



**Tithe an
Oireachtais**
**Houses of the
Oireachtas**

An Comhchoiste um Ghnóthaí an Aontais Eorpaigh

Tograí maidir leis an gComhdháil ar Thodhchaí na hEorpa

Nollaig 2020

Joint Committee on European Union Affairs

Proposals for the Conference on the Future of Europe

December 2020

[33ENUA0002]

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CHAIRMAN'S FOREWORD

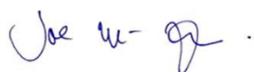


The Conference on the Future of Europe was identified by the Committee as a priority issue for consideration. As the EU inter-institutional agreement on the Conference has yet to be published, the Committee saw an opportunity to contribute to the debate on what we hope the Conference will entail.

The EU can be seen as a set of institutions making decisions far removed from citizens daily lives. The Conference on the Future of Europe offers the EU institutions and Member States an opportunity to engage and listen to citizens. In a post Brexit Europe and in the midst of the Covid-19 pandemic, providing citizens with platforms that offer safe and constructive outlets for debate is now more important than ever. It is vital for the democratic legitimacy of the EU, that citizens feel their views are heard and that citizens are given the space to consider the evidence and debate difficult issues. We must also ensure that young person's voices are captured. In recent times we have witnessed young people unite on important issues like Climate Change and we hope the conference will build on this momentum allowing young people engage with the EU and have their voices heard.

The Committee believe that Ireland leads the way in citizen dialogue in the form of citizen assemblies and by providing citizens with objective information on specific topics, experience has shown us that sensible conclusions can be reached.

The Committee held three sessions with academics and experts, and I wish to thank all the witnesses for attending the Committee hearings and for providing briefing documentation. The Committee has made a set of recommendations and we hope that they will assist the Institutions and Member States in the forthcoming Conference on the Future of Europe. Europe is evolving at a rapid pace and we urge all parties to act immediately in establishing the conference and agreeing a start date.

A handwritten signature in blue ink that reads "Joe McHugh".

Joe McHugh, TD
Chairman of the Joint Committee on European Union Affairs
December 2020

1. INTRODUCTION

The Conference on the Future of Europe will be a two-year-long open forum for citizens to share their views with the EU Institutions on the EU's future priorities and democratic processes, with no pre-determined outcome.

The concept for the Conference was first proposed by French President Emmanuel Macron in April 2019, ahead of the European Parliament elections. The proposal was then included by European Commission President Ursula von der Leyen in her political priorities, published in support of her candidacy in July 2019. Following President von der Leyen's nomination and the publication of a joint Franco-German "*non-paper*" outlining proposals for the Conference (IIEA, 2019) in November, the proposal was endorsed by leaders at the European Council in December 2019. The European Council concluded that the details and scope of the Conference should be based on an interinstitutional agreement between the three EU Institutions; the European Commission, the Council of the European Union and the European Parliament (European Council, 2019).

In January 2020, the European Commission published a Communication outlining the details of its proposal. The European Parliament and the Council published their respective positions in January and June 2020. It was proposed that the Conference would begin on Europe Day, 9 May 2020, but was delayed due to the pandemic. The process of negotiating an interinstitutional agreement is still ongoing, with a starting date not yet confirmed.

2. COMMITTEE'S CONSIDERATION

The Joint Committee on European Union Affairs (the Committee) agreed to consider the Conference on the Future of Europe as a priority item. To date the EU inter-institutional agreement on the Conference has yet to be published. Therefore, in the absence of this joint position, there is still an opportunity to contribute to the debate on what the Committee hopes the Conference will entail. The Committee held two sessions with academics and experts and one session with Thomas Byrne TD, Minister of State for European Affairs. In advance of the engagement with witnesses, the Committee asked all witnesses to consider the following questions;

- The role National Parliaments should play in the planning, organisation and implementation of the Conference?
- The output of the Conference?
- If Treaty revision should form part of the conclusions?
- The way conclusions should be considered and implemented by the EU Institutions?

- How events held as part of the Conference could reach the broadest range of citizens, especially in the context of ongoing pandemic restrictions?

A list of meetings and link to the transcripts are included in appendix III of this report.

3. CONCLUSIONS & RECOMMENDATIONS

The proposals for the Conference were made last year in the context of an EU trying to strengthen its democratic legitimacy and decide on its future ambitions following the UK's decision to leave the Union. However, the ongoing Covid-19 pandemic has resulted in an unprecedented public health, social and economic crisis, the response to which has caused many to re-evaluate the role of the EU.

The Committee believes that the Conference offers a valuable opportunity to reinvigorate the Future of Europe debate by consulting directly with citizens on how the EU should respond to major crises and build back better after the pandemic. It is important that the process strikes the balance between being bottom-up and deliberative, but also being focused and efficient. Capturing a diversity of views including minority and youth groups and engaging citizens not historically engaged with EU matters will be important. It is vital for the democratic legitimacy of the EU, that citizens feel their views are heard and that citizens are given the space to consider the evidence and debate the difficult issues.

The European Commission and the European Parliament have proposed that national and pan-European events be held as part of the Conference. The Committee is of the opinion that it is important that Irish viewpoints and concerns are communicated at European level, as well as nationally. It is equally important that Ireland reaches out and seeks to understand the differing priorities of other Member States. Therefore, the Committee encourages members of the Oireachtas, stakeholder groups and citizens to take the opportunity to participate in pan-European debates, especially as they will likely be held online. The Committee will continue to communicate Ireland's views to other National Parliaments and the European Parliament in its role as the Houses of the Oireachtas' representatives at COSAC.

The Committee has considered the evidence presented to it and has agreed the following recommendations.

The Joint Committee recommends:

Recommendation 1: that National Parliaments take a strong role in promoting the Conference and participating where appropriate. National Parliaments provide an important link between European and national level debate, and the Houses of the Oireachtas should continue to take an active part in communicating the role and value of the EU to citizens.

Recommendation 2: that the provisions of the existing Treaties be maximised before considering any potential Treaty revision or amendment and that EU institutional issues only be considered if they are a means to implementing policy priorities.

Recommendation 3: that topics chosen take a practical focus on Europe's big challenges and policy issues which are of concern to citizens, such as public health, climate change, the digital transition, migration, economic well-being and equality and Europe's role in the world.

Recommendation 4: that the Conference reflect citizens' concerns by publishing a list of clear conclusions, and that these conclusions are followed up with appropriate action by the EU Institutions.

Recommendation 5: that events organised as part of the Conference facilitate the widest possible participation in a bottom up approach and be structured in such a way to allow practical discussion and debate on issues that matter to citizens with a specific youth aspect included.

Recommendation 6: that Ireland participate actively in the Conference through a structure of national-level citizens debates, following a similar model to Citizens Assembly and previous Citizen Dialogues on the Future of Europe.

Recommendation 7: that a diversity of views be sought and that invitations to engage in the Conference reach out to minority groups and groups not historically engaged in EU matters with the use of digital platforms maximised in order to reach as many citizens as possible.

4. PROPOSALS FROM THE EU INSTITUTIONS

In July 2019, President von der Leyen proposed that the Conference “*should be well prepared with a clear scope and clear objectives, agreed between the Parliament, the Council and the Commission.*” The European Council agreed this interinstitutional structure, stating in December that the Conference needed to involve the Council of the EU, the European Parliament and the European Commission, “*in full respect of the inter-institutional balance and their respective roles as defined in the Treaties*”. Following the political guidance of the European Council, the European Commission, the European Parliament and the Council of the EU each published their respective positions on the details and scope of the Conference. The European Commission initially proposed that the Conference commence on 9 May to coincide with Europe Day, but that was postponed due to the pandemic. Minister Byrne confirmed to the Committee that he expected the Conference to begin in early 2021.

At present, the process of negotiating an interinstitutional agreement is ongoing. Minister Byrne confirmed to the Committee that a primary issue of disagreement has been the nomination of a Conference chairperson. The Council and the European Parliament have differing views on who should be appointed. The European Parliament has proposed MEP, Guy Verhofstadt (Politico, 2020), while the Council is of the view that the Conference should have an “*independent and single chair*” selected by the three EU institutions. There are also differences to be rectified considering the scope and potential outcome of the Conference, particularly the possibility of Treaty revision, which is supported by the European Parliament but not the Council.

4.1. EUROPEAN COMMISSION

The European Commission published its contribution to shaping the Conference on the Future of Europe in January 2020 (European Commission, 2020). The Conference is proposed as an “*open, inclusive, transparent and structured debate with citizens around a number of key priorities and challenges*”. The framework would be based on two parallel strands of discussion;

- the EU’s headline ambitions, based on the European Commission’s six Political Priorities and the European Council Strategic Agenda, and;
- democratic processes and institutional matters, notably the lead candidate system for the election of the European Commission President and transnational lists for elections to the European Parliament.

Participation in the Conference would be open to citizens, civil society, the EU institutions and other European bodies (including the Committee of the Regions and the European Economic and Social Committee), national, regional and local authorities and parliaments, and other stakeholders, “*all*

contributing as equal partners". The proposal emphasises that the conclusions should include a *"coherent set of recommendations"* and be followed up with tangible actions, and states that the European Commission is ready to *"take into account citizens' feedback and proposals in the setting of its legislative agenda."* The President has appointed two Commissioners to lead the Commission's work on the Conference; Vice-President Dubravka Šuica is responsible for coordinating the Commission's overall work, with Vice-President Věra Jourová, who is responsible for democratic processes and institutional matters.

In July 2019, President von der Leyen wrote that she was open to Treaty change (von der Leyen, 2019). However, the European Commission's Communication on the Conference does not include any reference to Treaty change as a potential outcome.

4.2. EUROPEAN PARLIAMENT

The European Parliament published its position in January (European Parliament, 2020), with a follow-up resolution in June (European Parliament, 2020). In its January resolution, the Parliament refers to the need to tackle "new societal and transnational challenges which had not been fully envisaged when the Lisbon Treaty was adopted", and commits to "a genuine follow-up of the Conference without delay, with legislative proposals, initiating treaty change or otherwise". It also argued that it should have a leading role in organising the Conference as the "European Parliament is the only EU institution that is directly elected by EU citizens".

The January resolution includes detailed proposals for the Conference's scope, composition and governance. It proposed a non-exhaustive list of potential discussion points, as outlined below, as well as commissioning special Eurobarometer surveys to inform the Conference's agenda.

- European values, fundamental rights and freedoms,
- Democratic and institutional aspects of the EU,
- Environmental challenges and the climate crisis,
- Social justice and equality,
- Economic and employment issues including taxation,
- Digital transformation,
- Security and the role of the EU in the world;

The European Parliament's proposed structure would see various assemblies (referred to as agoras) being held with citizens and stakeholders, which then would feed into a Conference Plenary. The Plenary would include two to four members of each Member State National Parliament, along with representatives of the three EU institutions, the European Economic and Social Committee, the

Committee of the Regions, and the EU-level social partners. The Conference would be governed by a Steering Committee and an Executive Coordination Board, each comprised of members of the three EU institutions.

In its June resolution, the Parliament suggested that the Conference also address the impact of the Covid-19 pandemic, “the failure to ensure solidarity and coordination, the economic, health and social shocks” and “*the ongoing attacks on fundamental rights and the rule of law*”.

4.3. COUNCIL OF THE EU

The Council agreed its position on the Conference in June (Council of the EU, 2020), proposing that it should focus on policy and issues relating to the EU’s ability to deliver policy, such as better regulation, subsidiarity and proportionality, transparency and enforcement of the Treaties.

It proposed that the Conference should base its scope on priorities of the European Council’s 2019-2024 Strategic Agenda, while also allowing participants to express their views on issues which have become more relevant in the context of the pandemic. The European Council’s Strategic Agenda contains the following four priorities;

- protecting citizens and freedoms
- developing a strong and vibrant economic base
- building a climate-neutral, green, fair and social Europe
- promoting European interests and values on the global stage (European Council, 2019)

The Council also suggests that there should be “*shared ownership by EU institutions and Member States, including their parliaments*”, and that the Conference should build on the work of the previous Citizens’ Dialogues. It is of the view that Conference should not consider Treaty change as a potential outcome, as the Conference does not fall within the scope of Article 48 TEU, the procedures for revising the EU Treaties (EUR-LEX, n.d.).

5. ISSUES CONSIDERED

The Committee considered the proposals of the three EU institutions, discussions held at COSAC, and the evidence presented by all witnesses.

Based on this consideration, the Committee determined that the following issues require attention:

- (i) the role of National Parliaments;
- (ii) the potential for Treaty revision;
- (iii) the focus and output of the Conference and
- (iv) citizen engagement.

5.1. ROLE OF NATIONAL PARLIAMENTS

The three EU Institutions agree that National Parliaments should play a role in the Conference. A specific role for National Parliaments was not detailed in the European Commission's proposals, which state that *"national parliaments, as well as social partners, regional and local authorities and civil society must play a fundamental role throughout the Conference"*. The Council stated that there should be *"shared ownership by EU institutions and Member States, including their parliaments"*. The European Parliament's position includes a detailed structure that would include representatives of National Parliaments taking part in Conference Plenaries, which would report the conclusions of citizens forums to a Steering Committee of the three EU Institutions.

The forum for EU Affairs Committees of National Parliaments and the European Parliament (COSAC), has advocated for strong National Parliament involvement in the Conference. In the conclusions of its December 2019 Plenary meeting, it stated that National Parliaments and the European Parliament *"all expect a role in defining the objectives, organising and implementing the Conference"* (COSAC, 2019). In January 2020, the Chairpersons of EU Affairs Committees, through COSAC, followed up with a letter to the EU Institutions stating that *"National Parliaments/chambers must be involved in the Conference and its steering bodies and thus must also be part of the agenda setting. National Parliaments/chambers, as well as the European Parliament, are not merely spectators but are equally responsible for shaping the future of the EU."*

All of the witnesses who engaged with the Committee agreed that National Parliaments have a strong role to play in the Conference. The Minister of State for European Affairs, Thomas Byrne TD, told the Committee that while the format of Ireland's participation in the Conference could not yet be confirmed, he envisioned a strong role for the Houses of the Oireachtas, particularly the Joint

Committee on the European Union Affairs. Dr Catherine Day believed that National Parliaments were best placed to put EU issues into the national context. She proposed that, as part of the Conference, National Parliaments could facilitate citizen engagement and education by participating in discussions and providing information on EU topics. Then after the work of the Conference has concluded, national parliamentarians could take an active role in communicating the views of their country's citizens to the EU Institutions and other Member States. Professor Gavin Barret also discussed this point, stating that National Parliaments could fill in the gap between European and national level debate. He proposed that the Houses of the Oireachtas serve to bring EU debates to the national level by inviting European Commissioners and becoming a "*debating arena*". Professor Brigid Laffan stated that National Parliaments could play a number of important roles- engaging actively in the Conference, coordinating with other Member States National Parliaments through COSAC at European level, but also playing a role at national level by educating citizens and publicly scrutinising Government positions.

Recommendation 1: that National Parliaments take a strong role in promoting the Conference and participating where appropriate. National Parliaments provide an important link between European and national level debate, and the Houses of the Oireachtas should continue to take an active part in communicating the role and value of the EU to citizens.

5.2. POTENTIAL FOR TREATY REVISION

The European Parliament has stated that all avenues for following up on the conclusions should be considered, including initiating Treaty change if required. However, the Council of the EU is of the position that the Conference does not fall within the scope of Article 48 TEU, which outlines the procedure for revising the Treaties. The European Commission has stated that it is prepared to follow up on the conclusions with legislative action, but its proposal did not refer to potential Treaty revision.

The Committee examined the possibility and desirability of Treaty revision with witnesses. Professor Federico Fabbrini and Dr Stephen Coutts outlined the legal options for implementing the conclusions of the Conference. Dr Coutts told the Committee that without specific details it was difficult to know whether Treaty revision would be required. However, he stated that all of the policy areas outlined in the Institutions' proposals were covered by the EU competences, but that some of the competences may be limited and could require expansion. He explained that if the conclusions called for actions which were not in the scope of existing EU competences, the following options were available;

- treaty revision,
- coordinated plans of actions between Member States and;
- adoption of an international treaty outside the framework of the EU Treaties.

He also noted use of the enhanced cooperation mechanism and the use of passarelle clauses as options for increasing the efficiency of the EU without Treaty revision. Professor Fabbrini also discussed these options, arguing that all options for EU reform should be kept open, including the use of separate intergovernmental agreements outside of the EU Treaties. He stated that, based on the example of intergovernmental agreements made in the context of the European Monetary Union, the Conference could consider drafting an intergovernmental treaty, which he referred to as a “*political compact*”.

Witnesses were cautious of opening up the possibility of Treaty revision, agreeing that it could be a politically difficult process, especially in the Irish context. However, most agreed that it should not be excluded entirely as an option. Professor Fabbrini outlined that if the Conference wanted to “*really tackle the institutional and substantive shortcomings of the current EU system of governance*”, *Treaty change would have to be considered*”. However, he acknowledged the difficulty of amending the Treaties, as any change would require unanimous consent by the Governments of Member States and ratification by all member countries. In the Irish context, if proposed Treaty amendments would expand the EU’s law-making power, then ratification would likely require a referendum. Ms Noelle O’Connell told the Committee that it would be counterproductive for the Conference’s terms of reference to be so narrow that it would preclude Treaty change as an option. Professor Brigid Laffan was of the view that it was too early to assess whether Treaty revision would be required, but highlighted the importance of keeping citizens in Ireland engaged with the process, so that if a referendum were required the electorate would be knowledgeable on the issues. Minister Byrne stated clearly to the Committee that the Government is not in favour of Treaty revision, instead supporting maximising the use of the existing Treaties. Dr Catherine Day also highlighted the difficulty of Treaty change and that revision should only be considered in the event that the conclusions of the Conference cannot be accommodated within the existing Treaties.

Recommendation 2: that the provisions of the existing Treaties be maximised before considering any potential Treaty revision or amendment and that EU institutional issues only be considered if they are a means to implementing policy priorities.

5.3. THE FOCUS AND OUTPUT OF THE CONFERENCE

In its proposal for the Conference, the European Commission put forward a framework for two parallel strands of discussion; (i) the EU's headline ambitions and (ii) democratic processes and institutional matters. The second strand would include consideration of the lead candidate system for the election of the European Commission President (also known as *spitzenkandidat*) and the creation of transnational lists for elections to the European Parliament. However, the European Council and the Council of the EU have stated that a "*policy first*" approach should be taken. They stated that priority should be given to implementing the European Council's 2019-2024 Strategic Agenda, which was drafted based on the feedback from the Citizens Dialogues on the Future of Europe held from 2017-19. The Council believes that the output of the Conference should be a report to the European Council.

The Committee discussed the question of the Conference's structure, focus and output with witnesses. There was broad agreement that policy issues should take priority. Dr Catherine Day was of the view that the Conference should have a clear output and focus on priority issues. She suggested that it should use simple majority voting to agree on conclusions at national level, which would then be presented to the Conference's Steering Committee. In parallel to this, she proposed that Member State Governments and Parliaments should be given the opportunity to indicate to the Steering Committee which of their citizens' recommendations they support and to explain if there are recommendations which they do not support. In her view, the outcome of the Conference would be decided by the Council of the EU and the European Parliament.

Professor Brigid Laffan was of the view that the Conference should concentrate on the big challenges facing the EU, particularly; climate, digital transition, the new political economy, public health, and Europe's role in the world. She outlined that citizens want to see their problems addressed, not "*an introspective debate*" on institutional issues. However, Ms Noelle O'Connell put forward the view that institutional change or reform should be considered as a means to deliver results on policy issues, but "*not an end in itself*". Dr Coutts noted that different issues will be priorities for different Member States, and that different Member States have differing views on the same issues. He cited the example of taxation, an issue on which Ireland does not support increased EU cooperation, but other Member States do.

Recommendation 3: that topics chosen take a practical focus on Europe’s big challenges and policy issues which are of concern to citizens, such as public health, climate change, the digital transition, migration, economic well-being and equality and Europe’s role in the world.

Recommendation 4: that the Conference reflect citizens’ concerns by publishing a list of clear conclusions, and that these conclusions are followed up with appropriate action by the EU Institutions.

5.4. CITIZEN ENGAGEMENT

All three EU Institutions have emphasised the importance of broad citizen participation. The European Commission in particular has emphasised the role of digital platforms, but also of equal access for all age groups. The European Parliament has proposed that the Conference is open and transparent, ensures accessibility and broad representation, and that young people should be particularly encouraged to participate. The Council of the EU’s position is that the Conference should build upon the work of the previous Citizens Dialogues on the Future of Europe.

Professor Gavin Barret highlighted the fact that despite the agreement of EU institutions that the Conference is required, there was *“varying degrees of enthusiasm”* and a *“degree of scepticism in some member states”* about the process. He stated that to be successful, the Conference needed a clear mandate, wide participation and deep deliberation.

All of the witnesses agreed with the emphasis on broad citizen engagement. Minister Byrne told the Committee that the Irish models of Citizens Assemblies and the Citizens Dialogues were considered international best practice, and that he had discussed Ireland’s experience of citizen engagement with his European ministerial colleagues at the General Affairs Council. Professor Federico Fabbrini also noted that Ireland’s experiences with citizen assemblies is an area in which as a small country it *“punches above its weight”*, and in which it could have influence at EU level.

Ms Noelle O’Connell shared European Movement Ireland’s (EMI) experience of organising the Citizens Dialogues on the Future of Europe in 2017-18. She told the Committee that thousands engaged digitally, and that more than 800 people attended in-person events held across the country. In-person events were held as town hall meetings with a moderated roundtable format. In her view, the most

effective way to engage with citizens on EU issues is to hold structured debates on practical issues, which allow for the technical issues, such as provisions of the EU Treaties, to be explained in what Dr Catherine Day referred to as “*ordinary language and ordinary terms*”. Dr Coutts further discussed the need for education on the revisions of the Treaties, making the point that some of the legislative proposals made as part of the Citizens Initiative had failed because they sought action from the EU that it did not have legal competences to take.

Minister Byrne also discussed the value of information being presented to citizens from un-biased sources, as per the model of the Citizens Assembly. Dr Catherine Day spoke of her experience of the chairing the Citizens Assembly, concluding that “*if one gives people objective information and time to think it through and discuss it, more often than not, they come to very sensible conclusions*”. She also discussed her experience with moving meetings of the Citizens Assembly online due to the pandemic restrictions. She told the Committee that there had been no major issues with this transition, as the participants had become familiar with using online conferencing software such as Zoom with friends and family during the pandemic. However, she noted that the reliability of broadband remained an issue. Professor Brigid Laffan also discussed the benefits of digital technology. She stated that digital engagement was important and should be leveraged, but also that based on her experience of holding stakeholder forums, digital engagement could not completely replace in-person deliberation.

Recommendation 5: that events organised as part of the Conference facilitate the widest possible participation and be structured in such a way to allow practical discussion and debate on issues that matter to citizens.

Recommendation 6: that Ireland participate actively in the Conference through a structure of national-level citizens debates, following a similar model to Citizens Assembly and previous Citizen Dialogues on the Future of Europe.

Recommendation 7: that a diversity of views be sought and that invitations to engage in the Conference reach out to minority groups and groups not historically engaged in EU matters with the use of digital platforms maximised in order to engage as many citizens as possible.

APPENDIX I: MEMBERSHIP OF THE COMMITTEE



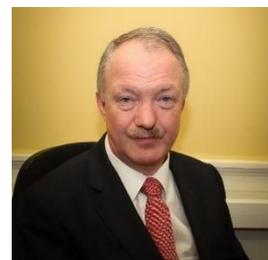
John Brady TD (SF)



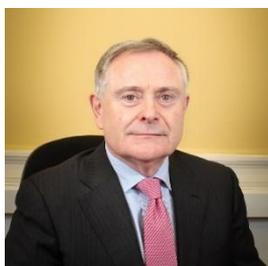
Dara Calleary TD (FF)



Francis Noel Duffy TD (G)



Seán Haughey TD (FF)



Brendan Howlin TD
(Vice-Chair) (LAB)



Marian Harkin TD (IND)



Joe McHugh TD (Chair)
(FG)



Neale Richmond TD (FG)



Ruairí ÓMurchú TD (SF)



Sen Lisa Chambers (FF)



Sen Regina Doherty (FG)



Sen Sharon Keogan (IND)



Sen Vincent P. Martin
(G)



Sen Michael McDowell
(IND)

APPENDIX II: COMMITTEE TERMS OF REFERENCE

- (1) Go gceapfar Roghchoiste, dá ngairfear an Roghchoiste um Ghnóthaí Eorpacha, ar a mbeidh 9 gcomhalta de Dháil Éireann, chun breithniú a dhéanamh ar cibé nithe a éiríonn—
- (a) as ballraíocht na hÉireann san Aontas Eorpach, agus
- (b) as Éirinn do chloí leis an gConradh ar an Aontas Eorpach agus leis an gConradh ar Fheidhmiú an Aontais Eorpaigh,
- a roghnóidh sé agus nach bhfuil tarchurtha chuig aon Choiste eile.
- (2) Gan dochar do ghinearáltacht mhír (1), breithneoidh an Roghchoiste—
- (a) cibé Billí a bpléann an Roinn Gnóthaí Eachtracha agus an Roinn Cosanta leis an dlí reachtach ina leith,
- (b) cibé tograí a bheidh in aon tairiscint, lena n-áirítear aon tairiscint de réir bhrí Bhuan-Ordú 220, agus
- (c) cibé nithe eile,
- a tharchuirfidh an Dáil chuige.
- (3) Beidh an tAire Gnóthaí Eachtracha (nó comhalta den Rialtas nó Aire Stáit a ainmneofar chun gníomhú ina áit nó ina háit chun na críche sin), ina chomhalta nó ina comhalta *ex officio* den Roghchoiste chun na nithe atá leagtha amach i mír (2)(a) agus (b) a bhreithniú agus beidh sé nó sí i dteideal vótáil in imeachtaí an Roghchoiste.
- (1) That a Select Committee, which shall be called the Select Committee on European Union Affairs, consisting of 9 members of Dáil Éireann, be appointed to consider such matters arising from—
- (a) Ireland’s membership of the European Union, and
- (b) 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.
- (2) Without prejudice to the generality of paragraph (1), the Select Committee shall consider such—
- (a) Bills the statute law in respect of which is dealt with by the Department of Foreign Affairs and the Department of Defence,
- (b) proposals contained in any motion, including any motion within the meaning of Standing Order 220, and
- (c) other matters,
- as shall be referred to it by the Dáil.
- (3) The Minister for Foreign Affairs (or a member of the Government or Minister of State nominated to act in his or her stead for that purpose) shall be an *ex officio* member of the Select Committee for the purpose of consideration of the matters outlined at paragraph (2)(a) and (b) and shall be entitled to vote in Select Committee proceedings.

- (4) Beidh ag an Roghchoiste na cumhachtaí a mhínítear i mBuan-Ordú 96, seachas míreanna (6) go (10).
- (4) The Select Committee shall have the powers defined in Standing Order 96, other than paragraphs (6) to (10).
- (5) Déanfar an Roghchoiste a chomhcheangal le Roghchoiste arna cheapadh ag Seanad Éireann chun bheith ina Chomhchoiste um Ghnóthaí Eorpacha, agus, gan dochar do ghinearáltacht mhír (1), déanfaidh an Roghchoiste an méid seo a leanas a bhreithniú—
- (5) The Select Committee shall be joined with a Select Committee appointed by Seanad Éireann, to form the Joint Committee on European Union Affairs, which, without prejudice to the generality of paragraph (1), shall consider—
- (a) doiciméid phleanála straitéiseacha an Choimisiúin Eorpaigh lena n-áirítear Clár Oibre an Choimisiúin,
- (a) the European Commission’s strategic planning documents including the Commission Work Programme,
- (b) forbairtí beartais tras-earnála ag leibhéal an Aontais Eorpaigh,
- (b) cross-sectoral policy developments at European Union level,
- (c) nithe a liostaítear lena mbreithniú ar an gclár gnó i gcomhair cruinnithe de Chomhairle (Airí) Gnóthaí Ginearálta an Aontais Eorpaigh agus toradh cruinnithe den sórt sin.
- (c) matters listed for consideration on the agenda for meetings of the General Affairs Council (of Ministers) of the European Union and the outcome of such meetings,
- (d) cibé rialacháin faoi Achtanna na gComhphobal Eorpach, 1972 go 2009 agus ionstraimí eile arna ndéanamh faoi reacht agus is gá de dhroim na n-oibleagáidí a ghabhann le ballraíocht san Aontas Eorpach a roghnóidh an Coiste,
- (d) 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,
- (e) fógraí arna dtarchur ag an Dáil faoi Bhuan-Ordú 134(1)(a),
- (e) notifications referred by the Dáil under Standing Order 134(1)(a),
- (f) fógraí i dtaobh tograí chun na Conarthaí a fuarthas ón gComhairle Eorpach de bhun Airteagal 48.2 den Chonradh ar an Aontas Eorpach a leasú,
- (f) 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,
- (g) fógraí i dtaobh iarratais ar bhallraíocht san Aontas Eorpach a fuarthas ón gComhairle Eorpach de bhun Airteagal 49 den Chonradh ar an Aontas Eorpach, agus
- (g) notifications of applications for membership of the European Union received from the European Council pursuant to Article 49 of the Treaty on European Union, and

- (h) cibé nithe eile a tharchuirfidh an Dáil chuige ó am go ham.
- (h) such other matters as may be referred to it by the Dáil from time to time.
- (6) Tabharfaidh an Comhchoiste tuarascáil do dhá Theach an Oireachtais ar oibriú Acht an Aontais Eorpaigh (Grinnscrúdú), 2002.
- (6) The Joint Committee shall report to both Houses of the Oireachtas on the operation of the European Union (Scrutiny) Act 2002.
- (7) Beidh ag an gComhchoiste na cumhachtaí a mhínítear i mBuan-Ordú 96, 133 agus 135 agus beidh aige an chumhacht chun moltaí a chur faoi bhráid an Aire Gnóthaí Eachtracha (nó faoi bhráid Aire Stáit) i dtaobh nithe a bhaineann leis an Aontas Eorpach.
- (7) The Joint Committee shall have the powers defined in Standing Order 96, 133 and 135 and shall have the power to make recommendations to the Minister for Foreign Affairs (or Minister of State) on European Union matters.
- (8) Féadfaidh na daoine seo a leanas freastal ar chruinnithe den Chomhchoiste agus páirt a ghlacadh in imeachtaí gan ceart vótála a bheith acu ná ceart tairiscintí a dhéanamh ná leasuithe a thairiscint:
- (8) The following may attend meetings of the Joint Committee and take part in proceedings without having a right to vote or to move motions and amendments:
- (a) Comhaltaí de Pharlaimint na hEorpa arna dtoghadh ó thoghcheantair in Éirinn,
- (a) Members of the European Parliament elected from constituencies in Ireland,
- (b) Comhaltaí de thoscaireacht na hÉireann chuig Tionól Parlaiminteach Chomhairle na hEorpa, agus
- (b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
- (c) ar chuireadh a fháil ón gCoiste, Comhaltaí eile de Pharlaimint na hEorpa.
- (c) at the invitation of the Committee, other Members of the European Parliament.
- (9) Déanfaidh an Comhchoiste ionadaíocht do dhá Theach an Oireachtais ag Comhdháil na gCoistí um Ghnóthaí Comhphobail agus Eorpacha de chuid Pharlaimintí an Aontais Eorpaigh (COSAC) agus tabharfaidh sé tuarascáil ar an gcéanna do dhá Theach an Oireachtais.
- (9) The Joint Committee shall represent both Houses of the Oireachtas at the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) and shall report to both Houses of the Oireachtas thereon.
- (10) Beidh Cathaoirleach Roghchoiste na Dála ina Chathaoirleach nó ina Cathaoirleach ar an gComhchoiste freisin.
- (10) The Chairman of the Dáil Select Committee shall also be the Chairman of the Joint Committee.

APPENDIX III: LIST OF MEETINGS HELD

Date	Witnesses
11 Nov 2020	<ul style="list-style-type: none"> • Dr Catherine Day, former Secretary General of the European Commission (2005-15) and Chairperson of the Citizens’ Assembly • Professor Federico Fabbrini, Professor of European Law at DCU and Director of the DCU Brexit Institute • Professor Gavin Barrett, Professor in the UCD Sutherland School of Law <p>(link to transcript)</p>
18 Nov 2020	<ul style="list-style-type: none"> • Professor Bridget Laffan, Director of the Robert Schuman Centre for Advanced Studies and Director of the Global Governance Programme, European University Institute, Florence • Dr Stephen Coutts, Lecturer in European and public law at UCC • Noelle O’Connell, CEO and spokesperson of European Movement Ireland (EMI) <p>(link to transcript)</p>
25 Nov 2020	<ul style="list-style-type: none"> • Mr Thomas Byrne, TD, Minister of State for European Affairs <p>(link to transcript)</p>

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