

**Outline of COSAC's 10th Bi-annual Report
on Procedures and Practices Relevant to Parliamentary Scrutiny
(to be presented to the XL COSAC in Paris in November 2008)**

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

This chapter will take a look at the current state of play of ratification 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 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.

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 check list 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.

Chapter 3: Involvement of 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 (ESPD). 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 ESPD 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 ESPD) 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.

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.