Welcome to the October edition of the newsletter

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Following the Government’s response to its report on the role of national parliaments in the EU, the Select Committee is focusing its work for the remainder of the session on following up key recommendations. This will include considering what a ‘Green Card’ might look like — a mechanism for national parliaments to propose or amend legislation — and seeking improvements to the reasoned opinion procedure. Members of the Committee, including the Chairman Lord Boswell, will visit Brussels on 28 October to hold informal meetings with representatives of the new Commission, with a view to seeking support for its continuing work on the role of national parliaments.

At its meeting on 21 October the Committee considered the third semester of the Government’s review of the balance of competences between the UK and the EU. The review is intended to be an analytical and evidence-gathering exercise – ‘auditing’ what the EU does and how it affects the United Kingdom. It is being conducted over four semesters, with reports published on a range of competences within each semester; the review as a whole is meant to conclude by the end of 2014.

The Committee, at this stage, is limiting itself to considering if published reports take into account the work of the Committee; if the reports adhere to a neutral and factual tone; and how successful each report has been in securing a diverse and balanced range of stakeholder input. On
this basis, the Committee has written to the Minister for Europe, the Rt Hon David Lidington MP, sharing its views on this most recent chapter of the exercise.

Alongside this, on 16 October, members of the Committee participated in a meeting with members of the House of Commons European Scrutiny Committee and British Members of the European Parliament to discuss a range of issues of concern to the UK.

The agenda included discussions on the Transatlantic Trade and Investment Partnership (TTIP), the UK’s block opt-out to justice and home affairs measures, parliamentary scrutiny of Europol, the latest developments in the EU’s international development policy and the democratic deficit in the EU.

These “tripartite” meetings are held up to twice each year, to promote good relations and understanding between MPs, Lords and UK MEPs

The Chairman, Lord Boswell has also met the new Slovenian Ambassador to the UK, H.E. Mr Tadej Rupel on 16 October, and the Bulgarian Ambassador to the UK, H.E. Mr Konstantin Dimitrov on 23 October, to discuss issues of mutual interest.

For information on the Committee’s meetings please visit our webpage: www.parliament.uk/hleu

For further details contact the Clerk of the Committee, Luke Hussey, on 020 7219 5864 or husseyl@parliament.uk

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**Economic and Financial Affairs**

During September and October 2014 the Economic and Financial Affairs Sub-Committee has continued its inquiry into the EU financial regulatory framework. It has heard evidence from Andrea Enria, Chairman of the European Banking Authority (EBA); Nicolas Veron, Bruegel; Simon Gleeson, Partner, Clifford Chance; Anthony Browne, Chief Executive, British Bankers Association; and Sally Dewar, Managing Director, JP Morgan. In the coming weeks it will take further evidence from two Deputy Governors of the Bank of England, the Chairman of HSBC Holdings, the Financial Conduct Authority (FCA), the Prudential regulation Authority (PRA) and the European Securities and Markets Authority (ESMA) and the Economic Secretary to the Treasury.

The Committee took evidence on a valuable visit to Brussels from 23-25 September. The Committee met Michel Barnier, the outgoing Commissioner for Internal Market and Services, and architect of much of the regulatory framework that the Sub-Committee is seeking to assess. The Committee also heard evidence from the Centre for European Policy Studies, Finance Watch, the European Banking Federation, the City of London Office in Brussels and prominent MEPs. The Committee expects to publish its report early in 2015. Full details on the inquiry, including the Call for Evidence, can be viewed at http://www.parliament.uk/eu-financial-regulatory-framework.

The Committee also heard evidence in Brussels as part of its continuing scrutiny of the 2015 Draft EU Budget and the budgetary process. The Committee has previously expressed concerns about the failings in the budgetary process. These anxieties were shared by key Brussels witnesses, Jean Arthuis MEP, Chair of the European Parliament Committee on Budgets (BUDG), Dr Ingeborg Grässle MEP, Chair of the European Parliament Committee on Budgetary Control (CONT), and Richard Ashworth MEP, a leading UK member of both those Committees. The Committee will continue to correspond with the UK Government on these important issues in the coming weeks.
From 29-30 September 2014, the Chairman, Lord Harrison, participated in the interparliamentary conference on economic governance, held at the Italian Chamber of Deputies in Rome. Lord Harrison participated alongside representatives of equivalent committees from across the EU, as well as Members of the European Parliament including the new Chair of the Committee on Economic and Monetary Affairs (ECON), Roberto Gualtieri. The conference discussed key issues including restoring a European path to growth, EU economic and financial governance tools and completing the banking union.

The Committee continues its scrutiny of other important legislative proposals including shadow banking, the EU proposals for bank structural reform and the Financial Transaction Tax.

For further information on the Committee’s work, and to see transcripts from evidence hearings, please visit our webpage at http://www.parliament.uk/hleua.

For further details contact the Clerk of the Sub-Committee, Stuart Stoner, on 020 7219 3616 or stoners@parliament.uk

Internal Market, Infrastructure and Employment

On 19 September 2014 the Sub-Committee’s Call for Evidence on its current inquiry into Civil uses of Remotely Piloted Aircraft Systems (RPAS) in the EU closed. The Committee has received 30 responses, which have been published on its website. This inquiry is focused on understanding how current regulation at the EU level needs to adapt to the rapid growth in the market in RPAS for civil use, in order to maintain high levels of safety, adequately protect privacy and develop a sophisticated internal market. The inquiry was launched in response to a Communication from the Commission in April 2014, outlining plans to integrate RPAS into non-segregated airspace by 2016.

In its first evidence session on 13 October the Committee took oral evidence from officials from BIS and DFT. The Committee wished to determine which aspects of current regulation needs updating and which organisations may be best placed to carry out these changes. Further evidence sessions are scheduled weekly until December 2014, and they aim to probe into concerns regarding privacy and data protection, access to insurance and determining liability.

The Committee is also investigating the benefits that civil applications of RPAS may bring. Members visited Cranfield University on the 22 October for a demonstration of an RPAS. Between the 4-5 November, the Committee will be travelling to Brussels to take oral evidence from important European stakeholders, such as the European Aviation Safety Authority (EASA), EuroCONTROL and EuroCAE.

Alongside this inquiry, the Committee continues to scrutinise EU proposals. In the upcoming months this will include pending legislation on institutions for occupational pension retirement provision and future regulation of port services.

For further information on the Committee’s meetings and to see transcripts from evidence hearings, please visit our webpage: www.parliament.uk/hleub

For further details contact the Clerk of the Sub-Committee, Alicia Cunningham, on 020 7219 4840 or cunninghamal@parliament.uk

External Affairs

The External Affairs Sub-Committee has been continuing its inquiry into the EU and Russia. The inquiry is considering the proximate and structural causes of the recent crisis in Ukraine and Crimea, including EU
actions and the consequent Russian response, how the EU handled the crisis, and how the EU has handled relations with Russia’s neighbouring countries.

With recent events, the inquiry is extremely topical and fast-moving, and over the last couple of months the Committee has taken evidence from FCO and BIS officials, Sir Tony Brenton KCMG (former British Ambassador to Russia), Mr John Lough (Associate Fellow, Russia and Eurasia Programme, Chatham House), Mr Andrii Kuzmenko (Ukrainian Acting Ambassador to the UK) and Professor Sergei Guriev (Professor of Economics at Sciences Po, Paris).

Over the next few weeks, the Committee plans to take evidence from the Financial Conduct Authority, Her Majesty’s Treasury, Mr Vladimir Kara-Murza (Coordinator, Open Russia) and Fyodor Lukyanov (Editor, Russia in Global Affairs). The Committee will also be visiting Brussels in order to take evidence from the European Commission, European Council and academics. The Committee’s Call for Evidence closes on Friday 24 October.

The Committee has also continued with its scrutiny work and, over the last few weeks, has examined various restrictive measures in respect of the situation in Ukraine, Crimea and Russia, a Communication on a more competitive and efficient defence and security sector, an auditors’ report on the establishment of the European External Action Service, the Rule of Law Mission in Kosovo (EULEX KOSOVO) and the security sector mission in the Democratic Republic of Congo (EUSEC RD Congo).

For further information on the Committee’s meetings and to see transcripts from the evidence hearings, please visit our webpage: www.parliament.uk/hleuc.

For further details contact the Clerk of the Sub-Committee, Sarah Jones, on 020 7219 6099 or jonessa@parliament.uk.

Agriculture, Fisheries, Environment and Energy

On Wednesday 10 September the Sub-Committee heard from Dr Julian Parfitt, the Specialist Adviser to its earlier EU food waste inquiry, on the current state of food waste legislation and recent developments. The Committee’s report (Counting the Cost of Food Waste: EU Food Waste Prevention, 10th Report Session 2013-14, HL Paper 154) is due to be debated in the House of Lords on Thursday 6 November.

Beginning on Wednesday 22 October, the Committee will hold a series of evidence sessions as part of its recently launched inquiry into Regional Marine Co-operation. The report is due to be published in March 2015.

The first session will consist of a videoconference with the European Commission’s DG MARE, and will explore the background to the Maritime Spatial Planning Directive and the current situation with regard to the Marine Strategy Framework Directive, both of which are legislative tools with the potential to foster greater marine co-operation between Member States and sectors. The inquiry will also look into co-operation between Member States’ Regions and within sectors such as energy and fisheries.

The inquiry will also address the ‘Blue Growth’ agenda, which supports the goals of the Europe 2020 strategy for smart, sustainable and inclusive growth within the marine and maritime sectors, along with the twin areas of marine science and marine conservation. The inquiry’s focus on the North Sea will be explored in sessions with the OSPAR Commission, the North Sea Commission and the North Sea Region Programme.

On Monday 8 December, the Sub-Committee will hear from George Eustice MP, Parliamentary Under Secretary of State for farming, food and marine environment (DEFRA) and Matthew Hancock MP, Minister of State for Business and Enterprise and Minister of State for Energy (DECC and BIS).
The Committee has also continued with its scrutiny work. It has focused in particular on dossiers on the fishing opportunities for 2015 under the Common Fisheries Policy, animal health, marine knowledge, the business-to-businesses food supply chain, migratory species of wild animals, medicated animal feed, and energy efficiency and energy security as part of the 2030 framework for energy and climate change.

Informal briefings are planned with Statoil, Ofwat and the National Office of Animal Health.

For further information on the Committee’s meetings and to see transcripts from evidence hearings, please visit our webpage: www.parliament.uk/hleud.

For further details contact the Clerk of the Sub-Committee, Patrick Milner, on 020 7219 4579 or milnerp@parliament.uk

The Justice, Institutions and Consumer Protection Sub-Committee has continued to scrutinise a range of dossiers, including proposals for the choice of court agreements under the Hague Convention; the multiannual European e-Justice Action Plan for 2014-2018; and proposals related to insolvency agreements.

On 15 October the Committee questioned Jo Swinson MP, Minister for Employment Relations and Consumer Affairs at the Department for Business, Innovation and Skills (BIS), about an override of the scrutiny reserve in June 2014 for proposals on insolvency proceedings. This was an unusual step, but the Government has undertaken not to agree to any EU proposal until the Committee has completed its consideration, or "cleared it from scrutiny". In this instance, the Government not only overrode the policy, but also failed to reply to a letter written by the Committee.

The Minister was asked about this failure to respond to correspondence, the override of the Parliamentary scrutiny reserve and what steps the Department will take in order to improve its performance in the future.

On 13-14 October Baroness Quin attended and spoke at a conference on Fundamental Rights, hosted by the Italian Chamber of Deputies as part of the parliamentary dimension of the Italian Presidency of the EU. The conference focused on topics such as enforcing fundamental rights to combat exclusion and the issues of data protection and new rights in the digital era.

On 29 October the Committee will begin taking oral evidence in its inquiry into the UK’s opt-in policy and its application to international agreements. The Committee will be hearing from a panel of academics on 29 October, including Professor Steve Peers of the University of Essex, and Professor Gavin Barrett of University College Dublin.

For information on the Committee’s meetings please visit our webpage: www.parliament.uk/hleue.

For further details contact the Clerk of the Sub-Committee, Luke Hussey, on 020 7219 5864 or husseyl@parliament.uk

The Committee concluded its brief inquiry into the judgment of the Court of Justice of the European Union in Google Spain SL, Google Inc. v Agencia Española de Protección de Datos, Mario Costeja González (Case C-131/12, 13 May 2014) – the “Right to be Forgotten” – and published a report on 30 July. The Committee concluded that neither the 1995 Data Protection Directive, nor the interpretation of it by the Court of Justice, reflected the current state of communications or could be feasibly applied to search engines. They recommended that the
new draft Data Protection Regulation, currently being negotiated, should not attempt to include a ‘right to be forgotten’ provision, which would be unworkable. They recommended that the UK Government should follow this position in negotiations on the draft.

The report generated considerable interest in the press. The Information Commissioner strongly contested the Committee’s view, even though the Government had already endorsed the Committee’s views in the Minister’s evidence. The Government’s response has now been received. While the Government still agrees that a ‘right to be forgotten’ is undesirable, it now seems to be arguing that it may be inevitable, given the views of the Commission and other Member States. The Committee will be writing to the Minister.

In June 2013 the Committee published a report recommending that the Government should opt in to the draft Regulation establishing Europol – a course the Government declined to follow. The draft proposed that CEPOL, the European Police College, should be merged with Europol. This is not now happening, and the Commission has therefore prepared a fresh draft Regulation establishing CEPOL. On 24 October the Committee will publish a brief report exploring whether the UK should opt in to this Regulation. The report will be debated on 3 November; the three month period within which the UK can exercise its opt-in expires on 24 November.

The Committee’s earlier report on a successor to the Stockholm Programme for Justice and Home Affairs, Strategic Guidelines for the EU’s next Justice and Home Affairs Programme: steady as she goes (13th report, session 2013-14) has now received a response from the Commission, which the Committee considered on 22 October.

The Committee has received significant written evidence for its inquiry into the EU Alcohol Strategy, which has now been placed on the Committee’s website. The first oral evidence session took place on 15 October, with more evidence being taken until the end of the year.

For further information on the Sub-Committee’s meetings and to see transcripts from the evidence hearings, please visit our webpage: www.parliament.uk/hleuf.

For further details contact the Clerk of the Sub-Committee, Michael Collon, on 020 7219 8650 or collonm@parliament.uk

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**House of Lords Representative in Brussels**

On 2-3 and 3-4 September respectively the Chairmen of the Agriculture, Fisheries, Environment and Energy, and Home Affairs, Health and Education Sub-Committees (Baroness Scott of Needham Market and Baroness Prashar) visited Brussels to meet new MEPs and officials of the Commission.

Many of the Sub-Committees have visited, or are planning to soon visit, Brussels in order to take evidence as part of their inquiries. Further details about these visits are given above.

Our representative in Brussels is Dominique Gracia. She would welcome the opportunity to discuss the forthcoming work of the EU Committee and can be reached at dominique.gracia@natparl.europa.eu or +32 (0) 2 283 1496.