

QUESTIONNAIRE: 10TH BI-ANNUAL REPORT OF COSAC

CHAPTER 1: The Treaty of Lisbon and its ratification - Expectations of national parliaments and the European Parliament

This chapter will consider the current state of play of the ratification process of the Treaty of Lisbon. It intends to illustrate the different reactions and expectations of national parliaments and the European Parliament with regard to the Treaty and its ratification by other Member States, especially in the light of the outcome of the Irish referendum.

Taking into account the result of the referendum, this chapter will also examine how European affairs are perceived by the general public in the Member States, with a view to listing, in particular, the tools that parliaments have at their disposal to raise public interest in the issues of the European Union.

Moreover this chapter will present an examination of how prepared the administrations of the national parliaments and the European Parliament are for the possible entry into force of the Treaty of Lisbon.

General remarks:

Before answering the questions could you please check the following link on the COSAC website to verify that the information displayed there concerning the ratification process (procedure and time frame) in your country/parliament is correct:

<http://www.cosac.eu/en/info/Treaty/>

In case of mistakes or omissions please notify the COSAC secretariat: secretariat@cosac.eu.

Your remarks will be taken into account in the 10th Bi-annual Report as well as published on the COSAC website which will be updated.

Questions:

- 1. How has your Parliament / Chamber reacted to the outcome of the Irish referendum?**
- 2. What is your Parliament's / Chamber's position regarding the further ratification process of the Treaty of Lisbon?**
- 3. In which way and by which means does your Parliament / Chamber engage in a debate with citizens about European affairs?**
- 4. Is your Parliament / Chamber considering to undertake any additional communication efforts with a view to the current state of play of the ratification process of the Treaty of Lisbon? If yes, which measures are envisaged?**
- 5. Which measures (e.g. changes to the rules of procedures, reorganisation of the administration etc.) are already put into place, are foreseen or are under**

discussion at your Parliament / Chamber with a view to the entry into force of the Treaty of Lisbon?

CHAPTER 2: Report of the working group of the national parliaments' representatives to the EU, created by the decision of the XXXIX COSAC

This chapter will present the results of the discussions of the working group of national parliament representatives to the EU, established by the decision of the XXXIX COSAC in Brdo pri Kranju on 7-8 May 2008.

Under Point 1.6 of the XXXIX COSAC Conclusions the incoming French Presidency was asked to make a checklist of the national parliaments' ideas that could lead to better cooperation in the application of Protocol 2 to the Treaty of Lisbon on the application of the principles of subsidiarity and proportionality. The French Presidency was asked to convene a working group of the national parliaments' representatives to the EU to discuss how the opportunities provided by the Protocol could be best implemented by national parliaments and whether any collective arrangements were needed. The discussions were to form the basis of a report written by the COSAC Secretariat.

Therefore, this chapter will present the outcome of the discussions of the working group and will form the basis of a debate at the XL COSAC meeting in Paris.

There are no questions for this Chapter.

CHAPTER 3: Involvement of the parliaments of the European Union in European Defence Policy

This chapter will present the systems operated by national parliaments and the European Parliament for scrutiny of the European Security and Defence Policy (ESDP). Taking account of the information on this contained in the 4th and 5th Bi-annual Reports of COSAC, it will first highlight the new developments on ESDP that have occurred in the scrutiny systems of national parliaments since. Secondly, it will focus on the provisions of the Treaty of Lisbon regarding Common Security and Defence Policy (CSDP, the new designation of ESDP) and how these would affect the way parliaments deal with this area. Beyond the changes that might be foreseen by each parliament in its own scrutiny system, particular attention will also be paid to the cooperation between parliaments through the possible implementation of Article 10 of Protocol 1 of the Treaty of Lisbon which would allow COSAC to organise interparliamentary conferences, in particular, on matters of CSDP. In this respect, a closer look will be taken at the relation that might be formed with the Assembly of the WEU.

Questions:

- 1. Chapter 1 of the 4th Bi-annual Report (2005) and Chapter 3 of the 5th Bi-annual Report (2006) dealt with the scrutiny of CFSP/ESDP proposals by national parliaments. Has your Parliament / Chamber adopted new arrangements regarding its scrutiny procedure of ESDP proposals since? If so, which ones and why?**

2. Did your Parliament / Chamber hold a debate on the provisions of the Treaty of Lisbon regarding the future Common Security and Defence Policy (CSDP, the new designation of ESDP)? Is it considering any changes or adaptations with regard to its scrutiny procedure applicable to ESDP issues in the light of the new provisions of the Treaty of Lisbon?
3. To what extent is your Parliament / Chamber involved in the decision-making process on the engagement of national military capabilities in a European operation? Would the implementation of the new CSDP have an impact on the current practises?
4. How does your Parliament / Chamber consider the possible cooperation between parliaments in the field of CSDP through Article 10 of the Protocol 1 of the Treaty of Lisbon on the role of national parliaments in the European Union¹, which would allow COSAC to organise interparliamentary conferences, in particular, on matters of CSDP? In this respect, how does your Parliament / Chamber envisage the relation that might be formed with the Parliamentary Assembly of the WEU?

CHAPTER 4: Scrutiny of the agreements negotiated by the European Community

The Community competence can be divided into internal competence and external competence. The number of areas of external competence has expanded with successive amendments of the founding Treaties and now includes, *inter alia*, commercial policy; association agreements; the maintenance of relations between the Community and international organisations such as the UN, the GATT, the Council of Europe and the OECD; agreements in the framework of the EMU; development co-operation; environmental policy; and research and technology.

This external competence can be further divided into those areas under the exclusive competence of the Community and those areas where competence is shared between the Community and the Member States. This area of shared competence requires close co-operation between the Member States and the EC when the agreement is negotiated.

The aim of this chapter is to establish to what extent the parliaments of the EU are involved in the EU decision-making process to agree these agreements. The chapter will also examine the implications for the parliaments of the EU of the relevant provisions of the Treaty of Lisbon in this area.

Questions:

1. Some competences, such as the common commercial policy, have been completely transferred by the Member States to the European Community and are referred to as exclusive community competences. What is the role of your Parliament / Chamber when the European Community negotiates agreements on the ground of these exclusive competences? How does your Parliament / Chamber scrutinize the activities of your Government before

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0201:0328:EN:PDF>

the Council authorizes the Commission to open the negotiations? How does your Parliament / Chamber follow these negotiations?

- 2. The greatest part of the European Community's external competences is shared with Member States. How does your Parliament / Chamber scrutinize the activities of your Government when the Council defines the negotiation directives to the Commission on the ground of the shared competences? What is the role of your Parliament / Chamber during the negotiations and at the conclusion of the negotiations?**
- 3. Is your Parliament / Chamber, through your Government, involved in the appointment of the special committees under Article 300 of the Treaty Establishing the European Community? Does your Parliament / Chamber receive reports of these special committees? If so, does your Parliament / Chamber debate these reports?**
- 4. The European Community can establish relations and even become a member of international organizations / entities. In some cases the European Community participates in the international organization alongside the Member States. What is the role of your Parliament / Chamber in adoption of the common position when agreements are being discussed with these organizations or within them?**
- 5. Does your Parliament / Chamber foresee any changes to your scrutiny procedure on the agreements negotiated by the European Community after the Treaty of Lisbon comes into force?**