

**Outline of COSAC's 11th Bi-annual Report
on Procedures and Practices Relevant to Parliamentary Scrutiny
(to be approved by the COSAC Chairpersons' Meeting in Prague on 10 February
2009)**

Chapter 1: Parliamentary control of Europol and evaluation of Eurojust

From the moment of their creation, the effective democratic control of Europol and Eurojust as well as the evaluation of their activities has been a pertinent question for national parliaments and the European Parliament alike. Both share the notion that current parliamentary control of these institutions is weak and needs substantial improvement. Against this background they have engaged in an ongoing inter-parliamentary debate.

Apart from the actual state of play in terms of parliamentary control, the Treaty of Lisbon, once ratified and in force, will enhance parliamentary prerogatives both in the area of Europol (Art. 88 TFEU) and Eurojust (Art. 85 TFEU). The Treaty foresees that national parliaments and the European Parliament shall be involved in the evaluation of Eurojust's activities and that the European Parliament, together with national parliaments, shall scrutinize Europol's activities. Consequently this raises the issue of cooperation among national parliaments and between national parliaments and the European Parliament in order to assure the necessary synergies in parliamentary control.

The purpose of this chapter is therefore firstly to take stock of the current situation of parliamentary scrutiny of Europol and Eurojust by the EU parliaments and secondly to look into the future possibilities and necessities of cooperation in this field among national parliaments and between national parliaments and the European Parliament.

Chapter 2: The role of the EU parliaments in the protection and promotion of human rights in the world

Whether in the EU or in the world parliaments are important guardians and promoters of human rights standards. Since the EU became a system of reference for many states in the world its role as the protector and promoter of human rights has been strengthened.

This chapter seeks to outline and analyse the role of the EU parliaments in the area of the promotion and protection of human rights in the world. The chapter will firstly present an overview of the structures and systems established and used within the EU parliaments for handling human rights issues, and, secondly, it will highlight examples of best practices, instruments and selection criteria used to protect and promote human rights in the world.

Chapter 3: Representatives of National Parliaments to the EU

Presently national parliaments of 24 out of 27 Member States have one or more officials permanently based in Brussels. The tasks and competences of these representatives vary considerably.

This chapter aims to examine the expectations of national parliaments of their representatives in Brussels (content of work and the role of the representatives) and their future plans in this regard.

The chapter will also present an overview of the broad-ranging practices of national parliaments in appointing their representatives in Brussels. The chapter will compare the practices of the representatives' nomination, term in office, legal status in Belgium, main functions, accountability, duty to report to the nominating parliament, relations with Member State's Permanent Representation to the EU, entitlements and other related aspects. The chapter will also look at the specific reasons behind the different practices of national parliaments.

Based on the information supplied by national parliaments, this chapter will attempt to give an overview of the best practices and procedures of national parliaments in this area.

Chapter 4: Evaluation of COSAC Bi-annual Reports

In accordance with the document on the Establishment of a Secretariat of the COSAC adopted by the XXX COSAC in Rome on 7 October 2003, the COSAC Secretariat is required to “*compile a factual report on developments in EU procedures and practices relevant to the parliamentary scrutiny every six months in order to provide the basis for debates in COSAC*”. Since May 2004, the COSAC Secretariat published ten such Bi-annual Reports.

This chapter will provide the basis for an evaluation of the COSAC Bi-annual Reports in the light of 5 years of experience and with a view to gaining feedback from the EU parliaments to the benefit of the future Presidencies and the COSAC Secretariat.

The chapter will focus on two major aspects: the content and the form of the Bi-annual Report, and the practice of parliaments with regard to the Bi-annual Reports. Issues like topics, their link with the agenda of the COSAC ordinary meetings as well as the organisation and length of the reports will therefore be addressed. Attention will also be paid to the procedural arrangements under which the EU parliaments prepare their replies to the questionnaire sent by the COSAC Secretariat beforehand for each report and to the use of Bi-annual Reports within parliaments.