

## **QUESTIONNAIRE: 14TH BI-ANNUAL REPORT OF COSAC**

### **Chapter 1: Sustainable development in the EUROPE 2020 Strategy<sup>1</sup>**

This chapter accompanies a set of questions regarding the content as well as the procedures of the recently adopted Europe 2020 Strategy. These will enable to examine whether the concept of sustainable development was sufficiently integrated into this Strategy. In addition, the chapter will provide information on how the national Parliaments intend to hold their governments to account for their actions in pursuit of the objectives of this strategy.

This concept of sustainable development was described for the first time in the so-called “Brundtland Report” in 1987 as: “(...) *development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts : the concept of ‘needs’, in particular the essential needs of the world’s poor, to which overriding priority should be given, and the idea of limitations imposed by the state of technology and social organization on the environment’s ability to meet present and future needs*”<sup>2</sup>.

In 1992, the United Nations Conference on Environment and Development<sup>3</sup> transferred the concept of sustainable development onto the action level and, subsequently, the Commission on Sustainable Development (henceforth “CSD”) was established<sup>4</sup>.

On 9 June 2006, the European Union Strategy for Sustainable Development was published<sup>5</sup>.

Moreover, sustainable development is one of the first items of the Treaty of Lisbon as Article 3.3 of the Treaty on European Union stipulates: “*The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance*”.

---

<sup>1</sup> This questionnaire was established in collaboration with the Belgian Federal Council on Sustainable Development.

<sup>2</sup> Report of the World Commission on Environment and Development: Our Common Future (UNO, 4 August 1987)-  
[http://www.un.org/french/documents/view\\_doc.asp?symbol=A/42/427&TYPE=&referer=http://www.un.org/fr/documents/&Lang=E](http://www.un.org/french/documents/view_doc.asp?symbol=A/42/427&TYPE=&referer=http://www.un.org/fr/documents/&Lang=E)-p. 54.

<sup>3</sup> Also known as the “Earth Summit” or the “Rio Summit”.

<sup>4</sup> The CSD is responsible for executing the international agreements on global sustainable development i.e. the Agenda 21, the Rio Declaration and the Johannesburg Plan of Implementation stemming from the 2002 Summit

<sup>5</sup> This Strategy mainly deals with the following issues (1) climate change and clean energy, (2) sustainable transport, (3) sustainable consumption and production, (4) conservation and management of natural resources, (5) public health, (6) social inclusion, demography and migration and (7) global poverty and sustainable development challenges-<http://register.consilium.europa.eu/pdf/en/06/st10/st10117.en06.pdf>.

After Rio de Janeiro and Johannesburg, a third important Summit on the level of the United Nations will take place in Rio de Janeiro in 2012 (“Rio + 20”). This Summit is currently being prepared by the CSD.

The new strategy “EUROPE 2020: A strategy for smart, sustainable and inclusive growth” was presented by the European Commission in its communication on 3 March 2010<sup>6</sup>. As suggested by the strategy’s title, one of its social and economic priorities is the concept of sustainable growth described as: “*promoting a more resource efficient, greener and more competitive economy*” and expressed as three climate and energy targets of (at least) 20% to meet, namely: “*reduce greenhouse gas emissions by at least 20% compared to 1990 levels or by 30%, if the conditions are right; increase the share of renewable energy sources in our final energy consumption to 20%; and a 20% increase in energy efficiency*”.

The Belgian Presidency of the European Union has defined sustainable development, one of the present-day major global challenges, as one of its priorities. It will, therefore, endeavour to search for ways to integrate sustainable development into the framework of the new strategy “EUROPE 2020: A strategy for smart, sustainable and inclusive growth”, the Lisbon Strategy’s successor, and to put it into practice.

### **Questions:**

#### *The EUROPE 2020 Strategy*

1.1. Given the intention of the EUROPE 2020 Strategy to bridge the different crises we are currently facing (economic, financial, social, ecological), does your Parliament/Chamber think that the Strategy’s political standpoints constitute a well integrated concept?

1.2. Does your Parliament/Chamber consider that the EUROPE 2020 Strategy sufficiently takes into account the economic and scientific developments in the rest of the world, such as e.g. in the United States and in China?

1.3. Does your Parliament/Chamber consider that the EUROPE 2020 Strategy sufficiently takes into account the social and environmental consequences and the respect for human rights (e.g. the right to food)?

#### *The EUROPE 2020 Strategy and the European Union Strategy for Sustainable Development*

2.1. In the European Union Strategy for Sustainable Development 7 key challenges are identified, each of which is accompanied by an overall objective. In this context, is your Parliament/Chamber of the opinion that these challenges are sufficiently taken into account in the EUROPE 2020 Strategy? Please specify per challenge and comment on your specifications with reference to the abovementioned overall objectives.

---

<sup>6</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:2020:FIN:EN:PDF>

Yes No

1. climate change and clean energy
2. sustainable transport
3. sustainable consumption and production
4. conservation and management of natural resources
5. public health
6. social inclusion, demography and migration
7. global poverty and sustainable development

2.2. Does your Parliament/Chamber believe that the EUROPE 2020 Strategy foresees enough instruments (1) to meet these challenges and (2) to measure and (3) to monitor their results (e.g. by the introduction of criteria similar to the euro convergence criteria)?

### *The EUROPE 2020 Strategy and the national Parliaments*

3.1. Does your Parliament/Chamber think that the decision-making process, linked to the EUROPE 2020 Strategy, is sufficiently stringent for the Member States and that the oversight by the national and, if applicable, regional Parliaments is sufficiently assured?

3.2. Which parliamentary bodies of your Parliament/Chamber will be in charge of the follow-up of the EUROPE 2020 Strategy and how will your Government be held to account for its actions in pursuit of the objectives of this strategy?

3.3. Please briefly specify the parliamentary procedures involved (on national and, if applicable, on regional levels).

3.4. In case no such parliamentary body or procedure has yet been determined, is the establishment of either of them foreseen in the near future?

3.5. In which way national Parliaments/Chambers may contribute to strengthening the sustainable development aspect of the EUROPE 2020 Strategy?

## **Chapter 2: Parliamentary Scrutiny of the Common Security and Defence Policy**

On 31 March 2010, ten Member States<sup>7</sup> of the Western European Union (henceforth “WEU”) agreed to initiate procedures to terminate the modified Treaty of Brussels. Citing the mutual

<sup>7</sup> France, Germany, Belgium, Spain, Greece, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom.

assistance clause enshrined in the Treaty of Lisbon (Article 42.7<sup>8</sup> of the Treaty on European Union), these Member States considered that a next phase in CSDP had begun, ending the historic role of the WEU.

However, the termination of the modified Treaty of Brussels also means the end of the activities of the Assembly of WEU, traditionally considered to be one of the interparliamentary bodies dealing with security and defence policy in Europe. The Assembly will cease its activities at the end of June 2011.

For many, the dissolution of the Assembly of WEU will leave the issue of parliamentary control in the field of European defence unsolved.

Moreover, the Treaty of Lisbon is not designed to introduce any modification on this matter. It, though, grants the European Parliament with a general right to be informed and consulted. In this respect, Article 9 of Protocol 1 on the role of national Parliaments in the European Union states that *“The European Parliament and national Parliaments shall together determine the organisation and promotion of effective and regular interparliamentary cooperation within the Union”*.

In that context, the implementation of Article 10 of Protocol 1 on the role of national Parliaments in the European Union also represents an opportunity for national Parliaments to get more involved in the CSDP.

But how should this parliamentary control of CSDP look like? Is it really necessary to create an interparliamentary body, considering the fact that security and even more so defence remain to a large extent national policies? The discussion still has to take place.

Some consider Protocol 1 to the Treaty of Lisbon on the role of national Parliaments in the European Union as the basis for this discussion.

In March 2010, the European Affairs Committee of the French *Sénat* adopted a resolution in which it stated that a structure should be created bringing together Members of Parliament specialised in defence issues of the 27 Member States of the European Union. This structure could be designed following the model of COSAC<sup>9</sup>. The organisation and secretariat would be the responsibility of the national Parliaments on a rotational basis of one meeting every six months. Some Members of COSAC have expressed different opinions.

The President of the Assembly of WEU has proposed the creation of a permanent conference of representatives of national Parliaments. This new mechanism would have effective parliamentary control powers *vis-a-vis* the actors and activities of the European Union.

---

<sup>8</sup> *“If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all means in their power. This commitment will be consistent with commitments in NATO”*.

<sup>9</sup> Six Members of Parliament for each Member State, six Members of the European Parliament, meeting once every six months.

Another idea, presented at the XLIII COSAC meeting on 31 May - 1 June 2010, was to leave this scrutiny in the hands of COFACC and/or the Conference of chairs of parliamentary defence committees, sometimes referred to as "CODAC".

Both the Conference of Speakers of the Parliaments of the EU and COSAC have considered that:

- (Speakers): *"Given the special nature of the common security and defence policy (CSDP) and the role of national parliaments in the smooth functioning of the European Union, the Speakers stress the fundamental role of national Parliaments in the future parliamentary scrutiny of the common foreign and security policy including the CSDP"*<sup>10</sup>;
- (COSAC): *"Given the special nature of this policy area, COSAC underlines the fundamental role of national Parliaments in the parliamentary scrutiny of the common foreign and security policy as well as the common security and defence policy"*<sup>11</sup>.

For this reason, the Speakers have asked the incoming Presidency of their Conference to take the discussion forward, with a view to reaching an agreement at the next meeting of the Conference of Speakers of the EU Parliaments.

Article 10 of Protocol 1 clearly gives COSAC a role in this matter. At the same time, the European Parliament, the Assembly of WEU and national Parliaments are also encouraged to reflect on this matter, which will be on the agenda of the XLIV COSAC meeting on 25-26 October 2010 in Brussels.

Building on the information in the 13th Bi-annual Report of COSAC, this Chapter will examine a possible parliamentary scrutiny of the CSDP and its modalities.

### **Questions:**

This chapter stems from the fact that the Treaty of Lisbon has extended the role of national Parliaments in EU matters. More specifically, it raises the question of the role of national Parliaments in the parliamentary scrutiny of common foreign and security policy (henceforth "CFSP") and common security and defence policy (henceforth "CSDP").

1. Does your Parliament/Chamber believe that an interparliamentary exchange on CFSP and CSDP is useful and helpful to improve parliamentary scrutiny at a national and/or European level?
2. Does your Parliament/Chamber consider that interparliamentary scrutiny at EU level should cover both CSFP and CSDP or CSDP only?

---

<sup>10</sup> Presidency Conclusions of the EU Speakers' Conference, Part 6, Stockholm, 14 - 15 May 2010.

<sup>11</sup> Contribution of the XLIII COSAC, Para 5.3, Madrid, 31 May - 1 June 2010.

3. Does your Parliament/Chamber consider that a special mechanism, structure or forum should be set up to organise interparliamentary cooperation on and scrutiny of CFSP and/or CSDP?  
If so,
  - Should it take the form of a new interparliamentary committee/ conference/ organisation/ institution?
  - Should the Member State holding the rotating Presidency have a special role in this new body?
  - Please specify other modalities.
4. Does your Parliament/Chamber prefer an existing model or institutional arrangement to organise interparliamentary cooperation on and scrutiny of CFSP and/or CSDP?
  - 4.1. Should COSAC play a part in such scrutiny? If so,
    - In what form?
    - Should this be during ordinary meetings of COSAC?
    - Should specific meetings of COSAC be convened to discuss CFSP and/or CSDP?
    - Should these meetings be convened on a regular basis or an ad-hoc basis?
    - If on a regular basis, at what interval?
    - Do you think COSAC needs to be reformed in order to be able to deal with these issues?
    - What changes/reforms are needed?
  - 4.2. Should COFACC and/or "CODAC" play a part in such scrutiny? If so,
    - In what form?
    - Should this be during ordinary meetings of COFACC or "CODAC"?
    - Should specific meetings of COFACC or "CODAC" be convened to discuss CFSP and/or CSDP?
    - Should these meetings be convened on a regular basis or an ad-hoc basis?
    - If on a regular basis, at what interval?
    - Do you think COFACC or "CODAC" needs to be reformed in order to be able to deal with these issues?
    - What changes/reforms are needed?
  - 4.3. Should still another existing conference/organisation/institution play a part in such scrutiny? If so,
    - Which one?
    - In what form?
    - Please specify other modalities.
5. Is your Parliament/Chamber prepared to make funding available for such scrutiny?
6. Does your Parliament/Chamber want a mechanism/structure or forum composed of Members of national Parliaments only or a mixed body which includes Members of the European Parliament?
7. Does your Parliament/Chamber want the European Parliament to have a member status or an observer status in interparliamentary cooperation on CSFP and/or CSDP?

### **Chapter 3: The future role of COSAC after the entry into force of the Treaty of Lisbon - Continuation of the debate of the XLIII COSAC meeting**

The replies of the national Parliaments to the questions on the future role of COSAC after the entry into force of the Treaty of Lisbon led to a number of fairly general conclusions and suggestions which were taken up in the 13th Bi-annual Report of COSAC<sup>12</sup>.

Furthermore, the XLIII COSAC spent a considerable part of its meeting in Madrid discussing this topic. This debate demonstrated that the issue of the future role of COSAC is far from being closed. Moreover, new suggestions were made which merit to be further explored.

Consequently, the Belgian Presidency has agreed to refine the quest for COSAC's post-Lisbon identity by means of a series of well-aimed questions in the context of Article 10 of Protocol 1 on the role of national Parliaments in the European Union which reads:

*"A conference of Parliamentary Committees for Union Affairs may submit any contribution it deems appropriate for the attention of the European Parliament, the Council and the Commission. That conference shall in addition promote the exchange of information and best practice between national Parliaments and the European Parliament, including their special committees. It may also organise inter-parliamentary conferences on specific topics, in particular to debate matters of common foreign and security policy, including common security and defence policy. Contributions from the conference shall not bind national Parliaments and shall not prejudice their positions".*

Given this background, this chapter will present an overview of the opinions of national Parliaments and the European Parliament on practical aspects of holding COSAC debates on such issues as:

- the principle of subsidiarity;
- the European Commission's Work Programme;
- political monitoring of Europol and evaluation of Eurojust's activities;
- the European Union CFSP, including CSDP.

#### **Questions:**

1. The Contribution of the XLIII COSAC (Para 10.1) states that "monitoring the role of the national Parliaments as outlined in particular in Article 12 of the Treaty on European Union and its respective Protocols will remain one of COSAC's priorities". In the opinion of your Parliament/Chamber, how such monitoring could be implemented in practice and to what extent?

2. The Contribution of the XLIII COSAC (Para 10.2) states that "the so-called "Early-Warning System" as established in Protocol (No 2) and the coordination mechanism between national Parliaments should play an adequate role in COSAC". In the opinion of your Parliament/Chamber, how should COSAC perform this task in practice?

---

<sup>12</sup> <http://www.cosac.eu/en/meetings/Madrid2010/ordinary.doc/> - p. 32 – 61.

3. What is your Parliament's/Chamber's view on the practical organisation of a debate in the framework of COSAC on the Work Programme of the European Commission?
4. Does your Parliament/Chamber consider it acceptable to invite keynote speakers from outside the European Union (e.g. the NATO Secretary General, the U.S. Ambassador, etc.) to address COSAC on CFSP and/or CSDP?
5. The replies to the questionnaire leading to the 13<sup>th</sup> Bi-annual Report of COSAC showed that a large majority of Parliaments/Chambers<sup>13</sup> supported adding a recurrent item on the agenda of COSAC on political monitoring of Europol and evaluation of Eurojust's activities. In this context, how such debates should be conducted? In particular, should COSAC debates be preceded by hearings of representatives of Europol and Eurojust or should introductory evaluation be presented by, for instance, representatives of the academic world, judiciary and/or law enforcement services?
6. At the debate on the future role of COSAC in Madrid, a number of speakers suggested that specialised parliamentary committees could be invited to participate in the activities of COSAC. In this context, would your Parliament/Chamber prefer to enhance the cooperation of specialised committees within the framework of COSAC or independently from it? In case the COSAC framework is given preference, please specify possible modalities of such cooperation.
7. At the debate on the future role of COSAC in Madrid, a number of speakers suggested organising a "European Week" in national Parliaments. In this context, does your Parliament/Chamber support the suggestion of organizing such a "European Week" and, if so, how does it view its practical organisation? Should COSAC take initiative in this respect?
8. The Conclusions of the XLIII COSAC (Para 3.4) state that "COSAC should reflect on the way new technologies, such as videoconferences and fora such as IPEX, could be employed and optimised to give effect to Article 10 of Protocol (No 1) on the Role of National Parliaments in the European Union". In the opinion of your Parliament/Chamber, how, in practical terms, new technologies could be employed and optimised by COSAC?
9. The Conclusions of the XLIII COSAC (Para 3.6) state that "speaking time should be limited in the Rules of Procedure to no more than 3 minutes, unless the Presidency determines otherwise, in view of specific circumstances". Does your Parliament/Chamber think that the Rules of Procedure of COSAC should be amended in other respects?

---

<sup>13</sup> Ibid. – p. 41.