



**DIMENSION
PARLEMENTAIRE**



Outline of the 37th Bi-annual COSAC Report

Chapter 1: The role of national Parliaments in the European Union

Since the early 1990s, the national Parliaments of the European Union (EU) have gradually come to be recognised as playing a key role in the European integration process, in particular to address the Union's democratic deficit. Therefore, the successive revisions of the EU Treaties have consolidated the establishment of formal mechanisms to keep them better informed about the EU's legislative activity, to encourage interparliamentary cooperation, to entrust them with concrete prerogatives to monitor the principle of subsidiarity, to alert them to the launch of constitutional-type procedures (revision of treaties, implementation of the flexibility clause, etc.) or even to enable direct political dialogue with the European institutions.

However, the hybrid nature of the European construction process based on the double legitimacy of direct suffrage, via the European Parliament, and indirect suffrage, through the representation of the Member States by their executive in the Council of the EU, raises regular questions about the place of the national Parliaments in this system. While the Conference on the Future of Europe, which was formally launched in May 2021, invites us to reflect on the functioning of the Union, in this Bi-annual Report we wish to focus on the role of national Parliaments in the democratisation of the European Union.

This chapter will thus aim at comparing the best practice and tools available to national Parliaments in three main areas: i) the control of their government's European policy (mandate, plenary debate, ministerial hearings, resolutions, etc.), ii) their role in the European decision-making process (notably via the traditional tools of monitoring the principle of subsidiarity and political dialogue) and iii) interparliamentary cooperation at Union level.

Chapter 2: The Rule of law

The rule of law occupies a central place in the European institutional and legal framework, as a value of the European Union cited in Article 2 of the Treaty on European Union (TEU). The European Commission's annual Rule of Law Report, of which the second version was published in July 2021, focuses on the positive and negative developments across the Member-States in four key areas: the functioning of justice systems, the framework for fighting corruption, pluralism and media freedom, and the balance of power between institutions. Over the past two years, European states have had to deal with a health crisis that has led to a strengthening of executive powers and restrictions on liberty that could undermine the Rule of law.

The COSAC Bi-annual Report will seek to assess developments in the rule of law in the EU from the point of view of national Parliaments. A first series of questions will thus focus on the understanding that national Parliaments have of the rule of law as a European value and on the analysis of the tensions to which this value is subject, in particular due to the adoption of emergency measures to tackle the health crisis. A comparative study of parliamentary experiences will thus shed light on the resilience of the rule of law in the EU in the face of such crises. A second series of questions will focus on the work and positions taken by national Parliaments on the mechanisms for respecting the rule of law, provided for in Article 7 of TEU and on the general regime of conditionality for the protection of the EU budget (the “rule of law conditionality regulation”).

Chapter 3: The Conference on the Future of Europe

This chapter of the Bi-annual Report will follow on from the Portuguese and Slovenian reports, which have already dealt with this topic. Launched in May 2021, the Conference on the Future of Europe, which brings representatives of national parliaments and European institutions together with citizens of Member States, is due to hold its concluding plenary session in Spring 2022.

As the Conference closes after around ten months of consultation and debate in an unprecedented format, this short chapter will focus on the role played by national Parliaments in this context. The objective is to summarise the work of national Parliaments on the Conference, on the perspectives and positions they adopted on the multiple topics discussed, as well as on the events organised by the legislative assemblies around this theme and the follow up to the work of the Conference, once it ends.