

Draft Outline 22nd COSAC Bi-annual Report

Chapter 1

Europe 2020

The EU Strategy for growth and employment Europe 2020 will undergo a mid-term review in 2015, in order to assess if the strategy is delivering, at European and domestic level, and if the aftermath of the economic and financial crisis requires a review of the goals set in 2010.

An initial assessment of the implementation progress was provided by the European Commission in the communication COM(2014)130, “Taking stock of the Europe 2020 strategy for smart, sustainable and inclusive growth”. For the purposes of the review, the Commission should submit their proposals in early 2015, after appraising the outcome of a public consultation.

The first chapter of the Bi-annual Report, building on the findings of the 20th Bi-annual report, aims at outlining the proposals of the EU Parliaments in view of the mid-term review of Europe 2020 taking into account in particular the positions expressed by national Parliaments within the framework of the scrutiny of the communication above mentioned as well as of the consideration of their respective National Reform Programmes (NRPs).

The chapter is divided into three parts.

The first part presents the views of EU Parliaments on the implementation progress of the Europe 2020 goals at national and at European level as well as their comments on other relevant issues (e.g. funding, coordination with other EU policies).

The second part highlights the proposals put forward by EU Parliaments as regards the review of the strategy in 2015 (notably with reference to the communication COM(2014)130) and generally concerning the actions the EU may implement in order to boost growth and employment.

The third part assesses whether the tools and the procedures to implement the Europe 2020 strategy are appropriate, with particular reference to the European Semester for economic policy coordination. A specific focus will be placed on ways to strengthen the involvement of parliaments in the governance of the Strategy at European and domestic level.

Chapter 2

Future of the EU – EU institutions and parliaments

Building upon the previous Bi-annual Reports, parliamentary debates and contributions of several Chambers/Parliaments, and with a view to continue the debate under future Presidencies, this chapter of the Bi-annual Report aims at examining in detail the impact on the EU Parliaments of the developments of the European integration process five years after the entry into force of the Lisbon Treaty.

In the past five years, the role of Parliaments in the EU “constitutional framework” has been profoundly changed as a result of three sets of factors: firstly, the provisions introduced by the Treaty

on the role of national Parliaments; secondly, the institutional changes provided in the Treaty (delimitation and classification of EU competencies, communitarization of the former third pillar, legal acts, role of each EU institution in the decision-making); thirdly, the establishment of new trends not provided for in the Treaties (policy-shaping and policy-making role of the European Council, early agreements under the ordinary legislative procedure), also in relation to the establishment of the new Economic governance (rising role of the ECB).

The chapter is divided into three parts.

The first part deals aims at taking stock of the overall impact of the new prerogatives conferred by the Lisbon Treaty on national Parliaments as regards their role in the EU. A special focus will be placed on the potential of powers not yet exercised (veto on bridge clauses, action to the ECJ for breach of subsidiarity).

The second chapter considers how EU Parliaments have reacted – both in the scrutiny of their own government and in the political dialogue - to significant innovations introduced by the Treaty (such as the appointment of a President of the European Council, the EEAS, the delegated acts) as well as to the new trends in the EU policy and decision-making process (such as the rising role of the European Council, the early agreements in the legislative procedure and the trialogues, the stipulation of intergovernmental treaties in the field of the economic governance, the involvement of parliaments in trade agreement negotiations, e.g.)

The third part – building on the findings of the 21st Bi-annual Report and following the invitation by the most recent EU Speakers Conference for exploring possibilities for a more efficient use of subsidiarity checks - aims at collecting the proposals of national Parliaments and the European Parliament on a potential further – possibly federal – development of the European integration process, ensuring, at the same time, more effective participation of EU Parliaments in the EU decision-making process (via a possible so-called "green card", proposed by some national parliaments, through addressing weaknesses in subsidiarity checks, through an enhanced engagement in the political dialogue), also taking into account the operational role of COSAC.

Chapter 3

The Mediterranean and the role of EU Parliaments

This chapter will provide an overview on the cooperation between the EU and South-East Mediterranean countries with a particular reference to the role EU Parliaments. EU relations with Mediterranean partners has changed over the past few years as a result of the establishment of the Union for the Mediterranean in July 2008, the boost given to the Neighbourhood Policy following the Arab Spring, and the adoption in March 2011 of the "Partnership for democracy and shared prosperity", as well as the initiatives aimed at addressing the dramatically increasing migration flows from southern shore countries, including the establishment of the Task Force Mediterranean.

The chapter consists of three parts.

The first part focuses on Neighbourhood Policy issues, starting from the Joint Communication "Neighbourhood at the crossroads" of March 2014 (JOIN(2014) 12 final) . The main purpose will be to collect EU parliaments' positions as regards the implementation of the 2012 roadmap and its finalisation to the revitalisation of EU policies in the region, i.e. on strengthening political

cooperation at regional level, on how to enhance human rights protection, on strengthening cooperation with civil society, economic cooperation, cooperation in the field of migration and mobility, targeted sectoral initiatives.

The second part deals with the Union for the Mediterranean. After initial difficulties, the UfM has gained momentum and on the basis of the six priority initiatives that have been identified by the Paris Declaration: Mediterranean clean-up, development of maritime and land highways to facilitate trade between the two shores, enhancing civil protection, development of a common solar plan, establishment of the Euro-Mediterranean University – already inaugurated at Portorož, Slovenia – and support to small and medium-sized enterprises. This section will seek to evaluate the ways EU Parliaments have participated to the UfM relaunch, also in connection with the Parliamentary Assembly of the Union for the Mediterranean.

The third part focuses on parliamentary scrutiny of EU actions to address growing migration flows and the consequent deadly accidents at sea. This topic, already addressed in a specific European Commission communication in May 2011 (COM(2011) 248), is the focus of a Communication on "the work of the Task Force Mediterranean" of December 2013 (COM(2013) 869), which identifies five main areas of action: actions in cooperation with third countries, starting with mobility partnerships; regional protection, resettlement and reinforced legal avenues to Europe; fight against trafficking, smuggling and organised crime; reinforced border surveillance; assistance and solidarity with member states dealing with high migration pressure. The objective is to ascertain the positions of EU Parliaments as to which of the priorities should be in relations to actions in the field of migration control and management and as to which economic (and non-economic) instruments should be used.

Chapter 4

EU Agencies and national Parliaments

The establishment of a growing number of agencies, although not envisaged explicitly by the Treaties, is one of the most important and controversial institutional developments in the EU.

"Agencies" have been established by European law-makers as independent legal entities to perform a number of highly technical and occasionally regulatory functions: collecting information, strengthening cooperation between European and national administrations, providing assistance and guidelines, taking decisions concerning natural and legal persons, and monitoring the enforcement of EU law in several areas.¹

Agencies are viewed as effective tools to implement European policies, and can make an important contribution to decision-making processes taking place within national institutions, especially national Parliaments, by providing information and expertise. Concern has been expressed, however, in the framework of institutional debate and legal theory, about the possible lack of a solid legal basis

¹ There is no agreement on the exact number of existing agencies, in the absence of a formal definition; some are officially called agencies, while others are called "institutions", "centres", "offices" or "authorities". The official EU website (http://europa.eu/about-eu/agencies/index_en.htm) lists 46 agencies (latest update 26 May 2014).

justifying the establishment of such agencies and the powers assigned to them, as well as the lack of adequate mechanisms to ensure their democratic accountability and to monitor their activity.

In order to establish a more consistent and effective framework for the functioning of decentralised agencies, the European Parliament, the Council and the Commission adopted a Common Approach² in July 2012. For the purposes of implementation, the Commission outlined a series of initiatives in its December 2012 roadmap to be adopted in 2013 and 2014 by the agencies themselves, EU institutions and member states.

The first part of Chapter 4 aims at focusing on the views expressed by EU Parliaments with regard to the establishment of agencies, the powers delegated to them and the effectiveness of their work and of the existing accountability mechanisms by means of which EU institutions monitor their activity.

The second part of Chapter 4 aims at exploring possible ways to strengthen the link between agencies and national Parliaments to enable the latter to make full use of the potential offered by agencies in terms of information and expertise in the exercise of their law-making, policy-setting, scrutiny and oversight functions.

² See: http://europa.eu/agencies/documents/joint_statement_and_common_approach_2012_en.pdf