

Draft Outline 24th COSAC Bi-Annual Report

Chapter 1: The Future of Parliamentary Scrutiny of EU Affairs

Building upon the 21st, 22nd, 23rd Bi-annual Reports of COSAC and the recently adopted Contribution of the LIII COSAC, the 24th Bi-Annual Report further investigates on how to strengthen the role of national Parliaments in the European decision-making process, notably by improving the "yellow card" procedure and by introducing a "green card" (enhanced political dialogue). Emphasizing that the "green card" would further encourage national Parliaments interested in proactive involvement to make constructive non-binding suggestions regarding policy or legislative proposals to the European Commission, without undermining the Commission's right of legislative initiative under the EU Treaties or its competences in dealing with reasoned opinions, as laid down in Protocol 2 of the Treaty of Lisbon, the aim of the first section is to continue the debate on the "green card".

Considering the Contribution of the LIII COSAC in Riga and the mandate given to the Luxembourg Presidency, this section will continue the work on identifying the scope and procedural framework of the "green card" while ensuring its compliance with the existing Treaty provisions and with the inter-institutional balance of powers. At the same time, it will encourage all willing Parliaments/Chambers, especially the ones that have not presented their views on the introduction of the "green card" and its modalities in the 23rd Bi-annual Report, to do so.

The second section will be dedicated to the improvement of the "yellow card" procedure. As highlighted in the Contribution of the LIII COSAC, a majority of Parliaments/Chambers are in favour of issuing a voluntary, non-binding set of best practices and guidelines. The elaboration of a set of informal guidelines on the conduct of subsidiarity checks would render that exercise more efficient and more effective. Therefore, the aim is to collect Parliaments' views on what these best practices could be and what areas the informal guidelines should cover.

Both sections of this chapter shall serve as a basis and facilitate the discussions in the working group of COSAC that the Luxembourg Presidency intends to establish.

Chapter 2: A European Agenda on Migration

The year 2015 marks both the 30th anniversary of the signing of the first Schengen agreement, and the 20th anniversary of the entry into force of the second Schengen agreement. Both agreements marked historical milestones in the development of citizens' freedom of movement within the European Union. At the time when this twin anniversary is celebrated, the adoption of a new policy on migration has become one of the urgent objectives of the European Commission. The Communication "A European Agenda on Migration"¹ puts forward different steps the European Union should take towards building a coherent and comprehensive approach towards migration, enabling it to both reap its potential benefits and address its challenges. Apart from immediate actions, the Agenda proposes long-term actions based upon four different pillars which are: 1) Reducing incentives for irregular migration 2) Border management- saving lives and securing external borders 3) Europe's duty to protect: A strong common asylum policy 4) A new policy on legal migration.

The events in the Mediterranean require an urgent solution to avoid further humanitarian tragedies and to ensure the implementation of preventive measures. These tragic events have been widely addressed by national Parliaments and the European Parliament and the first section aims to present an overview of the Parliaments'/Chambers' views of what preventive measures can be taken and put in place.

The second section will seek to gather the Parliaments'/Chambers' views on the immediate actions as proposed by the European Commission, i.e. the temporary European relocation scheme for asylum seekers who are in clear need of international protection and the resettlement scheme of migrants from third countries to EU Member States.

In the third section particular emphasis will be given to a new policy on legal migration in relation to the demographic challenges most European countries are facing resulting in shortages of specific skills and aiming at attracting new talents.

¹ COM(2015) 240, Communication of the European Commission to the European Parliament, the Council, the European Economic and Social Affairs Committee, the Committee of the Regions, A European Agenda on Migration.

The fourth section will cast light on Parliaments'/Chambers' views on the European common asylum system, and the exchange of best practices of Parliaments'/Chambers in the application of the asylum rules.

Chapter 3: Enlargement Policy

The Political Guidelines of the new European Commission acknowledge the historic success of enlargement policy, which has brought peace and stability to the European continent.² In this context, the President of the European Commission further underlined the Commission's commitment to continue the accession negotiations, noting that the Western Balkans needed a European perspective, even if no further enlargement would take place over the next five years. Following this announcement, particular emphasis will be put on the monitoring of the negotiation process.

The first section of this chapter will seek to present Parliaments'/Chambers' views on the progress in enlargement policy, their stand on the abovementioned political approach by the European Commission and its potential impact on the national discourse in the Member States. This section will further address the question if this announcement will have an impact on the procedures put in place in relation to the Monitoring Reports/Annual progress reports or the overall scrutiny on enlargement policy.

The second section of this chapter will put focus on the question whether there have been any notable developments or modifications in the practices and procedures of parliamentary oversight of the accession negotiations since 2013 when the 19th Bi-annual report was drafted.

² Political Guidelines for the next European Commission, presented by Mr Jean-Claude Juncker to the European Parliament on 15th July 2014.