



41st

Bi-annual Report

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

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

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BACKGROUND

This is the Forty-First 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 IPEX website, either by accessing this [overview](#) or by navigating to the respective [meeting](#).

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 41st Bi-annual Report was 8 February 2024.

The outline of this Report was adopted by the meeting of the Chairpersons of COSAC, held on 14-15 January 2024, in Namur.

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.

Please note that, in some cases, respondents are able to provide more than one answer to multiple choice questions. This may explain any perceived disparity in the total number of answers to a question and the total number of respondents can thus be accounted for.

Complete replies, received from 39 national Parliaments/Chambers of 27 Member States and of the European Parliament, can be found in the Annex on the [COSAC webpage](#) on the IPEX website.

Note on Numbers

Of the 27 Member States of the European Union, 15 have a unicameral Parliament and 12 have a bicameral Parliament. Due to this combination of unicameral and bicameral systems, there are 39 national parliamentary Chambers in the 27 Member States of the European Union.

Although they have bicameral systems, the national Parliaments of Austria, Ireland and Spain each submit a single set of replies to the questionnaire, therefore the maximum number of respondents per question is 37, including the European Parliament. There were 37 responses to the questionnaire.

ABSTRACT

Chapter 1: A review of the 2019-2024 European legislature and prospects for the Council's strategic agenda for 2024-2029

The first chapter of the 41st Bi-annual Report of COSAC seeks to assess the role of Parliaments/Chambers during the 2019-2024 European legislature, and regarding the Council's strategic agenda for 2024-2029.

A large majority of Parliaments/Chambers indicated that they have scrutinised several of the main policy files or areas where the Commission has put legislation forward during the 2019-2024 European legislature. The areas which had been singled out in the questionnaire were the "*Fit for 55*"-package, "*Digital transition*", "*NextGenerationEU*", "*Economic Governance Framework*", "*New Pact on Migration and Asylum*", "*Enlargement*" and "*Strategic Autonomy*". In all but the last one, more than 30 Parliaments/Chambers indicated that they had scrutinised them. There was no Parliament/Chamber indicating that it had not scrutinised any of these policy areas.

The next five questions concern how Parliaments/Chambers scrutinise the Commission Work Programme (CWP). When asked to choose from four predetermined options, fourteen Parliaments/Chambers indicated that they adopt a formal list of prioritised files in plenary, and 13 that the scrutiny was carried out by adopting a statement on the CWP in the sectoral committees. Smaller numbers indicated that a formal list of priorities was adopted by sectoral committees or that the plenary adopted a statement. Eight indicated a combination of procedures.

Parliaments/Chambers who had indicated that sectoral committees adopted priorities were then asked if all sectoral committees were involved, or only some, or only the EU Affairs committee. Thirteen replied the latter, while eight replied that all sectoral committees adopt priorities; only two indicated "some".

Parliaments/Chambers were also asked whether their government is involved in the discussion on the adoption of these priorities. Fifteen replied yes, while nine replied no and an equal number replied that the question was not applicable. The 15 Parliaments/Chambers who had replied affirmatively also provided more detailed information on how the government was involved.

Parliaments/Chambers were then asked if there is a follow-up on the priorities of the CWP. Eleven replied that a follow-up is made through a debate at committee level, two that it is done through the adoption of a resolution and one that follow-up takes place through a plenary debate. Three Parliaments/Chambers also indicated that all these instruments are used, while five indicated that there is no dedicated follow-up.

The last question of the chapter was whether Parliaments/Chambers had been involved in the consultation process at a national level ahead of the adoption of the Council's strategic agenda for 2024-2029. Out of 37 respondents, 26 replied that they had not been involved.

Chapter 2: Gender policy and the representation of women in parliament

The second chapter of the 41st Bi-annual Report deals with questions concerning gender equality and women in parliament. The chapter aims to shed some light on how parliaments can become more gender-sensitive, both on a political and an administrative level.

The first four questions in this chapter asked Parliaments/Chambers to provide statistics on the percentages of males, females and/or others in different positions, both political and administrative, within the different Parliaments/Chambers.

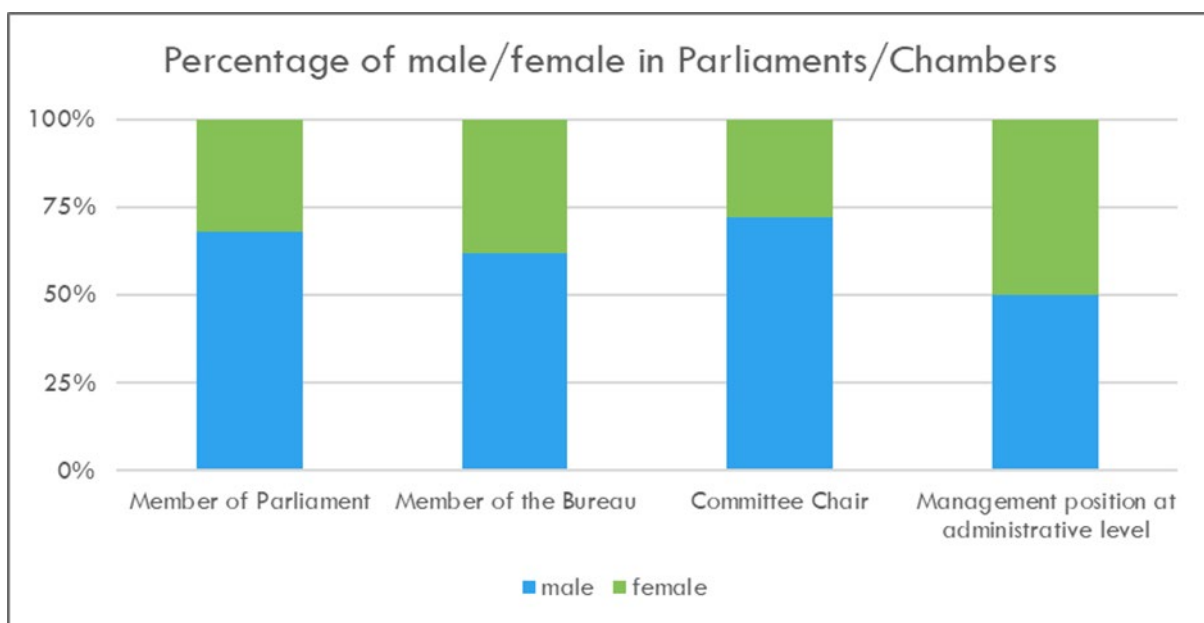
The first question concerns Members of Parliaments. Among the Parliaments/Chambers who replied, on average 32% of Members are female. The percentage of female Members ranges from 14.1% to 46%. In ten Parliaments/Chambers, the replies indicate that 75% or more of the Members are male.

When it comes to the bureau (the executive body that has general management competences in the Parliaments/Chambers), replies indicate that on average, 38% of bureau members are female. The percentage of female members of the bureau ranged from zero to 84%.

The next question concerns committee chairs. Here, the average of the percentages indicated for females is 27.9%. The percentages for female committee chairs range from zero to 62.5%. Seventeen Parliaments/Chambers indicated that 75% or more of committee chairs are male, while two replied that 50% or more are female. Some Parliaments/Chambers mentioned several numbers for different types of committees within their Parliament/Chamber. In these cases, an average has been calculated in order to produce comparable data.

The fourth question concerns percentages provided by the Parliaments/Chambers for females in management positions on an administrative level. Here, replies show an average of 49.6% of females in such positions. The percentage of females in management positions ranges from 20% to 87%. Some parliaments indicated different levels in different categories of managers.

In sum, the averages of males and females among the Parliaments/Chambers who replied are indicated by the graph below.



Parliaments/Chambers were also asked if they have adopted a gender policy. Twenty-one out of 37 respondents indicated that they had not. Out of the 14 respondents that indicated they have adopted a gender policy, six had done so on both a political and an administrative level. Several Parliaments/Chambers provided more information on actions taken in light of the adoption of a gender policy.

When asked whether there was a gender audit conducted within the parliamentary administration the vast majority of respondents replied negatively; however those Parliaments/Chambers where such

audits did take place were asked to provide further information and several chose to submit links to the relevant documents. Eight parliaments furthermore indicated that a gender/diversity manager or similar is appointed.

Almost half of the Parliaments/Chambers also indicated that a committee on gender/diversity issues exists. Some Parliaments/Chambers underlined that although they did not establish a separate committee on gender/diversity, such issues are still addressed horizontally by other committees.

Parliaments/Chambers were also asked if they organise specific facilities for Members and/or their staff with children. A majority replied affirmatively.

Chapter 3: Democracy and the rule of law in Europe: the way ahead

The third and last chapter of the 41st Bi-annual Report addresses different aspects related to the rule of law and democracy within the Parliaments/Chambers.

In the first question, Parliaments/Chambers were asked whether they have a specific committee dedicated to democracy and/or the rule of law, to which six out of 37 replied affirmatively. At the same time, 28 Parliaments/Chambers explained that relevant sectoral committees examined these topics; in most cases the committees dedicated to European, foreign, legal or constitutional affairs.

Parliaments/Chambers were also asked if they have supporting research services and expert advice on democracy and the rule of law, either internal, external or both. Most respondents (25 out of 37) replied positively.

When asked whether the annual Rule of Law Report of the European Commission was scrutinised or not, all Parliaments responded positively, though in some bi-cameral parliaments the Report was discussed in only one chamber. As a follow-up, Parliaments/Chambers were asked to specify how the Report was scrutinised and were given several choices. A large majority replied that it was scrutinised during a debate at committee level; eight also scrutinised it through a plenary debate and four through a resolution. Four parliaments detailed other methods in their replies.

Parliaments/Chambers were then asked to indicate which parts of the Report were scrutinised. A large majority, 27 out of 33, replied that the whole report was scrutinised, while about half also focused specifically on the recommendations or the country specific report.

An opportunity was then given for Parliaments/Chambers to rate how successful they considered the Rule of Law Report had been in addressing specific challenges. Twenty-one Parliaments/Chambers replied, indicating that a majority thought that the independence of the judiciary and the independence of the media were the challenges most successfully addressed by the Rule of Law Report.

Furthermore, Parliaments/Chambers were asked whether they invited political representatives or experts to discuss the Report, and a large majority indicated that this was the case. Most invited political representatives; around half also invited experts. Many then provided additional information on who was invited.

Most respondents (21 out of 34) indicated that there was specific follow-up on the report in their respective Parliament/Chamber.

Lastly, many Parliaments/Chambers shared some more detailed information on best practices in dealing with democracy and the rule of law, and some also took the opportunity to refer in a more detailed manner to some recent activities undertaken to the topic of the chapter.

CHAPTER 1

A REVIEW OF THE 2019-2024 EUROPEAN LEGISLATURE AND PROSPECTS FOR THE COUNCIL'S STRATEGIC AGENDA FOR 2024-2029

THE FIRST CHAPTER OF THE 41st BI-ANNUAL REPORT seeks to assess what role Parliaments/Chambers have played during the 2019-2024 European legislature and the prospects for the Council's strategic agenda for 2024-2029. Considering that the Belgian Presidency of the Council of the European Union takes place at the end of the European legislature, the topic was included in the report, as it provides a good opportunity to take stock of the role that Parliaments/Chambers have played in shaping their governments' position on certain important legislative dossiers dealt with during this legislature. This chapter looks in particular at the choice of priorities based on the European Commission's annual work programme (CWP) and its follow-up. At the same time, reflections around the Council's strategic agenda 2024-2029 have already started. Therefore, a question has been included of how Parliaments/Chambers have been involved in the consultation process at a national level ahead of the adoption of this document.

1. In the first question, Parliaments/Chambers were asked whether they had scrutinised different policy files that were put forward by the Commission during the 2019-2024 European legislature, or other overarching policy areas subject to initiatives on a European level during the same time period. Parliaments/Chambers were given the choice of seven pre-selected options, with multiple answers possible. All 37 Parliaments/Chambers replied to this question, with a large majority of Parliaments/Chambers indicating that they had scrutinised all the different policy files or policy areas. The replies are illustrated in the table below.

Policy files / areas scrutinised	Number of Parliaments/ Chambers
Fit for 55	35
NextGenerationEU	34
New Pact on Migration and Asylum	34
Enlargement	34
Digital transition	33
Economic Governance Framework	31
Strategic Autonomy	28
None of the above	0
<i>Total responses</i>	<i>37</i>

The “Fit for 55”-package” had been scrutinised by the largest number of Parliaments/Chambers (35) with only the Bulgarian *Narodno sabranie* and the Spanish *Cortes Generales* replying negatively.

This was closely followed by “NextGenerationEU”, “New Pact on Migration and Asylum” and “Enlargement”, each of these scrutinised by 34 Parliaments/Chambers. The Polish *Senat*, Romanian *Camera Deputaţilor* and Slovenian *Državni svet* indicated that they had not scrutinised the “NextGenerationEU” file, whereas the Italian *Camera dei Deputati*, Romanian *Camera Deputaţilor* and Slovenian *Državni svet* all replied negatively regarding the scrutiny of the “New Pact on Migration and Asylum”. “Enlargement” was not scrutinised by the Cyprus *Vouli ton Antiprosopon*, Polish *Senat* and Slovenian *Državni svet*.

Regarding the “Digital transition”, this was scrutinised by 33 Parliaments/Chambers: only the Bulgarian *Narodno sabranie*, Cyprus *Vouli ton Antiprosopon*, Luxembourg *Chambre des Députés* and the Slovenian *Državni svet* replied negatively.

The two items scrutinised by the lowest number of Parliaments/Chambers were the “Economic Governance Framework” file, scrutinised by 31 Parliaments/Chambers, and “Strategic Autonomy”, scrutinised by 28 Parliaments/Chambers. The “Economic Governance Framework” had not been scrutinised by seven Parliaments/Chambers: the Bulgarian *Narodno sabranie*, Greek *Vouli ton Ellinon*, Luxembourg *Chambre des Députés*, Maltese *Kamra tad-Deputati*, Polish *Senat* and the Slovenian *Državni svet*. The Greek *Vouli ton Ellinon* remarked however that this would be debated in late February 2024. When it comes to “Strategic Autonomy”, the nine Parliaments/Chambers that indicated that they had not scrutinised this file were the Austrian *Nationalrat* and *Bundesrat*, Bulgarian *Narodno sabranie*, Cyprus *Vouli ton Antiprosopon*, German *Bundesrat*, Maltese *Kamra tad-Deputati*, Polish *Sejm*, Polish *Senat*, Spanish *Cortes Generales* and Slovenian *Državni svet*.

Twenty-four Parliaments/Chambers indicated that they had scrutinised all policy files presented as options in the questionnaire.

2. Parliaments/Chambers were then asked how they scrutinised the Commission Work Programme (CWP). Thirty-five Parliaments/Chambers answered this question, while the Belgian *Sénat/Senaat* and the German *Bundestag* did not answer.

Four possible options were offered as format for this scrutiny: adoption of a formal list of priorities, either in plenary, or by sectoral committees; or through the adoption of a statement on the CWP, either in plenary, or by sectoral committees. It was possible to select multiple answers. A fifth option, “The CWP has not been scrutinised”, was selected by eight Parliaments/Chambers: the Estonian *Riigikogu*, French *Assemblée nationale*, Maltese *Kamra tad-Deputati*, Polish *Sejm*, Polish *Senat*, Slovenian *Državni zbor*, Slovenian *Državni svet* and the Spanish *Cortes Generales*.

Five Parliaments/Chambers indicated that the CWP was scrutinised “By adopting a formal list of prioritised files, in plenary”. Fourteen Parliaments/Chambers indicated that this scrutiny was carried out “By adopting a formal list of prioritised files, in the sectoral committees”. Five Parliaments/Chambers indicated that the CWP was scrutinised “By adopting a statement on the CWP, in plenary”. Thirteen Parliaments/Chambers indicated that the scrutiny was carried out “By adopting a statement on the CWP, in the sectoral committees”.

When looking at the combination of different scrutiny methods employed by the Parliaments/Chambers that answered this questionnaire, only the Romanian *Camera Deputaţilor* selected all four possible scrutiny methods. The Dutch *Tweede Kamer*, Dutch *Eerste Kamer* and Romanian *Senat* indicated that they adopted a formal list of prioritised files both in plenary and by sectoral committees. The Austrian *Nationalrat* and *Bundesrat*, Italian *Camera dei Deputati* and Swedish *Riksdag* for their part selected as options the scrutiny method of adopting a statement on the CWP in plenary and in the sectoral committees.

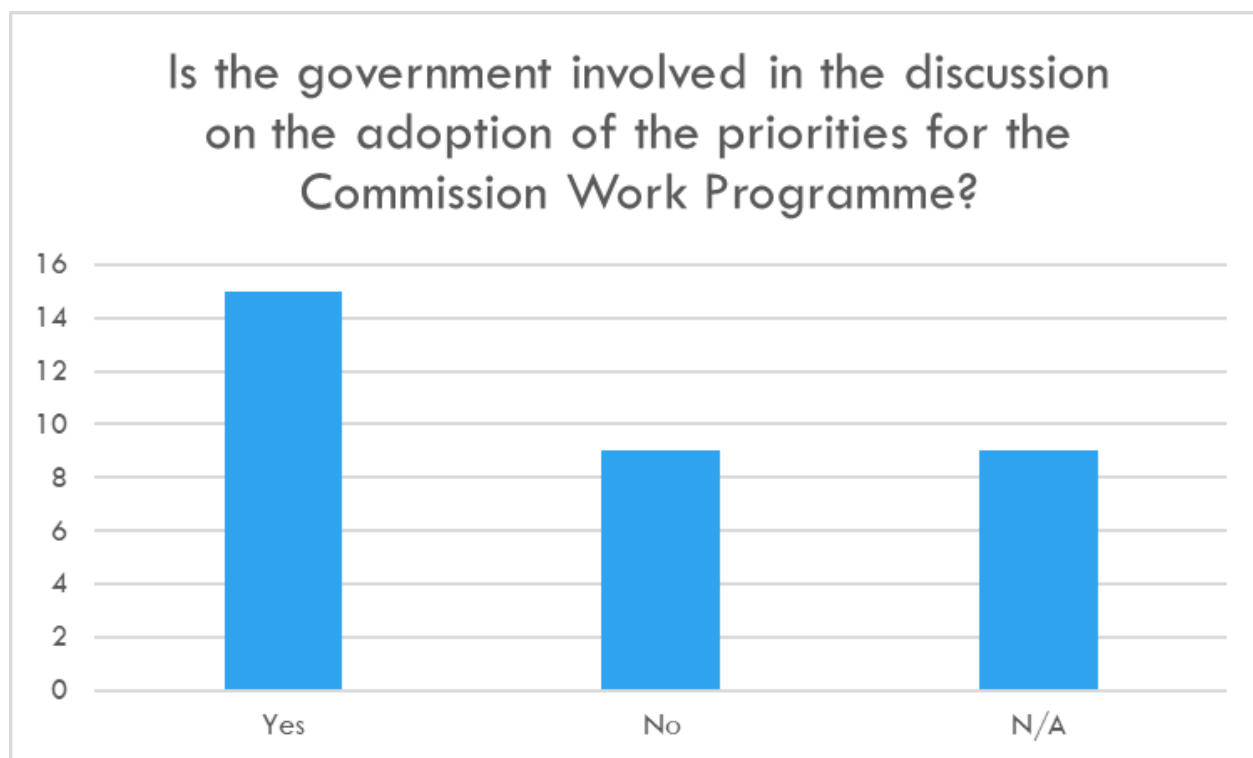
2.1. As a follow-up question, Parliaments/Chambers who had indicated that the scrutiny was carried out by the committees were asked if all sectoral committees adopt priorities in light of the CWP. A total of 23 Parliaments/Chambers answered this question, Three possible options were offered: “*all committees adopt priorities*”, “*only some committees adopt priorities*” or “*only the EU Affairs Committee adopts priorities*”.

Eight Parliaments/Chambers indicated that “*all the committees adopt priorities*”. Thirteen Parliaments/Chambers indicated that “*only the EU Affairs Committee adopts priorities*”. Two Parliaments/Chambers indicated that “*only some committees adopt priorities*”. The Luxembourg *Chambre des Députés* further explained that its President asks each committee chair to identify and transmit to him the priorities within their competence in relation to the CWP; it may be that a committee does not define any such priorities if there is no link between the CWP and their competence. The President then communicates the collected priorities to the members of the Conference of Presidents; these then take these into account when establishing the European priorities. Up to six priority files are usually identified. The *Chambre des Députés* also indicated that a sub-committee would soon be created tasked with following European affairs more closely.

Various Parliaments/Chambers provided additional information on how the CWP is scrutinised, including on the involvement of sectoral committees.

- The Belgian *Sénat/Senaat* remarked that an annual debate on the CWP with the Permanent Representative of Belgium to the EU is organised in the Federal Advisory Committee on European Affairs, but that no list of priorities is adopted.
- The Czech *Poslanecká sněmovna* replied that its Committee on European Affairs adopts a resolution, but no priorities, and that the scope of the scrutiny is limited to this committee.
- The Czech *Senát* informed that the EU Affairs Committee debates the CWP with the government and the European Commission Representation in Prague, but that formally it usually only takes note of the CWP.
- The Dutch *Eerste Kamer* explained that whenever the Commission puts a proposal forward that has been prioritised for scrutiny, it is automatically put on the agenda of the responsible committee. The committee then chooses if and how it wants to scrutinise the proposal.
- The German *Bundestag* explained that no formal opinion was adopted in 2023, but that the CWP is regularly discussed in the European Committee as well as, usually, in plenary sessions.
- The Lithuanian *Seimas* responded that the sectoral committees first consider the CWP, after which they submit their conclusions for consideration and approval by the Committee on European Union Affairs and the Committee on Foreign Affairs. These then adopt a joint conclusion with a full list of the priorities of the *Seimas* on the CWP.
- Somewhat similarly, the Portuguese *Assembleia da República* remarked that although the European Affairs Committee is responsible for the preparation of the opinion and draft resolution on the establishment of priorities for the CWP, all committees in the parliament, as well as the Legislative Assemblies of the Autonomous Regions, participate in the process. Within their competences, they draw up reports or opinions in which they endorse the initiatives of the CWP that they consider to be a priority. Based on these reports and opinions, the European Affairs Committee then writes a final opinion and draft resolution which is then adopted in plenary as a formal resolution of the *Assembleia da República*.
- The Swedish *Riksdag* commented that it does not adopt any formal priorities, but that all sectoral committees may submit comments to the Committee on Foreign Affairs, which is the lead committee in the scrutiny of the CWP. The Committee on EU Affairs in addition deals with the Government’s position ahead of any discussions in the General Affairs Council on the CWP. It also provided the information that on 14 November 2023, a public hearing about the CWP was organised by the Committee on Foreign Affairs, during which Commissioner Ylva JOHANSSON participated.

3. In the next question, Parliaments/Chambers were asked if the government is involved in the discussion on the adoption of the priorities for the CWP. This was answered by 33 Parliaments/Chambers, with the Estonian *Riigikogu*, German *Bundestag*, Polish *Senat* and Slovenian *Državni svet* not answering. Respondents were asked to choose between “Yes”, “No” and “N/A” options. These answers are reflected in the chart below.



Fifteen Parliaments/Chambers indicated that the government is involved in the discussion on the adoption of the priorities: Austrian *Nationalrat* and *Bundesrat*, Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers*, Bulgarian *Narodno sabranie*, Cyprus *Vouli ton Antiprosopon*, Danish *Folketing*, Dutch *Eerste Kamer*, Finnish *Eduskunta*, Greek *Vouli ton Ellinon*, Italian *Senato della Repubblica*, Latvian *Saeima*, Lithuanian *Seimas*, Luxembourg *Chambre des Députés*, Portuguese *Assembleia da República*, Romanian *Camera Deputaţilor* and Romanian *Senat*.

Nine Parliaments/Chambers answered “No” to the question of whether the government is involved in the discussion on the adoption of the priorities: Croatian *Hrvatski sabor*, Czech *Poslanecká sněmovna*, Dutch *Tweede Kamer*, French *Sénat*, Hungarian *Országgyűlés*, Irish *Houses of the Oireachtas*, Italian *Camera dei Deputati*, Slovak *Národná rada* and Slovenian *Državni zbor*.

Nine other Parliaments/Chambers noted that this question was “Not Applicable (N/A)”: Belgian *Sénat/Senaat*, Czech *Senát*, French *Assemblée nationale*, German *Bundesrat*, Maltese *Kamra tad-Deputati*, Polish *Sejm*, Spanish *Cortes Generales*, Swedish *Riksdag* and European Parliament.

3.1. The 15 Parliaments/Chambers which had replied positively to the previous question were asked, as a follow-up, to provide further information on how the government is involved in the examination and selection of priorities of the CWP.

Some of the replies referred to the general legislative context set by the government. The Bulgarian *Narodno sabranie* noted that the government is involved by the general legislative framework. The Romanian *Camera Deputaţilor* replied that the list of prioritised files adopted by the EU Affairs Committee is then supplemented with the government mandate for EU legislative proposals.

Various Parliaments/Chambers outlined a sectoral approach in which the involvement of specific ministries relate to the different parliamentary committees.

- The Austrian *Nationalrat* and *Bundesrat* replied that members of the government have to provide a report on the chapters of the CWP which fall under their competence. These reports are then referred to sectoral committees that may adopt resolutions on behalf of the plenary or pass on a report of the committee meeting to the plenary.
- The Cyprus *Vouli ton Antiprosopon* replied that representatives of the executive are present during the examination of the CWP and provide information on proposals which are deemed important for Cyprus.
- The Luxembourg *Chambre des Députés* noted that some committees invite the relevant minister to present the position of the government in the dossiers falling under their competence. The outcome of these exchanges of views are taken into account when setting the priorities, which however remains the exclusive competence of the deputies.
- The Romanian *Senat* also adopts a sectoral approach in which the executive plays a more active role: the Ministry of Foreign Affairs coordinates the activity of adopting priorities, together with the Senate's permanent committees. After each committee has selected its priorities, the Committee for European Affairs compiles the individual reports in a comprehensive document which will guide its weekly agenda for parliamentary scrutiny.

In many Parliaments/Chambers, it is the committee dedicated to European Union affairs that plays a central coordinating role and is the parliamentary body where discussions with the government take place.

- In the Danish *Folketing* the government sends its proposal for prioritised files from the CWP to the European Affairs Committee, which then selects the list of prioritised files from the CWP based on the input from the government and from sectoral committees.
- The Greek *Vouli ton Ellinon* gives the European Affairs Committee and the Foreign Affairs Ministry a more central role as the CWP is presented and debated in a committee meeting either by the Deputy Minister of Foreign Affairs in charge of European Affairs, or by the Permanent Representative to the EU. Apart from the government, the Greek Commissioner may also present the CWP. This year the Vice-President of the European Commission, Mr Margaritis Schinas was the keynote speaker of the meeting.
- The Latvian *Saeima* notes that the government prepares the national position on the CWP and presents it to the European Affairs Committee.
- The Lithuanian *Seimas* similarly describes that every year, after the new CWP has been officially published, the Ministry of Foreign Affairs makes a list of the most relevant issues on the EU agenda for Lithuania within the new CWP. The list is then coordinated with other ministries. The final list is submitted to the government for approval. After the final list is approved by the government, it is then used by all the committees of the *Seimas* as a contributory document which helps to consider the new CWP.
- In its reply, the Portuguese *Assembleia da República* provides a detailed outline of the procedure, as defined in the country's legal framework. Each year, the European Affairs Committee organises a public hearing attended by members of the *Assembleia da República*, members of the Legislative Assemblies of the Autonomous Regions, members of the European Parliament, members of the Portuguese Government and civil society, with a presentation of the work program by a European Commissioner, followed by a debate.
- The Swedish *Riksdag* replied that, while it does not adopt formal priorities, the government is involved in the scrutiny of the CWP. The Swedish Government is obliged to provide the necessary information for the scrutiny, normally in the form of an explanatory memorandum that must be sent within five weeks, containing its preliminary position. As next steps, the Swedish Government then consults the Committee on EU Affairs regarding the Swedish position in the General Affairs Council discussions on the CWP.

Another relevant element in the examination and selection of priorities of the CWP by the different Parliaments/Chambers is whether, following the scrutiny, any resolution, priority list, or other document is sent from the Parliament/Chamber to the government.

- For example, in the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* the Federal Advisory Committee on European Affairs plays a central coordination role, as the CWP is presented to this body. Subsequently, the sectoral committees define their priority dossiers. This list of priority dossiers is communicated to the government after the approval by the Conference of Presidents of the *Chambre des représentants/Kamer van volksvertegenwoordigers*, if possible before 1 January of the relevant year.
- The Dutch *Eerste Kamer* notes that the government sends an appreciation of the CWP to the Dutch *Staten-Generaal* (both chambers). The *Eerste Kamer* can take note of this document when choosing priorities. After the priorities have been selected by the *Eerste Kamer*, the government is informed about the priorities and requested to take note of the priorities when informing the *Eerste Kamer* about its appreciation of the proposals and the negotiations.
- In the Finnish *Eduskunta* the government gives a statement to the parliament on the CWP. In recent years the government has listed those files that are in its view Finland's priorities for the following year. The Grand Committee (equivalent to an EU Affairs Committee) gives its view on the government's statement. It can, in its opinion, also comment on issues not taken up in the government's statement.
- In the Italian *Camera dei Deputati*, the consideration of CWP is carried out jointly with the government's programmatic report on Italy's participation in the EU, as well as the 18-month program of the Council (when applicable). All the standing committees examine the policy files within their respective competences and issue an opinion. The European Affairs Committee, taking into account such opinions, then adopts a report to the plenary. The plenary holds a debate and votes on one or more resolutions setting out the policy orientation for the Italian Government. This resolution can be forwarded also to the EU institutions within the framework of the political dialogue.
- In a similar exercise, in the Italian *Senato della Repubblica* the priorities are identified while considering the CWP together with the government's programme report for the current year's relations with the EU. The government's report traces the direction and the priorities that the government intends to pursue during the year in relation to the European integration process, to the evolving institutional elements and to each European policy area. The committee procedure is then finalised in the plenary with the adoption of a resolution addressed to the government.

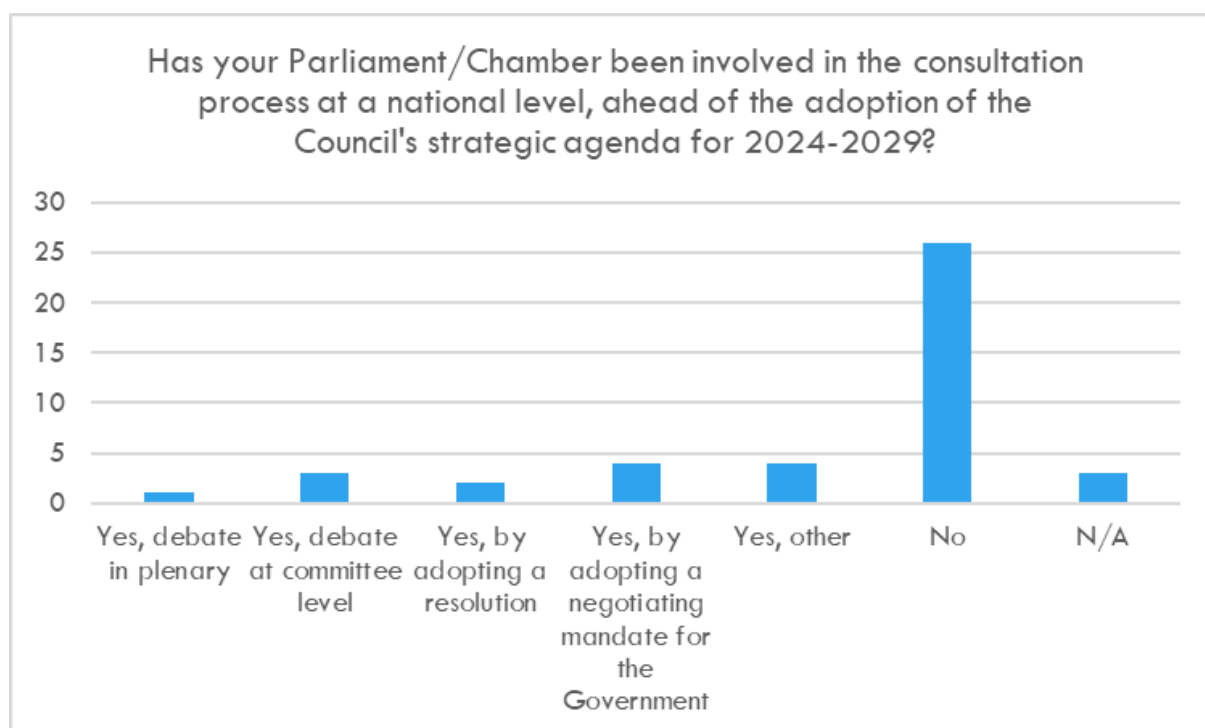
4. When asked if there is a follow-up on the priorities of the CWP, eleven of the 34 Parliaments/Chambers who replied indicated that there is a follow-up through a debate at committee level. The French *Sénat* and the Slovak *Národná rada* replied that the follow-up is done through the adoption of a resolution, while the Dutch *Tweede Kamer* replied that the follow-up is done through a debate in plenary. The Austrian *Nationalrat and Bundesrat* and the Romanian *Camera Deputaţilor* replied that the follow-up takes place using all three instruments: plenary debate, committee-level debate and the adoption of a resolution.

The European Parliament also replied that the follow-up is made using all indicated options, and provided a more detailed description of how this follow-up is conducted. Committees meet the responsible European Commissioners and yearly adopt a list of messages to the Commission on the implementation of the current CWP as well as their expectations on the CWP for the coming year. These comments are furthermore collected and sent to the Commission in June, ahead of the adoption of the CWP. The European Parliament also adopts a joint declaration together with the Commission and the Council, indicating the main areas of legislative priorities ahead of each year.

A few parliaments indicated other forms of follow-up. The Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* noted that its rules of procedure gives the possibility for each permanent committee to appoint a “europromoteur”, a Member of Parliament particularly tasked with following EU issues pertinent to that committee, but noted that this rule is currently not applied. The Croatian *Hrvatski sabor* replied that the European Affairs Committee analyses the work done by the parliament on the priorities as part of an annual report on the work of the Committee, and that the report is submitted to the plenary. As for the Finnish *Eduskunta*, it replied that while there is no formal follow-up within the parliament, the government sends separate statements to the parliament on those files the Parliament has listed as priorities of the CWP, with the intention to identify any areas where the government should make a particular effort during legislative negotiations. The Swedish *Riksdag* also noted that while it does not adopt any formal priorities, the follow-up to the statement on the CWP from the *Riksdag* takes several forms. For instance, the Commission’s reply provides one basis, while its individual communications and proposals are subjected to various procedures on a case-by-case basis, which may also be seen as a form of follow-up. The *Riksdag* also noted in its reply that the scrutiny of the CWP provides for an opportunity to look back on the Commission’s deliveries on previous CWPs.

Lastly, five Parliaments/Chambers (Czech *Poslanecká sněmovna*, Greek *Vouli ton Ellinon*, Hungarian *Országgyűlés*, Italian *Camera dei Deputati* and the Slovenian *Državni zbor*) replied that there is no follow-up.

5. To the question “Has your Parliament/Chamber been involved in the consultation process at a national level, ahead of the adoption of the Council’s strategic agenda for 2024-2029?”, 26 out of 37 respondents replied no. Multiple choices were permitted when replying to this question. The Cyprus *Vouli ton Antiproposon* clarified that due to the strict separation of powers, the Parliament is not involved in this process. Four Parliaments/Chambers (Bulgarian *Narodno sobranie*, Estonian *Riigikogu*, Slovak *Národná rada* and Swedish *Riksdag*) replied that they had been involved through the adoption of a negotiating mandate for the government. Two (Italian *Senato della Repubblica* and Slovak *Národná rada*) replied that they had adopted a resolution, while three indicated that they had done so through a debate at committee level (Estonian *Riigikogu*, German *Bundestag* and Swedish *Riksdag*). A single parliament (Swedish *Riksdag*) replied that there had also been a debate in plenary. These answers are reflected in the chart below.



Three Parliaments/Chambers (Dutch *Eerste Kamer*, Estonian *Riigikogu* and Swedish *Riksdag*) indicated that they had used other procedures. In the Dutch *Eerste Kamer*, committees may follow up on annotated agendas provided by the government ahead of any Council meeting, including the General Affairs Council where the Strategic Agenda is discussed. The Strategic Agenda may also be discussed during the annual debate on European affairs with the Minister of Foreign Affairs. Similarly, the Estonian *Riigikogu* noted that preparations of the Strategic Agenda have been discussed at the meeting of the European Union Affairs Committee as part of discussions ahead of informal European Council meetings. The Swedish *Riksdag* noted that the committees of the parliament have the possibility to invite the government to provide information or deliberate with them on any matter, and listed examples of when sectoral committees have done so to discuss aspects of the Strategic Agenda with the government. In particular, its Committee on Foreign Affairs follows the developments regarding the Strategic Agenda. In addition, the Swedish Government informed the *Riksdag* on the process and its preliminary position regarding the Strategic Agenda in connection with the scrutiny of the CWP 2024. Lastly, the EU Affairs Committee of the *Riksdag* adopts the negotiating mandate for the government ahead of European Council meetings, including informal meetings such as the Granada meeting.

Three Parliaments/Chambers indicated that they had no reply to give to the question; these were the Croatian *Hrvatski sabor*, the Finnish *Eduskunta* and the European Parliament. The Finnish *Eduskunta* clarified its response by adding that the Strategic Agenda would be debated; the government had sent its priorities for the period 2024-2029 to the *Eduskunta*, and the Grand Committee would ask sectoral committees to provide input in order to adopt the view of the parliament.

6. Parliaments/Chambers were provided with an opportunity to share any additional piece of information, which they feel relevant to add on the role which they have played during the 2019-2024 European legislature and the prospects for the Council's Strategic Agenda for 2024-2029. The European Parliament noted that its Committee on Employment (EMPL) pays particular attention to the implementation of the European Pillar of Social Rights, and has put forward a resolution on a roadmap to a social Europe. It also highlighted the upcoming High Level Conference on the EU Social Agenda taking place on 15 and 16 April 2024. The Italian *Senato della Repubblica* underlined that it had urged the Italian Government to intervene in order to facilitate the swift adoption of a Strategic Agenda that pays particular attention to an EU that gains strength and competitiveness, especially in view of the enlargement process.

CHAPTER 2

GENDER POLICY AND THE REPRESENTATION OF WOMEN IN PARLIAMENT

THE SECOND CHAPTER OF THE 41st BI-ANNUAL REPORT deals with questions concerning gender equality and women in parliament. Over time, the representation of women in the national parliaments in the EU has increased, but the Belgian Presidency has noted that the pace has been slow. The chapter aims to shed some light on how parliaments can become more gender-sensitive, both on a political and an administrative level.

For the questions 1 to 4, a set of criteria was used to correctly and consistently give an overview of the replies. Percentages for males above 75% and percentages for females above 50% are specifically mentioned. The full replies and percentages can be found in the Annex.

1. When asked about the percentage of Members in Parliaments/Chambers that are male, female or other, the average of the indicated percentages by the Parliaments/Chambers for male Members was 68 % and 32 % for female members. In the Dutch *Tweede Kamer* there is one percentage that falls into the 'x' category.

The percentage of females ranges from 14.1% to 46%. The percentage of males ranges from 54% to 85.9%

The Bulgarian *Narodno sabranie*, Cyprus *Vouli ton Antiprosopon*, Czech *Senát*, Greek *Vouli ton Ellinon*, Hungarian *Országgyűlés*, Polish *Senat*, Romanian *Camera Deputaţilor* and *Senat*, Slovak *Národná rada* and the Slovenian *Državni svet* all gave replies showing that 75% or more of Members are male.

2. The average of the indicated percentages for female members of the bureau (the executive body that has general management competences in the Parliaments/Chambers) is 38%, and for male members it is 62%.

The percentage of female members of the bureau ranged from zero to 84%. The German *Bundesrat*, Presidium of the German *Bundestag*, French *Assemblée nationale*, Latvian *Saeima*, Lithuanian *Seimas*, Polish *Senat*, Portuguese *Assembleia da República*, Spanish *Cortes Generales* and the European Parliament indicated that half or more were female. Two Parliaments/Chambers reported that more than 75% were female: the Lithuanian *Seimas* indicated 84% and the Presidium of the German *Bundestag* was composed of 83.3% female members.

The Bulgarian *Narodno sabranie*, Czech *Senát*, Danish *Folketinget*, Greek *Vouli ton Ellinon*, Hungarian *Országgyűlés*, Italian *Camera dei Deputati*, Romanian *Camera Deputaţilor* and *Senat* had male percentages above 75%. The Estonian *Riigikogu* and the Slovak *Národná rada* indicated that the Bureau consisted only of men.

No Parliament/Chamber indicated a percentage in the 'x' category. The Cyprus *Vouli ton Antiprosopon* did not respond to this question as there is no Bureau as defined in the question.

3. In the case of committee chairs, the average of the percentages indicated for females is 27.9%. The percentages for female committee chairs range from zero to 62.5%. Seventeen Parliaments/Chambers indicated that 75% or more of committee chairs are male, with the average of the answers being 72.1%. The percentage of male committee chairs ranges from 37.5% to 100%.

The Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* and Slovenian *Državni zbor* respectively indicated 62.5% and 50% of female committee chairs.

No Parliament/Chamber indicated a percentage in the 'x' category. It should be noted that some Parliaments/Chambers mentioned several numbers for different types of committees within their Parliament/Chamber. In these cases, an average has been calculated in order to produce comparable data.

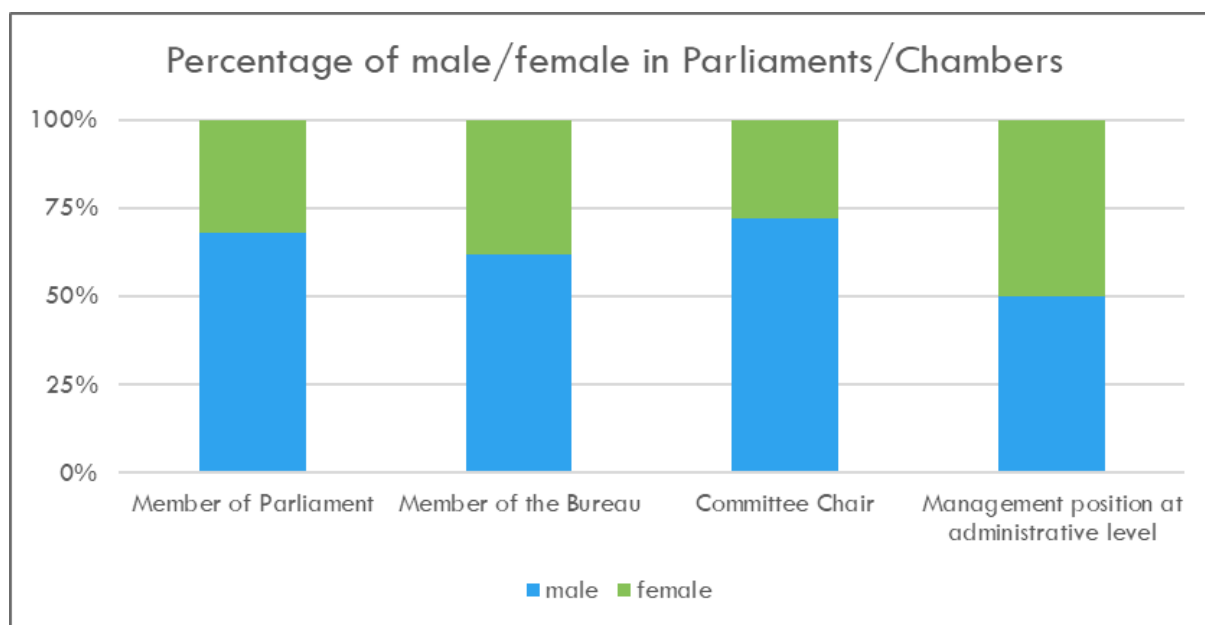
4. The average of the percentages provided by the Parliaments/Chambers for females in management positions on an administrative level approximately is 49.6%, for males it is 50.2%. The percentage of females in management positions ranges from 20% to 87%, whilst the male ranges from 13% to 80%. Seventeen Parliaments/Chambers indicated an amount of 50% or higher of females in management positions.

The European Parliament specified the numbers for the different categories. 71.4% of Directors General, 49.2% of Directors, 56.6% of Heads of Unit are male. The Austrian *Nationalrat* and *Bundesrat* clarified that there are three branches, eight subbranches and 33 departments. Respectively 66.7% of the branches, 37.5% of the subbranches and 39.4% department managers are male. The German *Bundestag* noted that for directors, all are male. 33.3% of Heads of departments are male, 68.4% Heads of subdepartments are male and 56% of heads of divisions are male.

No Parliament/Chamber indicated a percentage in the 'x' category. The Bulgarian *Narodno sabranie* did not fill out this question. The Spanish *Cortes Generales* added that the data should be considered temporary, as several positions are pending resolution.

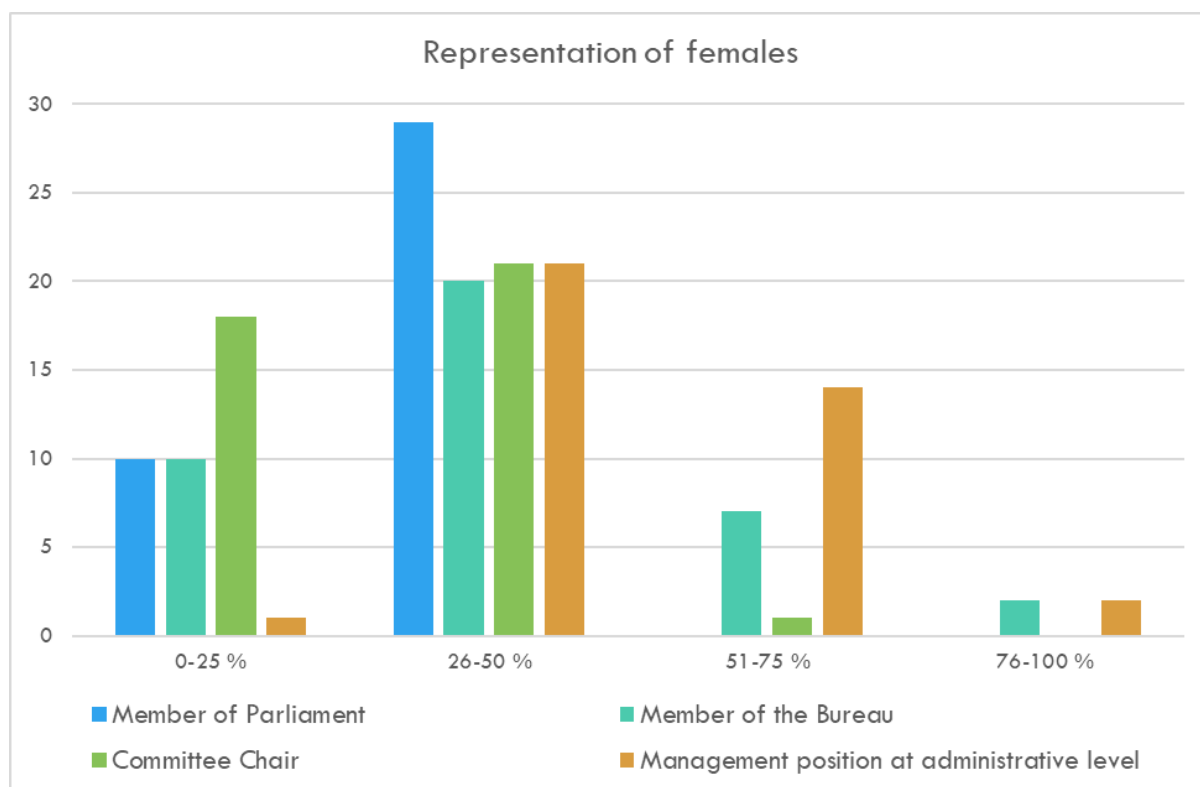
Comparative summary

In this comparative summary, the answers to questions one, two, three and four are grouped together. In each question, the percentages of male/female/x in different functions and positions were asked for: Members of Parliament; Members of the Bureau; Committee Chairs; and management positions at the administrative level. The graph below illustrates the averages of the indicated percentages for the questions 1 to 4.



The graph above illustrates that when the average percentages of the answers to the different questions by the Parliaments/Chambers are compared, it is apparent that for the management positions at

administrative level, a 50% balance is observed. In the categories for member of Parliament, member of bureau and committee chair, the average for females is lower than 50%.



The graph above displays an overview of the amount of Parliaments/Chambers who indicated a certain percentage of females in the four different positions. The data for males mirrors this data. As there was only one Parliament/Chamber that indicated one percent in the 'x' category for question 1, this has been left out of this graph.

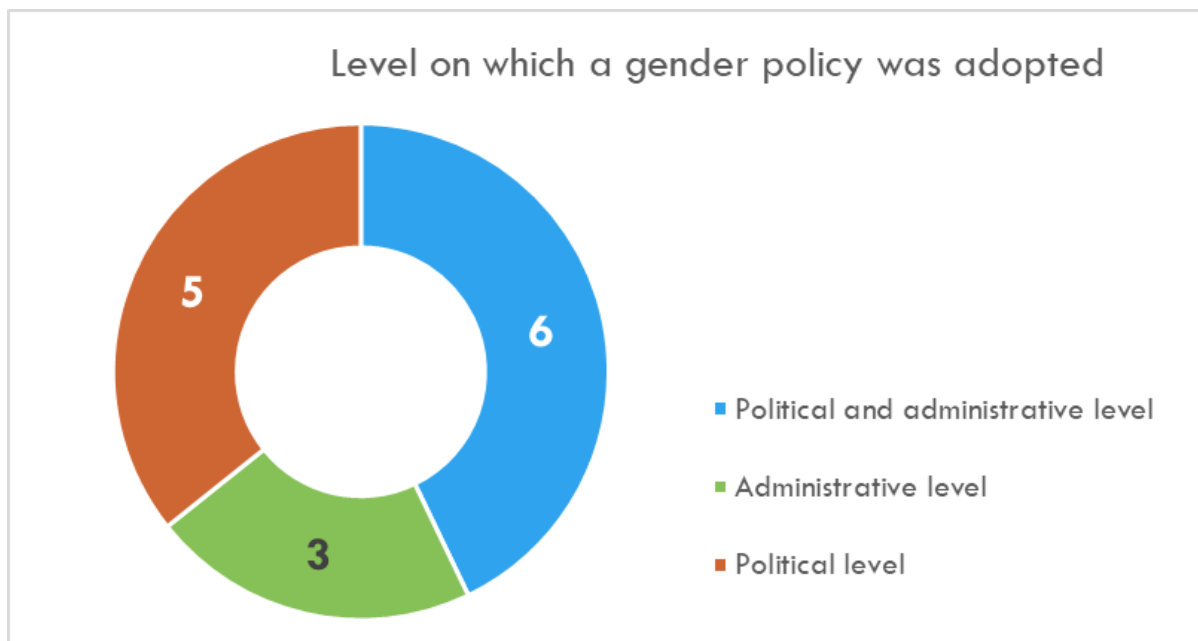
When divided in four groups of 0-25%, 26-50%, 51-75%, and 76-100%, it is visible that the majority of Parliaments answered that the number of females ranged in the categories from 0 to 50%. In other words, in a majority of Parliaments/Chambers, no more than 50% of Members, Committee Chairs and Bureau members are female. An exception is females in management positions at the administrative level, where the majority of Parliaments/Chambers answered a percentage between 26 and 75%.

When looking in more detail, it is to be noted that the majority of Parliaments/Chambers fall in the category of 26 to 50% when it comes to females as Member of Parliament, member of the bureau, committee chair and management positions on an administrative level. This indicates that the percentage is lower than 50% for those positions in most cases.

There is no Parliament/Chamber in which the percentage of female Members of Parliament is higher than the percentage of males. Whilst for the other three categories, there are Parliaments/Chambers that indicated a percentage of 50% or higher. However, the numbers for committee chairs are similar to the ones for members of parliament, meaning that the majority of Parliaments/Chambers indicated that fewer than half of committee chairs are female.

5. When asked whether or not the Parliaments/Chambers have a gender policy, 21 out of 37 respondents indicated that they did not. Fourteen Parliaments/Chambers indicated that they have adopted a gender policy. Two Parliaments/Chambers did not answer (Croatian *Hrvatski sabor* and Italian *Senato della Repubblica*).

5.1. Out of the 14 respondents that indicated that they have adopted a gender policy, the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers*, German *Bundestag*, Irish *Houses of the Oireachtas*, Luxembourg *Chambre des Députés*, Swedish *Riksdag* and the European Parliament indicated that there is a gender policy on both the political level and the administrative level. The Austrian *Nationalrat* and *Bundesrat*, Dutch *Tweede Kamer* and the Finnish *Eduskunta* indicated that there is a policy on an administrative level. The French *Assemblée nationale*, Italian *Camera dei Deputati*, Maltese *Kamra tad-Deputati*, Slovenian *Državni zbor* and the Spanish *Cortes Generales* indicated that there is a gender policy on a political level. The replies are summarised in the graph below.



5.2. Ten out of fourteen respondents specified the actions that were taken in light of the adoption of a gender policy.

- The European Parliament specified that based on Rule 239 of EP Rules of Procedure, the Bureau adopted a Gender Action Plan, which has both a political and an administrative part. This has been followed by a Roadmap for the implementation of the Gender Action Plan for years 2021 and 2022.
- The Austrian *Nationalrat* and *Bundesrat* referred to their "Linguistic Guidelines" and the "Plan for the promotion of women" that were developed between the President of the National Council and the Parliamentary Administration.
- The Italian *Camera dei Deputati* noted that in July 2017 the Bureau adopted general guidelines on affirmative action designed, among other things, to enhance the role of women in the Chamber's administration, strengthen the culture of gender equality and foreground gender diversity as an asset for the administration. With regard to gender-sensitive language, in 2015 the Presidency of the *Camera dei Deputati* issued guidelines whereby all references to office-holders in parliamentary records must ensure due respect for their gender identity, unless the persons concerned have requested otherwise.
- The Swedish *Riksdag* specified that the members of the *Riksdag* should, regardless of gender, have the same genuine opportunities to work in the *Riksdag*. In June 2006, it was decided that continuous and systematic work to promote gender equality is to be carried out and that an action plan for gender equality should be established by the *Riksdag* Board for each electoral period. In light of this a working group is nominated by the *Riksdag* Board consisting of representatives from all of the political parties, with an even gender balance, chaired by a First

Deputy Speaker (male) and Second Deputy Speaker (female). The working group draws up an action programme for each electoral period.

- The Finnish *Eduskunta* noted that a policy was decided by a chancellery committee in consultation with the representatives of parliament personnel.
- The German *Bundestag* referred to a service agreement on professional equality between women and men that has been concluded with the Staff Council for the administration of the German *Bundestag*. The *Bundestag* administration is legally obliged to draw up an equality plan every four years, which serves to achieve the objectives of the Federal Equality Act. Furthermore, it is currently in the process of being audited for the Work and Family Audit, which also includes targets with an impact on gender equality policy in the organisation.
- The Spanish *Cortes Generales* specified that the first Equality Plan of the Spanish Parliament was approved on 6 March 2020, by the bureaux of the two chambers, in a joint meeting. The plan foresees its application within the scope of the parliamentary administration, which allows the use of criteria that includes a gender perspective in the administration of both chambers and in the administrative procedures that they generate. The representation of the staff participated in its preparation and the bureaux of the two chambers approved the final document.
- The Luxembourg *Chambre des Députés* signed the Lëtzebuerg Diversity Charter in October 2023. It has been drawn up by the leading business network Inspiring More Sustainability.
- The Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* referred to the law of 24 May 1994 aimed at promoting a balanced distribution of men and women on electoral lists, the number of the same sex may not exceed two-thirds. A commitment has also been made to aim for an equal distribution between men and women during missions. On the administrative level the Bureau of the House approved a policy paper on 15 February 2023 aimed at making the Federal Parliament more gender-sensitive by 2030.
- In April 2021, the Maltese *Kamra tad-Deputati* passed the Constitutions of Malta and Various Laws (Amendment) Bill to amend the constitution of Malta and introduce temporary positive measures necessary to ensure equality between women and men representation in the parliament.

6. When asked whether there was a gender audit conducted within the parliamentary administration the vast majority of respondents replied negatively (27 out of the 33 total responses). Four Parliaments/Chambers did not reply to this question.

6.1. As a follow-up, those Parliaments/Chambers where such audits did take place were then asked to elaborate more on how this exercise was carried out and possibly link the relevant documents, if any. Six Parliaments/Chambers reported going through gender audits in the past.

Internal gender audits were carried out in the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* and the Belgian *Sénat/Senaat*. As a result of these audits several recommendations were made, one of which is the designation of a so-called gender and diversity referent. The main task of the gender and diversity referent will be to monitor the implementation of an action plan and the accompanying measures related to gender budgeting, communication, infrastructure, and gender mainstreaming within the Belgian Federal Parliament. The referent will be employed by the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers*, but will be responsible for the whole Federal Parliament (also see question 7). Both the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* and the Belgian *Sénat/Senaat* finished with the internal audit in February 2022, but the Belgian *Sénat/Senaat* did not make the results of this exercise public. However, the responses from the Belgian *Sénat/Senaat* to this questionnaire did highlight some main recommendations deriving from the audit, such as the need for a qualitative study on staff satisfaction from a work-life balance perspective, the introduction of flexible working hours, clearer rules on available benefit schemes and reimbursements, and the instalment of childcare facilities. The

findings of the audit by the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* were published [in a report in December 2023](#).

In the Spanish *Cortes Generales* an audit was carried out before the development of the [gender equality plan](#). The subsequent reports on compliance with the gender equality plan are published annually and are publicly accessible both on the website of the [Spanish Congreso de los Diputados](#) and the [Spanish Senado](#). A gender pay gap report is prepared by the Services of the *Houses of the Oireachtas* of Ireland with [the latest edition published in December 2023](#). The Maltese *Kamra tad-Deputati* launched a gender audit on 26 September 2021, which was carried out by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), with the collaboration of the National Commission for the Promotion of Equality (NCPE).

The European Parliament noted that there was no external audit carried out, but the European Parliament's services (namely the Quality, Inclusion and Diversity Unit at the Directorate General for Personnel, DG PERS) prepare an annual publication on Women in the European Parliament ([with the latest issue published in March 2023](#)), which contains statistics regarding gender balance at different levels of political and administrative representations. The High-Level Group on Gender Equality and Diversity reports biannually to the Bureau on the implementation of the actions in the Gender Action Plan and shares its reporting with all relevant actors. The Committee on Women's Rights and Gender Equality (FEMM) regularly prepares a report on gender mainstreaming in the European Parliament. The latest report on gender mainstreaming was adopted as an [European Parliament resolution on 10 March 2022](#).

The German *Bundesrat* highlighted that despite the lack of an audit performed, an equality plan is in place within the administration. This plan, which is managed and updated regularly by the human resources department analyses the current staff situation concerning gender equality in collaboration with the equal opportunities manager. The German *Bundestag* explained that although it is currently being audited for the Work and Family Audit by an external service provider, which also includes targets with an impact on gender equality policy in the *Bundestag's* organisation, this is not considered as a specific gender audit. The measures and framework documents mentioned above (under question 5) and the associated self-monitoring and self-commitment also have an impact on gender equality policy in the German *Bundestag*.

7. There are in total eight Parliaments/Chambers where a gender/diversity manager or similar is appointed. These are the Austrian *Nationalrat* and *Bundesrat*, Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* and *Sénat/Senaat*, German *Bundesrat*, Irish *Houses of the Oireachtas*, Luxembourg *Chambre des Députés*, Spanish *Cortes Generales* and the European Parliament. The large majority of Parliaments/Chambers (29) replied that they do not appoint a gender/diversity manager.

The equal opportunities manager in the German *Bundesrat* is elected by the female staffers of the administration. Her task is among others to supervise that no gender based discrimination occurs in the administration of the *Bundesrat*. The Cyprus *Vouli ton Antiprosopon* replied that an equality officer has been appointed, as provided by the Code of Conduct on Preventing and Combating Harassment in Public Services in accordance with the relevant legislation, which aims to ensure the implementation of the principle of equal opportunities and equal treatment of men and women. The equality officer provides education and training programs for the employees of the *Vouli ton Antiprosopon* regarding the prevention and the combatting of harassment and sexual harassment in the workplace on the ground of gender. The deadline to apply for the vacant position in the Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* of a gender and diversity referent closed in January 2024. The gender and diversity referent will have the task to design and implement

a plan for gender equality and diversity for the *Chambre des représentants/Kamer van volksvertegenwoordigers* and the *Sénat/Senaat*.

8. Nearly half (18 out of 37) the Parliaments/Chambers in the EU replied affirmatively to the question whether a committee on gender/diversity issues exists. In contrast 19 Parliaments/Chambers answered that there is no dedicated committee on gender/diversity.

Some Parliaments/Chambers underlined the fact that although they did not establish a separate committee on gender/diversity, such issues are still addressed horizontally by other committees.

- Gender related matters are deliberated in the Committee on Labour, Integration and Social Policy, the Committee on Family and Senior Citizen Affairs or the Committee on Women and Youth of the German *Bundesrat*.
- The standing committee on Education, Culture and Science of the Dutch *Eerste Kamer*, the Committee on Human Rights and on Equal Opportunities for Men and Women of the Cyprus *Vouli ton Antiprosopon*, and the Standing Committee on Family Issues, Equal Opportunities and Minorities of the Czech *Poslanecká sněmovna* are also responsible for gender issues.
- The Committee on the Labour Market of the Swedish *Riksdag* is responsible for matters relating to measures to combat discrimination and to promote gender equality between women and men.
- The French *Sénat* pointed out that a delegation for women's rights and equal opportunities among men and women had been established already in 1999.

9. A majority of Parliaments/Chambers (23) indicated that they organise specific facilities for Members and/or their staff with children (childcare, breastfeeding, online meetings, etc.). Twenty Parliaments/Chambers offer such facilities for Members and staff alike.

- The Italian *Camera dei Deputati* and the Swedish *Riksdag* have specific childcare facilities at their Members' disposal.
- On the other hand the Croatian *Hrvatski sabor* reported having these facilities available primarily for their staff. The Croatian *Hrvatski sabor* added that staff members with children under eight years may request to work exclusively from home.
- The Greek *Vouli ton Ellinon* shared that there is a nursery and kindergarten providing daily care, daily nutrition, education and entertainment for infants and toddlers. These facilities are run by the Directorate of Human Resources and Education and take into account the multifaceted mental, emotional, social, psychosomatic development of children and their preparation for their natural transition from family life to the school environment. The facilities are open to children of staff, and of Members. Children of other employment categories can also be admitted, but only as long as there is an opening, and for them specific conditions and procedures apply.
- The French *Sénat* highlighted that specific facilities, such as a breastfeeding room, had been established within the administration and that there are reserved places in nurseries located nearby.

A total of 14 Parliaments/Chambers indicated the absence of specific facilities for Members and/or their staff with children.

- Although the Belgian *Sénat/Senaat* does not yet have such facilities, the internal audit did result in recommendations for enabling staff to have childcare infrastructure at work, especially for those who work late or are on duty during school holidays. Recommendations were also made to establish a designated room for breastfeeding.
- The Polish *Senat* launched the so-called “pink box” initiative, where the ladies' rooms in the Chancellery of the *Senat* were equipped with basic kits for women.

- The office of the Luxembourg *Chambre des Députés* recently approved the launch of a project aimed at setting up a crèche as well as to undertake further childcare related measures.

10. Parliaments/Chambers were provided with the opportunity to share any additional piece of information, which they feel relevant to add to the topic of gender equality within their institutions.

The European Parliament further explained that the FEMM Committee also worked on a resolution and a report on preventing harassment and sexual harassment. They were adopted as [European Parliament resolution of 16 December 2021 on MeToo and harassment – the consequences for the EU institutions](#), and [European Parliament resolution of 1 June 2023 on sexual harassment in the EU and MeToo evaluation](#).

In the Italian *Camera dei Deputati* the so-called Women's Hall was inaugurated in July 2016, paying tribute to the first women to hold high-ranking positions in the institutions since the proclamation of the Republic.

In April 2023, an intern from the Scientific Unit, the research service of the Luxembourg *Chambre des Députés*, prepared a report analysing the regulations on discrimination of the parliamentary administration using different ethical concepts. A list of recommendations emerged from this research, which aimed at helping the administration prevent, address and deal with discrimination in an effective, targeted and fair manner. The signing of the [Lëtzebuerg Diversity Charter](#) was one of these recommendations. The Scientific Unit is currently analysing how to give better legal protection for pregnant Members. Equality between men and women is also taken into account in this analysis.

CHAPTER 3

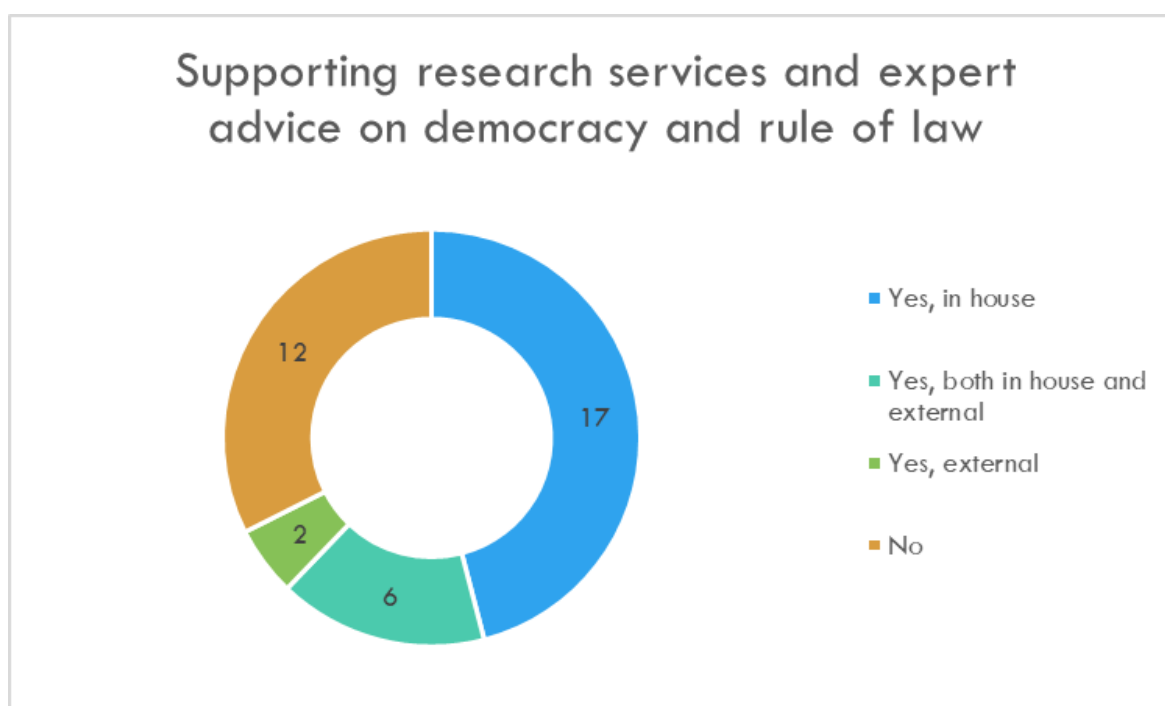
DEMOCRACY AND THE RULE OF LAW IN EUROPE: THE WAY AHEAD

THE THIRD CHAPTER OF THE 41st BI-ANNUAL REPORT seeks to highlight the importance of democracy and the rule of law within the Parliaments/Chambers. The questions address different aspects related to this matter, such as the existence of specific committees, the availability of supporting research services or expert advice, and the scrutinising of the annual Rule of Law Report of the European Commission.

1. Parliaments/Chambers were asked whether they had a specific committee dedicated to democracy and/or rule of law. Only six Parliaments/Chambers out of 37 replied positively. The Lithuanian *Seimas*, Spanish *Congreso de los Diputados* and the European Parliament pointed out they had a specific committee dedicated to both democracy and the rule of law. Both the Bulgarian *Narodno sabranie* and the Hungarian *Országgyűlés* responded that they had a specific committee dedicated to the rule of law. The Belgian *Sénat/Senaat* was the only Parliament/Chamber that indicated the existence of a specific committee dedicated to democracy.

1.1. As a follow-up to the previous question, Parliaments/Chambers that replied negatively were asked to specify which sectoral committees do examine democracy and/or rule of law. All of the Parliaments/Chambers that responded (28), pointed out that these topics were examined, depending on the matter at hand, by the specific sectoral committees. In most cases, these were the committees dedicated to European, foreign, legal or constitutional affairs. Some Parliaments/Chambers indicated that these matters were also discussed in a range of other sectoral committees.

2. When asked whether the Parliaments/Chambers had supporting research services and expert advice on democracy and rule of law issues at its disposal, most of the respondents (25 out of 37) replied positively. Amongst the Parliaments/Chambers that replied positively, six had both internal and external research services at their disposal. Twelve Parliaments/Chambers replied that they do not have any supporting research service or expert advice on this matter at their disposal. The replies are illustrated in the graph below.



The Dutch *Eerste Kamer*, while not having a specific internal or external research department dedicated to the rule of law, does make use of the information at hand from research academics or external committees on the rule of law.

The Portuguese *Assembleia da República* noted that, although it does not have a research service or experts dedicated exclusively to matters related to democracy and the rule of law, the support services for the Committee on Constitutional Affairs, Rights, Freedoms and Guarantees and the European Affairs Committee, as well as the Legislative and Parliamentary Information Division produce support documentation on these matters when necessary.

The Swedish *Riksdag* pointed out that it had a Research Service and that each of its committees is supported by a secretariat. However, none of these have an advisory function specifically on democracy and rule of law issues.

3. When asked whether the annual Rule of Law Report of the European Commission was scrutinised, all Parliaments responded affirmatively. However, in four bicameral parliaments, the Report was discussed only in one of the two Chambers: the Slovenian *Državni svet*, the Romanian *Camera Deputaţilor*, the Italian *Camera dei deputati* and the Polish *Senat* did not scrutinise the Report.

3.1. In order to gain a better insight into the responses to the previous question, the Parliaments/Chambers were asked to specify how the Rule of Law Report was scrutinised, allowing for multiple answers to be selected. A large majority of Parliaments/Chambers (31 out of 33) indicated the report was scrutinised during a debate at committee level. Out of these 31 Parliaments/Chambers, eight also scrutinised the report during a debate in plenary. In some cases (6 out of 33 Parliaments/Chambers), these debates led to the adoption of a resolution. The replies are illustrated in the table below.



Four Parliaments/Chambers mentioned scrutinising the report in different or additional ways.

- The European Parliament indicated that its Committee on Civil Liberties, Justice and Home Affairs (LIBE) is responsible for democracy and the rule of law. The LIBE Democracy, Rule of Law and Fundamental Rights Working Group (DRFMG) regularly monitors outstanding issues in this field by organising meetings, missions or exchanging letters with governments, national authorities, civil society, media representatives or with academia.
- The Dutch *Eerste Kamer* pointed out it invites the concerned Commissioner (M. Reynders) every year to discuss the rule of law report. The report is often included in plenary debates, such as the annual European debate and the debate on the state of the rule of law in the

Netherlands, which takes place every two years. There are also written consultations with the government and in 2024 an expert meeting will be organised.

- The Swedish *Riksdag* reported adopting a statement on the examination of the report when this is relevant.
- The German *Bundestag* consults on a regular basis, through a rule of law dialog, with the German *Bundesrat*.

Three Parliaments/Chambers gave extra information on their specific way to scrutinise the report.

- The Latvian *Saeima* indicated that a special European Affairs Committee meeting had been organised in 2020, regarding the first Rule of Law Report of the European Commission. All the respective national authorities and ministries took part in the meeting to review the outcomes of the report, with the participation of non-governmental organisations (NGOs) and academic institutions. In addition to this, all the main topics of the annual Rule of Law Report were also covered by the annual report of the Ombudsman, which is usually widely discussed at the parliament plenary meetings.
- The Estonian *Riigikogu* specified that the Rule of Law Reports were discussed as part of the discussion on the General Affairs Council of the European Union during the meetings of the European Union Affairs Committee.
- The Greek *Vouli ton Ellinon* stated that the Special Standing Committee on European Affairs, together with the Standing Committee of Public Administration, Public Order and Justice scrutinise the Report on an ad hoc basis, and not on an annual basis.

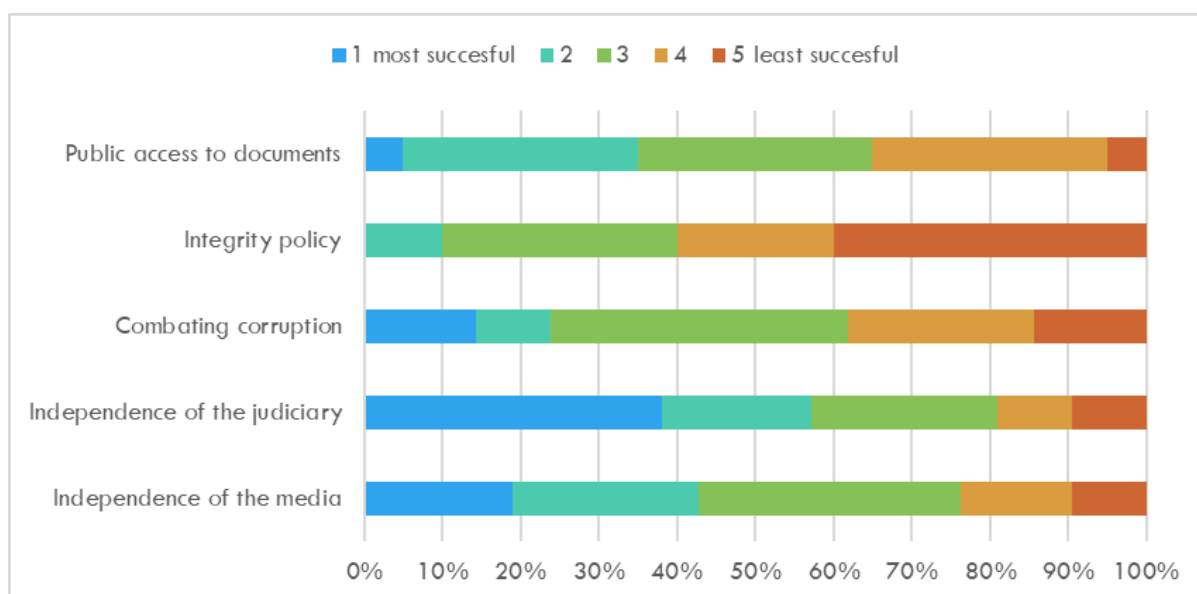
3.2 As a follow-up to the previous questions, the Parliaments/Chambers were asked to specify which parts of the annual Rule of Law Report were discussed, with multiple choices allowed.

A large majority (27 out of 33) of Parliaments/Chambers responded that the report was discussed as a whole. However, about half of the Parliaments/Chambers also focus specifically on the recommendations (14 out of 33) or on the country specific report (19 out of 33). The Dutch *Staten-Generaal* (both Chambers), German *Bundestag* and the European Parliament replied that they were also focusing on country specific reports concerning other countries.

The European Parliament detailed that the LIBE Committee, in its resolution on the Rule of Law Report (also voted by the Plenary) gives feedback and recommendations on the methodology, the scope and the Annual Rule of Law Reports' role in the rule of law toolbox. These resolutions include regular calls for closer cooperation between the three institutions, extending the scope to all elements included in Article 2 TEU.

Following up on the previous question, the Latvian *Saeima* indicated that the Ombudsman designs his speech in the way he finds most suitable to cover the main topics in a given time, which may differ from year to year. At the European Affairs Committee's meetings, the discussion is mainly focused on the way the EU Presidency has proposed its agenda topic of the EU General Affairs Council meeting.

4. When asked to rate how successfully the Rule of Law Report had addressed a number of specific challenges, almost half of the Parliaments/Chambers (16 out of 37) did not reply to the question, with some mentioning that no official position had been taken in that regard. The remaining Parliaments/Chambers (21 out of 37) responded according to the chart below, with 1 being the most successful and 5 being the least successful. The replies are illustrated in the table below.



The results show that Parliaments/Chambers thought that, of the five proposed challenges, the independence of the judiciary and the independence of the media were the challenges most successfully addressed by the report. The least successfully addressed challenge of the five was seen to be integrity policy.

5. Parliaments/Chambers were also asked whether they invite political representatives or experts to discuss the Rule of Law Report, with multiple choices allowed. A large majority of the Parliaments/Chambers (29) replied positively. Almost all of them (26) invited political representatives to these debates, while 17 Parliaments/Chambers invited experts as well. Only eight Parliaments/Chambers replied that they did not invite any guest to discuss the Rule of Law Report (Czech *Poslanecká sněmovna*, Finnish *Eduskunta*, German *Bundesrat*, Polish *Sejm*, Romanian *Camera Deputaților*, Slovenian *Državni svet*, Spanish *Cortes Generales* and the Swedish *Riksdag*). One Parliament/Chamber did not reply to this question.

5.1. As a follow-up to the previous question, Parliaments/Chambers that replied affirmatively were asked to specify who had been invited to discuss the Rule of Law Report, by choosing from a set of predetermined alternatives, with multiple choices allowed. A majority of Parliaments/Chambers invited either a member of government (19) or a European Commissioner (18). Fewer Parliaments/Chambers invited other possible guests: a representative of the national institute for human rights (6), a representative of the judiciary (8), a representative of an NGO (9). Among the Parliaments/Chambers that opted for “other”, the European Parliament specified that National Parliaments, representatives of the Council of the European Union and the European Commission, the European Union Agency for Fundamental Rights, Council of Europe, Group of States against Corruption (GRECO), representatives of academia and representatives of media were also invited to discuss the referred report. The French *Sénat* added that ambassadors and other experts were invited, while the Dutch *Eerste Kamer* indicated that, besides academic researchers, written consultations with the government on this matter were also held. Both the Lithuanian *Seimas* and the Finnish *Eduskunta* specified that representatives of the government and the judicial branch, as well as institutions responsible for the fight against corruption, amongst others, were invited to take part in these debates. Lastly, the Dutch *Tweede Kamer* added that in their case, because of the elections held in November 2023, the activities on the rule of law report still had not begun.

6. When asked whether there was a follow-up on the report within Parliament/Chambers, most of the respondents (21 out of 34) replied negatively. Amongst the 11 Parliaments/Chambers that replied positively, seven approved a follow-up report on the Rule of Law Report as a whole and six devoted the follow-up to the recommendations, while eight Parliaments/Chambers focused solely on the

country specific report. Three Parliaments/Chambers did not reply to this question, and a further two chose the N/A option.

7. When asked whether the implementation of “The Rule of Law Conditionality Mechanism”, that entered into force as a new instrument in January 2021, had been discussed, out of the 37 respondents, the majority replied positively (22), while 15 Parliaments/Chambers had not discussed the implementation of the referred mechanism.

8. When asked whether there was any best practice in dealing with democracy and the rule of law that they wanted to highlight, a large majority of 22 out of the 37 respondents who responded to this question did not include any additional information, while 15 Parliament/Chambers replied highlighting various best practices related with democracy and the rule of law.

On the one hand, some Parliaments/Chambers underlined, in relation to the defence of the rule of law in their systems, the key role of their already existing committees. Both standing committees, namely the Constitutional Committee (Swedish *Riksdag*), and the European Affairs Committee (Austrian *Nationalrat* and *Bundesrat*, Danish *Folketing*, Italian *Senato della Repubblica*), or ad hoc committees (Committee for the Scrutiny of Democratic Standards, Fight Against Corruption and Institutional and Legal Reforms, created in December 2023 in the Spanish *Congreso de los Diputados*) were mentioned. The role of the parliament itself, as a “very good platform” to address democracy and the rule of law was highlighted by the Latvian *Saeima*, where multiple events are organised in order to raise awareness and engage the wider public in these topics. Along the same lines, the Lithuanian *Seimas* indicated that standard procedures were followed in order to foster these debates, with a detailed committee distribution: the Committee on Legal Affairs is responsible for considering and examining the rule of law. Democracy is addressed by the Committee on Foreign Affairs, the Committee on Legal Affairs and the Committee on Human Rights. It may also be addressed by other specialised committees if needed and within the scope of specific topics. The Committee on European Affairs is responsible for the parliamentary scrutiny of the rule of law and democracy.

The Portuguese *Assembleia da República* pointed out that democracy and rule of law had been debated in the framework of government oversight.

On the other hand, specific bodies had been created in other Parliaments/Chambers in order to deal with democracy and the rule of law. For example, in the European Parliament, and more specifically in the framework of the LIBE Committee, a Democracy, Rule of Law and Fundamental Rights Working Group had been created, with the task of monitoring outstanding issues in the field of the rule of law and democracy. The Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* and *Sénat/Senaat* had modified their rules of procedure in order to create “Joint Committees”, composed of members of parliament and citizens, as well as citizens’ panels. Since 2018, the Dutch *Eerste* and *Tweede Kamer* appointed two rapporteurs on the rule of law, who debate with experts and take initiatives to bring attention to the rule of law in the EU. The Portuguese *Assembleia da República* also organised hearings with the European Commissioner for Justice, Mr Didier REYNDEERS.

Ad hoc debates on democracy and the rule of law are also organised in some Parliaments/Chambers on a regular basis. The Dutch *Tweede Kamer* reported that it holds an annual rule of law debate following the publication of the Rule of Law Report, while the Dutch *Eerste Kamer* convenes this debate every second year. In the Luxembourg *Chambre des Députés*, the “all committees” committee, convenes all members of the Chamber in camera, to discuss the Rule of Law Report in the presence of the relevant European Commissioner.

Another good practice mentioned by the French *Sénat* was their good cooperation with the French High Authority for Transparency in Public Life, created in 2013, in matters of professional conduct and ethics.

Lastly, the Polish *Senat* stated in their reply that after the election on 15 October 2023, the government in Poland changed. Therefore, it is currently in a transition phase, and will likely be better equipped to share best practices in restoring democracy and the rule of law next year.

9. Some Parliaments/Chambers seized the last question of the questionnaire to refer in a more detailed manner to some recent activities undertaken in relation to the topic of Chapter 3, Democracy and the Rule of Law in Europe.

The Belgian *Chambre des représentants/Kamer van volksvertegenwoordigers* specified that they have an external expert council on issues relating to democracy and the rule of law: the Federal Institute for the Protection and Promotion of Human Rights. This institution was created by the law of May 12, 2019, which aims at contributing to the protection and promotion of human rights in Belgium; with the financial support of the Belgian Chamber. A reference was also made to the Law of 7 February 2014 organising automatic voting with paper proof, which provides for the composition of a college of experts responsible for monitoring electronic voting systems in order to guarantee the reliability and integrity of the voting system.

The Standing Orders of the Greek *Vouli ton Ellinon* were modified in April 2020, in order to introduce a Regulatory Impact Assessment of draft legislation, which comprises 40 questions. This includes the draft bill's explanatory memorandum, its impact report and the General Accounting Office's reports on fiscal implications, a report on the bill's public consultation, a legality report (examining the bill's consistency with constitutional, European and international law) and an implementation report.

The Luxembourg *Chambre des Députés* added, in its final remarks to this chapter, that democracy and the rule of law constitute one of the priorities of the *Chambre des Députés*. The Chamber is currently pursuing a series of reforms aimed at achieving greater transparency and participation in parliamentary work, e.g., the live broadcast of the meetings of five parliamentary committees and the creation of two citizen assemblies aimed at consulting citizens on the procedure to follow in terms of climate policy. Those reforms were evaluated by the University of Luxembourg and its reports on the Citizens' Climate Council and the Citizens' Committee contain recommendations in order to strengthen citizen participation.

The Spanish *Cortes Generales* added in this final remark that on 8 February 2024, a delegation from the Venice Commission, the consultative body tied to the Council of Europe, made up of independent experts in constitutional law, met the Speaker of the Spanish *Senado*, and members of the Justice Committee of the *Congreso de los Diputados* in Madrid. The aim of these meetings was to discuss technical details related to the law of amnesty, which aims to grant protection to politicians involved in the failed bid for the independence of Catalonia in 2017. This law is currently being debated in the referred committee. The objective of the Venice Commission is to gather information to prepare a legal advice opinion on the law of amnesty, following the request made by the Spanish *Senado*.

The Romanian *Senat* underlined the fact that, in the past year, its permanent committees had frequently organised debates in a “state – civil society” format over matters related to the rule of law, which led to the adoption of many relevant legislative initiatives on those topics. In particular, the Committee for Legal Affairs of the Senate organised open debates over the “Justice Laws” legislation. The Committee for Human Rights organised corresponding debates about the integration mechanisms for Ukrainian refugees on the national labour market, as well as the “Equality of Chances, for real” Conference. Along the same lines, the Committee for Education used this format to identify the means for improving the national education laws. Lastly, the Committee for Defence organised over 50 actions of public consultations, which led, inter alia, to the submission of a legislative project meant to reinforce the national defence industry in line with rule of law standards.