

## QUESTIONNAIRE: 12TH BI-ANNUAL REPORT OF COSAC

### **Chapter 1: Transparency of the Parliamentary Scrutiny Process**

An open and transparent process is of paramount importance in order to allow citizens to follow the work of the European Union and to enhance their sense of participation. Transparency is therefore an ever-topical issue. Certain aspects of it have previously been dealt with by COSAC in the second Bi-annual Report (Transparency and traceability - Nov. 2004) and the fourth Bi-annual Report (Transparency in the Council - Oct. 2005).

The discussion of transparency is often focused on access to documents, however the interests of, and development towards, a more transparent European Union reach beyond this. One example is the increasing openness of the deliberations on legislative matters in the Council. Of particular importance for citizens is access to information and opportunities to follow procedures during the parliamentary scrutiny processes of particular European issues.

The purpose of this chapter is to examine the transparency of the process in parliaments when conducting scrutiny at different stages of the decision-making process in the Union. The issue covers the accessibility of documents that parliaments receive from the EU institutions and governments in the course of the negotiations. It also includes the openness of national parliaments and the European Parliament as regards information on the actual negotiations in the European Union, as well as on their own scrutiny procedures and positions. The chapter will present what information parliaments make available to the public as well as when and in which ways.

#### **Questions:**

1. a) Are documents on EU matters that your Parliament/Chamber receives from the EU Institutions and your Government accessible to the public (for example, drafts of European Parliament reports and resolutions, European Parliament amendments and Council common positions in the codecision procedure, preparatory documents for Council working groups and for Coreper and/or the position of your Government)?  
  
b) Does your Parliament/Chamber actively make such documents available to the public? If so, please specify at what stage/when and in which language(s)?  
  
c) Does your Parliament/Chamber, in general, receive all the necessary documents for transparent and effective scrutiny of EU matters from your Government? If not, please specify.
2. Are the documents on EU matters produced by your Parliament/Chamber accessible to the public? If so, please specify which documents. Does your Parliament/Chamber actively make such documents available to the public?
3. Is it possible for the public to be informed through your Parliament/Chamber about the state of play of ongoing negotiations on a specific EU issue, and at what stage/when? If so, please specify.

4. Are the scrutiny deliberations on EU matters in your Parliament/Chamber open to the public? Can the general public attend the meetings of your Committee on European Affairs, specialised committees and plenary debates directly or watch/listen to them on the TV/radio/Internet?
5. Does your Parliament/Chamber actively inform the public about the scrutiny deliberations and their outcome through websites, web streaming, press briefings, news letters etc.?
6. Does your Parliament/Chamber have a section/unit which provides information about the EU to the public? If so, please specify the main tasks of this information section/unit.
7. Are there any ongoing debates or plans in your Parliament/Chamber on ways to make the handling of EU matters in your Parliament/Chamber more transparent?

## **Chapter 2: Parliamentary Scrutiny of the Stockholm Programme**

Negotiations on the next five-year programme concerning cooperation on judicial and home affairs are scheduled to begin during the Swedish Presidency of the Council. Following on from the Tampere and Hague Programmes, a new Stockholm Programme would set the framework for cooperation during the years 2010-2014 in this field, which includes, *inter alia*, police and customs cooperation, criminal and civil law cooperation as well as asylum, migration and visa policies. It is thus a broad political programme covering issues at the core of parliaments' responsibilities, issues which are also of fundamental importance to European citizens. This Programme may concern both EU Affairs Committees and specialised committees in EU parliaments.

It is evident that the individual legislative proposals to be introduced in different policy areas covered by the Programme will be subject to scrutiny and control. Given the importance of the Programme to citizens, and in order to ensure effective influence, a strong case may also be made for parliamentary scrutiny of policy decisions on the Programme as such, and its development into action plans and specific measures.

This chapter will examine how acceptance of this kind of multi-annual political programme can be ensured in parliaments, by describing how parliaments foresee that the Stockholm Programme and its different elements will be scrutinised, when this scrutiny will be conducted and by which parliamentary bodies.

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After preliminary discussions in the Council (JHA) and in working groups since 2007, the Commission presented a Communication<sup>1</sup> on 10 June 2009 on the future Stockholm Programme. The Council is expected to continue working on this matter, with a view to adopting the Programme in early December and presenting it to the European Council on 17-18 December 2009. At a later stage, action plans will be elaborated, and will in turn form the basis for individual legislative proposals and other specific measures. Below, when reference is made to the "Stockholm Programme", all of these (and any other) stages are meant.

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<sup>1</sup> Communication from the Commission to the European Parliament and the Council – An area of freedom, security and justice serving the citizen, COM (2009)262 final.

**Questions:**

1. How do you foresee that scrutiny will be conducted in your EU Affairs Committee? At what stages will scrutiny be conducted?
2. Do you foresee that one or more of your specialised committees will be involved in the process? If so, which one(s), how, and at what stages will their scrutiny be conducted?
3. Do you foresee that any other body in your Parliament/Chamber will be involved in the scrutiny? If so, which one(s), how and at what stage?
4. Do you take any specific measures to ensure coordination between the various parliamentary bodies involved in scrutiny?
5. When designing the scrutiny procedure as described above – have you drawn upon experience gained when scrutinizing the Tampere and/or Hague Programmes? If possible, please specify.
6. Do you think that inter-parliamentary cooperation could contribute to making your scrutiny more efficient? If so, in what form and how?