



TITHE AN OIREACHTAIS

An Comhchoiste um Ghnóthaí an Aontais Eorpaigh

Clár Oibre 2012

Feabhra 2012

HOUSES OF THE OIREACHTAS

Joint Committee on European Union Affairs

Work Programme 2012

February 2012

Joint Committee on European Union Affairs Work Programme

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STRATEGIC ISSUES

- Oversight of the political priorities for the EU as set out in the Commission's State of the Union Address and the subsequent European Commission Work Programme
- The EU in 2022 – Commissioned Report by External Expert
- Presidency Priorities
- Economic governance - Possible Treaty Amendments and implications for Ireland

CROSS – SECTORAL POLICY MATTERS

- Multiannual Financial Framework 2013 – 2020 (MFF)
- EU2020 Strategy
- Enlargement
- Other matters from Commission's Work programme 2012

SPECIAL PROJECTS

- Parliamentary Dimension of Ireland's Presidency of the EU
- Europe Day/Week
- Promoting the EU in Ireland

INSTITUTIONAL ISSUES

- Citizen's Initiative – Implementation in Ireland
- Operation of the Globalisation fund – does the instrument require review?
- Enhanced Cooperation- the mechanism, examples of its use and the future?
- European External Action Service (EEAS)
- Engagement with MEP's
- Irish Staff in the EU Institutions – the next generation?

STANDARD/STATUTORY MATTERS

- Report on the Operation of the Scrutiny Act
- Annual Report
- Work programme
- Transposition of EU Law- Consideration of SIs by the Oireachtas
- COSAC
- Treaty Amendments / Applications for Membership of the EU

Joint Committee on European Union Affairs

Work Programme

1. Background

The Joint Committee on European Union Affairs was established following Orders of Dáil Éireann on 8 June 2011 and of Seanad Éireann on 16 June 2011. Standing Orders [DSO 86(4); SSO 75(4)] require that "as soon as may be following its appointment and thereafter at annual intervals, each Select Committee shall prepare a work programme and shall lay such programme before [Dáil/Seanad] Éireann".

This Work Programme details business that the Committee must transact between now and the end of the year in accordance with its orders of reference, as well as key policy issues from which items may be selected for consideration.

In so far as possible the Joint Committee will try to maintain a reasonable balance in its work between all of its policy responsibilities.

2. Overview of Work Programme

The duties of the Joint Committee are discharged in two ways, (1) there will be items of business referred to it by one or both Houses and (2) it can select business for consideration itself, from the areas within its terms of reference. In practice, the Joint Committee's work will comprise the examination of EU business and key policy priorities.

The orders of reference of the Joint Committee stipulate that it may consider issues such

- ***matters arising from Ireland's membership of the European Union, and Ireland's adherence to the Treaty on European Union and the Treaty on the Functioning of the European Union, as it may select and which are not referred to any other Committee.***
- ***the EU Commission's strategic planning documents including the Commission Work Programme,***
- ***cross-sectoral policy developments at European Union level,***
- ***matters listed for consideration on the agenda for meetings of the General Affairs Council of Ministers and the outcome of such meetings,***
- ***such regulations under the European Communities Acts 1972 to 2009 and other instruments made under statute and necessitated by the obligations of membership of the European Union as the Committee may select,***
- ***notifications referred by the Dáil regarding the use of the general passerelle [SO 106 1(a)]***
- ***notifications of proposals for the amendment of the Treaties received from the European Council pursuant to Article 48.2 of the Treaty on European Union,***
- ***notifications of applications for membership of the European Union received from the European Council pursuant to Article 49 of the Treaty on European Union,***

- ***the operation of the European Union (Scrutiny) Act 2002, reporting to both Houses of the Oireachtas.***
Referral of matters by Dáil Éireann and Seanad Éireann (e.g. Motions re. International Agreements, Conventions, etc.).

3. Joint Committee – Specific Items for Consideration

The Joint Committee will monitor, review and report on the likely implications of the policies and programmes pursued by the Institutions of the European Union for people in their daily lives and for the longer-term future for Ireland and Europe. As part of this process, the Committee may invite presentations from Government Ministers, European Commissioners, representatives of government departments and the EU Institutions and other interested individuals and groups in order to hear their views and perspectives on matters under consideration. The Joint Committee may also, if the need arises, engage persons with specialist or technical knowledge to advise and assist it in its work.

The Joint Committee will make arrangements for regular meetings with the Tánaiste and Minister for Foreign Affairs and Trade or Minister of State with Special Responsibility for European Affairs in advance of meetings of the General Affairs Council meetings to enable the Joint Committee to continue effective oversight of the Government’s policy approach and to have an input into, and an exchange of views on, topics arising on the agendas of those Council meetings.

The Joint Committee will have ongoing periodic follow-up with the Minister (or Departmental officials as appropriate) on progress made on implementation of recommendations made in Reports published by the Joint Committee.

It is also intended that specific items will be considered by the Joint Committee to the end of the year, categorised as follows –

- Strategic issues
- Cross-sectoral policy matters
- Institutional issues
- Standard/Statutory Issues
- Special Projects

3.1. Strategic Issues

(a) Economic Governance: Draft treaty on stability, coordination and governance in the economic and monetary union

The Joint Committee will discuss the draft treaty on stability, coordination and governance in the economic and monetary union proposed by the European Council 9 - 10 December 2011 and agreed at the informal European Council on 30 January 2012. It will engage with respected voices from diverse perspectives. The Committee will lead debate on the new Treaty, whether the final decision on ratification rests with the Oireachtas or is put to referendum.

(b) Oversight of the political priorities for the EU as set out in the Commission’s State of the Union Address and the subsequent European Commission Work Programme

The Joint Committee will consider the political priorities for the EU as set out in the President of the European Commission’s State of the Union Address which is delivered

in the latter half of each year (usually not before September 1st). The Joint Committee will consider the priorities presented.

The European Commission's Work Programme translates the political priorities as set out by the President in the State of the Union Address. The Joint Committee will consider the Work Programme when it is published in October/ November each year and will select policy initiatives and measures which the Joint Committee may consider in its Work Programme for the following year. In this context, the Committee will extend an invitation to the European Commission for a Commissioner to address it directly on the Commission's work programme.

The Joint Committee will also be guided by relevant European Council conclusions which set the strategic direction of the EU.

The Joint Committee will endeavour to influence as appropriate the direction of the EU and will consider an appropriate means to input into the definition of the EU's political priorities in advance of the State of the Union Address in 2012.

***Note:** The President of the European Parliament delivered his State of the Union Address on 28 September 2011 and subsequently the Commission's Work Programme for 2012 was published on 15 November 2011. The theme was "European Renewal". Commission Vice-President Šefcovic will address the Committee on the Commission's work programme in February.*

(c) The EU in 2022 – Commissioned Report by External Expert

The Joint Committee in the context of its strategic overview may consider the challenges and opportunities facing the EU and Ireland in Europe over the next ten years. Aiming to safeguard Ireland's national interests in Europe, the Committee will seek to identify and consider the medium to long-term policy issues that Ireland and the EU faces in the coming decade.

The Committee may consider commissioning a study by an external expert or experts.

(d) Priorities of the Presidencies of the Council of the EU

In January the Committee met with the Ambassador of Denmark to Ireland to discuss Denmark's priorities during its Presidency of the Council of the EU in January to June 2012. In July the Committee may meet with the Ambassador of Cyprus to Ireland in respect of the Cypriot presidency in July to December 2012.

3.2. Institutional Issues

(a) Engagement with MEPs

The Committee will consider ways to further increase the integration of European Parliament business and Oireachtas business through engagement with Irish MEPs. The Joint Committee will schedule a special meeting once per quarter with a specialised **agenda proposed by the Irish MEPs.**

(b) Citizen's Initiative – Implementation in Ireland

The Lisbon Treaty introduced a new form of public participation in European Union policy making, the **European citizens' initiative (ECI)**. The European Parliament and the Council adopted a Regulation in February 2011 which defines the rules and procedure governing the Citizen's Initiative.

The Joint Committee will seek an update from the relevant government Department as to final shape of the regulation agreed and the actions taken to implement the provisions of the regulation.

The first European Citizens' Initiatives will be launched from 1 April 2012.

(c) Enhanced Cooperation – the mechanism, examples of its use and the future?

Enhanced cooperation allows those EU Member States that wish to continue to work more closely together to do so. The Member States concerned can thus move forward at different speeds and/or towards different goals. In principle, at least nine states must be involved in enhanced cooperation, but it remains open to any state that wishes to participate. The mechanism has most recently been used to advance negotiations on an EU patent.

The Committee may consider how the mechanism has been used in the past and how it may be used in the future.

(d) European External Action Service (EEAS)

The EEAS was established following the entry into force of the Treaty of Lisbon on 1 December 2009 and serves as a foreign ministry and diplomatic corps for the EU, implementing the EU's Common Foreign and Security Policy and other areas of the EU's external representation.

The Committee may consider the operation of the EEAS since its inception and its future evolution.

(e) Irish Staff in the EU Institutions – preparing/promoting the next generation

Since Ireland's accession to the EU in 1973, many Irish people have contributed greatly to the EU and to Ireland as staff members of the EU Institutions. For the last decade the post of Secretary General of the EU Commission has been held by an Irish person. It is important that there remains a balanced national representation within the EU institutions. However, the numbers of Irish people applying for positions in the EU Institutions has fallen in recent years.

The Committee will consider the impact on the next generation of EU officials, the implications for Ireland and possible ways to promote an improved representation.

(f) EU Humanitarian Aid Programme

As the European Union is one of the world's largest humanitarian aid donors, the Joint Committee will engage with the relevant stakeholders, and meet as required, with the Joint Committee on Foreign Affairs and Trade to examine the effectiveness of the Programme and to consider current EU policies and legislative framework.

3.3. Cross-Sectoral Policy Matters

(a) Multiannual Financial Framework 2013 – 2020 (MFF)

The (MFF) translates into financial terms the Union's political priorities. The financial framework sets the maximum amount of commitment appropriations in the EU budget each year for broad policy areas (CAP, Cohesion, Research etc) and fixes an overall annual ceiling on payment and commitment appropriations. The Commission published its proposals for the next Framework on 29th June 2011. The negotiations on the proposals will continue in 2012 during the Danish presidency.

The Joint Committee may consider this important cross sectoral policy in the context of its engagement with the minister for Foreign Affairs or Minister of State for European Affairs in advance of meeting of the General Affairs Council (GAC). In addition this is likely to be of significant interest in any discussions of Ireland's or the Oireachtas' priorities for Ireland's presidency of the EU and discussions on the European Commission's strategic priorities.

(b) EU2020 Strategy

Europe 2020 is the EU's growth strategy for the coming decade. It has set five ambitious objectives - on employment, innovation, education, social inclusion and climate/energy - to be reached by 2020. Each Member State has adopted its own national targets in each of these areas. Concrete actions at EU and national levels underpin the strategy.

The Committee may consider the operation of the strategy and the implementation of Ireland's national programme.

(c) Enlargement: the Commission on 12 October 2011 published its Communication Enlargement Strategy and Main Challenges 2011-2012

Croatia will become a member of the EU on 1 July 2013. Iceland, Turkey, FYR Macedonia and Montenegro are in accession negotiations, while other countries of the Western Balkans (Serbia, Albania, Bosnia and Herzegovina, Kosovo- under UN administration) are potential candidates.

The Committee may consider making a formal contribution on this issue which has been a key element of the work programme of successive European Affairs Committees and on which members have built an expertise. To facilitate a report and to inform itself further on this issue, consideration may be given by the Committee to visiting key administrations/parliaments in the region.

(d) Neighbourhood Policy/Eastern Partnership

The Eastern Partnership provides an institutionalised forum for discussing visa agreements, free trade deals and strategic partnership agreements with the EU's eastern neighbours (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine).

The Committee may consider the operation of the policy and the principles of Stabilisation and Association Agreements with the EU.

3.4. Standard/ Statutory Matters

(a) Report on the Operation of the Scrutiny Act

The Joint Committee (pursuant to the EU Scrutiny Act 2002 and its Orders of Reference) is responsible for reporting on an annual basis on the operation of the Act in the Oireachtas. Typically such a report will contain statistics on the number of proposals considered by Committees in the year under review and the number of proposals which warranted detailed scrutiny. Other possible quantitative measures would include the number of 'Contributions' sent to the EU Institutions and reasoned opinions agreed in plenary. The report will contain statistics for each Sectoral Committee.

The report will also include a qualitative assessment of the operation of the Act by the Oireachtas and its committees and will make recommendations for improvements where necessary and will consider the compliance of Government Departments with

the Act. The report will be laid before both Houses and the Joint Committee may consider calling for a debate on the report.

(b) Annual Report

The Joint Committee will endeavour to agree its Annual Report 2011 early in 2012.

(c) Transposition of EU Law / Consideration of SIs by the Oireachtas

While the Orders of reference of all Sectoral Committees provide for consideration of Statutory Instruments (SIs) the Joint Committee on European Union Affairs has a particular role with regard to SIs arising from the European Communities Act 1972 as amended (1972 Act).

Specifically, section 4 provides that the Joint Committee on European Affairs can recommend to the Houses of the Oireachtas that any Regulations be annulled and such Regulations will be annulled where a resolution to this effect is passed by both Houses within 1 year of the Regulation being made. This provision applies to all Regulations made under the 1972 Act (as amended).

In order for the Oireachtas and the Joint Committee to be able to properly exercise its powers under sections 3 and 4 of the 1972 Act the Committee may consider how best the Oireachtas might put in place a system of systematic consideration of SIs published transposing EU law. The feasibility, challenges and benefits of such a system would be considered and a recommendation made taking account of the volume of work this would involve.

In 2010 approximately 688 SIs were published and approximately 217 (32%) of these were made under the 1972 Act. A further 62 (9%) were made under other primary legislation and transposed EU Law.

The Committee's consideration will also take account of specific measures as regards transposition contained in the programme for government.

(d) COSAC: Conference of Chairpersons of Committees on European Affairs of the member states and the European parliament.

The Joint Committee will continue to actively engage in COSAC. The meeting of Chairpersons will take place in Denmark on 29/30 January and in Cyprus on 8/9 July, while the plenary sessions will take place on 22/24 April and 14/16 October in Denmark and Cyprus respectively. The Oireachtas will participate in the COSAC Presidential Troika for 18 months from 1 July 2012.

(e) Treaty Amendments / Applications for Membership of the EU

Applications for membership of the EU and proposals for Treaty Amendments stand referred to the Joint Committee and will be considered as appropriate.

(f) Documents deposited in the Oireachtas by the EU Institutions

A weekly/monthly report of all documents deposited in the Oireachtas should be made available to the Committee in order that the Committee may select any deemed to warrant further consideration. The Committee does not intend to duplicate the EU scrutiny work of sectoral committees on legislative proposals but to focus on the strategic documents of the EU.

3.5. Special Projects

(a) Parliamentary dimension of Ireland's Presidency of the EU

Ireland will assume the Presidency of the EU from January to June 2013. The Joint Committee will play a lead role in planning for the Parliamentary dimension of Ireland's Presidency in conjunction with Chairs of sectoral Committees through the Working Group of Committee Chairs and the Chairs of both Houses, in order to agree the vision for the parliamentary dimension of the Irish presidency and scope out the activities required in the first half of 2013. The key objective will be to deliver a successful parliamentary dimension of Ireland's EU Presidency in a manner consistent with current financial and economic constraints.

Specifically, the Committee will cooperate, and will seek to meet in early 2012, with counterparts in the parliaments of Lithuania and Greece forming the Presidency Trio and will also engage actively with COSAC Troika partners in the context of the organisation of COSAC in Dublin in 2013.

In addition, the Committee will meet with the Minister for Foreign Affairs and Trade to discuss planning and preparation for the Irish Presidency and will also consider ways in which it can make a constructive contribution to the definition of Ireland's priorities at a strategic level.

(b) Europe Day

It is likely that Europe Day (9th May) will be marked by the Oireachtas each year and the Joint Committee on European Union Affairs will continue to play a central role in the organisation and participation in Europe Day.

Europe day will present an opportunity for the European Affairs Committee and Sectoral Committees to contribute to influencing the direction of the European Commission for the following year across all sectors and will in 2012 provide an opportunity for the Oireachtas to identify priorities for Ireland's presidency of the Council of the European Union.

(c) Promoting the EU in Ireland

Under this heading the Joint Committee will consider how to capture the changing views of Irish citizens on the European Union and what this means for Ireland's future relationship with the EU and the role of the Joint Committee.

The Joint Committee sees communicating with the public as a key component of its role. The Committee believes that the Oireachtas should serve as an intermediary between the EU Institutions and citizens both taking account of the public's views and informing the public on EU activities.

(d) Interparliamentary Cooperation

The Joint Committee will seek to enhance its interaction with other Member State national parliaments and counterpart committees. The Committee has acknowledged the importance of such dialogue if national parliaments are to achieve their full potential as regards influencing the EU's strategic goals and policy direction.

4. Travel

Subject to Standing Order 83(9) [Dáil Éireann] and Standing Order 71(9) [Seanad Éireann], the Joint Committee may decide, subject to financial, administrative and procedural constraints, to undertake travel as it considers necessary to further progress the Work Programme. Such travel may include study visits, attendance at

conferences or meetings, etc. on European-related issues within its remit under its Orders of Reference. Reports will be completed for all travel undertaken.

(i) Cooperation between national parliaments and the European Parliament under the aegis of COSAC

The Joint Committee will continue to represent the Oireachtas at meetings of COSAC (*Conference of Chairmen of European Affairs Committees of Member States and the European Parliament*) and seek to exchange ideas and information on best practice. The meeting of Chairpersons will take place in Denmark on 29/30 January and in Cyprus on 8/9 July, while the plenary sessions will take place on 22/24 April and 14/16 October in Denmark and Cyprus respectively.

(ii) Parliamentary dimension of Ireland's Presidency of the EU

The Committee will seek to meet in early 2012, with counterparts in the parliaments of Lithuania and Greece forming the Presidency Trio to establish contact and create a background for cooperation during the presidency.

(iii) Cooperation with European Parliament

When practical, the Joint Committee will participate in interparliamentary committee meetings organised by the European Parliament.

(iv) Western Balkans

As part of its consideration of EU enlargement and developments in the Western Balkans, the Committee may visit key administrations/parliaments in the region.

(v) Interparliamentary Cooperation

The Joint Committee will seek to enhance its interaction with other Member State national parliaments and counterpart committees and may travel to selected Member States in this context.

5. Incoming Parliamentary Delegations

The Joint Committee will receive visits from members of parliaments, including European Affairs Committees of other EU member states, for discussion and exchange of information and ideas on matters of mutual interest, as required.

6. Number and Frequency of Meetings

Taking account of the resources and facilities available and the commitments of members, it is anticipated that the Joint Committee will meet fortnightly, with an additional monthly meetings with the Tánaiste and Minister for Foreign Affairs and Trade or the Minister of State with Special Responsibility for European Affairs in advance of meetings of the General Affairs Council, in the course of 2012.

7. Select Committee

In view of the specific functions of the Select Committee, it is not possible to anticipate the number of meetings required during 2012. However, the Select Committee will convene as necessary to consider such matters as are referred to it within the prescribed timeframe.

8. Agreement of Work Programme

This Work Programme for 2012 of the Joint Committee on European Union Affairs was agreed by the Committee at its meeting on 9 February 2012. In accordance with Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme be laid before both Houses of the Oireachtas.

It was also agreed that the Work Programme would be published on the Committee's page of the Oireachtas website.

Dominic Hannigan TD
Chairman
9 February 2012