaments in the forum and/or on the margins of COSAC.

5. Permanent Member of the COSAC Secretariat

- 5.1. COSAC recalls that the term in office of the current Permanent Member of the COSAC Secretariat expires on 31 December 2013. COSAC underlines that the appointment of the new Permanent Member should take place during the L COSAC, therefore, asks the Lithuanian Presidency to prepare for the appointment.
- 5.2. COSAC also recalls that the present co-financing of the Permanent Member of the COSAC Secretariat and the costs of running the office and website of COSAC will end on 31 December 2013. COSAC welcomes letters of intent from 22 national Parliaments expressing their commitment for the co-financing for the following two years, i.e. 2014-2015. Furthermore, COSAC welcomes the fact that the threshold of a minimum of the national Parliaments of 14 Member States has been reached. COSAC calls upon the remaining Parliaments/Chambers to renew their commitment for the co-financing.





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**Contribution of the XLIX COSAC
Dublin, 23-25 June 2013**

Economic Governance

1. COSAC welcomes the important debate that is taking place at EU level and in the Member States on plans for the phased completion of the Economic and Monetary Union (EMU), and the strong role that Parliaments are playing as part of that debate.
2. COSAC welcomes the EU's strong determination to foster Europe's competitiveness and to stimulate sustainable growth, jobs and social cohesion in Europe, while pursuing fiscal consolidation.
3. COSAC acknowledges that there is broad consensus on the need for greater democratic accountability and legitimacy to underpin this process, and in the EU more generally, and welcomes the initiative by the Commission and European Council to place these issues on the agenda, as part of the wider debate on EMU.
4. COSAC notes the increasing involvement of Parliaments in the European Semester, but acknowledges that many Parliaments are not yet fully satisfied with their involvement in the process. COSAC encourages those Parliaments to engage more fully in the Semester in 2014, at an earlier stage in the process, and to take up the European Commission's offer of dialogue on the Annual Growth Survey, country-specific and euro area recommendations.
5. COSAC welcomes the significant steps that have been taken in recent months to strengthen EMU. COSAC notes the adoption of the so-called "Two Pack" Regulations on greater budgetary surveillance in the euro area, and welcomes in particular the provisions concerning the right for national Parliaments to request the Commission to present its opinion on a draft budgetary plan to that Parliament.
6. COSAC welcomes the progress as regards the completion of the elements already agreed for a banking union and notes the conclusion of negotiations on a Council Regulation conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions, and specifically welcomes the inclusion of provisions regarding accountability and reporting by the ECB to the European Parliament, and that at the request of a national Parliament, a representative of the Banking Supervisory Board, together with a representative of the competent national authority, will be obliged to appear before that Parliament to answer questions about the performance of supervisory tasks.





7. COSAC looks forward to the time-bound roadmap to be presented by the President of the European Council to the European Council in June on the coordination of national reforms, the social dimension of EMU, the feasibility and modalities of mutually agreed contracts for competitiveness and growth, and solidarity mechanisms. COSAC emphasises the need for these proposals to permit the setting up of mechanisms leading to a Sustainable Energy and Climate Europe.
8. COSAC welcomes the European Commission's 2013 Convergence Report on Latvia and also the progress that Latvia has made in fulfilling the conditions for adopting the euro on 1 January 2014 as a further indication of the strengthening of economic integration in the EU.

Democratic accountability and legitimacy

9. COSAC considers that the Commission initiative on preparing for the 22-25 May 2014 European elections is particularly welcome, nevertheless it remains deeply concerned about the level of disconnect between Europe's citizens and the European Union; within the framework of Article 10, par.2 of TEU, COSAC underlines the importance, in relation to the European Year of Citizens, of launching genuine public debate prior to the elections in order to stimulate high participation and strengthen the connection between the citizens and the European Union; in this regard, Parliaments and political parties should engage further as facilitators of debates on EU matters raising awareness among citizens on their rights and on the challenges at stake at European elections.
10. COSAC believes that Parliaments, also through European and national political parties, have a special role to play in establishing links between citizens and European decision-making. It acknowledges that Parliaments should aim to make greater use of existing tools, but considers that new mechanisms will also have to be found in order to adequately address, for Parliaments and ultimately citizens, the issues of democratic legitimacy and accountability.
11. COSAC therefore calls on the European Commission and the European Council to engage with Parliaments and to come forward with concrete proposals for greater democratic legitimacy and accountability with the same sense of urgency and ambition as that which has pertained to progressing other aspects of the completion of EMU.





Youth Employment

12. COSAC calls on the European Council in June to agree effective and urgent measures for combating youth unemployment. COSAC emphasises the need to promote the mobility of young job-seekers and workers, including by strengthening the “Your First EURES Job” programme to boost cross-border recruitment and by creating an “Erasmus” programme for professional training. COSAC underlines the importance to encourage youth and female entrepreneurship by enhancing the flows of credit to SMEs, including the development of microcredit.

Enlargement

13. COSAC believes that, notwithstanding the deeper integration that is taking place and envisaged in the EU, that momentum in the transformative process of enlargement should be maintained, and that a realistic prospect of eventual accession needs to continue to be offered to candidate and potential candidate countries in order to incentivise the necessary reforms.
14. COSAC looks forward to the accession of Croatia to the European Union on 1 July, and to the participation of Croatian parliamentarians as full COSAC members, beginning under the Lithuanian Presidency.
15. COSAC welcomes the agreement reached in April between Serbia and Kosovo, as well as the Implementation Plan agreed upon in May. COSAC notes the Commission’s recommendation for negotiations to be opened with Serbia concerning EU accession. Furthermore, COSAC recognises the Commission’s recommendation for negotiations to be opened with Kosovo on a Stabilization and Associations Agreement and the Commission’s report for its implementation.
16. COSAC calls on the Council to open negotiations with Serbia and the former Yugoslav Republic of Macedonia on EU accession, and with Kosovo on a Stabilisation and Association Agreement, and also notes progress achieved in negotiations with Montenegro and Turkey, under the condition, especially in the latter case, of the continuation of reforms and of the respect of the criteria of Copenhagen.





17. COSAC is deeply concerned about the news coming from Turkey. The right to protest peacefully as well as pluralism and tolerance are some of the pillars of democracy. It is necessary to approach the different positions and orientations through dialogue and peaceful confrontation. Trusting that Turkey will be able to overcome this difficult period, by choosing without any delay the role of a mature democracy, COSAC will continue to firmly believe in Turkey's European perspective and in its role as a major factor for stability and geopolitical balance in the countries of the Mediterranean and the Middle-East. COSAC also wishes the EU to be present with determination to reach these goals.
18. COSAC appreciates that compromise decisions required by the EU were adopted by the Assembly of Albania prior to the parliamentary elections of 23 June concerning certain reforms in the area of judicial and public administration as well as regarding the revision of the parliamentary Rules of Procedure. COSAC calls upon the Albanian political parties which will form the new government nevertheless to remain fully committed to the rule of law. COSAC highlights the importance of the implementation of the roadmap on EU integration in order to ensure the entry into force of the Stabilisation and Association Agreement with Bosnia and Herzegovina. COSAC calls on its members to further develop inter-parliamentary engagement with both countries.
19. COSAC calls on national Parliaments, as institutions being informed of applications for EU membership in accordance with Article 49 of the Treaty on European Union, to engage further, more fully and comprehensively in the enlargement debate as a means of enhancing public debate on the issue at national level in their respective Member States.

Development

20. COSAC is mindful of the need to achieve the Millennium Development Goals (MDGs) in full and of the historic opportunity to build on the MDGs and the globally agreed priorities they represent, to focus political attention and direct international cooperation efforts towards a limited number of achievable goals.
21. COSAC is conscious that the deadline for the achievement of the MDGs is drawing close, and that, pending their achievement, global discussions on how to build on the MDGs have started in order to seek to articulate the principles for a new globally agreed set of priorities for international cooperation aimed at eradicating extreme poverty.





22. COSAC acknowledges the strong views expressed by civil society organisations in Europe and across the globe on the need to base the new development framework on the needs, rights and priorities of communities experiencing poverty, exclusion and discrimination.
23. COSAC encourages EU leaders to develop national and local level initiatives aimed at forging consensus on the key priorities in the fight against poverty and marginalisation in Europe and globally, and to communicate the outcomes of such initiatives.
24. COSAC emphasises the need to work towards a continuous strengthening of the EU's and of Members States' development cooperation programmes, through the delivery on their commitments on aid quantity and aid quality; and to phase out all forms of tied aid, in line with the Paris Declaration and the Busan Partnership for Effective Development Cooperation.
25. COSAC calls on national Parliaments to engage further, more fully and comprehensively in the development debate as a means of enhancing public debate on the issue at national level in their respective Member States.

Subsidiarity

26. COSAC acknowledges the work of the Commission in dealing with the large number of reasoned opinions sent to it by national Parliaments. However, COSAC urges the Commission to respond to reasoned opinions issued by national Parliaments with greater speed and with greater focus on the arguments contained within each reasoned opinion.
27. While COSAC values practical arrangements published by President Barroso in 2009 it believes that lessons can be learnt from the experience of the first "yellow card" in response to the "Monti II" proposal.¹ In practice, a degree of uncertainty surrounded these arrangements following the triggering of the first yellow card and COSAC, therefore, invites the Commission to review, to improve and to clarify how these arrangements should operate for both the yellow and orange cards.
28. COSAC invites the Commission, in this review, to state, in particular, how and when its responses should be issued in response to the cards so triggered and the timeframe within which this will be undertaken.

¹ COM (2012) 130





29. COSAC also invites the Commission to identify the way in which it will communicate with national Parliaments in the scenario where a card has

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been triggered and encourages the Commission to address more specifically the concerns raised by national Parliaments in their reasoned opinions. In this context COSAC notes that in March 2013, following a request to the Commission in the XLVIII COSAC contributions, those national Parliaments that submitted Reasoned Opinions on the Monti II proposal received letters from the Commission providing reasoning why it considered that the principle of subsidiarity had not been breached. However, COSAC notes that the response was generic and did not engage with all the specific arguments raised by the individual national Parliaments.

30. Finally, COSAC believes that the eight week period given for subsidiarity scrutiny is in most cases sufficient. However, in the context of the debate on the future of the EU it highlights that a future Treaty revision should take account of the opinion of national Parliaments that a longer period would make the process easier and mitigate the impact of periods of holidays and parliamentary recess and emphasises that an extension would not mean a significant slowing down of the European legislative procedure.

Political dialogue

31. COSAC considers that national Parliaments should be more effectively involved in the legislative process of the European Union not just as the guardians of the subsidiarity principle but also as active contributors to that process. This goes beyond the adoption of reasoned opinions on draft legislative acts which may block those acts and would involve a more positive, considered and holistic view under which Parliaments could invite the Commission to develop legislative proposals which they believe to be necessary or to review and adapt existing proposals for specific stated reasons.
32. Article 12 of the Treaty of the European Union notes that national Parliaments contribute actively to the good functioning of the Union and in that context COSAC will continue to seek to enhance and to promote the further positive involvement of national Parliaments in the legislative process.
33. COSAC calls on the Commission to consider within the existing context of political dialogue any individual or collective requests from national Parliaments for new legislative proposals.





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34. COSAC notes the growing importance of national Parliaments' scrutiny to the legislative process. In the particular context of the 2014 European elections, COSAC draws to the attention of the Presidential Troika, the Council, the European Parliament, and the Commission the need to allow proper time for national scrutiny before legislation is concluded.
35. COSAC also calls on the Commission to give special attention and consideration to opinions on a specific legislative proposal or specific aspects of a proposal that have been issued in the context of the political dialogue by at least one third of national Parliaments.
36. The Commission is invited to update national Parliaments in advance in writing or at a subsequent COSAC Chairpersons or Plenary meeting or at any other appropriate and relevant interparliamentary conference organised by the Presidency on its reactions to any such requests or any political contributions so received as set out above.
37. With a view to enhancing the involvement and engagement of national Parliaments in the upstream policy formulation process, COSAC invites the Commission to ensure that national Parliaments are specially alerted to all Commission public consultations when they are launched, as called for in the Contribution of the XLVII COSAC, and to pay special attention to any contributions made by Parliaments to any such consultations.

