



30th

Bi-annual Report

**Developments in
European Union
Procedures and Practices
Relevant to
Parliamentary Scrutiny**

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for Union Affairs of Parliaments
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Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union

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Table of Contents

| | |
|---|------------|
| BACKGROUND | iii |
| ABSTRACT..... | iv |
| CHAPTER 1 | |
| THE ROLE OF NATIONAL PARLIAMENTS IN ENSURING TRANSPARENCY AND BRINGING THE EU CLOSER TO ITS CITIZENS | 1 |
| Section A | |
| Involvement of Citizens in Parliamentary Proceedings..... | 1 |
| i. Parliaments'/Chambers' opinion on their openness toward citizens..... | 1 |
| ii. Parliaments'/Chambers' opinion on their engagement on the local, national and European level . | 5 |
| Section B | |
| Task Force on Subsidiarity, Proportionality and “Doing Less More Efficiently” | 6 |
| i. Parliaments'/Chambers' discussion on the work of the Task Force | 6 |
| ii. Involvement of regional Parliaments in EU Affairs | 8 |
| iii. Possible improvement of the application of the subsidiarity principle | 10 |
| CHAPTER 2 | |
| CLIMATE POLICY AND ENERGY UNION | 12 |
| Section A | |
| Present State..... | 12 |
| Section B | |
| Future Cooperation | 14 |
| CHAPTER 3 | |
| STATE OF PLAY OF BREXIT - IMPLICATIONS FOR THE FUTURE OF THE EU | 16 |
| Section A | |
| Brexit and National Parliaments | 16 |
| i. The Monitoring of Brexit..... | 16 |
| ii. The draft withdrawal Agreement and relations with the EU Chief Negotiator | 18 |
| iii. Related official visits | 18 |
| Section B | |
| Future Relationship with the United Kingdom | 19 |
| i. Assessment of the post-Brexit scenarios | 19 |
| ii. Nature and substance of the future cooperation with the United Kingdom | 20 |
| iii. Parliamentary dialogue with the United Kingdom | 21 |

BACKGROUND

This is the Thirtieth Bi-annual Report from the COSAC Secretariat.

COSAC Bi-annual Reports

The XXX COSAC decided that the COSAC Secretariat should produce factual Bi-annual Reports, to be published ahead of each ordinary meeting of the Conference. The purpose of the Reports is to give an overview of the developments in procedures and practices in the European Union that are relevant to parliamentary scrutiny.

All the Bi-annual Reports are available on the COSAC website at:

<http://www.cosac.eu/documents/bi-annual-reports-of-cosac/>

The three chapters of this Bi-annual Report are based on information provided by the national Parliaments of the European Union Member States and the European Parliament. The deadline for submitting replies to the questionnaire for the 30th Bi-annual Report was 18 September 2018.

The outline of this Report was adopted by the meeting of the Chairpersons of COSAC, held on 9 July 2018 in Vienna.

As a general rule, the Report does not refer to all Parliaments or Chambers that have responded to a given question. Instead, illustrative examples are used.

Note that, in some cases, respondents are able to provide more than one answer to multiple choice questions. Any perceived disparity in the total number of answers to a question and the total number of respondents can thus be accounted.

Complete replies, received from 41 out of 41 national Parliaments/Chambers of 28 Member States and the European Parliament, can be found in the Annex on the COSAC website.

Note on Numbers

Of the 28 Member States of the European Union, 15 have a unicameral Parliament and 13 have a bicameral Parliament. Due to this combination of unicameral and bicameral systems, there are 41 national parliamentary Chambers in the 28 Member States of the European Union.

Although they have bicameral systems, the national Parliaments of Austria, Ireland and Spain each submitted a single set of replies to the questionnaire, therefore the maximum number of respondents per question is 39. There were 39 responses to the questionnaire.

ABSTRACT

CHAPTER 1: THE ROLE OF NATIONAL PARLIAMENTS IN ENSURING TRANSPARENCY AND BRINGING THE EU CLOSER TO ITS CITIZENS

The first chapter of the 30th Bi-annual Report of COSAC puts the focus on how citizens are informed about, and involved with, their respective Parliament's/Chamber's work, assessing the ability of citizens to follow committee and plenary meetings, get in contact with parliamentarians and have their voice heard, and the tools used for promoting citizen participation in democratic institutions and national and European elections. It also focuses on the outcome of the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently", asking for Parliaments'/Chambers' opinion on the major topics included in its report presented on 10 July 2018.

When asked about the way citizens could follow plenary meetings and committee sittings, the vast majority of respondents answered that they could attend plenary meetings in person as well as follow them online whereas only half of respondents said this was possible for committee sittings.

Besides the possibility to attend plenary and committee meetings, many respondents referred to written verbatim reports and full video/audio recordings, as well as Social Media Channels.

When it came to participation in plenary or committee meetings by civil society organisations, on the other hand, half of the respondents said these never attended plenary meetings, with the rest noting that they did so occasionally to regularly. With regard to committee sittings, half of the respondents stated that civil society organisation took part regularly, with only a minority saying that they did not participate at all.

Parliaments/Chambers were also asked whether there had been an ongoing debate on how to strengthen transparency in the respective Parliament/Chamber, and most of them answered positively, though one third answered negatively.

Half of the responding Parliaments/Chambers noted a specific period in their calendar reserved for visits in the constituencies.

Asked about Parliament's/Chamber's participation in a program for democracy education, the majority answered positively, especially with regard to programs for students and young people.

On the topic of awareness and information raising actions linked to national parliamentary elections, two thirds of the respondents answered that they were not involved. In this regard, the respondents were also asked about special initiatives related to the European elections in 2019, with the majority answering that none were planned yet.

Asked whether they had examined the report of the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently", the majority of the respondents answered positively or indicated their intentions to do so in the future. Most of them carried out the debate on the report during committee sittings, while some took it to the plenary or used other formats, such as meetings of the political groups. Some parliaments indicated their participation in the Task Force itself or in the COSAC Working Group related to it.

With regard to the possible continuation of the work carried out by the Task Force, the majority of the respondents said they were in favour of it, either within the existing formats of cooperation between the institutions or possibly even within a newly established ad hoc forum.

Examining more specifically how coordination on the subsidiarity scrutiny could be improved, there was a clear preference among the respondents for using the existing networks of national representatives in Brussels, IPEX correspondents in the capitals and COSAC itself.

Parliaments/Chambers were also asked whether there were regional Parliaments with legislative competences in their countries and a number of them answered positively, providing further information on how EU legislation is scrutinized and implemented by the regional authorities.

The vast majority of the respondents preferred not to express an opinion on whether there were any policy areas, where, over time, decision-making and/or implementation could be re-delegated in whole or in part, or definitively returned to the Member States, with some Parliaments/Chambers calling for a more pragmatic approach when addressing this question.

Finally, Parliaments/Chambers were asked whether they supported the idea of a common assessment grid, as mentioned in the final report of the Task Force. The majority of them expressed no preference on the matter, while some found it to be suitable or at least a good starting point.

CHAPTER 2: CLIMATE POLICY AND ENERGY UNION

The second chapter of the 30th Bi-annual Report analyses national Parliaments' stance on the Climate Policy and Energy Union.

It explores current work done by Parliaments/Chambers and their views on the present situation, as well as their opinions on the way forward.

According to the report, most Parliaments/Chambers had an environment and energy committee, most of which met more than six times a year.

Of all the different environmental and/or energy topics mentioned by Parliaments/Chambers, the most popular seemed to be: (a) the Climate Package; (b) the Clean Energy Package; (c) the Circular Economy; (d) the Clean Power for Transport; (e) the national environmental and energy policies.

The majority of Parliaments/Chambers attached about the same level of importance to the five dimensions of the Energy Union Strategy, with most dimensions considered to be either very important or important. No Parliament/Chamber considered any of the dimensions to be not important.

A good number of Parliaments/Chambers considered action to support closer cooperation on the five dimensions necessary. Many also pointed out the need for more coordination and interaction of Member States' climate and energy policies at EU level.

The majority of Parliaments/Chambers were also optimistic regarding the progress made on international policy and action in 2018 when compared to 2013.

The key target of the 2030 climate and energy policy framework which Parliaments/Chambers found most difficult to reach was the 40% cuts in greenhouse gas emissions (from 1990 levels), followed by the 27% improvement in energy efficiency and, finally, the 27% share for renewable energy.

The majority of Parliaments/Chambers had not included the European Commission's "Roadmap for moving to a competitive low carbon economy in 2050" in their national climate and energy action plans.

CHAPTER 3: STATE OF PLAY OF BREXIT - IMPLICATIONS FOR THE FUTURE OF THE EU

The third chapter of the 30th Bi-annual Report takes a close look at parliamentary works and debates on the state of play of the negotiations under Article 50 of the Treaty on the European Union for the United Kingdom's withdrawal from the European Union (Brexit) and the future UK-EU relationship.

It explores national Parliaments' stances on Brexit, while also analysing the future EU relationship with the UK, from three different angles: assessment of the post-Brexit scenarios; nature and substance of the future cooperation; and parliamentary dialogue with the UK.

Almost all national Parliaments/Chambers had discussed the issue of Brexit, either in committee meetings or in plenary sittings. Highlighting the regularity of these discussions, a bulk of Parliaments/Chambers indicated that they discussed Brexit regularly, while a minority did so only rarely. Most Parliaments/Chambers, however, had not created a special committee responsible for Brexit.

Concerning the ways and means with which Parliaments/Chambers monitor Brexit, the general trend emerging from the report was that national governments transmit Brexit negotiation documents to national Parliaments. In addition, ministers inform their Parliament (usually the parliamentary committee in charge of EU affairs) on the General Affairs Council (Art. 50), and in some cases the Head of Government informs them on the European Councils.

As for the European Parliament, the monitoring of the Brexit process is centralised at political level in the Conference of Presidents, and, by extension, in the Brexit Steering Group (BSG) it had decided to set up.

A number of Parliaments/Chambers had not adopted a specific position on Brexit.

A slight majority of respondents had also not examined the European Commission draft Agreement on the withdrawal of the UK from the EU. However, a majority of respondents confirmed that their Parliament/Chamber had regular access to the documents concerning the withdrawal.

Most Parliaments/Chambers had officially met the EU Chief Negotiator Michel BARNIER, and there was a rich variety in the formats in which these exchanges took place.

Asked whether they had discussed the impact assessment on post-Brexit scenarios, the majority of Parliaments/Chambers answered positively, making use of hearings and debates, at both committee and plenary levels, or issuing specific studies, reports, opinions or resolutions.

Not all national Parliaments/Chambers have official positions yet concerning the nature and the substance of the future cooperation with the United Kingdom, but many of those who do expressed the wish of a close partnership, especially in areas such as trade, citizens' rights and foreign affairs, security and defence.

When it came to the question of continuing to invite the UK to interparliamentary formats such as COSAC, Parliaments/Chambers were split, with some of the respondents being in favour and others expressing no opinion. The vast majority of Parliaments/Chambers was however against amending the Rules of Procedure of COSAC.

Finally, the views expressed by the responding Parliaments/Chambers converge towards the continuation of the parliamentary dialogue with the United Kingdom in the post-Brexit era.

CHAPTER 1

THE ROLE OF NATIONAL PARLIAMENTS IN ENSURING TRANSPARENCY AND BRINGING THE EU CLOSER TO ITS CITIZENS

THE FIRST CHAPTER OF THE 30TH BI-ANNUAL REPORT aims to take stock of the national Parliaments' views on ensuring transparency and bringing the European Union closer to the European citizens.

Section A explores the role of national Parliaments in ensuring transparency and bringing the EU closer to its citizens by taking into account the views of Parliaments/Chambers on best practices in their efforts for openness towards their citizens.

Section B concentrates on Parliaments'/Chambers' views on the work and outcome of the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently", by taking stock of their opinions about cooperation and coordination at both European and national levels.

Section A

Involvement of Citizens in Parliamentary Proceedings

i. Parliaments'/Chambers' opinion on their openness toward citizens

When asked about the way citizens could follow plenary meetings in their Parliament/Chamber, the vast majority of respondents (34 out of 39) answered that they could attend them in person as well as follow them online. The Bulgarian *Narodno sabranie*, the Czech *Poslanecká sn movna* as well as the Polish *Senat* stated that, in their respective Parliament/Chamber, citizens could only follow plenary meetings online.

A number of respondents indicated that citizens could watch plenary meetings on Parliament TV (German *Bundestag*, Italian *Senato della Repubblica*, Maltese *Kamra tad-Deputati*) or on national television (Bulgarian *Narodno sabranie*, Cyprus *Vouli ton Antiprosopon*, German *Bundestag*, Irish *Houses of Oireachtas*, Slovenian *Državni zbor*). The Bulgarian *Narodno sabranie* further added that a limited number of citizens could attend the meetings on invitation of MPs or political groups. The Finnish *Eduskunta* referred to the weekly question hour in their Parliament that was broadcast on public television.

Parliaments/Chambers were also asked how they made documentation of plenary meetings available to the public. The vast majority of respondents referred to the written verbatim reports (36 out of 39) and full video and/or audio recordings that were available on the website (34 out of 39). Half of the respondents (20 out of 39) offered these via Social Media Channels, whereas 11 Parliaments/Chambers offered partial recordings and summaries. The German *Bundestag* named the weekly newspaper "Das Parlament" as another source of information and the German *Bundesrat* referred to "BundesratKOMPAKT" where detailed analysis for some topics was offered to the public.

Asked about the way citizens could follow committee sittings, less than half of the 39 respondents (15 Parliaments/Chambers) stated that they could attend them in person as well as follow them online. Nine highlighted that they could only attend them in person, whereas four respondents said they could only follow them online.

A number of respondents indicated that, in principle, committee sittings were not open to the public in their Parliament/Chamber, but yet there were numerous exceptions to that rule (Austrian *Nationalrat* and *Bundesrat*, Danish *Folketing*, Estonian *Riigikogu*, Finnish *Eduskunta*, German *Bundesrat*, Italian *Senato della Repubblica*, Lithuanian *Seimas*, Spanish *Cortes Generales*, Swedish *Riksdag*). In addition, it was also noted that committees could decide themselves to organise public hearings or submit individual invitations (Bulgarian *Narodno sabranie*, Cyprus *Vouli ton Antiprosopon*, Estonian *Riigikogu*, Finnish *Eduskunta*, French *Sénat*, Lithuanian *Seimas*, Luxembourg *Chambre des Députés*, Swedish *Riksdag*). The German *Bundestag*, the Irish *Houses of the Oireachtas* and the Maltese *Kamra tad-Deputati* added that many committee sittings were televised. The Cyprus *Vouli ton Antiprosopon* and the Spanish *Cortes Generales* responded that only accredited media representatives were allowed to attend in person to report on the proceedings. According to the Austrian *Nationalrat* and *Bundesrat*, only the meetings of the main Committee on European Union Affairs of the *Nationalrat*, the Standing subcommittee on European Union Affairs of the *Nationalrat* and the EU Committee of the *Bundesrat* were open to the public. The Swedish *Riksdag* noted that the meetings of the Committee on European Union Affairs held prior to meetings of the European Council were open to the public. According to the Slovenian *Državni sbor*, representatives of the institutions whose work was directly related to the subject matter of the discussion, as well as experts, were often invited to attend.

Besides the possibility to attend the meetings, committee sittings were also made available to the public via written verbatim reports as indicated by 22 out of 39 respondents. Seventeen Parliaments/Chambers pointed to full video and/or audio recordings on the website, whereas 14 stated that they offered partial recordings and summaries on their website. Fourteen Parliaments/Chambers named Social Media Channels as a possible way to follow committee sittings. The Cyprus *Vouli ton Antiprosopon* highlighted that committee sittings' minutes were considered confidential and only available to the public after the approval of the President of the House of Representatives. The German *Bundestag* stated that a verbatim report required a prior decision by the respective committee. The German *Bundesrat* added that the documentation of its committee sittings was classified and not open to the public.

Parliaments/Chambers were also asked about other ways citizens were involved in their Parliaments'/Chambers' activities (consultations, crowd sourcing, etc.):

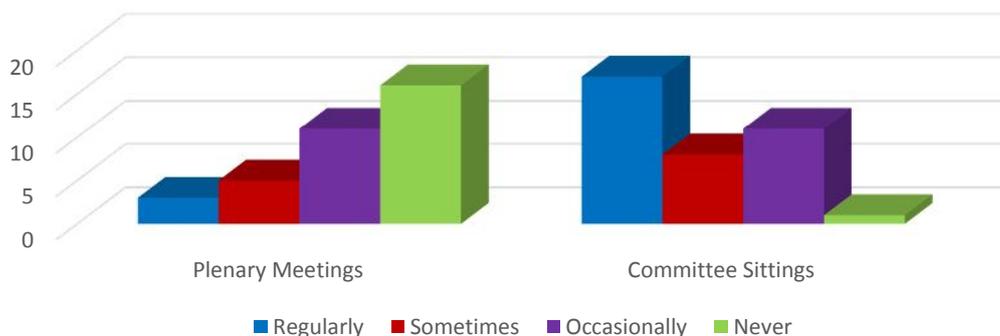
- One third of the respondents (11 out of 33) declared that public consultations with experts and the general public were organized regularly to gather concrete opinions.
- The Austrian *Nationalrat* and *Bundesrat* pointed out that citizens had the opportunity to give their opinion on ministries' legislative proposals on the Parliament's website. Other ways of citizens' engagement were through crowdsourcing, Parliamentary citizens' initiative (signed by at least 500 citizens) and through Parliamentary petition (to be submitted by one Member of Parliament), which could be supported by citizens on the website.
- The Belgian *Chambre des représentants* said that in some cases committees requested the participation of experts or representatives of the civil society.
- The Cyprus *Vouli ton Antiprosopon*, the Dutch *Eerste Kamer* and Spanish *Cortes Generales* said that their websites offered options for public comments on European legislations as well as possibilities for getting in contact with delegates.

- The Czech *Poslanecká sn movna* referred to the fact that a legislative initiative could be carried out by a single deputy, meaning that there was a direct way for citizens to communicate their ideas to a deputy.
- The Irish *Houses of Oireachtas* referred to reports from the Citizens Assembly that were considered by the Parliament and its committees. Additionally, public events were held in the last years where a focus was put on stakeholder engagement.
- The Latvian *Saeima* answered that NGOs played an important role in the Parliamentary work by evaluating legislative initiatives.
- The Lithuanian *Seimas* further indicated civil participation in the legislative process (e.g. submission of remarks, proposals and comments by authenticated users and evaluation of legal acts by internet users). Authorized users also had the opportunity to classify draft legal acts, write comments and submit proposals on individual legal acts.
- The Luxembourg *Chambre des Députés* named social media channels, on which summaries of meetings were published, and petitions, that were debated in a public hearing after having received 4500 signatures, as further ways of citizens' involvement.
- The Spanish *Cortes Generales* stated that citizens could also contact the Office for Attention to Citizens, a special unit of the *Cortes Generales* dealing with requests for information from institutions, organizations and the general public.
- The UK *House of Lords* stated that its committees frequently conducted detailed inquiries, thereby inviting stakeholders from the public and private sector as well as civil society organisations and individuals to submit their views.
- The European Parliament pointed out high-level conferences with European stakeholders, the quarterly commissioned Eurobarometer surveys to measure citizens' satisfaction as well as EP Liaison Offices in all 28 Member States to inform and engage with citizens.
- Several respondents referred to frameworks that were set up for petitions (Dutch *Eerste Kamer*, Dutch *Tweede Kamer*, Estonian *Riigikogu*, Italian *Senato della Repubblica*, Polish *Senat*, Portuguese *Assembleia da República*, UK *House of Commons*) as well as E-petitions (German *Bundestag*, Lithuanian *Seimas*, UK *House of Commons*).
- A number of respondents made reference to their visitors' centres (Danish *Folketing*, European Parliament), open door days (Dutch *Tweede Kamer*, Estonian *Riigikogu*, German *Bundestag*), seminars (Czech *Poslanecká sn movna*, Dutch *Tweede Kamer*), public events (Cyprus *Vouli ton Antiprosopon*, Dutch *Tweede Kamer*, Latvian *Saeima*) and events for students and young people (Danish *Folketing*, German *Bundestag*, Latvian *Saeima*, European Parliament).

Parliaments/Chambers were further asked how and how often civil society organisations participated in plenary or committee meetings. Concerning plenary meetings, almost half of the respondents (16 out of 36) stated that civil society organisations never participated. Twelve Parliaments/Chambers indicated civil society took part occasionally, five said they did so sometimes and three noted that civil society participated regularly in plenary meetings. With regard to committee sittings on the other hand, 18 out of 38 respondents stated that civil society organisation took part regularly, eight noted

that they participated sometimes, and eleven said they did so occasionally. Only one Parliament/Chamber reported that civil society never participated in committee meetings.

How and how often do civil society organisations participate in plenary or committee meetings?



The Finnish *Eduskunta* added that whereas plenary meetings were only open for MPs and ministers, committees could invite civil society organisations to state their views, mostly behind closed doors. The Belgian *Sénat* noted that experts could be invited to committee sittings and also actively participate in the debate. The German *Bundestag* explained that civil society organisations could follow public plenary meetings; non-public committee meetings on the other hand could only be attended upon invitation by its members. The UK *House of Lords* stated that civil society organisations did not participate in plenary activities, but many members were affiliated to them and could speak on relevant issues. The Danish *Folketing* and the Irish *Houses of the Oireachtas* pointed out that civil society organisations could only attend plenary meetings in the Public Gallery, but their work was crucial to the work done in committees. The Croatian *Hrvatski sabor* referred to the so-called “Appointed Member”, who were representatives of NGOs that were appointed by the Parliament and had all the rights and duties of a committee member, except the right to vote.

Asked if there had been an ongoing debate on how to strengthen transparency in the respective Parliament/Chamber, two thirds of the respondents (26 out of 39) answered positively, whereas eleven answered negatively, while the Czech *Poslanecká sn movna* pointed out that it had not debated it yet, but intended to do so. The Dutch *Tweede Kamer* highlighted that the topic of transparency was one of the focus points in the “corporate strategy” of the Chamber. The Estonian *Riigikogu*, the Finnish *Eduskunta*, the German *Bundestag* and the Luxembourg *Chambre des Députés* stated that they had encouraged committees to organise public hearings. The German *Bundesrat* referred to discussions to strengthen the transparency of the voting procedure. A number of respondents noted that the approach adopted by their Parliaments/Chambers was to publish more videos on the website (Belgian *Chambre des représentants*, Cyprus *Vouli ton Antiprosopon*, Dutch *Eerste Kamer*, Italian *Camera dei deputati*, Portuguese *Assembleia da República*), and to improve and widen the whole information technology usage (Croatian *Hrvatski sabor*, French *Sénat*, Hungarian *Országgy lés*, Luxembourg *Chambre des Députés*, Spanish *Cortes Generales*, UK *House of Lords*). The Danish *Folketing* added that there had been an ongoing discussion about a register for lobbyists as well as the mandatory publication of MP’s personal and economic interests. The European Parliament referred to the Transparency Register that was jointly operated with the European Commission. It further stated that there were currently ongoing negotiations on an interinstitutional agreement establishing a mandatory register covering the European Parliament, Council and Commission.

ii. Parliaments'/Chambers' opinion on their engagement on the local, national and European level

When asked whether there was a specific period in the Parliament's/Chamber's calendar reserved for visits in the constituencies, nine Parliaments/Chambers stated that they had more than five days per month reserved for visits, whereas 13 said they had fixed less than five days. Close to half of the respondents (17 out of 38) answered in the negative.

The Cyprus *Vouli ton Antiprosopon* stated that it did not reserve time for visits to the constituencies as most MPs worked and lived there. The Czech *Senát* added that there was no official programme, but, in general, Mondays were reserved for work in the respective constituency. The European Parliament referred to the “green weeks” in its working calendar.

Thirty-one out of 39 responding Parliaments/Chambers participated in a programme for democracy education, whereas the other eight did not.

All participating Parliaments/Chambers stated that they offered multiple activities for students and young people in the format of Youth Parliaments (Belgian *Sénat*, Cyprus *Vouli ton Antiprosopon*, Finnish *Eduskunta*, French *Assemblée nationale*, French *Sénat*, German *Bundesrat*, Latvian *Saeima*, Luxembourg *Chambre des Députés*, Maltese *Kamra tad-Deputati*, Portuguese *Assembleia da República*, Slovenian *Državni svet*), visits to the Parliament/Chamber or individual members (Belgian *Sénat*, Italian *Senato della Repubblica*, Maltese *Kamra tad-Deputati*, Polish *Sejm*, UK *House of Lords*), education programs (Dutch *Eerste Kamer*, Dutch *Tweede Kamer*, Lithuanian *Seimas*, Polish *Sejm*, Slovenian *Državni svet*), education and democracy workshops (Austrian *Nationalrat* and *Bundesrat*, Irish *Houses of Oireachtas*, Swedish *Riksdag*), classroom video interviews, parliamentary scholarships and youth exchange programmes (German *Bundestag*).

The Finnish *Eduskunta* further referred to its visitor centre that hosted various educative events. The Irish *Houses of Oireachtas* and the UK *House of Lords* both declared that they offered free teaching resources in their education services. The German *Bundesrat* and the Lithuanian *Seimas* referred to their public guided tours and simulations. Programmes for immigrants (Belgian *Chambre des représentants*); programmes for first time voters (Croatian *Hrvatski sabor*); a Parliament for the Elderly (Cyprus *Vouli ton Antiprosopon*); and the Democracy Workshop Forum for Apprentices (Austrian *Nationalrat* and *Bundesrat*) were also mentioned. The European Parliament also pointed out the Back to School programme, where public servants returned to their schools to share their working experiences, as well as the Parliamentarium in Brussels.

When asked whether their Parliament/Chamber was involved in information or awareness raising actions linked to national parliamentary elections, 12 out of 39 respondents indicated that they were, while 27 answered they were not.

The Dutch *Eerste Kamer*, the Swedish *Riksdag* and UK *House of Commons* noted that detailed information about how to vote and the elections in general could be found on the respective Parliament's/Chamber's website.

A number of respondents referred to special events, discussions, tours and presentations to attract the public and motivate them to vote (Croatian *Hrvatski sabor*, Czech *Poslanecká sn movna*, Danish *Folketing*, Dutch *Tweede Kamer*, Lithuanian *Seimas*) as well as specific seminars for journalists (French *Sénat*, Italian *Senato della Repubblica*). The German *Bundestag* added that its EU Affairs

Committee was regularly following the electoral calendar in Europe and beyond and seeking additional reports. The Polish *Sejm* stated that students were taught about national parliamentary elections as part of the lectures about the *Sejm* in general.

Parliaments/Chambers were also asked if they planned special initiatives related to the European elections in 2019. The majority of respondents (27 out of 39) answered negatively. Out of the Parliaments/Chambers that intended to take special initiatives, four planned to take their own initiatives, two planned joint ones with the European Parliament Office or the European Commission representation in their country, and one planned a joint initiative with national election authorities. The Bulgarian *Narodno sabranie* and the European Parliament indicated that they would be pursuing all three initiatives.

The Austrian *Nationalrat* and *Bundesrat*, the Czech *Senát*, the German *Bundestag* and the Maltese *Kamra tad-Deputati* pointed out that no special initiatives had been planned yet. The Portuguese *Assembleia da República* added that its European Affairs Committee was working towards an event with the civil society regarding the elections. The Slovak *Národná rada* declared that there was a legislative proposal with the aim to raise the participation level for the European elections as well as an initiative of the Ministry of Foreign and European Affairs. The German *Bundesrat* said that the Conference of Members of the *Länder* governments were initiating campaigns to raise awareness and mobilise people for voting. The European Parliament stated that it was running wide-reaching communication efforts for the 2019 elections, with large-scale actions both on the central and the local level, making it possible to inform and engage citizens to go to vote as well as involving the media.

Section B

Task Force on Subsidiarity, Proportionality and “Doing Less More Efficiently”

i. Parliaments’/Chambers’ discussion on the work of the Task Force

Asked whether they had discussed the report produced by the Task Force in July 2018, 11 out of 39 Parliaments/Chambers answered positively, further specifying that they had examined it during committee sittings. The French *Assemblée nationale* indicated that they had not discussed the report itself but rather the composition and the actions of the Task Force. The German *Bundesrat* reiterated its regret that the European Parliament did not participate in the work of the Task Force as well as its criticism on the composition of the Task Force.

One Parliament/Chamber took the debate to plenary (Italian *Senato della Repubblica*) and four discussed it in other formats, for example within the political groups or during interparliamentary meetings such as the COSAC working group (Belgian *Sénat*, German *Bundestag*).

The Estonian *Riigikogu* and Bulgarian *Narodno sabranie* pointed out that they had discussed the Task Force’s work as their representatives were part of it and therefore expressed its support for the final report.

More than the half of the respondents indicated that they had not discussed the final report so far, but 14 of them said they intended to do so in the future.

Recalling its suggestions made in March 2018 about what the Task Force report should have included (i.e. extension of the 8 weeks deadline for the scrutiny of subsidiarity; taking into consideration the

proportionality and legal basis of the legislative proposals; improved impact assessments, etc.), the Dutch *Eerste Kamer* acknowledged that several of those issues have been addressed by the Task Force, which was considered a good basis for further discussions, a sentiment echoed by the Bulgarian *Narodno sabranie*.

Parliaments/Chambers were also asked whether they thought the work of the Task Force should continue in the future. The majority answered positively, with 22 of them saying that the Commission should regularly exchange views with members of the national and regional Parliaments/Chambers. Three of the respondents expressed explicit preference for the inclusion of the European Parliament in the discussion and two Parliaments/Chambers called for the establishment of a permanent format to deal with the topic. Eight of the respondents said there were already enough existing formats where the issues in question could be debated.

Next, the Parliaments/Chambers were asked how coordination on the subsidiarity scrutiny could be improved. Among the respondents there was a clear preference for using the existing networks of national representatives in Brussels and IPEX correspondents in the capitals (19 and 18 in favour of each option respectively). Others suggested exploring further options within COSAC, such as a creation of a permanent COSAC working group (five respondents) or the inclusion of a permanent topic in the agenda of every COSAC plenary meeting (10 respondents).

The Slovak *Národná rada* suggested that whenever a ‘yellow card’ threshold was reached, it should be included in the COSAC agenda, with the responsible member of the European Commission being invited to present the Commission’s position in front of the national parliamentarians.

The Dutch *Eerste Kamer* and *Tweede Kamer* referred to their yearly practice of drafting a priority list of proposals on the basis of the Commission Work Programme, which is then shared on IPEX. Given that several other Parliaments/Chambers also follow this approach, a common document could be drafted and published on IPEX and ad hoc interparliamentary meetings could be organised, possibly with the participation of the European Parliament and COSAC, based on the priorities listed therein.

The French *Sénat* called for a joint statement to be drawn within the framework of COSAC, asking the European Commission to respect a lower threshold of reasoned opinions than the one set by Protocol 2 of the TFEU, as well as for the re-submission of legislative proposals, whenever they were significantly amended during the co-legislative procedure. The French *Sénat* underlined that this type of ‘informal procedure’ was not new and could in fact foreshadow future formal changes of the practice. The French *Assemblée nationale* called for the setting up of an initiative procedure enabling Parliaments/Chambers to request legislation, and obliging the Commission to provide valid reasons when it fails to provide a relevant legislative proposal.

The German *Bundesrat* called for improvement of the internal procedures within Parliaments/Chambers on the one hand, and for better impact assessments by the Commission on the other.

The Bulgarian *Narodno sabranie* suggested that a permanent working group could discuss the current arrangements in depth and come up with suggestions for improvement. At the same time, Parliaments/Chambers should routinely exchange information on dossiers.

The Finnish *Eduskunta* did not see the need for additional coordination and the UK *House of Lords* preferred to not express an opinion on the matter since the UK was leaving the European Union.

ii. Involvement of regional Parliaments in EU Affairs

Respondents were also asked whether there were regional Parliaments with legislative competences in their countries. The majority (24 Parliaments/Chambers out of 38) answered negatively. Fourteen respondents provided further information on the matter.

The Finnish *Eduskunta* pointed out that the Åland Islands is an Autonomous Province with a comprehensive autonomy and significant legislative powers. The Government of Åland has to be notified of all matters at EU level if they fall within their powers or may otherwise have special significance for the province. It also has the right to participate in the preparation of such matters within the Finnish Government, if necessary, after consulting the Provincial Assembly (*Ålands lagting*).

If it is not possible to reconcile the positions of the Province and the State on a certain matter, the Government of Åland may request that the divergent position of the Province should be made known when Finland's position is presented in the EU institutions. In addition, the Government of Åland has the opportunity to participate, on request, in the work of the Finnish delegation in the Council and its working groups. The special adviser of the Government of Åland at Finland's Permanent EU Representation in Brussels follows matters which are important to Åland. The member of the Finnish Parliament representing Åland is also entitled to attend the meetings of the Grand Committee and present Åland's opinions there.

After a legislative act has been adopted at EU level, the Province has to implement the measure and ensure that its legislation is in harmony with EU legislation.

The UK *House of Lords* specified that the devolved administrations and parliaments in Scotland, Wales and Northern Ireland have different levels of competence to legislate in specific policy areas. The Welsh Assembly and Scottish Parliament have committees responsible for scrutinising EU matters. They hold their regional governments to account by scrutinising official documents and by inviting relevant ministers and officials to appear before them to answer questions. The Northern Ireland Assembly is currently suspended, and there is no current involvement in EU matters.

Belgium has seven regional legislative organs: the Flemish, Walloon and Brussels-Capital parliaments, the Parliament of the French community, the Parliament of the German speaking community, the French Community Commission and the Common Community Commission. The parliaments concerned are involved in the decision-making process in an autonomous way *vis-à-vis* the subjects that fall (exclusively or partly) under their competences. Each parliament has its own procedures.

On 29 March 2017, an agreement of cooperation was signed between the above-mentioned parliaments, the two community commissions and the Federal Parliament (Belgian *Chambre des représentants* and Belgian *Sénat*) - nine assemblies in total. The agreement regulates the parliamentary subsidiarity check in Belgium: all nine assemblies can adopt a reasoned opinion on the compliance with the subsidiarity principle of an EU legislative proposal falling under their competences within the given period of eight weeks. The other assemblies should be informed of this opinion before the eight-week period expires. Depending on the number of assemblies giving an opinion and on the competences involved, one of two votes are cast. On the penultimate working day of the eight-week period, the Secretariat of the Conference of Chairpersons of the nine Belgian

assemblies informs the chairpersons of the European Parliament, the Council and the European Commission of the reasoned opinions and the number of votes cast.

In Portugal, the Legislative Assemblies of the Autonomous Regions participate in the scrutiny of EU initiatives and may issue an opinion as part of the political dialogue or on the principle of subsidiarity, whenever the matters in question concern them. The opinion must be sent to the European Affairs Committee of the Portuguese *Assembleia da República*, after which it will be taken into account in its final opinion. Likewise, the Legislative Assemblies of the Autonomous Regions take part in the public hearing on the European Commission's Work Programme, held by the European Affairs Committee, as well as in its scrutiny.

According to the federal constitutional law of Austria, the Federal Council has to inform the state Parliaments without delay of all EU draft legislative acts and has to give them the opportunity to make comments. When issuing a reasoned opinion, the Federal Council has to consider the comments of the state Parliaments and to inform them on its decision.

The Federal States Parliaments of Germany (*Landtag*) can present their position via their Federal State (*Länder*) Governments, or sometimes directly to the European institutions. If matters lie in the exclusive competence of the Federal States or their essential interests are affected, the German Government has to consult representatives of the Federal State Governments or – in certain matters – entrust them with the negotiations. Additionally, the Federal State Governments take part in EU matters via the German *Bundesrat*.

The Dutch regional authorities (municipalities and provinces) are involved in the preparation of each Government Explanatory Memorandum (called 'BNC-fiche') that is prepared for new EU proposals and is sent to Parliament.

According to art. 117 of the Italian Constitution, the Regions have legislative powers in all subject matters that are not expressly attributed to State legislation. The Regions and the Autonomous Provinces of Trento and Bolzano take part in the preparatory decision-making process of EU legislative acts in the areas that fall within their responsibilities.

The "General provisions on the participation of Italy in the framing and implementing of EU legislation and policies"¹ specify that the Regions and the Provinces with an autonomous status, within their field of competence, can transmit observations to the Government on EU draft legislation.

With regard to the subsidiarity checks on EU draft legislative acts, regional assemblies may convey their observations on subsidiarity to the Houses of Parliament.

In the documents forwarded by the Houses of Parliament to the EU Institutions as part of the so called "political dialogue", the Houses should take into account any observations and proposals made by the governments of Regions and Autonomous Provinces, and by their assemblies or councils.

In addition, the Resolution of the EU Affairs Committee of 24 September 2014 established an Annual Session between the Committee and the Conference of the Presidents of Regional Assemblies on topics of common interest, starting from a joint consideration of the Commission's annual Legislative and Work Programme.

¹ Law n. 234/2012.

The French Constitution recognizes some important competences for the overseas departments and regions as well as for the French Overseas Territories. Under Articles 73 and 74 of the Constitution, they can, in fact, adapt or modify the law, but only in a framed manner. The Constitution does not provide, however, for these communities to be directly involved in the decision-making process on European affairs.

Spanish regional Parliaments with legislative competences are fully involved in the subsidiarity check of draft EU legislation. As soon as a legislative initiative from the EU is received by the Spanish *Cortes Generales*, it is to be sent to regional Parliaments, which have four weeks to send back an opinion.² If a reasoned opinion is finally approved by the Spanish *Cortes Generales*, it shall include the list of opinions submitted by the regional Parliaments.

iii. Possible improvement of the application of the subsidiarity principle

Parliaments/Chambers were also asked if, following the publication of the Task Force report, there were any policy areas, where, over time, decision-making and/or implementation could be re-delegated in whole or in part or definitively returned to the Member States. The vast majority (32 respondents) preferred not to express an opinion. Three respondents answered negatively, while two were of the opinion that such areas exist. In the context of the negotiations for the next Multiannual Financial Framework (MFF), the Finnish *Eduskunta* found some possible areas for re-allocation of responsibilities, such as those relating to increasing the degree of national co-financing for payments for the Cohesion Policy and the Connecting European Facility. The German *Bundesrat* pointed out that while it did not have a formal position on the matter, such policy areas could be identified in the reasoned opinions it adopted, as they often contained criticism on the attribution of competences and the proportionality of the EU legislation. In the past, such fields included: internal security and prosecution; labour market and social policy; education, research and culture; energy policy; mobility. However, the German *Bundesrat* underlined that it had not asked for re-delegation of competences in these areas, but had simply questioned the need for regulatory density.

The French *Sénat* pointed out that it was in favour of a more pragmatic approach, rather than determining in advance which areas the European Union should not intervene in. EU legislation must demonstrate a real added value, should be understandable and should not bring additional administrative burden. The French *Sénat* noted how EU law had evolved in recent years, with more and more regulations providing a possibility for national adaptation measures and directives becoming prescriptive. Therefore, it called on the European Commission to return to the spirit of the Treaties, before discussing possible areas of re-delegation.

Finally, Parliaments/Chambers were asked whether they supported the idea of a common assessment grid included in the final report of the Task Force. The majority (26 out of 38) expressed no preference, while nine respondents found the proposed grid to be suitable. Several Parliaments/Chambers pointed out that this subject had not been formally debated yet or was currently under scrutiny (Czech *Senát*, German *Bundestag*, Irish *Houses of the Oireachtas*, and Romanian *Camera Deputa ilor*). Some considered the grid to be a good starting point or to serve as a general guideline, which should remain open for improvement (German *Bundesrat*, Latvian *Saeima*, Maltese *Kamra tad-Deputati*). The Dutch *Eerste Kamer* declared that it was not in favour of a binding model,

² Cf. Act 8/1994. Article 6.

as this might not leave enough room for political assessment of the principles of subsidiarity and proportionality by national Parliaments.

CHAPTER 2

CLIMATE POLICY AND ENERGY UNION

THE SECOND CHAPTER OF THE 30TH BI-ANNUAL REPORT analyses national Parliaments' stance on the Climate Policy and Energy Union.

Section A explores the work done by Parliaments/Chambers on Climate Policy and Energy Union, as well as their assessment of the current situation.

Section B focuses on the discussion in Parliaments/Chambers about the 2030 climate & energy package of the European Union, including its implementation as well as the way towards the future.

Section A

Present State

Thirty-one Parliaments/Chambers out of 39 had an environment and energy committee, while five Parliaments/Chambers had only an environment committee. Asked about the frequency of meetings of the relevant committee(s) 36 out of 38 respondents answered that their committee(s) met more than six times a year, whereas two reported that their committee(s) met up to six times yearly.

When asked to name the main environmental or energy topics that have been debated in their Parliament/Chamber during the past year, most of the respondents indicated the following topics: the Climate Package; the Clean Energy Package; the Circular Economy; Clean Power for Transport; and national environmental and energy policies.

The Climate package was debated in seven Parliaments/Chambers: the Estonian *Riigikogu* (forest protection and forestry); German *Bundestag* (improving the impact of the European Union Emissions Trading System); Latvian *Saeima*; Romanian *Camera Deputa ilor*; Romanian *Senat*; Spanish *Cortes Generales*; and European Parliament (Emission Trading System, Effort Sharing regulation, land use, land use change and forestry).

The following 22 Parliaments/Chambers indicated as topic of debate the Clean Energy Package: the Croatian *Hrvatski sabor*; Cyprus *Vouli ton Antiprosopon*; Czech *Poslanecká sn movna*; Czech *Senát*; Dutch *Tweede Kamer*; Estonian *Riigikogu*; Finnish *Eduskunta*; French *Assemblée nationale*; French *Sénat*; German *Bundestag*; Greek *Vouli ton Ellinon*; Hungarian *Országgy lés*; Italian *Camera dei deputati*; Italian *Senato della Repubblica*; Latvian *Saeima*; Luxembourg *Chambre des Députés*; Polish *Sejm*; Portuguese *Assembleia da República*; Romanian *Camera Deputa ilor*; Romanian *Senat*; and Slovak *Národná rada*; and the European Parliament.

The Circular Economy was also a topic of interest, and subsequently debated in the committees of 12 Parliaments/Chambers: Cyprus *Vouli ton Antiprosopon*; Czech *Poslanecká sn movna*; Czech *Senát*; Dutch *Eerste Kamer*; Finnish *Eduskunta*; Italian *Camera dei deputati*; Italian *Senato della Repubblica*; Latvian *Saeima*; Romanian *Camera Deputa ilor*; Romanian *Senat*; Slovenian *Državni svet*; and Slovenian *Državni zbor*.

Different topics that can be grouped together under the Clean Power for Transport package were discussed in eight Parliaments/Chambers.

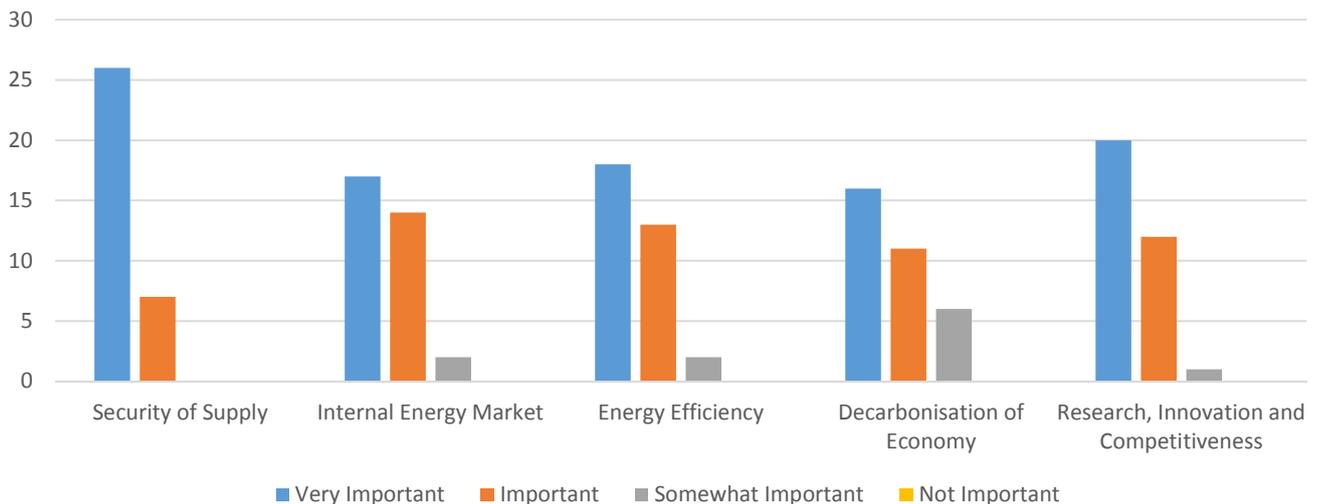
The Luxembourg *Chambre des Députés*, and the Austrian *Nationalrat* and *Bundesrat* debated the 2030 Framework for climate and energy.

The following were among the most frequently discussed environmental topics: climate targets and strategies (seven respondents); environmental disasters (two respondents); follow-up of the Paris climate conference (two respondents); land use (two respondents); and chemicals (four respondents).

Nuclear safeguards and power plants (seven respondents), national energy strategies (four respondents) and electricity (two respondents) were among the most frequent national energy topics discussed.

Regarding the level of importance attached to the five dimensions of the Energy Union Strategy, the security of supply dimension was considered very important by the most respondents (26), followed by the research, innovation and competitiveness (20). None of the dimensions was considered not important by respondents.

Level of Importance attached to the Five Dimensions of the Energy Union Strategy



Twenty-three Parliaments/Chambers considered that action was needed to support closer cooperation among EU Parliaments/Chambers on the five dimensions of the Energy Union Strategy:

- Security of Supply: Czech *Poslanecká sn movna*; Irish *Houses of the Oireachtas*; German *Bundestag*; Hungarian *Országgy lés*, Polish *Sejm*; Polish *Senat*; Portuguese *Assembleia da República*.
- Internal Energy Market: Portuguese *Assembleia da República*.
- Energy efficiency: Greek *Vouli ton Ellinon*; Romanian *Camera Deputa ilor*; Romanian *Senat*.
- Decarbonisation of economy: Belgian *Chambre des représentants*; Cyprus *Vouli ton Antiprosopon*; Irish *Houses of the Oireachtas*; Maltese *Kamra tad-Deputati*.
- Research, innovation and competitiveness: Cyprus *Vouli ton Antiprosopon*; French *Assemblée nationale*; French *Sénat*; Maltese *Kamra tad-Deputati*; Romanian *Senat*.

Furthermore, the Austrian *Nationalrat* and *Bundesrat*, the Bulgarian *Narodno sabranie*, the Finnish *Eduskunta*, and the European Parliament considered that closer cooperation was desirable in all five

dimensions of the Energy Union Package. Finally, seven respondents considered that there was no need for action.

When asked to assess the progress on international climate policy and action in 2018 compared to 2013, 18 respondents out of 35 said that there was some progress, six respondents reported significant progress, another two assessed that there was no progress, while nine Parliaments/Chambers had no opinion on this matter.

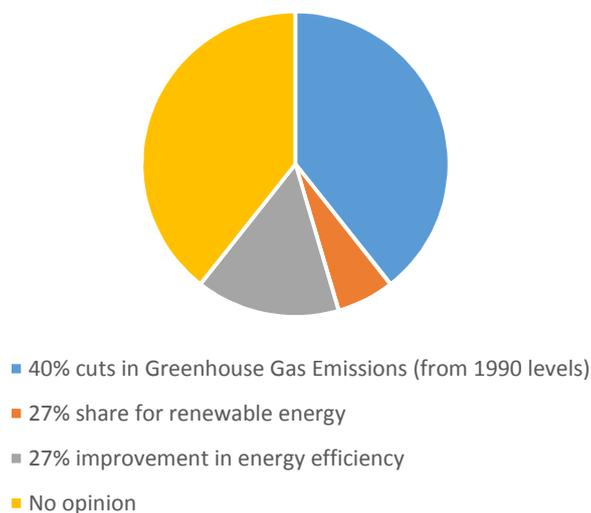
Section B

Future Cooperation

Asked whether there was a need for more coordination and interaction of Member States' climate and energy policies at EU level, the vast majority of Parliaments/Chambers (19 out of 30 respondents) said there should be more coordination but without full harmonization. Nine respondents thought that there was already a sufficient level of coordination and therefore did not see the need for more. Only two Parliaments/Chambers (German *Bundesrat*, Greek *Vouli ton Ellinon*) thought full harmonisation was necessary.

With regard to the 2030 climate and energy framework, the majority of respondents that had an opinion to express (13 out of 33 Parliaments/Chambers) found the 40% cuts in greenhouse gas emissions (from 1990 levels) to be the hardest to achieve, five Parliaments/Chambers found the 27% improvement in energy efficiency the most difficult key target to reach, while two respondents said the most difficult target to reach was the 27% share for renewable energy. A good number of Parliaments/Chambers (13 respondents) had no opinion to express on the matter.

Key Targets of the 2030 Climate and Energy Framework deemed hardest to achieve by national Parliaments



The Danish *Folketing* reported that it could not reply to the first two questions, as these had not been discussed in Parliament. The Dutch *Eerste Kamer* had also not adopted an official position.

When asked whether they had included the European Commission's "Roadmap for moving to a competitive low carbon economy in 2050" in their national climate and energy action plan, Parliaments/Chambers were divided in their answers, with a majority (18 respondents) answering negatively. The remaining 12 respondents answered positively, with the Finnish *Eduskunta* claiming

it was a source of inspiration for their national climate and energy action plan, and the Hungarian *Országgyűlés* stating that their second national climate change strategy included a reference to the Roadmap. The Bulgarian *Narodno sabranie* pointed out that the Roadmap was being taken into consideration during the preparation process of the next EU Operational programmes. A number of Parliaments/Chambers reported that they had no action plan in place (Belgian *Sénat*) or that this was within the remit of the executive and outside the scope of Parliament, bar possible scrutiny (Cyprus *Vouli ton Antiprosopon*, Czech *Senát*, Maltese *Kamra tad-deputati*).

The Swedish *Riksdag* had not adopted an official position on any of the questions found in Section B. It nevertheless called for an efficient and ambitious implementation of the Paris Agreement, noting that international leadership in this area was of particular importance. It stressed the importance of establishing stringent climate goals, and of interconnecting countries' electricity grids, claiming that Sweden's own production would be fully renewable by 2040.

The Dutch *Tweede Kamer* pointed out that the national climate and energy action plan aimed to be equally or more ambitious than the Roadmap, while the Spanish *Cortes General* pointed out that the roadmap had been taken into consideration in every climate and energy measure adopted in Spain.

Finally, in the German *Bundesrat's* view, the goals set out by the EU were not ambitious enough to react to the Paris climate goals.

CHAPTER 3

STATE OF PLAY OF BREXIT - IMPLICATIONS FOR THE FUTURE OF THE EU

THE THIRD CHAPTER OF THE 30TH BI-ANNUAL REPORT at parliamentary works and debates on the state of play of the negotiations under Article 50 of the TEU for the United Kingdom's withdrawal from the European Union and the future UK-EU relationship.

Section A explores national Parliaments' stances on the negotiations under Article 50 of the TEU for the United Kingdom's withdrawal from the European Union.

Section B analyses the future relationship with the United Kingdom from three different angles: assessment of the post-Brexit scenarios, nature and substance of the future cooperation and parliamentary dialogue with the United Kingdom.

Section A

Brexit and National Parliaments

i. The Monitoring of Brexit

When asked whether they had discussed the issue of Brexit, either in committee meetings or in plenary sittings, almost all respondents (38 out of 39) answered positively, with only one respondent replying that it had not yet discussed it but intended to do so. Highlighting the regularity of these discussions, the bulk of Parliaments/Chambers (29 out of 39 respondents) indicated that they discussed Brexit regularly, while a minority (eight out of 39 respondents) did so only rarely.

Most Parliaments/Chambers, however, had not created a special Committee responsible for Brexit (33 out of 38 respondents).

Concerning the ways and means to which Parliaments/Chambers monitor Brexit, besides a general trend, responses varied widely. The general tendency was that national governments transmit Brexit negotiation documents to national Parliaments and inform them (usually the parliamentary committee in charge of EU affairs) on the General Affairs Council (Art 50), and in some cases the Head of Government would inform national Parliaments on the European Councils. As indicated in the replies, that is the case of the Austrian *Nationalrat* and *Bundesrat*, the Bulgarian *Narodno sabranie*, the Croatian *Hrvatski sabor*, the Cyprus *Vouli ton Antiprosopon*, the Czech *Poslanecká sn movna* and *Sénat*, the Dutch *Eerste Kamer* and *Tweede Kamer*, the Estonian *Riigikogu*, the German *Bundestag*, the Hungarian *Országgy lés*, the Italian *Senato della Repubblica*, the Latvian *Saeima*, the Luxembourg *Chambre des Députés*, the Polish *Senat* and *Sejm*, and the Slovenian *Državni zbor*.

Going beyond consultation, some National Parliaments/Chambers approve or mandate national government positions before the General Affairs Council (Art. 50) meetings. That is the case of the Lithuanian *Seimas* and the Slovak *Národná rada*.

The Grand Committee of the Finnish *Eduskunta*, expresses Parliament's stance on legislative, budget and treaty issues being decided by the EU. As in any other EU related matter, it usually deliberates on Brexit based on government dossiers and statements provided by the sector committees.

For the Irish *Houses of the Oireachtas*, Brexit was a matter monitored by all Committees in their sectoral domains.

The French *Sénat* had created a steering group in charge of Brexit and the future of the EU, in which all political groups were represented and was tasked with following all the Brexit process. The French *Assemblée nationale* had implemented an information mission in charge of Brexit negotiations and the future UK-EU relationship.

Brexit negotiations were also monitored by the Spanish *Cortes Generales*, via its Subcommittee for the study of the consequences from Brexit.

The German *Bundesrat* had nominated mandates that follow preparations for Brexit and report to a steering group, made of representatives from the German *Länder*. Moreover, there is a joint working group with representatives from the federal government and from the *Länder* that monitors the progress of Brexit negotiations.

The Portuguese *Assembleia da República* stated that it monitors negotiations through the analysis of documents on the subject, hearings with members of government, as well as through the work of the permanent rapporteurs appointed to monitor the Brexit dossier.

The UK *House of Commons* stated that it monitors Brexit through debates, parliamentary questions, committee inquiries and scrutiny of European and withdrawal documents. In the UK *House of Lords*, the EU Select Committee and its six sub-committees have taken a leading role within the House for monitoring the Brexit negotiations. The Committees regularly take evidence from government ministers and officials to discuss the latest Brexit-related developments. The committees also publish regular evidence-based reports on Brexit intended to inform the floor debate taking place on the floor of the House.

According to Article 50 of the TEU, the withdrawal Agreement shall be concluded on behalf of the EU by the Council, acting by Qualified Majority Voting (QMV), after the consent of the European Parliament. For the European Parliament, the monitoring of the Brexit process is centralised at political level in the Conference of Presidents. The Conference of Presidents, and by extension the Brexit Steering Group (BSG) it decided to set up, is the parliamentary body fully responsible for the process until the conclusion of the withdrawal negotiations. After the conclusion of the negotiations, the Committee on Constitutional Affairs (AFCO) will be responsible for preparing the procedure of consent on a draft withdrawal agreement.

Both Houses of the UK Parliament have held many debates and votes on Brexit, including in the course of considering legislation to give effect to UK withdrawal from the EU. The UK Parliament will vote on the final withdrawal Agreement.

Four resolutions were adopted by the European Parliament regarding the withdrawal of the United Kingdom from the EU:

- of 5 April 2017 on negotiations with the UK following its notification that it intends to withdraw from the European Union;
- of 3 October 2017 on the state of play of negotiations with the UK;
- of 13 December 2017 on the state of play of negotiations with the UK;
- and of 14 March 2018 on the framework of the future EU-UK relationship.

A slight majority of Parliaments/Chambers had not adopted a specific position on Brexit (20 out of 38 respondents).

ii. The draft withdrawal Agreement and relations with the EU Chief Negotiator

When asked if their Parliament/Chamber had examined the European Commission draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, a slight majority of respondents answered negatively (21 out of 39 respondents) while 18 had examined the document.

Twenty-nine out of 38 respondents confirmed that their Parliament/Chamber had regular access to the documents concerning the withdrawal.

Most Parliaments/Chambers had met the EU Chief Negotiator Mr BARNIER (28 out of 39 respondents). Fifteen respondents said they had met the EU Chief Negotiator occasionally, while ten had met him sometimes and only three had met him on a regular basis. Eleven out of 39 respondents had not yet had a direct exchange with Mr BARNIER.

There was a rich variety in the formats in which these exchanges took place: Committee meeting with question time, formal evidence session, formal or informal hearing, in camera committee meeting, informal or formal meeting, address with or without question time, and exchange of views partly in camera, partly public.

In the case of the House of Lords, the Chief Negotiator had given formal evidence on the progress of the Brexit negotiations to delegations of the House of Lords EU Select Committee on several occasions. The meetings were held in private on the European Commission premises, but written transcripts of the meetings were published on the committee's website a few days after each meeting.

In the European Parliament, Mr BARNIER, participated in the meetings of the EP Brexit Steering Group, briefing its Members before and after every round of negotiations. The Chief Negotiator had also been invited to a number of meetings of the Conference of Presidents and of the Conference of Committee Chairs.

iii. Related official visits

A majority of Parliaments/Chambers (23 out of 38 respondents) had received bilateral visits from members of the UK Houses of Parliament, while 15 respondents (out of 38) had not.

The same majority (23 out of 38 respondents) of Parliaments/Chambers had made Brexit-related delegation visits to the UK, to other EU Member States, in particular the Republic of Ireland, or to the EU Institutions.

In relation to Brexit, some Parliaments/Chambers had also met with the national communities living in the UK (Lithuanian *Seimas*, Romanian *Camera Deputa ilor*).

In its reply, the UK *House of Lords* had indicated that it had received delegation visits from other EU Member States, such as Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands and Portugal.

The President of the European Parliament, Mr Antonio TAJANI, and the European Parliament Coordinator for the negotiations on the UK withdrawal from the EU, Mr Guy VERHOFSTADT, paid official visits to the UK, and to a number of EU Member States.

Besides its visit to EU institutions, a delegation of the Spanish *Cortes Generales* (from the Subcommittee for the study of the consequences derived from Brexit), paid a visit to the area next to Gibraltar in order to meet local authorities and civil society.

Section B

Future Relationship with the United Kingdom

i. Assessment of the post-Brexit scenarios

When asked whether they had discussed the impact assessment of the post-Brexit scenarios on their own economies and on the European Union as a whole, most of the Parliaments/Chambers answered positively (23 out of 39 respondents), with many of them (19 out of 22) highlighting different steps of involvement and specific concerns. 16 Parliaments/Chambers had not made such a post-Brexit assessment.

Organising hearings and debates came up as respondents' favourite means of involvement. The general tendency was to make use of these tools at the committee level, but some Parliaments/Chambers explicitly mentioned having organised such hearings and debates at both plenary and committee levels (Bulgarian *Narodno sabranie*, German *Bundestag*, Portuguese *Assembleia da República* and the European Parliament). National governments provided valuable information for many of them (Bulgarian *Narodno sabranie*, Belgian *Chambre des représentants*, Portuguese *Assembleia da República*, and Slovenian *Državni zbor*).

Other respondents had issued studies, reports, opinions or resolutions (Finnish *Eduskunta*, French *Sénat*, Portuguese *Assembleia da República*, UK *House of Lords*, and the European Parliament), while some relied on the activity of special rapporteurs (Dutch *Eerste Kamer*) or specific bodies, such as informing missions (French *Assemblée Nationale*).

A few Parliaments/Chambers did not offer exhaustive details as to the method of their involvement, but explicitly mentioned having had a rich activity in assessing these post-Brexit scenarios (Irish *Houses of the Oireachtas* and Danish *Folketing*).

Respondents' analysis mainly focussed on areas like trade, agriculture, fishery, financial markets and budget.

The UK *House of Lords* examined the economic implications of Brexit across a wide range of sectors, while the Finnish *Eduskunta* analysed the future trade with the United Kingdom in areas like wood, chemicals or services, seeing there a negative impact on the Finnish economy. The French *Sénat* also took a closer look at the trade sector, asking to limit non-tariff barriers linked to the restoration of customs controls and for the provision of specific rules in terms of the origin, monitoring and control of agricultural products.

Fisheries came up recurrently, with the German *Bundestag* indicating it as a matter of concern. The French *Sénat* pleaded for maintaining the existing water access for all types of vessels and for establishing a common and sustainable management of the stock.

Other Parliaments/Chambers showed particular attention to the financial markets and to the MFF in the post-Brexit era. In this respect, the Hungarian *Országgyűlés* pointed out the budgetary gap left behind by the United Kingdom's withdrawal from the European Union, while the French *Sénat* specifically asked for a financial services equivalence regime and for setting up clearing houses across the European Union. The German *Bundestag* and the Luxembourg *Chambre des Députés* also carried out particular analysis in this field.

A slightly different approach was that of the Parliaments/Chambers that analysed the post-Brexit scenarios from a general perspective (Latvian *Saeima*) or in the context of the future of the European Union (Bulgarian *Narodno sabranie* and Lithuanian *Seimas*).

The Finnish *Eduskunta* deplored the loss of a like-minded partner in policy areas like competitiveness, internal market, free trade or MFF, while the European Parliament carried out extensive research in the fields of citizens' rights, trade, foreign affairs defence and security and many others.

ii. Nature and substance of the future cooperation with the United Kingdom

When asked how they envisaged a future cooperation with the United Kingdom after Brexit, 35 Parliaments/Chambers answered. Their positions varied from total neutrality to full support for closest possible cooperation (Estonian *Riigikogu*, Swedish *Riksdag*) or for most intense relationship (Polish *Sejm*) with the United Kingdom, preferably within a customs union (German *Bundesrat*). The European Parliament and the Lithuanian *Seimas* explicitly mentioned the Association Agreement.

A number of Parliaments/Chambers did not provide an official position (Belgian *Sénat*; Dutch *Eerste Kamer*; Croatian *Hrvatski sabor*; Luxembourg *Chambre des Députés*; Polish *Senat*; and Spanish *Cortes Generales*).

Others preferred to wait for the end of the Brexit negotiations (Austrian *Nationalrat and Bundesrat*, as well as the Danish *Folketing*) or to follow the European Union position (Maltese *Kamra tad-Deputati* and Portuguese *Assembleia da República*). A particular position was that of the Slovak *Národná rada*, refraining from envisaging any cooperation with the United Kingdom before the end of the Brexit negotiations, but at the same time acknowledging the importance of a partnership in areas like trade, foreign cooperation, environment and innovation. The Latvian *Saeima* also showed interest for a close cooperation with the United Kingdom on trade, defence and security issues, while stating that future relations depend on the outcome of the Brexit negotiations, a sentiment echoed by the German *Bundestag*.

Both the Romanian *Camera Deputaţilor* and the Romanian *Senat* indicated a future cooperation with the United Kingdom in the framework of the international cooperation procedures, while the French *Assemblée nationale* called for strong bilateral relations, while respecting the European Union' integrity.

When assessing potential benefits of such a partnership, many Parliaments/Chambers referred to substantial matters, pointing out specific sectors where cooperation is needed. Citizens' rights, trade, foreign policy, security and defence emerged as favourite among such sectors. Moreover, the French *Sénat* insisted on negotiating a special treaty with the United Kingdom on security and defence.

Other policy areas where Parliaments/Chambers wish to cooperate with the United Kingdom in the post-Brexit era relate to climate (Finnish *Eduskunta*), energy and tourism (Belgian *Chambre des*

représentants), education (Bulgarian *Narodno sabranie* and Finnish *Eduskunta*), research (Belgian *Chambre des représentants* and Swedish *Riksdag*), services and small and medium-sized businesses (Lithuanian *Seimas*) and also a dispute resolution mechanism (European Parliament).

The Italian *Senato della Repubblica* and the Czech *Poslanecká sn movna* called to avoid any tendency to punish the United Kingdom for leaving the European Union.

iii. Parliamentary dialogue with the United Kingdom

When asked whether they were in favour of continuing to invite the United Kingdom to interparliamentary formats such as COSAC, more than half of the 38 responding Parliaments/Chambers answered positively, with nine Parliaments/Chambers answering yes, and 16 others positing certain conditions. One Parliament/Chamber answered negatively and 15 had no formal opinions on this matter.

Among those who answered positively, nine were unconditionally supportive. The Danish *Folketing* expressed the wish that fellow European countries be always included in COSAC formats and the UK House of Lords stated that they would welcome this opportunity. The Czech *Senát* and the Polish *Sejm* also pleaded for full British participation to COSAC, at least until the settlement of the future relations with the United Kingdom.

Of the Parliaments/Chambers that answered positively, some linked their agreement to the respect of certain conditions (Cyprus *Vouli ton Antiprosopon*, Dutch *Eerste Kamer* and Portuguese *Assembleia da República*).

In this respect, several respondents mentioned the long tradition to invite delegations from third countries to COSAC (Bulgarian *Narodno sabranie*, Finnish *Eduskunta*, Romanian *Camera Deputaţilor*, Slovenian *Državni zbor*, and the European Parliament). The idea of granting the United Kingdom a (special) status of observer, based on the existing COSAC Rules of Procedure, explicitly emerged from the positions of the Belgian *Sénat*, Croatian *Hrvatski sabor*, Luxembourg *Chambre des Députés*, Polish *Senat*, Slovak *Národná rada*.

Out of 39 Parliaments/Chambers that replied to the question of whether the Rules of Procedure of COSAC should be amended to allow countries outside of the EU to regularly attend meetings, only four supported the idea.

Indeed, some respondents argued that the existing arrangements were sufficient (German *Bundestag*) and that COSAC is about focusing on European targeted and substantial issues (German *Bundesrat*, Romanian *Camera Deputa ilor* and Romanian *Senat*).

On the other hand, the Bulgarian *Narodno sabranie* expressed the will to simplify the process of inviting delegations from third countries, particularly those from candidate and potential candidate countries.

When asked about enhancing the dialogue during the negotiations of the future Free Trade / Association Agreement, in other interparliamentary formats than COSAC, out of 34 respondents, 20 agreed or even pleaded for enhanced parliamentary dialogue, while 11 abstained, citing the absence of official positions.

Among those who provided positive answers, Parliaments/Chambers pleaded for a constructive cooperation (Austrian *Nationalrat* and *Bundesrat*) and a structured parliamentary dialogue and (Romanian *Camera Deputa ilor*; Romanian, *Senat* and UK *House of Lords*), notably because of their importance and potential impact (Czech *Poslanecká sn movna*; Irish *Houses of the Oireachtas*; Slovenian *Državni zbor*; Estonian *Riigikogu*; French *Assemblée nationale*; German *Bundesrat*; and Latvian *Saeima*). Others insisted on the added transparency of such a dialogue (Czech *Senát*; French *Sénat*; Maltese *Kamra tad-Deputati*; and European Parliament), as well as on the need for scrutiny (Bulgarian *Narodno sabranie* and European Parliament).

There were, however, Parliaments/Chambers who opposed this parliamentary dialogue in other formats referring to COSAC as the appropriate platform for dialogue (Cyprus *Vouli ton Antiprosopon* and Slovak *Národná rada*) and that parliamentary dialogue could take place only after the legal framework between the European Union and the United Kingdom is established (Polish *Senat*).

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Bi-annual Report

COSAC